

Estes Valley Supplemental Standards for Larimer County Land Use Code (LUC) – Annotated Outline

February 21, 2020

This is a detailed outline of zoning, uses, and standards proposed to be carried forward from the Estes Valley Development Code (EVDC) into the Larimer County Land Use Code (LUC). The intent is to maintain as much consistency with the EVDC rules while also having process and application materials that are consistent with countywide development review procedures. Standards that are similar between the two codes have not been carried forward, as noted.

In Section 4.0.

New Section 4.2.5. – Estes Valley Zoning Districts¹

- A. Purpose.
- B. Effective Date.
- C. District Boundaries. The following carry forward:
 - EV RE-1 Estes Valley Rural Estate (Note: 7,398 acres in unincorporated)
 - EV RE Estes Valley Rural Estate (4,643 acres)
 - EV E-1 Estes Valley Estate (1,153 acres)
 - EV E Estes Valley Estate (530 acres)
 - EV R Estes Valley Residential (22 acres)
 - EV RM Estes Valley Multi-Family Residential (25 acres)
 - EV A Estes Valley Accommodations/Highway Corridor (1,475 acres)
 - EV A-1 Estes Valley Accommodations/Low Intensity (833 acres)
 - EV CO Estes Valley Outlying Commercial (202 acres)
 - EV O Estes Valley Office (3 acres)
 - EV I-1 Estes Valley Restricted Industrial (53 acres)
- D. Applicability.
- E. Requirements.

¹ Zoning districts and acreages have been updated based on County maps and GIS data showing that: Downtown Commercial, Two-Family Residential, Residential R-1, and Heavy Commercial CH zoning districts do not occur in the unincorporated County, so they are not included in the proposed regulations.

New LUC Section 19.0. – Supplemental Regulations for the Estes Valley

19.1. – Purpose and Applicability

19.1.1. - Purpose (Adapted from sections of the EVDC. Shorter to avoid redundancy with general purpose section of LUC.)

19.1.2. - Applicability

19.1.3. - Official Zoning Map (From Sec. 1.7 of EVDC.)

19.2. – Estes Valley Zoning Districts

(These Zoning Districts are from Chapter 4 of EVDC, Sec. 4.1)

19.2.1. - Zoning Districts

- A. Residential Zoning Districts
- B. Nonresidential Zoning Districts
 - 1. Accommodations/Tourist Zoning Districts
 - 2. Commercial Zoning Districts
 - 3. Industrial Zoning Districts

19.2.2. - Residential Zoning Districts/Specific Purposes (from Chapter 4 of EVDC, Sec. 4.3)

- A. EV RE-1 Estes Valley Rural Estate
- B. EV RE Estes Valley Rural Estate
- C. EV E-1 Estes Valley Estate
- D. EV E Estes Valley Estate
- E. EV R Estes Valley Residential
- F. EV RM Estes Valley Multi-Family Residential

19.2.3. - Nonresidential Zoning Districts/Specific Purposes (from Chapter 4 of EVDC, Sec. 4.4)

- A. EV A Estes Valley Accommodations/Highway Corridor
- B. EV A-1 Estes Valley Accommodations/Low Intensity
- C. EV CO Estes Valley Outlying Commercial
- D. EV O Estes Valley Office
- E. EV I-1 Estes Valley Restricted Industrial

19.3. - Compliance with District Standards

19.3.1. - Compliance Required

19.3.2. – Permitted Uses and Review Procedures

(Pulls in Sec. 4.2 of EVDC and blends with LUC sections relating to allowed uses and review types and substitutes EVDC review procedures with procedures from LUC.)

19.4. – Residential Zoning Districts – Permitted Uses and Standards (From Sec. 4.3 of EVDC)

- A. Table of Permitted Uses in Residential Zoning Districts (Carries forward Table 4-1 from EVDC with modified procedures.)
- B. Density/Dimensional Standards (Carries forward EVDC Chapter 4.)
 - 1. Density Calculation
 - 2. Table of Density and Dimensional Standards by Zoning District
 - 3. Maximum Number of Principal Structures Permitted Per Lot
 - 4. Base Density and Dimensional Standards Residential Zoning Districts Table (Carries forward Table 4-2 from the EVDC and its notes.)
- C. Additional Zoning District Standards
 - 1. Private Open Areas; Applicability and Minimum Set-Aside Required. (Carries forward Table 4-3 from the EVDC as Table 19.4.C.)

