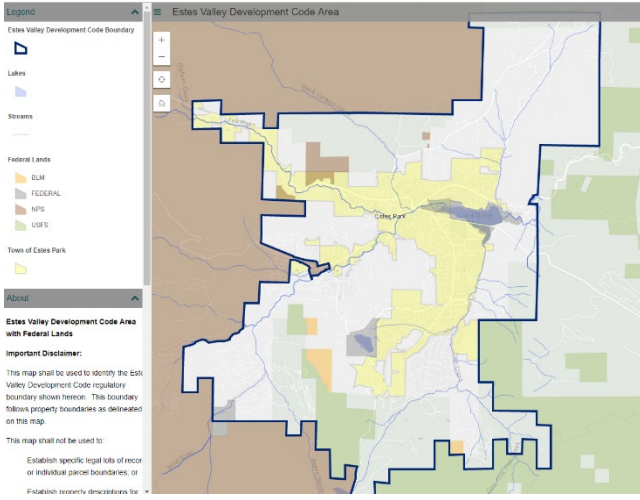


Summary Table of Possible Components of a Town of Estes/Larimer County Land use Planning Intergovernmental Agreement (IGA) - July 22, 2019

Topic	Current Estes/County IGA	Other Intergovernmental Land Use Planning Agreements
<p>Purpose and Intent of a Land Use Planning Agreement</p>	<p>The current Town of Estes and Larimer County agreement purpose is to:</p> <ul style="list-style-type: none"> • Address the land area in the Estes Valley Planning Area (“the Planning Area”) which includes the Town of Estes (7 sq. miles) and county unincorporated area (about 25.6 sq. miles). • Provide for administration of the Estes Valley Development Code (EVDC) including land use and development review within the Planning Area; • Establish the joint zoning Board of Adjustment and provides guidance for the joint Estes Valley Planning Commission; • Agree to parameters and procedures involving annexation of property to the Town of Estes; and • Allocate town and county resources including necessary funding for administration of the EVDC and related functions within the Planning Area; • Provides for the efficient operation of the EVDC and administrative procedures for the Planning Area. <p>These topics are further explained in the rows below.</p>	<p>Other land use planning agreements:</p> <ol style="list-style-type: none"> Define an “Urban Boundary” and identify roles and responsibilities and steps necessary for planning, reviewing and approving development outside the city limits but within the urban boundary. (Steamboat Springs/Routt County) Protect and enhance the town’s ability to coordinate and direct future urban development within a Primary Planning Area (PPA) (to avoid sprawl, ensure provision of adequate public services, distribute equitably the costs of government services, extend services in a logical manner, simplify government structure, reduce conflict between parties. The agreement implements the goals and policies of the town /county comprehensive plans and balances demands of environmental and economic sustainability with community character, historical preservation, and property rights. It also maintains a community buffer, rural character, and sensitive natural areas (in a Rural Planning Area (RPA)). (Lyons/Boulder County) Assure that urban development occurs only as urban level facilities and services are able to be provided in the vicinity of the city, urban development is annexed as soon as possible, provide effective means for the appropriate maintenance of public improvements needed to serve urban development, and assure the development does not negatively impact road and storm drainage systems in the unincorporated county or mitigates those negative impacts. Unique agreements apply to different locations (e.g., Fossil Creek Reservoir and TUDs, East of I-25) (Fort Collins/Larimer County). Implement the county and city Comprehensive Plans and establish an effective means of joint planning and management of urbanization within the unincorporated area in the vicinity of Loveland, establish rules, assure that urban development occurs only as urban level facilities and services are able to be provided for such development, assure land eligible for annexation to the City is annexed prior to development, etc. (Loveland/Larimer County)
<p>Term or Length of the Agreement</p>	<p>The 2000 Estes Valley agreement was valid for ten years. It has been amended 5 times (2003 through 2017) and now expires Feb. 1, 2020.</p>	<p>Most agreements range for 10-20-year periods.</p>
<p>How the Comprehensive Plan (also known as “comp plan”) Relates to the Agreement</p>	<p>The Comprehensive Plan is the vision and policy document that reflects the community’s vision and can guide land use, growth and development, and conservation of natural areas or rural character. It is not regulatory but can be referenced in regulations and is a precursor to zoning and standards.</p> <ul style="list-style-type: none"> • The Estes Valley Comprehensive Plan covers the Town of Estes and the unincorporated County lands in the Valley. • The Comprehensive Plan was jointly adopted by the Estes Park Planning Commission and the Larimer County Planning Commission before the 2000 Intergovernmental Agreement. • The comp plan was the precursor to the Estes Valley Development Code (EVDC), as noted below. 	