

THE DELTA COUNTY CITIZEN GUIDE TO THE DRAFT LAND USE CODE

Our goal for the new land use codes is to improve our land use regulations by:

- Ensuring due process with a simple, clear, fair and predictable development process for property owners.
- Providing clarity and assurances for residents and property owners about how land around them might develop.
- Creating consistency between the vision and goals in the Master Plan with the development regulations.
- Supporting decision making that better responds to unique infrastructure and needs around the county rather than one size fits all.
- Fostering more coordination between the county and municipalities on accomplishing shared goals.

Step 1:

Read the existing Delta County [Master Plan](#), [Subdivision Regulations](#) and [Regulations for Specific Development](#). We think it's important for everyone to reconnect with our existing policies and regulations to assist in your review of the proposed Draft Land Use Code. See <http://deltacounty.com/6/Community-and-Economic-Development>

Step 2:

What are your plans for your property? Do you intend to keep doing what you are doing for the next 30 years? Have you always dreamed of starting a Bed & Breakfast, or turning your welding hobby into a side business? Write down a vision for your own property for the next 20 years.

Step 2:

- Does your vision for your property look exactly like what you are doing today, and you are more concerned about your neighbor's possible vision? If so, go to **Scenario 1** for recommendations for how to use the new land use code to assess how this code might impact your neighborhood.
- Does your vision for your property include building a business, commercial operation, or industrial operation? If so, go to **Scenario 2** for recommendations on using the new land use code and what kind of approvals might be required, and what the approval process might look like.
- Does your vision for your property require potential subdivision of your property? If so, go to **Scenario 3A** and **Scenario 3B** for recommendations on using the new land use code and what kind of approvals might be required, and what the approval process might look like.

SCENARIO 1:

YOU LIVE IN PARADISE AND ARE WORRIED YOUR NEIGHBOR IS GOING TO DO SOMETHING YOU DON'T LIKE! HOW WILL THE NEW LAND USE CODE APPLY?

Look at the draft Zoning Map.

- What is the proposed zoning for your property? _____
- What is the proposed zoning for your neighbors properties? _____

Look at the Table 2.b in the draft land use code

- Review the land uses that are
 - A=Allowed by right (no approval/review required)
 - P=Allowed with a zoning permit to verify minimum requirements met (administrative)
 - L= Requires approval of a zoning permit and sketch plan that demonstrates compliance with Land Use Code (administrative)
 - C= Subject to approval at a public hearing with the Planning Commission & Board of County Commissioners

Explore how different uses might be reviewed. Pick a use from each of the above categories (A, P, L, C), and read the following sections of the draft land use code.

- For “A” uses, there is no review or permit required BUT the requirements of this code such as setbacks still apply. Review Chapter 13 Section 1 regarding Enforcement and Violations
- For “P” uses, review Chapter 2 Section 4 for approval processes
- For “L” uses, review Chapter 2 Section 5 for approval process and Limited Use Approval Standards and Chapters 4-6 for regarding general requirements for Site Design, Environmental Stewardship, and Public Facilities/Infrastructure/Services.
- For “C” Uses, Chapter 2 Section 6 for approval process and the standards outlined in Chapters 4-6 regarding general requirements for Site Design, Environmental Stewardship, and Public Facilities/Infrastructure/Services.

Review Chapter 7 to understand the application including public notice requirements.

Review Chapter 8 Section 1 & 2 to understand who reviews and approves the application.

SCENARIO 2:

YOU'RE A DREAMER AND HAVE ALWAYS PLANNED ON TURNING YOUR GREAT IDEA INTO A BUSINESS. HOW WILL THE NEW LAND USE CODE IMPACT MY ABILITY TO BUILD MY BUSINESS?

Will your business CLEARLY be secondary to your residence?

- Read Chapter 2 Section 3. Accessory Business Use of your property is allowed by right. No approvals are required.
- However, the standards of the code do apply. Read Chapter 13 Section 1 regarding Enforcement and Violations.

If the answer above is no, look at the draft Zoning Map.

- What is the proposed zoning for your property? _____

Look at the Table 2.b in the draft land use code

- Is the “type of use” you are interested listed in Table 2.b? Y or N
- If not, is there another use that is similar? Y or N
- Go to the Chapter 14 Section 2 and read the definition for your use.
- What does Table 2.b list your use as? (circle one) A P L C

Read about the requirements for your proposed use.

