

La Plata County New Land Use Code

Topic Focused Workshop #4
Development Project Simulations
June 19, 2020



Agenda overview

- Desired Outcomes/Goals for the Day
 - Provide education to the community about the land use code
 - Understand how the new code is expected to impact the community
 - Gain insights from the community about how they perceive the new code
 - Gain insights from the community to guide changes to the new code
- Agenda
 - 10 min – Introductions & Welcome
 - 20 min – Project Simulation: Administrative Land Use Permit
 - 30 min – Project Simulation: Major Land Use Permit
 - 20 min – Project Simulation: Minor Land Use Permit
 - 10 min –Wrap-up and Next Steps

Meeting Overview

Zoom Protocols	Meeting Agreements
<p>Webinar format</p> <ul style="list-style-type: none">• Muted device• Recording the presentation• Polling <p>Feedback Cue</p> <ul style="list-style-type: none">• Use the raise hand icon or *9• Use the chat icon• State your name and then speak• Comments will be timed to 2 minutes, you can get back in the cue	<ul style="list-style-type: none">• Equalize participation• Respect – in words and meeting conduct• Listen to understand• Focus on our goals for the day, the content at hand• Step-Up/Step-Back – be concise and to the point

Panelist Introductions

- Consultants
 - Gabe Preston, RPI
 - Stacy Beaugh, Strategic By Nature
- Planning Commission
 - Geri Malandra, Chair (Florida Road District Area)
 - Chris Scott, Vice Chair (Florida Mesa District)
- County Staff
 - Megan Graham, Public Affairs Officer
 - Neal Starkebaum, Community Development Director
 - Robert Bowie, Senior Planner
 - Daniel Murray, Principal Planner
 - Dan Murphy, Senior Planner