<p>Land use and planning agreements will often reference a comprehensive plan (also known as a “comp plan”) that might be prepared by the town or city or jointly between and town and county (with community involvement), for instance:</p> <ol style="list-style-type: none"> A comprehensive plan can cover land outside town limits (e.g., into the county or valley) and be independently adopted by the town and county. The town’s plan can guide development within the “planning area” including unincorporated areas and be amended as necessary. The county’s master plan guides areas outside of the GMA (Loveland and Fort Collins/Larimer County) A Comprehensive Plan can be jointly prepared and jointly adopted (e.g., Boulder/Boulder County or Steamboat/Routt County) or adopted by the town and ratified/adopted by the county.
<p>How Land Use Code(s) and Zoning (regulations) Relate to the Agreement</p>	<p>A Land Use Code and Zoning re the regulatory framework that provide the rules for development.</p> <ul style="list-style-type: none"> • The town and county adopted the Estes Valley Development Code (EVDC) which regulates development for the Planning Area – lands within town limits and unincorporated County. • The EVDC was originally adopted by the Town Board and the Board of County Commissioners (BoCC) who also adopt amendments (changes) to it from time to time. • The Agreement references the EVDC. 	<p>Most land use and planning agreements rely on separate codes for each jurisdiction (town and county):</p> <ol style="list-style-type: none"> To achieve a town’s vision for land in the county around the town, a town’s comp plan can be the basis for “supplementary regulations” or an Overlay Zone District in the county’s Land Use Code that mirror’s the town regulations (Loveland, Fort Collins/Larimer County) To achieve Lyon’s vision for outside the town, the county’s zoning is Rural Residential and Agricultural. (Lyons and Boulder County)

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<p>Mapping Designations</p>	<p>The maps in the comprehensive plan guide where the agreement applies:</p> <ul style="list-style-type: none"> The Estes Valley Planning Area shown in the dark line to the right includes county (unincorporated) areas outside the Estes town limits. Town limits are shown in yellow. The Agreement (and therefore the map boundaries) can be amended at any time by mutual agreement of the parties, but the map has not been amended.  <p><i>Note: This map will be available in larger format during a public meeting on 7/29 and can be found on the Estes Valley webpages at https://www.colorado.gov/pacific/townofestespark/maps</i></p>	<p>Examples from other communities include:</p> <ol style="list-style-type: none"> Loveland designates a “Community Influence Area” (where there may be interest of the town), within which is the “Cooperative Planning Area (CPA)” (where city and county will jointly plan), within which is a “Growth Management Area,” (the place for current and future city annexation and urban development). (Loveland/Larimer County) Fort Collins designates a “Growth Management Area” within which is the city of Fort Collins and unincorporated areas that are intended to become urban and properties should annex. (Fort Collins/Larimer County) Steamboat has an “Urban Growth Boundary” within which is Town of Steamboat, and West of Steamboat Area Plan. (Steamboat/Routt County). Lyons has a “Planning Area,” within which are town limits and “Primary Planning Area” (where future town growth will occur), “Lyons Interest Area/Rural Preservation Area (LIA/RPA)” (intended to remain rural), and several “no development areas.” (Lyons/Boulder County) Boulder Valley has designated future land use areas around the City of Boulder – “Area I” (city limits), “Area II” (for future annexation), and “Area III” (rural areas) (Boulder, Boulder County) A 3-mile area plan will define future land uses and “urban service area” to provide for mutual review of projects and implementing zoning and design standards consistent with town standards to get desired character and consistency (Pagosa Springs plan with Archuleta County).
