

SECTION 2 – LAND USE REVIEW

2.1 GENERAL

2.1.1 Land Use Permit Required:

2.1.1.1 Any development, re-development or change in land use shall be completed in conformance with these Regulations, *Archuleta County Road & Bridge Design Standards and Construction Specifications*, Archuleta County Ordinances, building, and construction permits pursuant to the uniform codes adopted by the County and must comply with all other applicable County requirements.

(1) "Development" and "Land Use Change," as used in these Regulations, are general and inclusive terms defined in Section 11 of these Regulations.

(2) As provided in Section 1.1.5, should there be any conflict between these regulations, the Road & Bridge Design Standards, adopted County Ordinances, or any other regulations, the more restrictive shall apply.

2.1.1.2 A Land Use Permit is required for any Land Use Change inclusive of any action listed as an "approval requested" in Table 1: Review Process Chart, Section 2.2.2.

(1) A Land Use Permit is not required when expressly exempt by Section 2.1.2.

(2) For any Use by Right, the use of property may be changed with a **Change of Use Review** (Section 3.2.1), rather than a Site Plan Review (Section 3.2.2), when:

- The Change of Use does not require a Building Permit, and
- Off-street parking requirements can be met within existing parking areas, and
- There is no increase in impervious surface area (no increase in storm water runoff), and
- The change is otherwise in complete conformance with these Regulations.

(3) A Land Use Permit may be required for any Development, as defined, in a Special Flood Hazard Area (floodplain), with or without a building permit, including Substantial Improvement of existing structures.

2.1.1.3 Dwelling Density Bonus. In any Zoning District, where permitted as a Use by Right (Agricultural/Ranching - AR, Agricultural Estate - AE, Rural Residential - RR, Residential – R, or Commercial - C), a Dwelling Density Bonus is allowed with Administrative Review and Approval, for the construction of an Affordable Workforce Housing Unit (AWHU), as long as the parcel has one (1) acre or more. Up to two (2) Bonus Affordable Workforce Housing Units AWHUs are allowed on parcels of ten (10) acres or more.

2.1.2 Exemptions from Land Use Permit Requirement:

2.1 REVIEW PROCEDURE

2.2.1 General:

2.2.2 Review Process Chart:

TABLE 1: REVIEW PROCESS

	<u>Pre-App</u>	<u>Sketch</u>			<u>Preliminary</u>			<u>Final</u>				
<u>Approval Requested</u>		<u>Staff</u>	<u>PC</u>	<u>BCC</u>	<u>Staff</u>	<u>PC</u>	<u>BCC</u>	<u>Staff</u>	<u>PC</u>	<u>BCC</u>	<u>BOA</u>	<u>Notes</u>
Floodplain Development Permit	M							A ³			APP	³ Sec 10.2.2
Minor O&G Permit	M ¹							M	H ³		APP	¹ Sec 9.2.4.1 ³ Sec 9.2.6.9
Minor S&G Permit	M							A ³			APP	³ Sec 9.1.4
Major O&G Permit	M ¹							M	P	H ³		¹ Sec 9.2.4.1 ³ Sec 9.2.6.10
Major S&G Permit	M							M	H	H ³		³ Sec 9.1.5
Geothermal Exploration Activity Notice	M							A ³		APP		³ Sec 2.5.6.3
Geothermal Resources Permit	M	M ¹						A ³	H ³	H ³		¹ Sec 2.5.6.4 ³ Sec 2.5.6.4 Sec 2.5.6.5 Sec 2.5.6.7
Temporary Use Permit								A ³			APP	³ Sec 3.2.4
Change of Use	M							A ³			APP	³ Sec 3.2.1
Use by Right Site Plan	M							A ³			APP	³ Sec 3.2.2
Conditional Use Permit	M							M ³	H	APP		³ Sec 3.2.3
Board CUP	M							M ³	H	H		³ Sec 3.2.3
Vacation Rental Permit	M							A ⁴	APP	APP		⁴ Sec 3.2.7
Concept Review	M	M		H ¹				M	H	H		¹ Sec 2.2.12
General Development Plan	M	M				H ²		M	H	H		² Sec 2.2.13
PUD	M	M	P ¹		M	H	APP	M	H	H		¹ Sec 3.1.6.2
Rezoning	M							M	H	H ³		³ Sec 3.1.7.3

P Public Meeting Required
H Public Hearing Required (*Noticed*)

APP Appeal Permitted