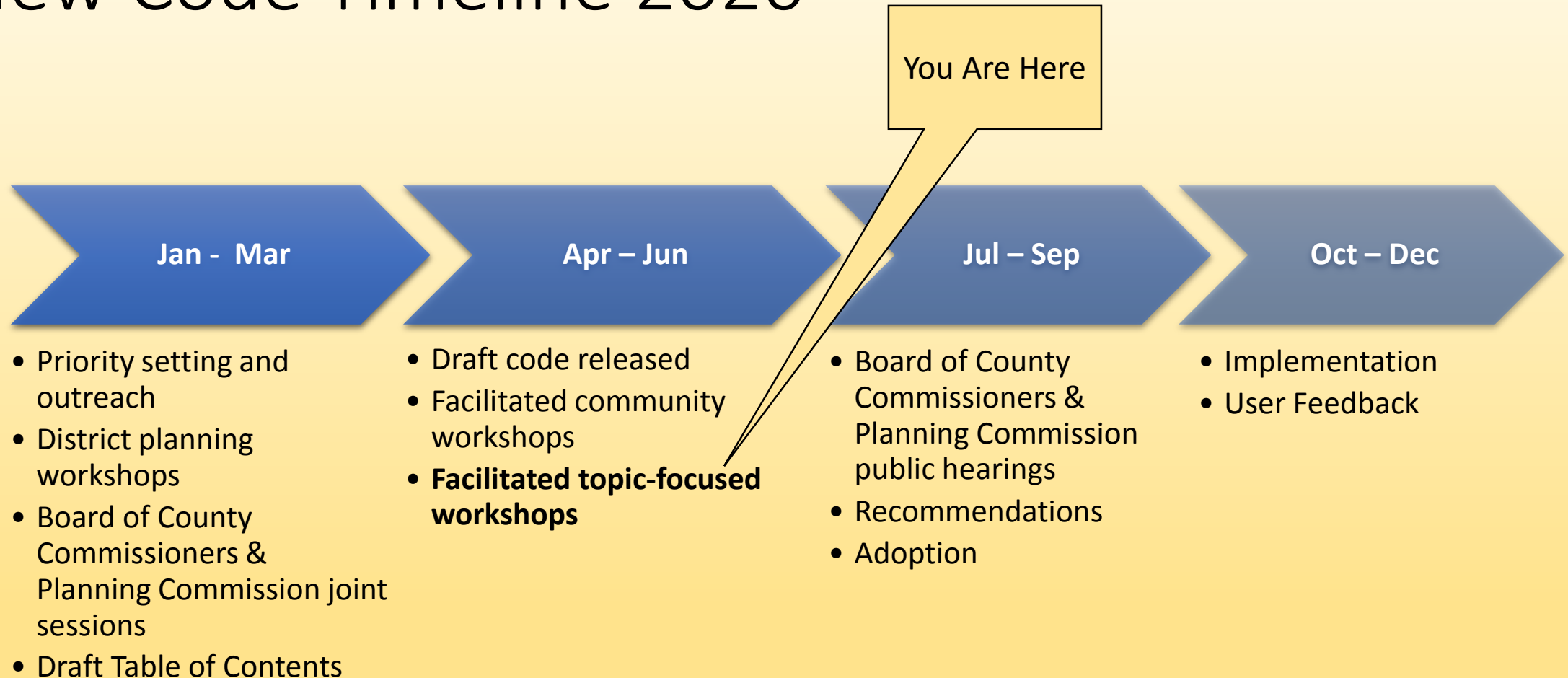


Planning Commissioner Welcome

- Goals for the Day
- Board of County Commissioner Goals for New Code
 - Reconcile and clarify the land use code
 - Provide for predictability and improved certainty of the process and outcomes
 - Facilitate and direct growth to appropriate areas
 - Improve the review process
 - Articulate clear development standards
 - Streamline the development process
 - Protect and respect the county's most valued assets
 - Minimize sprawl
- Highlights from the New Code
- Community Role



New Code Timeline 2020



<p>Topic-Focused Workshop 1:</p>	<p>Development Review Process (Ch. 63, 66)</p> <ul style="list-style-type: none"> • Improvements and changes to the review process <ul style="list-style-type: none"> ○ Increased administrative review ○ Reduced public hearings ○ Sketch plan and compatibility review ○ Roles and procedures of decision-making bodies • Transitioning from old to new code 	<p>Fri, May 29: 2-4 pm</p>
<p>Topic-Focused Workshop 2:</p>	<p>Development Standards (Ch. 65, 66, 67, 68, 70, 72, 73)</p> <ul style="list-style-type: none"> • Development standards <ul style="list-style-type: none"> ○ Effect of improved/clarified standards on process ○ Compatibility and mitigation standards ○ Tiny homes and manufactured homes standards ○ Wildfire and other natural hazards • New tools for development <ul style="list-style-type: none"> ○ Economic development areas ○ Planned unit development ○ Clustered rural development 	<p>Fri, June 5: 2-4 pm</p>
<p>Topic-Focused Workshop 3:</p>	<p>Road Level of Service Standards, Road Construction Standards and Drainage & Erosion Control Standards (Ch. 70, 74)</p> <ul style="list-style-type: none"> • Road Level of Service Standards <ul style="list-style-type: none"> ○ Background ○ Level of service metrics and studies • Road Construction Standards <ul style="list-style-type: none"> ○ Standards for non-county roads ○ Roads in 35-acre subdivisions • Drainage and erosion standards <ul style="list-style-type: none"> ○ Revised drainage and detention standards ○ Water quality requirement for detention ponds 	<p>Fri, June 12: 2-4 pm</p>
<p>Topic-Focused Workshop 4:</p>	<p>Project Simulations</p>	<p>Fri, June 19: 2-4 pm</p>

Administrative Land Use Permit

AgPlus Bed and Breakfast



The Idea

- Proposal: Commercial bed and breakfast in an existing 3 bedroom ranch home
- Parcel: 40 acres; contains two legally created homes, irrigated hay field, and grazing; assessed as agriculture for 30+ years.
- Location: Southeast Planning District
- Access: county road, gravel surface
- Bed and breakfast home has a permitted septic system and permitted well

62-5 Definitions:

Bed and breakfast. An overnight lodging establishment that is a dwelling unit, additional dwelling unit or an accessory structure thereto, in which an innkeeper resides on the site, or that is a building designed but not necessarily occupied as a single-family residence and next to the innkeeper's residence; provides at least one (1) meal per day at no charge; and there are at least two (2) bedrooms, but not more than thirteen (13) bedrooms, available for transient guests. C.R.S. §§ 39-1-102 and 44-3-103.