2. Lot Size

19.5. – Non-Residential Zoning Districts – Permitted Uses and Standards (From Sec. 4.4 of EVDC)

- A. Table of Permitted Uses in Nonresidential Zoning Districts (Carries forward Table 4-4 from EVDC with modified procedures.)
- B. Density and Dimensional Standards
 - 1. Table of Density and Dimensional Standards by Zoning District
 - 2. Minimum land Area Requirements for Accommodation and Residential Uses in the Nonresidential Zoning Districts
 - 3. Maximum Units/Density Not Guaranteed
 - 4. Density and Dimensional Standards for Nonresidential Zoning Districts Table (Carries forward Table 4-5 from the EVDC and its notes.)
 - 5. Number of Principal Uses Allowed Per Lot or Development Parcel
- C. Additional Zoning District Standards
 - 1. Operational Requirements
 - 2. EV CO and EV O Zoning Districts: Building Siting, Orientation and Materials Requirements.

19.6. – Use Regulations for the Estes Valley

(Carries forward most parts of Chapter 5 of EVDC except where noted.)

- A - Specific Use Standards (Most of Sec. 5.1 from EVDC)
 - 1. Adult Business
 - 2. Vacation home (references short-term rental section of LUC and includes new provisions)
 - 3. Commercial Recreation or Entertainment Establishments
 - 4. Construction Storage Yards, Salvage Yards, Industrial Services (Repair or Storage)
 - 5. Convenience Stores
 - 6. Day Care Centers and Large Family Home Day Care
 - 7. Eating/Drinking Establishments
 - 8. Emergency Health Care
 - 9. Group Living Facilities, Small; Group Living Facilities, Large; Senior Institutional Living Uses
 - 10. Hotels
 - 11. Mobile Home Park
 - 12. Outdoor Display/Sales and Storage
 - 13. Outdoor Seating Areas or Food Service
 - 14. Prohibited Uses
 - 15. Religious Assembly
 - 16. Resort Lodge/Cabins
 - 17. Vehicle Services, Limited
 - 18. Vehicle/Equipment Sales and Rentals
 - 19. Warehousing and Storage, Wholesale Sales and Distribution
 - 20. Wireless Communication Facilities (replaces Wireless Telecommunications Facilities and references LUC Ch. 16)
 - 21. Cultural Institutions
 - 22. Park and Recreation Facilities
- B - Accessory Uses (including Home Occupations) and Accessory Structures (Carries forward Sec. 5.2 from EVDC.)

Attachment B

1. General Standards
 2. Accessory Uses/Structures Allowed in the Residential Zone Districts (Carries forward Table 5-1 and additional requirements.)
 3. Accessory Uses/Structures Allowed in the Nonresidential Zone Districts (Carries forward Table 5-2 and additional requirements.)
 4. General Dimensional and Operational Requirements.
- C - Temporary Uses and Structures (Carries forward Sec. 5.3 except for permit requirement.)
- D - Outdoor Mobile Food Vending uses (Carries forward Sec. 5.4.)

19.7. – Supplemental Development Standards for the Estes Valley

(Carries forward parts of Chapter 7 of EVDC that are unique to the Estes Valley. These standards will supplement Section 8.0 in LUC.)

19.7.1. General Development Standards

Note that LUC Chapter 8 applies, along with the standards in this section. The more restrictive standard shall apply.

