

DELTA COUNTY PLANNING COMMISSION

**Maloney House (Delta County Fairgrounds)
575 S River Ln, Hotchkiss, CO 81419
Wednesday, December 8, 2021 @ 5:30 p.m.**

**Tom Kay, Chair
Tate Locke, Vice-Chair
Carl Holm, Director**

Agendas and attachments are available on our website at:

<https://www.deltacounty.com/725/Agendas-and-Minutes>

To be notified when new agendas and minutes have been published, sign up on the "Notify Me" page and manage your notification preferences (email, text, or both).

Instructions for Public Participation via Zoom:

The public can join the meeting remotely by registering in advance of the meeting at:
<https://us02web.zoom.us/join/register/tZUzd-qprDloG9R-tqe6-Mwj0Dd64-Xbmm4>
After registering, you will receive a confirmation email containing information about joining the meeting.

REGULAR AGENDA

5:30 P.M. – CALL TO ORDER

ROLL CALL

DISTRICT 1

Dick Gilmore

Steve Schrock

Steve Shea

Cindy Watson, Associate

DISTRICT 2

Layne Brones

Tate Locke, Vice Chair

Hardy Hutto

Vacant, Associate

DISTRICT 3

Jacob Gray

Tom Kay, Chair

Eli Wolcott

Kate Darlington, Associate

PUBLIC COMMENTS

This is time set aside for the public to comment on matters not on the agenda. The Chair may set a time limit for speakers.

AGENDA ADDITIONS, DELETIONS, AND CORRECTIONS

The Planning Commission Secretary will announce if there are any changes to the agenda that arose after posting of the agenda.

SCHEDULED ITEMS

1. PLN21-039/TDS Telecommunications

Consider Conditional Use Permits to install and operate two wireless communication facilities: A) 60-foot tall pole in the County Right of Way adjacent to 38590 Stucker Mesa Road approximately 2.1 miles west of Paonia (Parcel: 324302300055); and B) 50-foot tall pole within a TDS easement at 39025 Cottonwood Creek Road approximately 3.6 miles north of Crawford (Parcel: 344914103001).

CERTIFICATION OF POSTING

On 12/01/2021 at 4:00 PM, Kim Henderson did post the above AGENDA as public notice of the 12/08/2021 meeting. The official notice is placed on the front entrance of the Delta County Courthouse located at 501 Palmer, Delta, Colorado and a courtesy copy is sent to the Delta County website at www.deltacounty.com.

RECOMMENDATION: Staff recommends that the Planning Commission continue this item to January 12, 2022.

2. Pre-Land Use Code Projects

Consider the status of 29 development applications/approvals that preceded adoption of the 2021 Land Use Code.

RECOMMENDATION: Staff recommends that the Planning Commission recommend that the Board of County Commissioners take action on outstanding projects applied/approved prior to adoption of the Land Use Code.

3. Land Use Code Review

Receive an overview of items to consider as part of a review of the 2021 Land Use Code

RECOMMENDATION: Staff recommends that the Planning Commission: A) Receive a presentation on areas to consider as part of a review of the Land Use Code; and B) Provide direction to staff.

COMMISSIONER COMMENTS, REQUESTS AND REFERRALS

This is time set aside for the Commission to comment, request, or refer a matter that is not on the agenda for future consideration.

DEPARTMENT REPORT

This is time set aside for the Director to report on matters affecting the Department.

ADJOURNMENT

Next Meeting: Wednesday, January 12, 2021 at 5:30 pm, Hotchkiss, CO

CERTIFICATION OF POSTING

On 12/01/2021 at 4:00 PM, Kim Henderson did post the above AGENDA as public notice of the 12/08/2021 meeting. The official notice is placed on the front entrance of the Delta County Courthouse located at 501 Palmer, Delta, Colorado and a courtesy copy is sent to the Delta County website at www.deltacounty.com.



STAFF REPORT

Delta County Planning Commission

**Maloney House (Delta County Fairgrounds)
575 S River Ln, Hotchkiss, CO 81419**

Wednesday, December 8, 2021 @ 5:30 p.m.

Pre-Land Use Code Projects

Consider the status (e.g. expiration) of development applications/approvals that preceded adoption of the 2021 Land Use Code.