Pre-Application

- Begins with preliminary feasibility and pre-application meeting 66-10

The screenshot shows a web browser window with the address bar displaying 'forms.laplata.co.us/Forms/ProjectInformation'. The page title is 'New Submission'. The form is titled 'Project Information' and contains several input fields:

- 'Additional Parcel Numbers' (text input)
- 'Type of Project*' (dropdown menu)
- 'What would you like to do with this project?*' (text input)
- 'What is the current number and size range of lots?' (text input)

C. Pre-application meeting. Unless otherwise provided in this code, a pre-application meeting is required for the specific land use permit and development applications shown in Table 66-15. For all application types, a conference through telephone, video, email other electronic means may serve the function of a meeting at the discretion of the director. The pre-application meeting shall occur prior to the filing of the formal application. The director shall provide the applicant:

1. A checklist of submittal items that will be necessary for each type of application being sought;
2. The forms with the specific information that is required to process each type of application being sought;
3. The county's applicable application fee(s).

Classification

66-5 Projects classified as administrative land use permits

II. AgPlus uses by administrative land use permit. Uses or applications subject to the contents of this subsection shall meet all of the criteria set forth in subsection 66-3.II.B. above and shall be required to obtain an administrative land use permit:

- A. Farm stand that sells agricultural products produced off-site;
- B. Agritourism enterprise;
- C. Bed and breakfast facilities;
- D. Public livestock or farm implement auction;
- E. Family child care home or state licensed child care center;
- F. Sale rooms of products grown on site;
- G. Assisted living residence;
- H. Veterans assistance programs;
- I. Wineries, cideries and distilleries.

Classification

66-3

B. *Applicability.* This subsection applies to two (2) types of uses. First are uses by right which the county has determined are customarily incidental or directly related to a pre-existing agricultural activity conducted on a single agricultural parcel. The second are uses that require administrative review because such uses are secondary and clearly subordinate to the pre-existing agricultural activity conducted on the agricultural parcel but support the sustainability of the agricultural use. To qualify for either type of AgPlus use, the proposed use must occur on a single agricultural parcel meeting the following criteria:

1. The parcel was classified by the county assessor as agricultural in the previous two (2) years and is presently used for agricultural purposes;
2. Except for accessory rural occupations or home occupations, the parcel is a minimum of fifteen (15) acres;
3. The parcel subject to the application shall not be in violation of this code or the building code.

