



Land Use Code Revision Guiding Principles

April 12, 2017

As La Plata County moves into the drafting phase of the Land Use Code revision project, planning staff and project consultants gathered input from the community, from stakeholder groups and from the Board of County Commissioners on guiding principles to inform the code revision.

The broad categories discussed were:

1. Long-range planning
2. Process streamlining
3. Development rights
4. Articulation of standards & expectations
5. Procedural reform
6. Coordinated & managed growth
7. Adequate infrastructure commensurate with development demands

Each of these categories contains more specific topics, and the discussion exercise revealed relatively strong consensus that all points should be addressed in some way by the revised Land Use Code, with a number of questions and concerns around some topics. The categories and topics are broken out below according to whether they drew 1) Strong Consensus, 2) Consensus with Questions or Comments, or, 3) Concepts with Questions and/or Concerns.

Strong Consensus

Process streamlining

- The time that it takes for applicants to move through the new code should be less and the code should provide greater clarity/certainty.
- There are significant opportunities to unify, consolidate, and simplify the development districts within each district plan to make them more understandable and easier to administer.
- Creating by-right development options within the development districts may provide for increased flexibility, help meet market demands, protect property interests and substantially shorten the review and approval processes.

Development Rights

- Property rights are important to private citizens.
- The concept of clustering residential developments should be reviewed in more detail.

Articulation of Standards & Expectations

- The current terminology of “Administrative, Class I, and Class II” should be repurposed to simplify their meanings and to relate to the means for approval.

Procedural Reform

- The compatibility standard warrants rethinking.
- Reorganizing the current code is a necessary objective
- Vague standards will be replaced with more definitive and articulate standards
- The time that it takes for all of the reviewing agencies to be notified and comment on the project is slowing the process for applicants.

Consensus with Questions or Comments

Long Range Planning

- There is a warrant for and need to update the plans for the existing 13 Planning Districts and potentially, to create a first-ever plan for Southeast La Plata.
- The integration of 1041 powers (areas of State interest) should occur concurrently with the development of this project.

Development Rights

- As they currently exist, the development districts don’t offer any rights and warrant more specifics as to individual uses and their densities, lot sizes, and setbacks.

Facilitating Business-Friendly Permitting

- Business owners looking to locate in, or relocate to, the County have little- to-no certainty about viable sites, as a result of not having zoning.

Articulation of Standards & Expectations

- Agricultural interests are important to the County and should be protected.
- Projects need to conform with the Code after a project is complete.

Procedural Reform

- Codify what is self-evident.

- Increased certainty and more predictability are of common agreement and thus, a priority for this rewrite process.

Coordinated & Managed Growth

- While services are expected in the urban areas, they may not be provided at the same levels in the more rural areas.
- Affordable housing is a growing and increasingly important need for the County's workforce.

Concepts with Questions and/or Concerns

Facilitating Business-Friendly Permitting

- The need exists to create a county-wide land use map that indicates where certain land uses are permitted and desired.

Articulation of Standards & Expectations

- A comprehensive strategy is needed to address the compatibility of oil and gas facilities with residential development.
- Approval of manufactured homes should be the same as for the approval of any other homes.

Procedural Reform

- Codify the conditional requirements of past development approvals

Coordinated & Managed Growth

- The County has real concerns for implications of scattered, uncoordinated, and sprawling patterns of development and the ability to provide services to rural residents.
- Growth must be managed by the County so it's predictable and known beforehand.
- The new code may provide incentives for development in locations where it makes good sense.
- Means for coordinating the patterns and timing of growth will be necessary to adequately serve the interests and meet the needs of County residents, businesses, and tourists.
- The BOCC desires to create a growth suitability and land use map.

Adequate Infrastructure Commensurate w/ Development Demands

- The County is vested in securing viable long-term solutions for the provision of water as means for avoiding dry wells, contamination, or the need for water hauling.
- The extension of water lines by the water districts are for the purpose of extending water to existing residences and businesses rather than being for the purpose of facilitating rural development.
- Many of the roads owned and maintained by the County are in a substandard condition.