RECOMMENDATION:

Staff recommends that the Planning Commission recommend that the Board of County Commissioners take action on outstanding projects applied/approved prior to adoption of the Land Use Code (Also see attached matrix):

1. MJ03-010 (Smith). No Action Required (applicant formal letter to withdraw)
2. MJ04-012 (Rolling Hills Ranch). Vacate Phases 3-5
3. MJ05-004 (Vista Valley).
[Monitor Phase 4 SIA. Final Plat and SIA approved by BoCC on 11/16/2021.]
4. MJ06-012 (Heritage Estates). Vacate Phases 3-5
5. MJ06-022 (Cedar Mesa Estates). Vacate Phases 2-3
6. MJ08-002 (Stirrup Creek #2). Vacate Phase 2
7. MJ08-008 (Wild Horse Acres). Vacate Phases 3-4
8. MJ08-025 (Fradl Major). Vacate/Expire
9. MJ08-027 (Dominguez Land One). Vacate Phases 1-5
10. MJ09-004 (Moon Dance). Vacate Phases 3-4
11. MS06-026 (Sunrise View). Vacate Phase 2
12. SUB18-015 (Cordova). Vacate/Expire



13. SUB19-007 (Buck Horn). Extend timeframe for submitting a signed Final Plat and applicable documents by 4/1/2022, meeting all final plat requirements, or expires. Requires proof of water, electrical service (DMEA), permitted access for Lot 2, and pay final fees.
14. SUB19-020 (Seitz). Extend timeframe for submitting a signed Final Plat and applicable documents by 4/1/2022, meeting all final plat requirements, or expires. Requires all UVWUA easements be shown and number of shares for each lot noted on the plat, restrictive deed for Lot 2, and Grant Deed for right-of-way (Buena Vista Road).
[Note: Applicant contending dedication of right-of-way per approved Sketch Plan (Subdivision Standards) - threatened to retain an attorney.]
15. SUB19-025 (Stahl). Vacate/Expire
16. SUB19-036 (Christie). Vacate/Expire
[Note: Staff has determined that dedication of land in fee simple title effectuates a lot split. Need to verify that the canal was dedicated in fee simple title.]
17. SUB19-038 (Mountain Sunrise). No Action. Presented for BoCC consideration on 12/7/21
18. SUB19-040 (Victorian). Revise Sketch per PC recommendation. Process Sketch and Final to BoCC by June 1, 2022.
19. SUB20-001 (D&J). Vacate/Expire.
[Note: Sketch Plan has not been processed (PC or BoCC) at the request of the applicant/representative.]
20. SUB20-010 (Tribble). Require a fully executed Road Maintenance Agreement and Final Plat by 4/1/2022, or expires.
21. SUB20-012 (JC). No Action. BoCC approved Final Plat on November 2, 2021. Staff is clarifying the status of 1200 Road (fee simple title) to determine if Parcel B is effectively split or not, and clarify Final Plat accordingly.
22. SUB20-021 (DM Crossing). Extend timeframe for submitting a signed Final Plat and applicable documents by 4/1/2022, meeting all final plat requirements, or expires.
[NOTE: Sketch Plan approved by BoCC with dedication for 2200 Road and H-75 Road where access is taken (excluded Horn Road). Subsequently, new owner (party to the application) retained an attorney to contest amount of right-of-way dedication. Staff responded with no reply. Staff met with the responsible party (original owner) to explore options.]
23. SUB20-022 (Prosser Fire). Extend timeframe for submitting a signed Final Plat and applicable documents by 4/1/2022, meeting all final plat requirements, or expires. Requires maintenance agreement, dedicated water agreement, HOA requirements, water treatment, deeds, irrigation plan, and final fees.
24. SUB20-023 (Huerkamp). No Action. BoCC consideration 12/7/21
25. SUB20-024 (Scenic Vista). No Action. BoCC consideration 12/21/21
26. SUB20-032 (Grey Wolf). Vacate/Expire
27. SUB20-033 (Nate & Sarah). Extend timeframe for submitting a signed Final Plat and applicable documents by 4/1/2022, meeting all final plat requirements, or expires. Requires Shared Road Maintenance Agreement, Sketch Plan, and Final Plat by 4/1/2022, or expires.