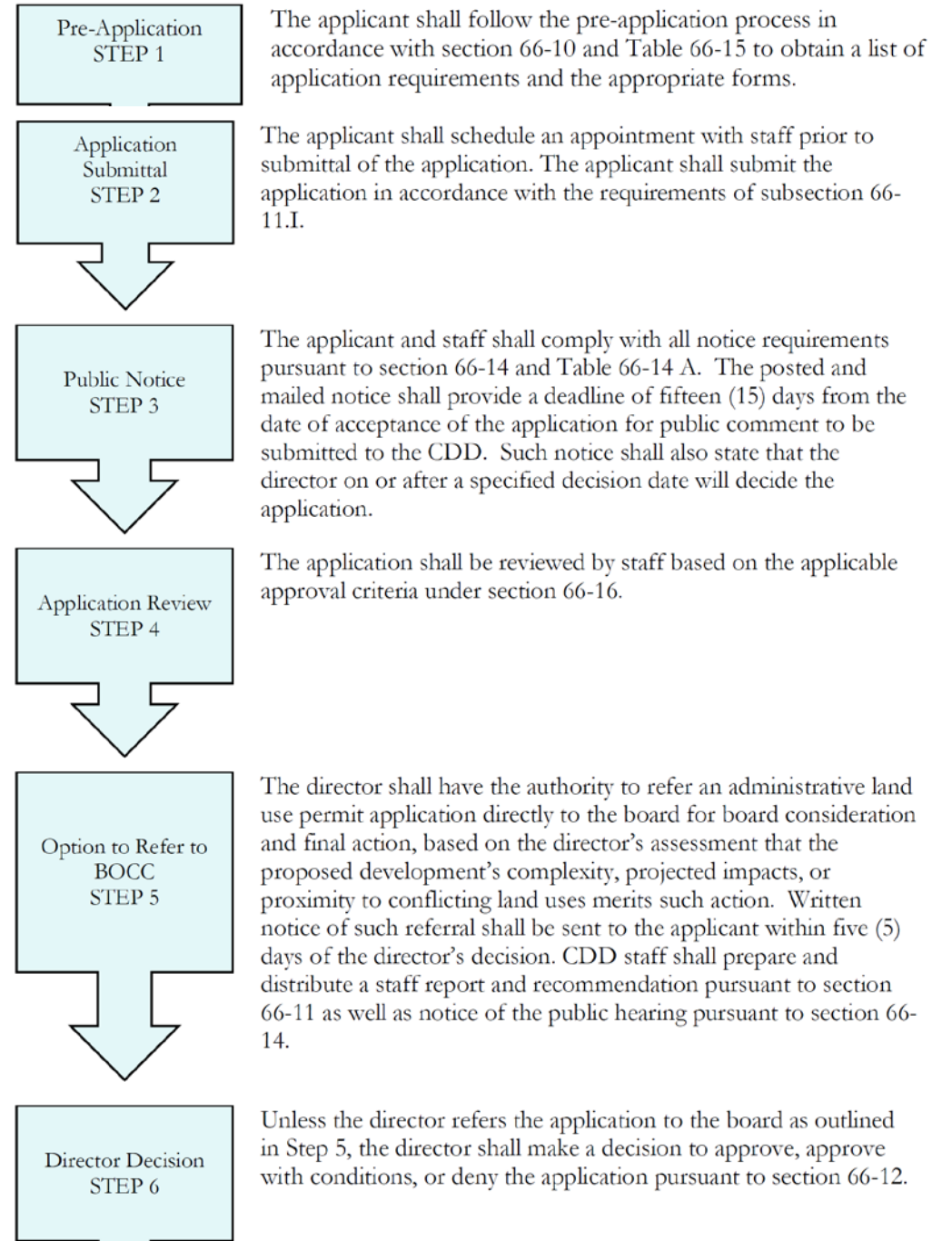
Process 66-18

Notice 66-14 B

Table 66-14 B Summary of notice requirements by type of notice

Type Of Notice	Who Prepares Notice	Minimum Time For Providing Notice
Written (Mail) Notice of Intent to Develop	Community Development Department	Within five (5) business days after acceptance of application
Posted Notice of Intent to Develop	Applicant (CDD provides form)	Within five (5) business days after acceptance of application
Mineral Rights Owner Written (Mail) Notice of Public Meeting	Applicant	Thirty (30) days prior to public meeting for mineral rights owners
Written (Mail) Notice of Public Meeting or Neighborhood Meeting	Community Development Department	Ten (10) days prior to public meeting for surrounding landowners
Publication Notice of Public Meeting	Community Development Department	Ten (10) days prior to public meeting and no more than thirty (30) days prior

Figure 66-18 Summary of Administrative Land Use Permit Procedures



Submittal contents 66-11 (via Pre-application 66-10)

D. Application contents.

1. Submittal requirements. The director is authorized to establish submittal requirements for all applications required by this code. Applications shall contain all information as needed to determine the development's compliance with the standards and approval criteria adopted in this code. If any part of the submittal requirements is missing, the application will be deemed incomplete and the application will not be accepted. The director shall provide all the required forms necessary to implement such requirements as follows:

a. The director shall create and periodically revise, as necessary, forms for each type of application required by this code.

C. Pre-application meeting. Unless otherwise provided in this code, a pre-application meeting is required for the specific land use permit and development applications shown in Table 66-15.

For all application types, a conference through telephone, video, email other electronic means may serve the function of a meeting at the discretion of the director. The pre-application meeting shall occur prior to the filing of the formal application. The director shall provide the applicant:

1. A checklist of submittal items that will be necessary for each type of application being sought;
2. The forms with the specific information that is required to process each type of application being sought;
3. The county's applicable application fee(s).

- ✓ proof of ownership
- ✓ project narrative
- ✓ site plan
- ✓ parking, setbacks, sign
- ✓ can be low tech, don't need an architect or engineer
- ✓ well permit
- ✓ septic permit

Standards of Review

- Chapter 73: Standards and Additional Submittal Requirements for Specific Uses
 - Bed and breakfast 73-4 (bedrooms, parking, signage, residential appearance)
- Chapter 70 Generally Site Development Standards (at minimum)
 - Proof of water 70-4
 - Proof of sewer 70-3
 - Outdoor Lighting Regulations 70-7
 - Signs 70-20
- General approval criteria 66-16:
 - Consistency with review agency comments
 - Consistent with prior approvals
 - No significant adverse impacts on surrounding property
 - Conformance with adopted plans
 - Uses and density in general conformance with district plan.

Southeast District Plan
Goal A.2: Encourage businesses
that support agriculture

How would this have gone under the current code?

