



Archuleta County
Development Services—Planning Department
1122 HWY 84
P. O. Box 1507
Pagosa Springs, Colorado 81147
970-264-1390
Fax 970-264-3338

MEMORANDUM

TO: Archuleta County Planning Commission

FROM: John C. Shepard, AICP; Planning Manager

DATE: For Meeting of 3/27/19

RE: Consideration of Resolution for Amendments to Section 2, 3, 4, 5, 9, and 11 of the Archuleta County Land Use Regulations

After discussion with the Archuleta County Planning Commission and Archuleta County Board of County Commissioners, staff have prepared proposed amendments to the *Archuleta County Land Use Regulations*. The proposed changes to Sections 2, 3, 4, 5, 9, and 11 are intended to improve general clarity and references; relax certain setbacks, modernize Subdivision Regulations, clarify Mining application requirements and shift Minor Oil & Gas projects from Administrative to Planning Commission review; and clarify Development Standards, Abbreviations and Definitions (case file PLN19-106). Public notice of this Public Hearing to consider these text amendments was published in the *Pagosa Sun* on March 14, 2019.

The *Archuleta County Community Plan* sets out goals and policies for future development:

Community Character Goal: *Developed areas are well designed and architecturally compatible with community character, cultural heritage, and the natural environment. Quiet prevails with a minimum of loud or offensive noise.*

Economic Development and Housing Goal: *Tourism, recreation, and agriculture remain important parts of an economy that has become more diverse by expanding other economic sectors, compatible with community character and the natural environment, which provide well-paying jobs for local residents.*

Growth Management Goal: *Growth and development are managed to preserve and enhance the quality of life that attracted original settlers, more recent arrivals, and tourists to Archuleta County.*

Implementation Goal: *#1. Review, Update & Clarify Land Use Regulations. In particular, Sections 3, 4 and 5 of the Land Use Regulations can be more clear for both land owners and public officials... Land Use Categories should be more general, and triggers to improve non-conforming "grandfathered" lots less stringent, in line with recent Board of Adjustment / Board of County Commissioners approvals.*

DISCUSSION

General Clarity: These proposed changes continue revisions adopted in 2018, and most are intended to be procedural rather than substantive changes. Many changes are intended simply to clarify the existing text, and make it easier to use the document. Harmonizes references to a county “road” or “roadway” rather than street or other term.

Section 2 Land Use Review: Clarify Tables 1 and 2. Harmonize notice to Mineral Estate Owners to meet state statute requirements. Clarify expiration of approvals and public notice.

Section 3 Zoning Regulations: Relax certain setbacks in Table 4, while introducing a garage door setback to assure provision of minimum parking as required in Section 5.4.5. Clarify how setbacks are measured.

Section 4 Subdivision Regulations: Revamp and revise review of land division procedures to better align to current practices. Clarifies procedures for right-of-way and easement vacation. Deletes current Section 4.7 and moves to new Section 4.9 Subdivision Exemption, which is rewritten and expanded so as not to unduly restrict the Board of County Commissioners’ authority under CRS §30-28-101. Consolidates existing Section 4.9 & 4.10 into new Section 4.7 Lot Consolidations and Un-Consolidations.

Section 5 Development Standards: Updates Subdivision Design Standards and defers certain standards to the *Archuleta County Road & Bridge Design Standards*. Clarifies current Section 5.3.2 Access Permit Required (which has not been enforced since adoption in 2006) as “Access Plan Required” prior to granting land use or building permits on large parcels exempt from Subdivision Review.

Section 9 Mining: Clarifies application requirements and procedures. Changes Minor Oil & Gas Permit from Administrative staff review to Planning Commission review.

Section 11 Abbreviations and Definitions: General clarifications.

Staff recommends these proposed changes be made effective immediately upon adoption by the Board of County Commissioners. There are several other areas that have been discussed for review and clarification that will come to follow, including enforcement, standards for Public Use projects, Floodplain Development, and substantive review of Mining standards.

PROPOSED MOTION

I move to approve Resolution 2019-01PC recommending Exhibit A for Amendment of the *Archuleta County Land Use Regulations*, to the Board of County Commission.