28. SD03-006 (CB Industries). Extend timeframe for BoCC consideration of amending the specific development permit by 4/1/2022.
29. SD19-012 (Mountain Top Resort and Lodge). Process PLN21-062 (Administrative Review for less than 10 cabins)

SUMMARY/DISCUSSION:

On January 5, 2021, the Board of County Commissioners adopted the 2021 Land Use Code (Board Resolution 2021-R-001). A moratorium prevented submitting new applications until April 1, 2021, and applications submitted prior to 1/5/2021 (LUC adoption) would be subject to the applicable regulations in place. Board Resolution 2021-R-001 also stipulates that all prior development approvals under existing regulations shall expire after 12 months from the adoption of the Land Use Code (LUC).

Staff has evaluated all *known* projects that had applications and/or approvals that predated the LUC adoption. In July 2021, staff started providing notice of regulatory vacation and/or expiration timelines and presented checklists of outstanding tasks to complete the project. We were able to find solutions to help complete many cases. However, there is a list of projects that require some sort of disposition.

Staff has prepared a matrix of outstanding projects (**Attached**), and we are seeking input from the Planning Commission for a recommendation to the Board of County Commissioners (BoCC) – tentatively planned for January 4, 2022. Staff can provide additional information as needed.

Most of the focus at this point is on subdivision applications that were considered active. There could be other incomplete applications that we have not found at this point. Staff has also been reviewing specific development application files. Any other incomplete application will be addressed subsequently following a similar process: 1) staff attempt to make contact with the applicant; 2) PC recommendation(s); 3) BoCC action.

Attached material: list, in order as attached

- Pre-LUC Project Matrix

PRE-LUC CHECKLIST

CASE #	TITLE	NAME	DESCRIPTION	KEY ACTION(S)	ACTION	STATUS
MJ03-010	Smith Resource Preserve	Mel/Delbert Smith	7 Lots (5 Lots) Happy Hollow Road	Sketch (01/23/2012) Prelim Plat 09/16/2020 LLA (04/14/2021) Rev Prelim Plat (08/25/2021, PC)	No action required File withdrawn/closed	BoCC - Tabled 10/05/2021 Applicant Letter to Withdraw 10/26/21
MJ04-012	Rolling Hills Ranch	Andy Crawford Tim Patterson	69 Lots (5 Phases) F Road	Sketch (10/4/2004) Prelim (1/9/2006) Final Ph 1&2 (12/17/2007) SIA 12/26/2007 (Ph 1&2) New Owner/Proceed (2/28/2007)	BoCC Vacate remaining MJ04-012 (Ph 3-5)	Notice to Vacate 07/22/2021 No Response
MJ05-004	Vista Valley	Mel/Betsey Fraizer	24 Lots (4 Phases) H & H50 Roads (Archway Rd, Pearl Ct)	Sketch (10/27/2005) Prelim Plat (01/25/2007) Final Ph 1 (08/13/2007) Final Ph 2 (03/18/2008) Final Ph 3 (03/19/2012)	Monitor Ph 4 Improvements per SIA	BoCC approved Ph 4 Final Plat + SIA on 11/16/21
MJ06-012	Heritage Estates	Paul/Anna Mae Hershberger	21 Lots (5 Phases) F Road	Sketch (07/24/2006) Prelim Plat (##) Final Ph 1 (02/12/2008) Final Ph 2 (09/17/2008) SIA (Ph 3-5, 9/17/2008) Replat 2016 Replat 2019	BoCC Vacate remaining MJ06-012 (Ph 3-5)	Notice to Vacate 07/20/2021 No Response
MJ06-022 (MS03-047, MJ04-007)	Cedar Mesa Estates	Mike/Judy Mason S. Rasmussen	13 lots (3 Phases) Cedar Mesa Road (Star Dust Ln, Milky Way Ct)	Sketch (12/11/2006) Prelim Plat (08/11/2008) Final Ph 1 (04/15/2013)	BoCC (formally) Vacate remaining MJ06-022 (Ph 2 & 3)	Final Expiration letter (10/18/2012) No Final Plat (Ph 2, 3) - outstanding conditions New owner filed rezone application