Major Land Use Permit

Contractor Yard and Offices



The Idea

- Build a contractor yard and offices for two operators (a builder and a second phase that includes a landscaping company)
- Equipment/machinery storage/parking, material storage, employee parking, and three moderately sized structures
- Ten acres total, 5 acres to be developed.
- In Grandview near Hwy 160

Pre-Application

- Begins with preliminary feasibility and pre-application meeting 66-10

New Submission

forms.laplata.co.us/Forms/ProjectInformation

Apps About Us

Additional Parcel Numbers

Project Information

Type of Project*

What would you like to do with this project?*

What is the current number and size range of lots?

C. Pre-application meeting. Unless otherwise provided in this code, a pre-application meeting is required for the specific land use permit and development applications shown in Table 66-15. For all application types, a conference through telephone, video, email other electronic means may serve the function of a meeting at the discretion of the director. The pre-application meeting shall occur prior to the filing of the formal application. The director shall provide the applicant:

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Classification: Major Land Use Permit

Minor Land Use Permit (66-6)

10,000 ft² of floor area or less,
and 3 acres or less of land disturbance,
and domestic water demand of 1,050 gals/day or less,
and 5% or less increase in traffic on public roads

Major Land Use Permit (66-7)

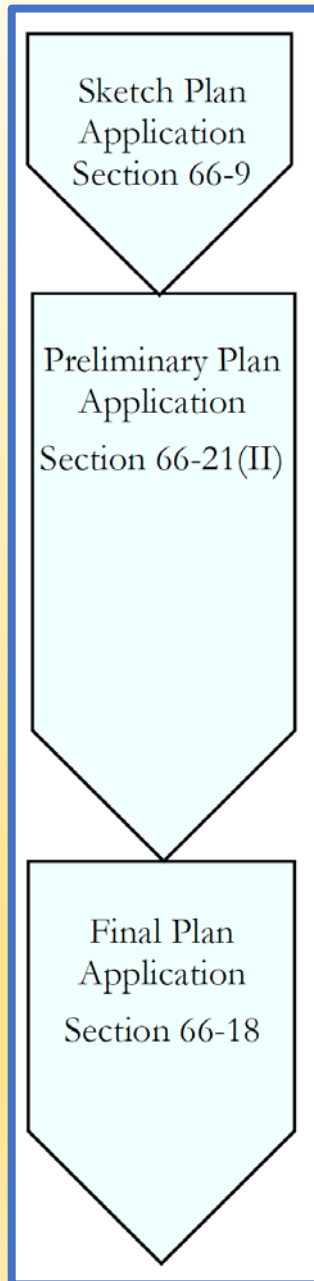
Over 10,000 ft² of floor area
or over 3 acres of land disturbance
or domestic water demand over 1,050 gals/day
or more than 5% increase in traffic on public roads

Project will result in more than 3 acres of land disturbance.



Major Land Use Permit Procedures 66-21

Overview of Major Land Use



Sketch Plan:

- **One Hearing - Planning Commission**
- **Determine Compatibility at Front of Process**
- **May Include Phasing Plan**

Preliminary Plan:

- **One Hearing – BOCC**
- **Review of Technical Details and Engineering**
- **May be Combined with Final Plan**
- **Preliminary Plan may Include Future Phases**

Final Plan:

- **Administrative - Planning Director**
- **Final Details and Plans for Construction**
- **Final Plans for Future Phases Covered under Preliminary Plan**

Notice 66-14

Type of Land Use Permit or Development Application	Mailed Notice of Intent to Develop	Posted Notice of Intent to Develop	Notice of Public Meeting		
			Mailed	Mineral Owner Notice*	Published
Director determinations	-	-	-	-	-
Administrative land use permits	X	X	If referred to BOCC	-	If referred to BOCC
Sketch plan	X	X	X	X	X
Minor land use permit	X	X	X	X	X
Major land use permit:					
A. Sketch plan	X	X	X	X	X
B. Preliminary plan	X	X	X	-	X
C. Final plan	X	-	-	-	-

Sketch Plan 66-19

- Sketch Plan Submittal Requirements 66-19
 - Conceptual drawing(s) and narrative, not detailed, not engineered
 - Show uses, intensity, density
 - Conceptual layout
 - Phasing
- Sketch Plan Review Considerations 66-19
 - Types of use
 - Locations intended for development, undeveloped areas/open space
 - Compatibility with the existing uses of adjacent properties
 - Compatibility with the natural environment, natural hazards
 - General conformance with district plan and comprehensive plan
 - Phasing
 - Infrastructure or other improvements
 - Access
 - Adequate water supply
 - Sewage treatment