19.7.2. Slope Protection Standards (Carries forward Sec. 7.1 of EVDC.)

- A. Density Calculation, General Rule (Table 7-1)
- B. Development Restrictions on Steep Slopes
- C. Ridgeline Protection Standards (referencing Estes Valley Ridgeline Protection map)
- D. Staff Waiver of Ridgeline Protection Standards

19.7.3. Tree and Vegetation Protection (Carries forward Sec. 7.3 of EVDC.)

- A. Applicability
- B. Purposes
- C. Exemptions for Specific Activities
- D. Tree/Vegetation Removal
- E. Tree/Vegetation Protection During Construction/Grading Activities

19.7.4. Geologic and Wildfire Hazard Areas (Carries forward Sec. 7.7 of EVDC.)

- A. Applicability
- B. Interpretation
- C. Description of Regulated Hazard Areas
- D. Professional Qualifications
- E. Wildfire Hazards (referencing Wildfire Hazards Resource map)
- F. Geological Hazards (referencing Geologic Hazard Areas Resource map)

19.7.5. Wildlife Habitat Protection (Carries forward Sec. 7.8 of EVDC – to supplement Section 8.4 of LUC.)

- A. Purpose
- B. Applicability
- C. Exemptions
- D. Other Regulations
- E. Wildlife Habitat Data base (referencing Wildlife Habitat map)
- F. Review Procedures
- G. Review Standards
- H. Wildlife Conservation Plans

19.7.6. Exterior Lighting (Carries forward Sec. 7.9 of EVDC.)

- A. Purpose
- B. Applicability
- C. General Review Standard
- D. Design Standards
- E. Height Standards
- F. Street Lighting

19.7.7. Operational Performance Standards – applies to all development. (Carries forward Sec. 7.10 of EVDC.)

- A. Noise
- B. Operational/Physical Compatibility
- C. Evidence of Compliance

19.7.8. Street Design and Construction Standards (Carries forward parts of Appendix D of EVDC with a new Street Standard Buffer Area map.)

- A. Applicability
- B. Administrative Modification Process
- C. Additional Design and Construction Standards

19.8. – Definitions for this Chapter

(Carries forward many definitions from Chapter 13 of EVDC except where they define procedures, where they are the same or substantially similar to LUC definitions, or where duplication could create conflicts.)

19.9.1. - General Provisions

19.9.2. - Use Classifications/Specific Use Definitions and Examples

19.9.3. - Definitions of Words, Terms and Phrases

19.9. - Reference Maps for Estes Valley

- A – Estes Valley Boundary
- B – Estes Valley Ridgeline Protection Map
- C – Wildfire Hazards Resource Map
- D – Geologic Hazard Areas Resource Map
- E – Wildlife Habitat map

(Note: Official Zoning will be part of County’s official Zoning Map.)

Other Sections of the County LUC that Will Need Amendments

To support the addition of the EVDC sections, other parts of the LUC will need to be updated for consistency. Those include the following:

0.0 – Definitions

Need to clearly note these definitions are applicable unless other definitions are provided elsewhere (for example the Estes definitions will apply in Section 19.0 instead of these.)
Changes referencing short-term rentals.

2.4. – Applicability

This Code applies to the development and use of land in unincorporated Larimer County.
Remove exception for Estes Valley.

Section 4.0 – Zoning. Changes to the following sections:

- Section 4.2.5 newly added as noted earlier.
- Section 4.3.6.B. (new B&B section) – add the EV zoning districts to the use description
- Section 4.3.6.E. (new STR section) add the EV zoning districts to the use description.
- Section 4.5. Special Review and Minor Special Review
- Section 4.6. Zoning Variances

Section 5.0. – Land Division. Changes to the following sections:

To note that subdivision will apply in Estes Valley including Conservation Development and Rural Land Use Process.

- Section 5.1 - Subdivision.
- Section 5.2 – Planned Land Division

Section 8.0. – Standards for All Development

These standards are will apply in addition to the ones being carried forward from EVDC. It will be necessary to smooth any conflicting language in the wildlife, lighting, geologic hazards sections. County landscaping requirements will apply, but they do not apply to one and two family lots. Verify for current Estes regs.

- Section 8.3.2. – Hazard Areas, applicability
- Section 8.4.2. – Landscaping, applicability
- Section 8.7. – Road surfacing to reference Section 19.0.
- Section 8.15. – Lighting

Section 16.0. – Wireless Communications Facilities

County's new wireless facility regulations will replace current Estes code use provisions.
Amend the table to reflect that.