PRE-LUC CHECKLIST

MJ08-002 (MJ07-009)	Stirrup Creek #2	Dave Nicewicz Larry Jensen Kenneth Decker	28 lots (2 Phases) 2050 Road (Stirrup Creek Rd, Lattigo Ln)	MJ07-009 (100 Acres) MJ08-002 (140 Acres) Sketch (01/24/2008) Prelim (04/07/2008) Final Ph 1 (06/2008)	BoCC Vacate remaining MJ08-002 (Ph 2)	No Final Plat (Ph 2) - outstanding conditions Expiration letter 6/29/2021 No response
MJ08-008	Wild Horse Acres	Paul/Anna Mae Hershberger	13 Lots (4 phases) F Road	Sketch (4/24/2008) Prelim (4/18/2011) Revised Prelim (8/29/2011) Notice of Expiration (3/31/2010) Phase 1 (5/16/2018) LLA/ PLN21-058A (08/24/2021) Minor Plat/PLN21-058B ("Phase 2")	BoCC Vacate remaining MJ08-008 (Ph 3-4)	Met with Staff – Revised Plan Filed application under LUC (PLN21-058) – Applicant agreed to vacate remaining phases.
MJ08-025	Fradl Major	Ian Fradl	3 Lots Peach Valley Road	Sketch (11/17/2008) Modify Conditions (4/20/2009) Notice of Expiration (5/13/2010) Extension to 12/31/2010 Plat Review Checklist (1/25/2011) Incomplete Letter (10/25/2012)	BoCC Vacate MJ08-025	Notice of expiration 07/22/2021 No Response
MJ08-027	Dominguiz Land One (Bob's Town)	Bob Neirinckx	14 Lots (5 Phases) F Road (Howards Circle)	Sketch (11/20/2008) Prelim Plat (03/19/2012) Ph 1 Final – Lots 1 & 2 - Not Signed (3/19/2010)	BoCC Vacate MJ08-027 (Ph 1-5)	Notice of expiration 02/26/13 Notice to Vacate 07/21/2021 No Final Plat (Ph 1-5) - outstanding conditions No Response

PRE-LUC CHECKLIST

MJ09-004	Moon Dance	Jim O'Neal	19 Lots (4 Phases) G Road (Starlight Court, Moon Dance Dr)	Sketch (03/23/2009) Prelim (06/07/2010) Final Ph 1 (01/07/2013) Final Ph 2 (03/05/2018) + SIA	BoCC Vacate remaining MJ09-004 (Ph 3 & 4)	Notice to Vacate 7/22/2021 No deposit when selling lots per SIA No Final Plat (Ph 3-4) - outstanding conditions SIA - Ph 2 road improvements incomplete. Met with Staff re Ph 3
MS06-026	Sunrise View	Stephen Harper Joseph Gogenola	3 Lots (2 Phases) North Road	Sketch (11/13/2006) Final Ph 1 (05/2008)	Ph 2 Final submitted 1-11-2019 but never went to BoCC BoCC Vacate MS06-026 (Ph 2)	Notice to Vacate 7/20/2021 No response
SUB18-015 (Resub of Lot 1 Cordova Court MS95-055 now MJ02-012)	Cordova	Timothy Barrientos	2 Lots 3712 2000 Road	Sketch (07/30/2018)	BoCC Vacate SUB18-015	1 year expires 7/30/2019 Notice to Expire 7/29/2021 No response
SUB19-007	Buck Horn	Kirk Morgan	2 Lots Stevens Gulch Road	Sketch 05/21/2019 Boundary Line Adjustment (2021)	Final Plat by 4/1/2022, or expires. Require Proof of Water (well/tap), electrical service (DMEA), permitted access for Lot 2, final fees.	1 year expires (5/21/2020) No BoCC Extension
SUB19-020	Seitz	Philip Seitz Andrew Seitz	2 Lots H Road/Buena Vista Road	Sketch (07/16/2019)	Final Plat by 4/1/2022, or expires. Require UVWUA easements, number of shares noted, restrictive Deed for Lot 2, ROW dedication for Buena Vista Road (30' to centerline).	1 year expires 7/16/2020 No BoCC Extension

