

La Plata County New Land Use Code

Community Workshop #2

Support for Agriculture, Business, and Housing

June 2 or June 3, 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
 - 30 min – Content Presentation
 - 45 min – Facilitated Discussion
 - 5 min – 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• Use the Q&A 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 Beough, 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



Community Workshop Schedule

Day to Day Life
and Business

Tu, May 26
6 –7:30pm

W, May 27
11:30am–1pm

Support for
Agriculture,
Business, and
Housing

Tu, June 2
6 –7:30pm

W, June 3
11:30am–1pm

Significant
Development:
Commercial,
Industrial,
Subdivisions

Tu, June 9
6 –7:30pm

W, June 10
11:30am – pm

Special Topics

Tu, June 16
6 –7:30pm

W, June 17
11:30am–1pm

Community Workshop Schedule

#1: Day to Day Life and Business	#2: Support for Agriculture, Business, and Housing	#3: More Significant Development Projects: Commercial, Industrial, Subdivisions	#4: Special Topics
<p>Portions of the draft code that pertain to day to day residential, agricultural and existing business. List uses, characterize standards and procedures, articulate the public purpose and protections accomplished with the regulations.</p>	<p><i>Agricultural</i> includes Ag plus, exemptions, Right to Farm, protections for irrigation infrastructure. <i>Housing</i> includes additional dwelling units, manufactured and tiny homes. <i>Business</i> includes accessory uses and economic development areas.</p>	<p>Includes sketch plans and compatibility, minor and major development permits, planned unit developments, subdivision, and manufactured and tiny home developments.</p>	<p>Includes long range planning tools, formal advisory bodies and decision makers, and other topics that arise in workshops 1-3.</p>
<p>Tu, May 26: 6 pm – 7:30 pm W, May 27: 11:30 am – 1 pm</p>	<p>Tu, June 2: 6 pm – 7:30 pm W, June 3: 11:30 am – 1 pm</p>	<p>Tu, June 9: 6 pm – 7:30 pm W, June 10: 11:30 am– 1 pm</p>	<p>Tu, June 16: 6 pm – 7:30 pm W, June 17: 11:30 am– 1 pm</p>

New Land Use Code

Support for Agriculture, Business, and Housing

Covering Portions of Chapters 65, 66, 67, 70, 73



AgPlus

Uses by Right

- Farming and ranching

AgPlus Uses by Right



- Agricultural research facility
- Accessory rural occupation or home occupation
- Equine or llama activities
- Grain storage facilities
- Small scale processing facility
- Direct market business/community supported agriculture
- Farm machinery repair

Administrative Land Use Permit

- Farm stand selling agricultural products produced off-site
- Wineries, cideries and distilleries
- Sale rooms of products grown on site
- Agritourism enterprise
- Bed and breakfast facilities
- Public livestock or farm implement auction
- Family child care home or State licensed child care center
- Assisted living residence
- Veterans assistance programs

**Administrative
Land Use Permit**






	Community Preference	9 out of 10 district plans call for increased options for agricultural operations so that the land can remain agricultural.
	User-Friendly Code	The list of uses by right require no land use permits, and significant commercial uses can occur via administrative land use permit – no public meetings.

Expedited agricultural subdivision

- Agricultural exemption subdivisions (by administrative land use permit)
 - Up to 2 new lots plus the fathering parcel
 - Pre-1972 parcels or 70+acres
 - Assessed as agricultural for 5+ years




Why does it matter?

	Community Preference	9 out of 10 district plans call for increasing options for agricultural operations so that the land can continue to be agricultural.
	Good Neighbors	Although the subdivision process is expedited, public notice is required.
	User-Friendly Code	Agricultural lot splits are very common applications, new code will significantly reduce costs and time requirements. Cluster subdivision offers an additional lot as an alternative to 35 acre subdivisions.

Right to Farm and Ranch

- Provide legal defense for ag operators against nuisance claims
- Ability to apply conditions and plat notes on new development to ensure that it does not interfere with a nearby farm or ranch
- Reaffirms Colorado's fence out laws




Why does it matter?

