

EXHIBIT B
2022 LAND USE CODE UPDATE
SUMMARY OF CHANGES

The following is an outline reflecting the more notable changes in the 2022 LUC Update:

Format

- Placed all Use Specific Standards together in Chapter 2
 - o Separately listed in the Table of Contents
- Consolidated Financial Guarantees/Agreements into Chapter 6
- Consolidate standard process in Chapter 7
 - o Incorporate Development Application Ordinance
- Consolidated all unique process into Chapter 8
 - o Standard process in Chapter 7
- Consolidated Approvals, Denials and Appeals into Chapter 9
- Reserve Chapter 10
 - o Admin Mod moved to Chapter 8
 - o BLA moved to Chapter 12
- Moved all subdivision standards to Chapter 12.

Chapter 1 - Decision Makers

- Appoint one (1) Planning Commissioner to the Board of Adjustment as an Associate member of the BoA.
- Note ability to appeal determination of standards referenced in LUC (e.g., Road standards) to BoA, unless otherwise noted in those standards
- PC Decision Maker vs Recommending Body
 - o Preliminary Plat (Chapter 12).
 - BoCC Final Plat

Chapter 2 - Land Use/Zoning

- Add Zoning Designations [**NOTE: Future Consideration: Update Zoning Maps**]
 - o Residential (RES-1.0) where the minimum lot size is 1.0 acre.
 - o Residential (RES-2.5) where the minimum lot size is 2.5 acres
 - o Change Urban Growth Area to an Overlay (UGA) where a Density. Bonus is appropriate.
 - o Public/Quasi/Public (P/QP) to zone lands in the unincorporated areas that are held by public entities (Federal, State, County, City/Town).
- Clarify Allowed versus Permitted Uses
 - o Reflect the process established in 2011 through the Development Application Ordinance (Also Chapter 7)
 - o Define *Allowed* ("by-right", no review) as non-habitable structures (cannot provide independent living facilities such as provisions for living, sleeping, eating, cooking and sanitation)
- Adjust LU Matrix (A vs P) based on clarification [**NOTE: Future Consideration: Separate Industrial and Commercial uses**]
- Clarify Use of Recreational Vehicles
 - o Construction (Temporary, 12 months w/valid permits)
 - o Farmworker (Seasonal)

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- Residence (Principal)
- Manufactured Home Park (3+ MH and/or RV)
- Clarify Events
 - Special Events; 3 tiers
 - Allowed Use (<150)
 - Permitted Use (151-500)
 - Limited Use (500+)
 - Private Event (Allowed Use) vs Public Event (Limited Use)
- Clarify Home Business
- Add Cottage Industry
- Clarify Density
 - Units vs Lots
 - Manufactured Units (Pre-HUD Ordinance to be amended)
- Incorporate Manufacture Home Park regulations from Resolution 97-R-035 (repealed with 2021 LUC)
- Add ADU standards
 - Restrict from subdivision
 - Not for commercial use (affordable housing)
- Clarify Additional Units/Communal Living standards
- Add Farmworker Housing
 - Restrict from subdivision
- Clarify Campground (vs MH/RV Park)
- Add Renewable Energy Facilities standards
- Incorporate Wireless Communication Facilities from draft resolution (referenced as Appendix to 2021 LUC, but not adopted)

Chapter 3 - Lot Design

- Delete Lot Size Variance [**NOTE: Future Consideration: Add Legacy Lot standards**]
- Add Exceptions to minimum lot size requirements
 - Boundary Line Adjustment
 - Clustered Subdivision
 - Dedication accepted in Fee Title
- Add reduced setback for non-habitable structures

Chapter 4 - Site Design

- Align with County Standards
 - Road & Bridge, Rights-of-Way (Utility), Road Naming, Floodplain
- Incorporate applicable aspect of Resolution 2003-R-027 (*Require Review of Street Plans in "35-Acre Plus" Subdivisions*). Currently Appendix to 2021 LUC. Implemented from C.R.S. 30-28-110(3)(a).

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Chapter 5 - Infrastructure

- Clarify Traffic Impact Study standards
 - o Depends on the type of entitlement; however, can also consider location, project size, and surrounding conditions.
- Amend restriction of Cisterns
 - o Remove "Prohibited for residential uses"
 - o Add criteria when/if allow cisterns:
 - Process to request hauled water IF no other option
 - Reference to language from IGAs
 - Can be permitted in conjunction with a permitted water source (tap, spring, well)
 - Maintain existing (pre-LUC) level of use, versus intensification.
- Align with revised OWTS (2022)

Chapter 6 - Improvement Agreements

- Clarify requirements for Improvement Agreements
- Impact Fees [*NOTE: Future Consideration: Fund and complete a Nexus Study to define fees for consideration*]
 - o Add Open Space Impact Fee
 - Establish by resolution
- Add Securities (Bonds)

Chapter 7 - Standardized Review (General Process)

- Incorporate Development Application process established in 2011
 - o Ordinance, to be repealed
- Remove requirement for Pre-Application meeting (optional)
 - o Add Informal Consultation
 - o Add reference to IGAs
- Clarify Process (SOP)
 - o Technical and Sufficiency Review
 - Concurrent with Referral
- Public Notice
 - o Increase publication
- Add Neighborhood Meeting process
 - o Pre-PC hearing

Chapter 8 - Review Processes (Specific Processes, except Subdivision)

- Clarify Administrative Review
 - o Permitted Use
 - o Limited Use
- Conditional Use
 - o Add Application Requirements
 - o Add Standards/Findings
 - o Add Annual Reports
- Rezone, separate from Conditional Use

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- Variances
 - o Revise/Clarify Findings

Chapter 9 - Approvals, Denials, Appeals

- Clarified BoA appeals
- Added BoCC appeals

Chapter 10 [RESERVED]

Chapter 11 – Nonconforming Uses

- No Change

Chapter 12 – Subdivision Regulations

- Add Exemptions
 - o Boundary Survey
 - o Boundary Agreement
 - o Boundary Line Adjustment
 - Clarify not a subdivision but subject to land use regulations
- Include Standards and Limitations (basis for approval)
- Clarify Administrative Process
- Amend Cluster Subdivision Standards
 - o Building Envelopes
 - o Clarify Stewardship Areas [NOTE: Future Consideration: Who responsible, How manage]
- Clarify Final Plat standards/process
 - o Add Phasing (pre-LUC Subdivision Regulations, updated)
- Add Standard Signature Blocks (pre-LUC Subdivision Regulations, updated)
- Add Plat Notes (pre-LUC Subdivision Regulations, updated)
- Add Vacation process (pre-LUC Subdivision Regulations)

Chapter 13 - Enforcement

- Change from Criminal to Civil (Revised Statute)
- Remove replication of State Statute language
- Add Condition Compliance
- Add Process

Chapter 14 - Definitions

- Clarify Surveying Terminology
- Incorporate Wireless Communication Terminology
- Revise Renewable Energy Facilities (Commercial vs Personal)
- Add Habitable versus Non-Habitable structures
- Mobile/Manufactured Home Park vs Campground vs RV Park