PRE-LUC CHECKLIST

SUB19-025	Stahl	Arvin/Linda Stahl	Admin Replat of Lots 3 & 4 (Beezley Subdivision) Samuel Wade Road	Sketch (08/16/2019) Final Re-Plat w/out Signatures (3/18/2019)	BoCC Vacate Admin Replat	1 year expires 8/16/2020 Applicant removed from BoCC agenda (9/10/2019) No BoCC Extension
SUB19-036	Christie	Amber/Lincoln Christie	2 Lots 1900 Road/E Road	Sketch (12/03/2019)	BoCC expire SUB19-036 (Determine lot split by canal parcel, fee simple title)	1 year expires 12/3/2020 Attorney letter - canal parcel dedicated in fee title Staff response
SUB19-038	Mountain Sunrise	Michael Smith	Replat Lot 5 – Adjust Building Envelope 3160 Road	Sketch (12/05/2019)	No Action. BoCC 12/7/21 (Admin Replat)	1 year expires 12/5/2020
SUB19-040	Victorian	Wm Brown	2 Lots Back River Road	Neighborhood Mtg – COVID (HOLD) Sketch PC (10/27/2021)	Applicant submit revised Sketch per PC direction BoCC consider revised Sketch BoCC Final Plat by June 1, 2022	PC Sketch 10/27/2021, recommend BoCC approve with modifications
SUB20-001	D&J	Janine Ho	2 Lots 2100 Road	Sketch (03/18/2020)	BoCC vacate SUB 20-001	1 year expires 3/18/2021 No BoCC Extension No Response to Staff
SUB20-010	Tribble	Richard Tribble	2 Lots 3260 Road	Sketch (08/19/2020)	Require a fully executed Road Maintenance Agreement and Final Plat by 4/1/2022, or expire/vacate	1 year expires 8/19/2021 No BoCC Extension Applicant unable to get neighbor signatures for Road Maintenance (condition).
SUB20-012	JC	Cobb Ranch LLC (Sherry Cobb)	2 Lots 1200 Road	Sketch (09/02/2020)	Clarify status of 1200 Road (fee simple title) to determine if Parcel B is split or not, and clarify Final Plat accordingly	BoCC approved Final 11/02/21
SUB20-021	DM Crossing	Deborah Davis El Cerro Pelon LLC	2 Lots 2200 Road	Sketch (12/03/2020)	Final Plat by 4/1/2022, or expires.	1 year expires 12/3/2021 Attorney letter (new owner) – nexus for ROW Staff correspondence Meet with Responsible Party (prior owner)

PRE-LUC CHECKLIST

SUB20-022	Prosser Fire	Ronald Prosser David Prosser	2 Lots Cougar Mountain Road/Payne Siding Road	Sketch (04/06/2021)	Final Plat by 4/1/2022, or expires. Require road maintenance agreement, proof of dedicated water, HOA requirements, water treatment, deeds, irrigation plan, final fees. Dedicated (vs Leased) Water (condition)	Expires per LUC 1/5/2022
SUB20-023	Heurkamp	David Heurkamp	Replat Lots 1 & 2 MS08-009 2000 Road/H Road	Sketch (12/15/2020)	No Action BoCC 12/7/21 (Admin Replat)	1 year expires 12/15/2021 Final Plat w/signatures (10/25/2021)
SUB20-024	Scenic Vista	Dixie/Dion Luke	2 Lots J Road	Sketch (01/05/2021)	No Action BoCC 12/21/21	Expires per LUC 1/5/2022
SUB20-032	Grey Wolf	John Grey	5 Lots Ute Trail Road	Application 12/31/2020 LLA (06/24/2021, PLN21-028)	BoCC vacate SUB20-032	Reapply under new Code Application package
SUB20-033	Nate & Sarah	George/Joyce Row	2 Lots Ute Trail Road	Application 12/30/2020 PC Direction 04/14/2021	Final Plat by 4/1/2022, or expires. Require Maintenance Agreement, and Sketch Plan Vacation Plat (BoCC) Skecth (PC + BoCC) Final Plat	Vacation Plat tabled by BoCC for Maintenance Agreement
SD03-006	CB Industries	Transfer to CHT	Certificate of Designation (CD) – Landfill 11289 Doughspoon Road	Specific Dev Permit (06/08/2003) Amend CD (2005-R-034) Amend CD (2009-R-085) Dev Agree (10/02/2021) CHT Application (05/2021)	Require PC Recommendation and BoCC decision by 4/1/2022	CDPHE review Completed. Applicant addressing CDPHE Letter (requirements, etc.)
SD19-012	Mountain Top Resort & Lodge	92 High LLC (Joshua Patterson)	Commercial lodging and retail services	Application 9/3/2019	Process PLN21-062 (Administrative Review for <10 cabins)	Never processed/presented to PC for recommendation to BoCC Met with Staff Filed application under LUC (PLN21-062)