	Community Preference	9 out of 10 district plans cite concern about nearby uses infringing on agricultural operations.
	Good Neighbors	The idea behind right to farm is that neighbors of agricultural operations should anticipate and expect to see, hear and smell agricultural operations.
	User-Friendly Code	Having right to farm codified will eliminate unnecessary claims that agriculture is a nuisance.

Options for Home-Based Businesses (Accessory Use)

No Land Use Permit	Administrative Land Use Permit	Minor Land Use Permit
<ul style="list-style-type: none"> • Up to 400 square feet • In the dwelling unit or attached garage • No outside storage • No employees • No onsite sales or customer service • No signage • 4 or less average daily trips 	<ul style="list-style-type: none"> • Up to 800 square feet. • In a dwelling unit, attached or detached garage or a single out-building • Up to 500 sq. ft. of outdoor storage • No more than one employee • No signage • 8 or less average daily trips (includes customers) 	<ul style="list-style-type: none"> • Up to 1200 square feet. • In a dwelling unit, attached or detached garage or a single out-building • Up to 1,000 sq. ft. of outdoor storage • Up to two employees • One sign allowed • 24 or less average daily trips (includes customers)




Why does it matter?

	Community Preference	10 out of 10 district plans call for regulations that encourage home-based businesses.
	Good Neighbors	Increasing level of review and public notice as the intensity of home-based businesses increases.
	User-Friendly Code	Allows residents to make a living at home. There are clear thresholds that determine the process and final decision making body.

Economic Development Areas (EDA)

- Administrative permits for commercial, industrial and mixed use that are major or minor permits
- Designation can be initiated by property owner(s), requires planning commission and BOCC review/approval
- Considerations: infrastructure, public services, general compliance with district and comprehensive plan, impacts on environment, suitability
- Gem Village is a pre-existing EDA.



Why does it matter?

	Community Preference	8 out of 10 district plans call for commercial development in areas where infrastructure will serve it and where it will be appropriate considering nearby uses and resources.
	Good Neighbors	Designation of an EDA is a two-step process including public notice and hearings, administrative land use permits also include public notice.
	User-Friendly Code	A designated EDA will provide a defined location for commercial, industrial and mixed use as well as streamlined permitting process.

Housing – Additional Units

- No land use permit required for one additional dwelling on 70 ac. or two on 105 ac.
- Director determination for one additional dwelling (2,000 sf or less) if sewer, water, utilities are shared with the primary dwelling
- Director determination for one additional dwelling on 30 ac. or two on 45 ac. ag land
- Administrative land use permit required for one additional unit on 6 ac. (not ag)




Why does it matter?

	User Friendly Code	Use by right, director determination and administrative land use permit are the most timely and cost effective application processes available.
	Community Preferences	4 out of 10 district plans call for improving the supply and diversity of housing, including affordable housing.

Clustered rural subdivision

- Cluster rural subdivision (by minor land use permit)
 - On 70+ acres (can be multiple contiguous parcels)
 - 2/3 of total acreage remains undeveloped or as agriculture
 - Density of 1 lot per 17.5 acres concentrated on 1/3 of total acreage



Why does it matter?

	Community Preference	4 out of 10 district plans call for improving the supply and diversity of housing, including affordable housing. 9 out of 10 district plans call for increasing options for agricultural lands so that the land can continue to be agricultural.
	Good Neighbors	Although the subdivision process is expedited, public notice is required.
	User-Friendly Code	Cluster subdivision is an expedited alternative to 35 acre subdivisions.

Housing – New Development Options

- Planned Unit Development
 - Flexibility for single family, multi-family, mixed use
 - Possible to negotiate project elements, such as affordable housing
- Economic development areas include mixed use commercial & residential
- Improved clarity and certainty for manufactured home and tiny home parks and subdivisions

Why does it matter?

	User Friendly Code	Planned unit development is a new option allowing a great deal of flexibility and creativity in design and mix of uses. Clarified standards for manufactured home parks and subdivisions chart a clear path for approval.
	Community Preferences	4 out of 10 district plans voice support for improving the supply and diversity of housing, including affordable housing.

Next Steps for Additional Input

- Attend another workshop!
- Additional comments are welcome and encouraged!
- Email: NewCode@co.laplata.co.us
- Project website: https://bit.ly/LPC_LUC

