

Larimer County Land Use Code Update

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Merit - General Planning Project

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Following the adoption of an award-winning new countywide Comprehensive Plan, Larimer County prioritized a major rewrite of the Land Use Code (LUC) in 2019 in order to sustain momentum on the previous public engagement efforts and immediately implement the Plan. Last updated in 2000, the LUC had been piecemealed over the years but never comprehensively updated to reflect the fast-growing county's physical diversity or changing circumstances. The outdated provisions and standards of the previous LUC did not have a method of differentiating between the county's rural and urban areas, nor did it reflect current rulemakings or practices, resulting in numerous appeals and an inconsistent development review process.

A Phased Approach

Phase 1 of the new LUC, which established the overall document reorganization and new zoning framework that distinguishes between different urban and rural character areas, was unanimously adopted by the County Commissioners in December of 2020. In 2021, Phase 2 continued with attention to specialized topics. The project team worked with the community to address standards for housing diversity, sign regulations, oil and gas facilities, landscaping, urban agriculture, minor edits to the Estes Valley regulations, areas and activities of state interest (1041 regulations) and other topics. The County adopted these various Phase 2 articles and amendments sequentially as they were completed throughout late 2021. This two-phased approach provided the County with flexibility to identify

topics or certain sections of the LUC that needed more attention or further refinement during the course of Phase 1. This was particularly beneficial for the public engagement process, because it allowed stakeholders to provide detailed input on their particular area of expertise, resulting in more functional regulations that will benefit the community. It's worth noting that this approach to updating the code and its organization is an adaptable model for jurisdictions that are undergoing change and needing to focus on multiple subjects.

Tailored Standards for a Diverse Region

Rather than a one-size-fits-all zoning approach, the LUC recognizes the County's geographical diversity and range of intensity of land uses by tailoring standards and regulations across urban and rural contexts. The LUC zoning districts and regulations are organized around four major "character areas" to implement the Comprehensive Plan's framework: Conservation and Agriculture, Rural, Mixed Center, and Urban. This new organization allowed for contextual development standards (e.g., landscaping, connectivity, parking, and building design) that align with the different character areas. For example, the Tables of Allowed Uses (primary, accessory, and temporary) are divided into Rural and Urban zoning districts to distinguish between Urban Growth Management Areas and the rural areas outside of them. Additionally, the County collaborated with the local municipalities to incorporate their regulations for the Growth Management Areas, such as building and site design standards and sign regulations. This level of collaboration helped resolve regulatory conflicts between county and municipal standards, increased consistency, and upheld a shared commitment to proactively plan for and achieve compatible growth.

Addressing Today's Important Challenges

Larimer County's roots lie in agriculture, and it is still important in the region today. As such, the new LUC supports a diversity of agricultural uses across the County by incorporating new agriculture-focused zoning districts, along with a widely expanded list of primary and accessory agriculture uses and definitions (e.g., agricultural equipment repair and sales, community garden, farm stand, and poultry keeping). A retooled conservation development approach with different contextual standards (e.g., large acreages with active agricultural uses, smaller residential lots near open space and environmentally sensitive lands, and preservation of large parcels for future development) ensures flexibility in terms of scale and environs when it comes to the development of agricultural lands.

In response to increasing challenges with housing affordability, the project team focused on carefully evaluating and generally expanding the types of housing options available throughout the county. The LUC introduced new types of housing options, such as: co-housing, live/work, single-family attached, tiny homes, and triplex or fourplex dwellings to help spur more affordable residential development. Another change came in the form of flexible accessory dwelling unit standards (through a scaled approach to size limitations and the ability to long-term rent). Other notable changes to housing standards include new standards for the design and operation of agricultural labor housing, clearer language to allow longer-term stays in recreational vehicle parks, and better protections for manufactured housing parks.

The ambitious Land Use Code update resulted in a more user-friendly code that resolved a variety of substantive issues to assist the County's development into the future. It introduced greater flexibility, and streamlined the development review procedures by including and clarifying common review procedures for certain application types, and delegating straightforward decisions to the Community Development Director through the new Administrative Special Review process. The completion of this project is a significant step toward implementing important policies of Larimer County that serve the community's goals toward being more resilient, promoting health and social well-being, achieving a diversity of affordable housing types, promoting sustainable agriculture and ranching, ensuring environmental protections, addressing infrastructure and service needs, and continuing economic vitality. It honors Larimer County's history and culture, while addressing critical land use issues and needs for the future.