STAFF REPORT

Delta County Planning Commission

**Maloney House (Delta County Fairgrounds)
575 S River Ln, Hotchkiss, CO 81419**

Wednesday, December 8, 2021 @ 5:30 p.m.

Land Use Code Review

**Receive an overview of items to consider as part of a review
of the 2021 Land Use Code**

RECOMMENDATION:

Staff recommends that the Planning Commission receive a presentation on areas to consider as part of a review of the Land Use Code.

SUMMARY/DISCUSSION:

On January 5, 2021, the Board of County Commissioners adopted the 2021 Land Use Code (Resolution 2021-R-001). This resolution concurrently repealed:

- All special planning districts or protection plans
- Subdivision Regulations
- Regulations for Specific Developments
- Mobile Home Park Regulations
- And all other land use regulations or policies (existing regulations)

In February and March, staff prepared forms applicable to the new LUC, and made multiple presentations to the Planning Commission relative to implementing the LUC. Staff started accepting applications under the 2021 Land Use Code on April 1, 2021.

Over the past six months, staff has been implementing the LUC. Using the LUC has highlighted areas that could use some amplification, clarification to address some questions/challenges to staff's interpretations. Through these efforts, staff has identified



existing ordinances and regulations in other areas (roads, address, septic, mobile homes) that are inter-related with land use. Regulations adopted by ordinance would not be affected by the LUC resolution. Staff finds that this is a good point in time to review the LUC and make adjustments if needed. Generally, the areas staff has identified include (draft PowerPoint attached):

- Minor Clean-Up (e.g. typos, appendices)
- Zoning/Land Use. The matrix in Table 2.b has a limited list of uses, which places emphasis on interpreting where proposed uses might fit.
 - o Terminology (Single Family, Multifamily)
 - o Relationship of regulations relative to RVs, Additional Units, and Manufactured Homes/Parks
 - o Special Events
- Variances. Implementing the variation to lot size criteria (subdivision restriction). Update to reflect terminology of Aggrieved Party and Neighbor. Also, consideration of defining "hardship".
- Subdivision. In July, a group of surveyors submitted a letter to the BoCC relative to the subdivision regulations that were generally incorporated into the LUC (attached). The BoCC conducted a couple workshops with staff relative to this matter. Staff finds that a significant point of the issue is terminology, and there are a couple areas where this can be improved.
- Development Application. Ordinance 2016-01 is the most recent version (initiated in 2011) of a process for new residential and commercial development.

This presentation is intended as an overview to begin a more in-depth, topic-by-topic, review. The Commission might identify additional items to add to this list.

Attached material: list, in order as attached

- LUC Review – DRAFT PowerPoint

Planning Commission



LAND USE CODE REVIEW OVERVIEW

DECEMBER 8, 2021

Minor Clean-Up



- Typos
- Appendices
 - Wireless Facilities (Resolution, TBD)
 - ✦ Need to adopt
 - ADD Highway 92 Overlay (Ord 2006-09)
 - ✦ Building Permits
 - ADD Mobile Homes (Ord 2006-10)
 - ✦ Pre-HUD (BoCC Workshop)
 - ADD Development Application (Ord 2016-01)

Zoning/Land Use



- **Zoning**
 - ADD: Subdivision Restriction (Variance)
 - ✦ Overlay designation
 - A5 vs A2.5
 - ✦ Density (Septic)
- **Land Use**
 - Hemp v Hemp Processing (outdoor storage or flammable chemicals)
 - Wireless (TBD to Ln)
 - Renewable (L to C)
- **Ordinance References**
 - AMEND: Outdoor Junk Storage
 - ✦ Rubbish/Junk (Ord 2007-01)