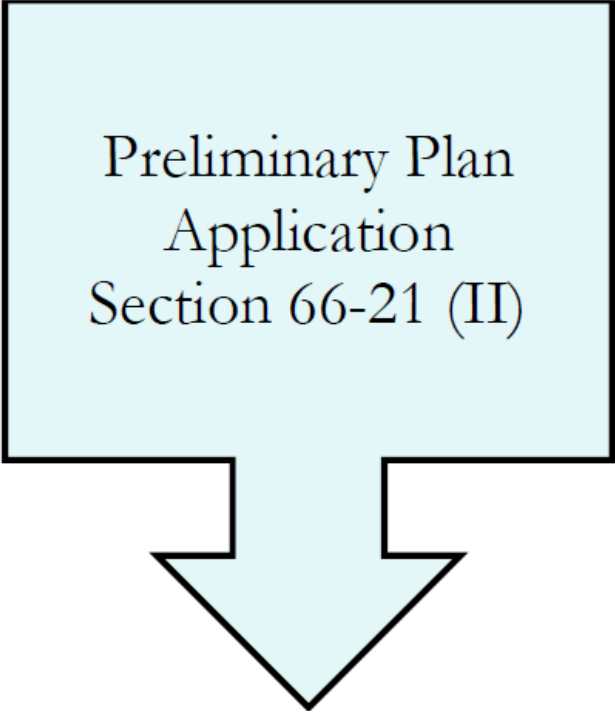
- Compatibility criteria 70-5
 - General conformance with comprehensive and district plan(s)
 - Appropriate densities and uses
 - Avoidance of unmitigated nuisance conditions
 - Pollution control practices and permits
 - Maintenance of existing character
 - Adequate provision of services
 - Natural environment and resources
- 73-7 Standards specific to commercial outdoor storage and sales areas (buffering, setbacks, hard surface required, hazardous materials)

Standards of Review

- General approval criteria 66-16:
 - Consistency with review agency comments
 - Consistent with prior approvals
 - No significant adverse impacts on surrounding property
 - Conformance with adopted plans
 - Uses and density in general conformance with district plan.
- Chapter 70 Generally Site Development Standards(at minimum)
 - Proof of water 70-4
 - Proof of sewer 70-3
 - Property Line and Road Setbacks (70-6)
 - Outdoor Lighting Regulations (70-7)
 - Avoidance of Natural Hazards and Protection of Sensitive Lands (70-8)
 - Landscaping and buffering (70-17)
 - Signs (70-20)
 - Water, Sewer
- Chapter 74 Road and Bridge Standards and Permits

Florida Mesa Plan
Objective 4.D: Encourage commercial growth in areas designated on the Land Use Map in order to prevent such uses from migrating into predominantly agricultural and residential areas.

Preliminary Plan review

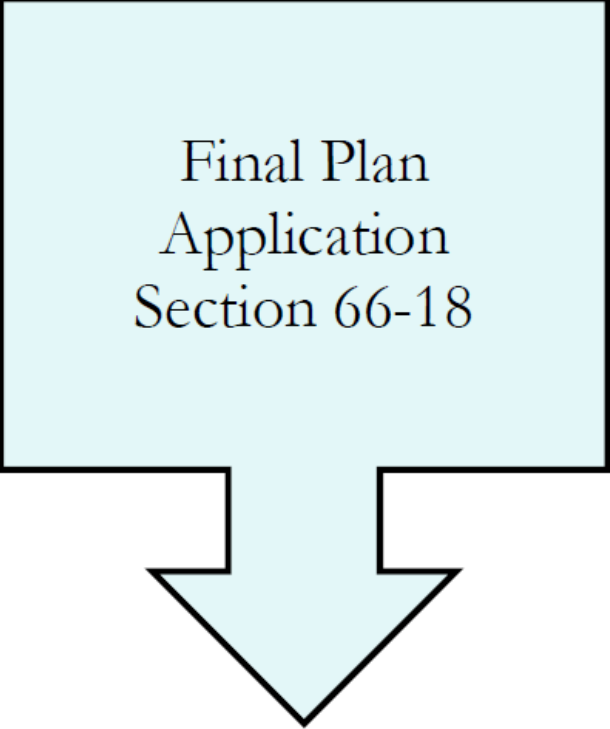


Preliminary Plan
Application
Section 66-21 (II)

Preliminary Plan review requires the applicant to formulate detailed, designed/engineered solutions to the issues and concerns identified during sketch plan review, and to address, in a site-specific manner, all other issues that are relevant to the preliminary plan. In the director's discretion, the preliminary plan and final plan may be combined and processed together based upon consideration of the following factors: design, size, public facilities and services. Based on the same factors, the preliminary plan may include phased elements of the projects which may be processed as separate final plans or administrative land use permits as specified with the preliminary plan approval.

