



MEMORANDUM

MEETING TYPE: BOCC
MEETING DATE: 12/20/22
ITEM NAME: Land Use Code Changes
SUBMITTED BY: Sky Tallman
SUMMARY:

Over the past few months, the Planning Commission has gone through the land use code to make suggestions on ways to streamline processes for Land Use applications. Attached is a strike-through version of suggested changes, summarized below.

Summary of Changes:

- Add summary of process to each application type.
- Applications start with the Planning/Building department (change language that states applications are submitted to Commissions).
- Review Agencies impacted by an application should be notified by staff upon submission of a complete application. This means that by the time PC/BOCC reviews application in a public hearing comments from review agencies are part of that review.
- Decisions should be made upon the closing of public hearings (rather than at a subsequent meeting).
- Staff should determine whether an application is complete based on application requirements outlined in the Code. Change from Planning Commission determining whether to waive requirements or require additional materials. This would make it possible for staff to submit both complete applications and staff reports to Commissions prior to a hearing or meeting.
- Determine which parts of each process require a public hearing versus a public meeting and clarify in the code. (This is significant because of noticing requirements that can impact development timelines).
- The number of required public meetings/hearings should be minimized. Eliminate joint public hearings.
- Staff should send notices to paper, adjacent property owners to ensure accuracy, timeliness and thoroughness. Requiring applicants to complete these steps increases risk of error, omission and confusion. This will require a resolution amending or replacing Resolution 78-33.

- Lack of articulation of when staff review application causes lack of clarity for when PC receives staff report.
- Change “zoning enforcement” to “planning staff”. Language in code does not refer to a specific, existing position.
- Consider allowing administrative approval for minor variances to allow some flexibility in enforcing district characteristics before a public hearing is required. (for example: a 20% reduction in setbacks, lot size/density, square footage, or a 20% increase max height, etc. This could apply to conditions that are likely to come up frequently and have minimal neighborhood impact).
- Standardize Timelines and noticing requirements. Different types of meetings have different noticing timeline requirements.
- Changes to use table, including: changes to number of dwellings permitted by right per parcel; create catch-all category “any use not listed in this table”; consolidate some of the uses associated with Marijuana.
- Remove lines .62, .64 and .65 from the use table.
 - .62: *Commercial medical marijuana cultivation operations* to be combined with line 63 to read *Commercial/medical Marijuana cultivation facility*.
 - .64: *Commercial Marijuana testing facilities* and 65 *Commercial marijuana product manufacturing facilities* are captured by item .55: *Manufacture, fabrication or processing of all materials not otherwise listed and which will not cause excessive noise, heat, dust, fumes or other adverse consequences*.
- Repeal Section 12: Submittal Copies. This section is outdated and not relevant to electronically submitted applications.
- Note: ellipses (...) indicate that there is content in the specified section that is not copied in the clean copy and is not being changed or deleted.