Special Events



- Special Events (Ch 2, Sect 3.E)
 - Size
 - ✦ Allowed/Permitted (not in Table 2.b)
 - Private v Public

RVs/Additional Units/Mfg Home Park



- Use of RVs as units
 - Temporary (timeframe?)
 - Seasonal (6 mo)
 - Principal
- Additional Units/Communal Living
 - Multiple Units
 - ✦ Duplex or Triplex (P vs A)
 - ADD LUC Definition
 - ✦ Multifamily (4+)
 - Attached (LUC Def) vs Detached
 - ✦ Interpretation
 - Manufactured/Mobile Home Park vs RV Park vs Campground
 - ✦ LUC Definitions
 - # Units (Septic)
 - Residence vs Rent/Lease
 - ✦ Tiny Homes vs SFR
 - ✦ Interpretation

Interpretation - Multifamily



- **Land Use Matrix**
 - SF Detached (“A”)
 - Duplex/Triplex (“A”)
 - Multifamily 4+ (“L”)
 - Mfg Park (“C” – in all A zones, “L” in UGA zone)
- **Admin Determination**
 - Principal ; on-going
 - Seasonal; continuous 6 month over any 12 month period. Temp bldgs removed.
 - Temporary; Temp use related to construction, sales, special events.
- **Temp Use of RV**
 - 90 days (during construction) unless connected to permanent, reliable infrastructure
- **Additional Residences**
 - 1 residence/lot
 - Add'l residences intended for permanent occupancy
 - Number not limited, but must have adequate water, sewer, power, fire protection, access.
- **Definitions**
 - Communal Living
 - Family
 - Single Family Detached
 - Multifamily - attached
 - Manufactured Home Park (lease space)
 - No definition of duplex/triplex
- **Subdivision Regulations**
 - Standard Plat Note – Limit 1 SFR/lot

Variances



- Variation to Lot Size
 - # of lots (“either”)
- Variance Findings
 - “Hardship” (vs Special Privilege)
- BoA By-Laws
 - “Aggrieved Party”
 - “Neighbor”

Subdivision



Regulations

- 2019 Subdivision Regulations
 - Open Space Impact Fee
 - Phasing (Plats)
 - Vacation Process (Right of Way, Plats)
 - Standard Notes
 - Signature Blocks
- Plat Requirements
- Exemptions
 - Boundary Agreement
 - ✦ No existing monuments, Survey markers
 - Court Decree
 - 35+ Acres
 - ✦ “none of which is intended for use by multiple owners” (CRS)
 - ✦ “unless the creation of such divisions or interests are for the purposes of evading the regulations” (Subdiv Regs)

Terminology

- BoCC Workshop 9/7/21
- Replat
 - Revise LUC Definition
 - ✦ Amend Final Plat
 - Add definition “Plat”
- Lot/Boundary Line Adjustment
 - Add LUC Definitions (LLA/BLA, Lot, Parcel)
 - ✦ Adjust Parcels/Lots, end with same #
- Boundary Adjustment
 - Intent (35+ acres) – Ch10
 - Create LUC Definition
- Minor Plat
 - No Change (2- lots)
- Preliminary Plat
 - No Change (3+ Lots)
- Vacation Plat
 - Add to LUC, from Subdivision Regulations

Development Application (DA)