The review of a major land use permit preliminary plan shall follow the procedures set forth in subsection (II) below.

Final Plan review (combined with Preliminary Plan or by Administrative Land Use Permit)



Final Plan
Application
Section 66-18

The purpose of the final plan review procedure is to provide a permanent and accurate public record of the development plan, exact location of all approved activities and uses, together with all applicable conditions and use limitations. A final plan shall conform in all respects to the approved preliminary plan and shall incorporate all modifications and conditions of approval.

The review of a major land use permit final plan shall follow the administrative land use permit procedures set forth in section 66-18.

How would this have gone under the current code?

Minor Land Use Permit

Three lot subdivision



The Idea

- Proposal: one existing home, proposed subdivision creating two new lots,
- 35 acres with a 15 acre and two 10 acre lots.
- Location: Bayfield Planning District
- Access: county road, paved surface
- Home has a permitted septic system and permitted well

Pre-Application

- Begins with preliminary feasibility and pre-application meeting 66-10

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C. Pre-application meeting. Unless otherwise provided in this code, a pre-application meeting is required for the specific land use permit and development applications shown in Table 66-15. For all application types, a conference through telephone, video, email other electronic means may serve the function of a meeting at the discretion of the director. The pre-application meeting shall occur prior to the filing of the formal application. The director shall provide the applicant:

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3. The county's applicable application fee(s).

Classification: Minor Subdivision 67-4

Minor Subdivision (67-4)	Major Subdivision (67-3)
Up to 3 lots	4 or more lots

Minor Subdivision Procedures 67-4



Notice 66-14

Type of Land Use Permit or Development Application	Mailed Notice of Intent to Develop	Posted Notice of Intent to Develop	Notice of Public Meeting		
			Mailed	Mineral Owner Notice*	Published
Economic development area designation	X	-	X	-	X
Land use code amendments	-	-	-	-	X
Major subdivision:					
A. Sketch plan	X	X	X	X	X
B. Preliminary plat	X	X	X	X	X
C. Final plat	X	X	If referred to BOCC	-	If referred to BOCC
Minor subdivisions	X	X	X	X	X

Submittal contents 66-11 (via Pre-application 66-10)

D. Application contents.

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- ✓ proof of ownership
- ✓ project narrative
- ✓ surveyed plat (building envelopes)
- ✓ geotech report
- ✓ traffic evaluation (74-3.IV)
- ✓ well permit and pump test
- ✓ septic feasible according to San Juan Basin Health

Standards of Review

- General approval criteria 66-16:
 - Consistency with review agency comments
 - Consistent with prior approvals
 - No significant adverse impacts on surrounding property
 - Conformance with adopted plans
 - Uses and density in general conformance with district plan.
- Chapter 70 Generally Site Development Standards (at minimum)
 - Proof of water 70-4
 - Proof of sewer 70-3
 - Property Line and Road Setbacks (70-6)
 - Avoidance of Natural Hazards – Geohazard Onsite (70-8)
 - Irrigation facilities – irrigation ditch through proposed subdivision (70-14)
- Chapter 74 Road and Bridge Standards and Permits (traffic evaluation)

Bayfield Plan

Goal 3: Promote Economic Stability and Opportunity (AKA Housing).
Objective 3.A: Provide flexibility and increased opportunities for residential and commercial development.

Compatibility assessment standards 70-5

- Compatibility criteria
 - General conformance with comprehensive and district plan(s)
 - Appropriate densities and uses
 - Avoidance of unmitigated nuisance conditions
 - Pollution control practices and permits
 - Maintenance of existing character
 - Adequate provision of services
 - Natural environment and resources

Land Use Classification:
Agricultural/Rural Residential 1
unit per 10-20 acres

Next Steps for Additional Input

- Additional comments are welcome and encouraged!
- Email: **NewCode@co.laplata.co.us**
- Project website: **https://bit.ly/LPC_LUC**
- Turn in comments by June 26 for consideration in New Code Draft 2