<p>How the Agreement Addresses Town Annexation (or, how town expands its boundaries into adjacent areas not already incorporated as part of the town)</p>	<ul style="list-style-type: none"> Per the Estes Valley agreement, the town will consider annexation of properties within the unincorporated portion of the Planning Area which are eligible for or which can be made eligible for voluntary annexation. This applies to subdivisions of 5 or more lots, re-zoning, concept plans, development plan for commercial accommodation, commercial, industrial, multi-family development of 10 or more units. Annexation is not required for development plan for residential property or smaller subdivisions 4 or less lots. Since the IGA, the town has annexed a limited number of properties (15 since 2003, totaling 205 acres). The agreement does not address what to do when an application is proposed for a “town level” development but not annexed. 	<p>Agreements that address annexation will often do so to achieve predictable, orderly growth of a town (and to protect the rural areas around it) and illustrate where the town can provide services such as electrical service, water, police protection, and paved streets. The agreements often:</p> <ol style="list-style-type: none"> Encourage towns and cities to annex properties that are eligible (i.e., when 1/6 of property is contiguous, or if one point is contiguous in the case of Fort Collins and Loveland). Sometimes address enclaves and take a more proactive approach to addressing how the city or town will annex enclaves (Note: an enclave is when county properties are surrounded by the town). Sometimes exclude properties from annexation (e.g., Lyons agreement excludes a property).
<p>Land use and Development Review in the County Unincorporated part of the Valley</p>	<ul style="list-style-type: none"> The town Community Development Department is the primary administrator for the Estes Valley Development Code (rules and regulations), meaning that town staff review all development applications in the town <u>and</u> unincorporated county. County staff provide support and recommendations for such applications. The agreement identifies other roles for the town vs. county staff (e.g., attorneys, building permits), but role can be ambiguous, especially when projects get appealed to the county. 	<p>In other cases:</p> <ol style="list-style-type: none"> County staff review development applications in the county and a town might use its plan and policies (e.g., a Comprehensive Plan) to make comments and recommendations (Fort Collins, Loveland, Lyons, Boulder agreements).
<p>Development Review Bodies and Final Development Decision Authority</p>	<p>The Estes/Larimer County Agreement allows for two unique “jointly assembled” review boards:</p> <ol style="list-style-type: none"> The 7-member Estes Valley Planning Commission (EVPC) was established by IGA in 1997. EVPC has the duties of town and county planning commissions and is responsible for the comprehensive plan. It has 3 town members 4 county members. In town, EVPC makes a recommendation and Town Board decides. Outside of the town, EVPC makes a recommendation and the County Commissioners decide. Prior to EVPC, the county had a Planning Commission and Town Planning Commission reviewed projects in town limits. The 5-member joint Estes Valley Board of Adjustment (EVBOA) – hears land use variance requests. It has 3 town members and 2 county members. In town, EVBOA makes a recommendation and the Town Board decides. Outside town, EVBOA appeals go to BoCC. 	<p>Other review board and decision-making examples include:</p> <ol style="list-style-type: none"> Generally, the town Planning Commission and Board review development applications and annexation proposals within town limits and county Planning Commission and Commissioners decide on development applications within the unincorporated area, unless eligible for annexation. (Fort Collins, Loveland, Lyons, Boulder). Larimer County has local review and advisory boards (that don’t make decisions) such as Laporte Area and Red Feather Lake Area committees. An early version of the Fort Collins/Larimer County Land Use agreement contained an Urban Growth Area Review Board (UGARB) that was later disbanded.