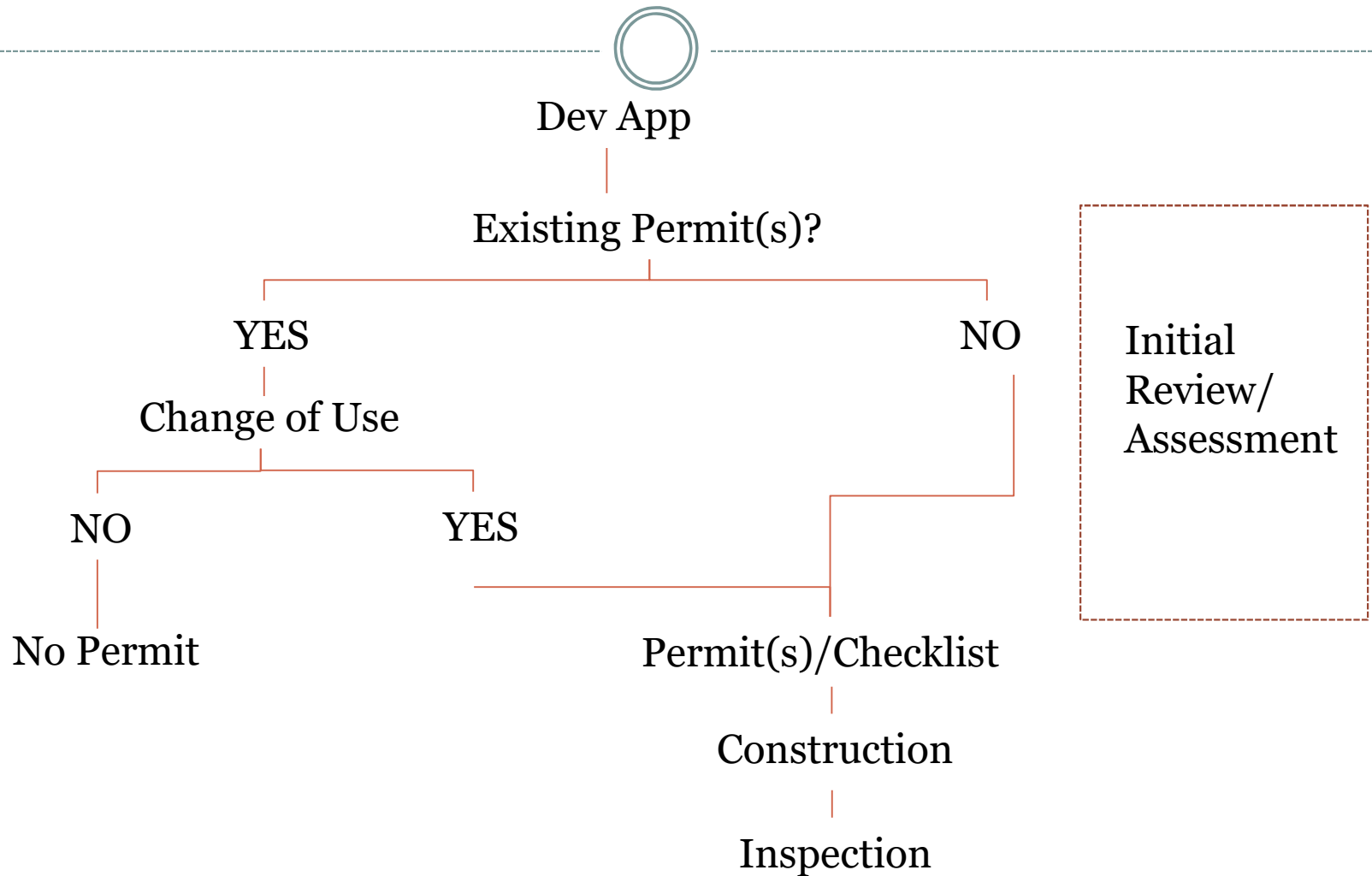
- Development Application (Ordinance 2016-01)
 - Checklist/Pre-Application
 - ✦ All Development, including:
 - “Permitted” Use
 - “Allowed” Use
 - Private Roads
- Permits
 - Land Use (Permit Center)
 - ✦ Site Plan/Zoning, Subdivision, Variance, CUP
 - Right of Way Use Permit (Permit Center, Eng/R&B)
 - ✦ Formerly Access & Utility Permits
 - Address (Permit Center, GIS)
 - Mobile Homes (Treasurer, Plng)
 - Septic (Env Health)
 - Floodplain (Env Health)
 - Stormwater (Env Health, Eng)
 - Electrical, Plumbing (State)

DA PROCESS



- **STEP 1 – Development Application/Initial Review**
 - All development, unless waived
 - Initiate File(s)
 - Plng, Env Health, Eng, GIS, R&B, Surveyor
 - Checklist - Permit(s) Required
- **STEP 2 – Checklist of Permit(s)**
 - Notice to Proceed
- **STEP 3 – Construction/Activity**
- **STEP 4 – Inspection, Condition Compliance**

DA PROCESS – FLOW CHART



NEXT STEPS



BOCC DIRECTION

PLANNING COMMISSION REVIEW

BOCC CONSIDER PC CERTIFIED COPY