Section 22.0 - Appeals

- Section 22.2.1.A.1 - Need to add reference to the Estes setback and/or height requirements that can be appealed to the BCC.
- Section 22.3.1.A - Need to add reference to the Estes setback and/or height requirements that can be appealed to the BOA.

EVDC Sections Not Proposed to be Incorporated into the Land Use Code

Chapter 1 – General Provisions

Will not carry forward many sections of this chapter that are no longer relevant (e.g., to Town of Estes) or that may be similar to County provisions such as rules of construction and interpretation, guidance regarding conflicting provisions, rules of measurement, transitional provisions, severability, etc.

Chapter 2 – Code Administration and Review Roles

The Larimer County administration and review roles will apply.

Chapter 3 – Review Procedures and Standards.

The Larimer County review procedures will apply. EVDC procedures will be substituted with the closest type of County procedure relevant to the use type. For instance, an S2 review will be a Special Review, also requiring two hearings.

Chapter 4 – Zoning Districts

- The following zoning districts that are not present in the Estes Valley unincorporated area will not be carried forward:
 - R-1 Residential
 - R-2 Two-Family Residential
 - CD – Downtown Commercial
 - CH – Heavy Commercial
- Incentives for Attainable Housing in the RM District in Sec. 4.3.
- Special Purpose and Overlay Zoning Districts in Sec. 4.5.
- Pedestrian Amenities and Linkage Requirements for Residential Zoning Districts.
- Vehicular Access and Circulation Requirements for Nonresidential Zoning Districts and table in Sec. 4.4 and Table 4.7 of EVDC.
- Pedestrian Amenities and Linkage Requirements for Nonresidential Zoning Districts in Sec. 4.4 and Table. 4.8 of EVDC.

Chapter 5 - Use Regulations, Specific Use Standards

- Sec. B - Vacation Home. The standards for Vacation Homes for new development will be replaced with the County's recently adopted Short-term Rental regulations.
- Sec. T - Wireless Telecommunication Facilities, because the County recently updated these standards to be compliance with state and federal regulations.
- Sec. U – Bed and Breakfast Inn. Larimer County recently updated standards along with Short-term Rental regulations.
- Permit requirement for temporary uses.

Chapter 6 – Nonconforming Uses, Structures and Lots

Larimer County provisions will apply.

Chapter 7 – General Development Standards

The following standards will not be carried forward:

- Sec. 7.2. – Grading and Site Disturbance Standards
- Sec. 7.4 – Public Trails and Private Open Areas. County provisions will apply.
- Sec. 7.5 – Landscaping and Buffers. County provisions in Section 8.5 will apply.

Attachment B

- Sec. 7.6 – Wetlands and Stream Corridor Protection. County provisions in Sections 4.9.2 and 8.2 will apply.
- Sec. 7.11 – Off-Street Parking and Loading. County provisions in Sections 8.6 and 8.7 will apply.
- Sec. 7.12 – Adequate Public Facilities. County provisions in Section 8.1 will apply.
- Sec. 7.13 – Outdoor Storage Areas, Activities and Mechanical Equipment. County provisions will apply.
- Sec. 7.14 – Mobile Home Parks. County provisions will apply.
- Sec. 7.15 – Recreation Vehicle (RV) Park/Campground. County provisions from Section 18.3 will apply.

Chapter 8 – Signs

County provisions in Section 10 apply. County will be updating sign code no later than 2021.

Chapter 9 – Planned Unit Developments

The County will not allow new PUDs but will use County PD provisions if necessary.

Chapter 10 – Subdivision Standards

County provisions in Chapter 5 will apply.

Chapter 11 – Incentives

Sec. 11.3 – Includes incentives for open space.

Sec. 11.4 – Attainable/Workforce Housing Density Bonus.

Chapter 12 – Enforcement and Penalties

County provisions in Section 21 will apply.

Appendices

A (Boundary map)

B (Submittal Requirements)

C (Reserved)