- For “A” uses, there is no review or permit required BUT the requirements of this code such as setbacks still apply. Review Chapter 13 Section 1 regarding Enforcement and Violations
- For “P” uses, review Chapter 2 Section 4 for approval processes
- For “L” uses, review Chapter 2 Section 5 for approval process and Limited Use Approval Standards and Chapters 4-6 regarding general requirements for Site Design, Environmental Stewardship, and Public Facilities/Infrastructure/Services.
- For “C” Uses, Chapter 2 Section 6 for approval process and the standards outlined in Chapters 4-6 regarding general requirements for Site Design, Environmental Stewardship, and Public Facilities/Infrastructure/Services.

Review Chapter 7 to understand the application process including public notice requirements.

Review Chapter 8 Section 1 & 2 to understand who reviews and approves the application.

SCENARIO 3A:

MY DAUGHTER AND HER FAMILY ARE MOVING HOME AND I WANT TO SUBDIVIDE MY PROPERTY TO CREATE A LOT SO THEY CAN BUILD A HOME. HOW WILL SUBDIVISIONS WORK WITH THE NEW LAND USE CODES?

Read Chapters 3-6

- Do you see any requirements you would not be able to address?
- Do you have a water supply (purchased water tap from a water provider or an adjudicated water right or well) for both lots? If not, can you obtain water for both lots?
- Do you have enough capital to install all required utilities to the site including the water supply?

Review Chapter 7 to understand the application process including public notice requirements.

Review Chapter 8 Section 3 to understand who reviews and approves the application.

- Two lot subdivisions, or minor plats, are processed by staff and do not require a public hearing.

SCENARIO 3B:

I'VE GOT SEVERAL ACRES AND WANT TO CREATE AND SELL MULTIPLE LOTS. HOW WILL SUBDIVISIONS WORK WITH THE NEW LAND USE CODES?

Look at the draft Zoning Map.

- What is the proposed zoning for your property? _____

Look at Table 2.a and Table 3.a

- How many acres do you own? _____
- What is the minimum lot size for the zone district proposed in Table 3a? _____
- Divide your total acres by the minimum lot size. This tells you how many lots you can create based on your proposed zoning. How many lots can you create? _____

Read Chapters 3-6

- Do you see any requirements you would not be able to address?
- Do you have a water supply (purchased water tap from a water provider or an adjudicated water right or well) for both lots? If not, can you obtain water for both lots?
- Do you have enough capital to install all required utilities to the site including the water supply?

Review Chapter 7 to understand the application process including public notice requirements.

Review Chapter 8 Section 4 to understand who reviews and approves the application.

- All subdivisions of 3+ lots must first receive preliminary plat approval before a final plat can be approved and recorded.

FEEDBACK TO CONSIDER PROVIDING TO DELTA COUNTY COMMISSIONERS:

Land Use Code-Zoning

- Look at Table 2.b, do you see any uses that you think should be changed from an A to P, P to L, or L to C? If so why?
- Look at Table 2.b and the Definitions in Chapter 15 Section 2, is there a use not listed that we should include?
- Look at Chapter 2 Section 5. These are use specific standards for many of the uses designated as L and C. Do these use specific standards mitigate impacts of the specific use?
- Review Chapter 7 and Chapter 8 Section 1 & 2. Is the application and review process clear?

Land Use Code- Subdivision

- Review Chapter 3. Do the minimum lot sizes, setbacks, and other design criteria make sense? Are there changes you would suggest? Why?
- Review Chapters 4-6. Are the approval standards clear? Do they address the types of issues that need to be mitigated and do they provide clear guidance?
- Review Chapter 7 and 8 Section 3 & 4. Is the application and review process clear?

Zoning Map

- Review the zoning in your neighborhood. We selected this zoning based on numerous criteria and existing conditions. Do you think your property or neighborhood should be a different zone district? If so why?
- Review the zoning in your region. Do you see areas that you think should be a different zone district? If so why?
- Review the map and look at the areas colored “grey”. These are designated for industrial/commercial development. Are there others you think would be appropriate locations for industrial or commercial development? Why?