

RDAC Public Meeting - Land Use Code Revisions 8.16.2024
6:30 – 7:30 pm at the Animas Grange Hall

Meeting was called to order at 6:40 pm

In attendance): Chuck & Anita Rancatti, Shirley Dills, Sheila & Frank Lee, Dot Wehrly, Brenda Fernandez, Tom Penn, Louis Meyer, María Spero, Deb Paulson, Albert & Connie Durand, Patti Zink, Daniel Klein, Jon & Judy Spolum, Molly Martin & Myriam Palmer

- Anita started the presentation by going over the history of the La Plata County Land Use Code (LUC) changes that were adopted in 2020, during COVID. Additionally significant changes were made to the previous Chapter 106 now known as Chapter 65, Animas Valley Zone Districts and Economic Development Areas. This is when items were removed and/or changed in the LUC. Most concerning was the removal of the requirement of a Class II Permit now known as a “Major Land Use Permit” for all of the Special Use classifications in the Animas Valley Land Use Plan (AVLUP).
- Prior to 2017, the AVLUP had Class II permit requirements for all Special Uses which required a hearing before the BoCC. The requirement for what is now known as a Major Land Use Permit for Special Uses must be returned to the LUC as they require much more scrutiny for determination and approval. All Special Uses now only require a “Minor Land Use Permit”. Under the new LUC, all of the other 11 Districts in La Plata County have a requirement for items classified as a Major Land Use Permits and the Animas Valley should also. All Special Uses in the AVLUP were reclassified to require only a Minor Land Use Permit.
- According to the Minutes from the BoCC hearing regarding the 2017 Administrative Amendment (Resolution R-2017-11) all requirements for a Class II Permit now known as a Major Land Use Permit for Special Uses were removed “to save time & money”.
- In 1993 when the original Animas Valley Land Use Plan was created, Mobile Home Parks were grandfathered into the AVLUP (could not

be torn down and turned into a different use automatically), but that language has since disappeared. The RDAC is requesting that language be put back in.

- The RDAC is also recommending that Growth Hub boundaries be specifically defined, as the County Planners would not allow this in 2019 when residents gathered to work on the Animas Valley District Plan, which was at that time a requirement of the County Planning Department. The RDAC is recommending that a Neighborhood Meeting be required to classify areas as Growth Hubs.
- “Low-intensity tourist-oriented recreational uses” is not well defined in the LUC and should be better defined as it relates to RV Parks. They can be done, however they must be low-intensity.
- Anita asked if anyone had questions or input.
- First question from a member “Was the removal of Major intentional”? Answer, we are not sure.
- Anita, We need to change our zoning so that Multi-Family Residential is not included in Neighborhood Commercial.
- Anita, General Commercial must be compatible with our rural character.
- It is also being requested that the section on Non-Conforming Uses be reinstated within the AVLUP along with additional requirements regarding ridgeline development and night/dark sky requirements.
- A member asked if the Railroad ever questioned the issues with traffic at the Trimble Lane light. Another inquiry was about the scenery from the train coming into the Valley and all the trailer parks?
- Anita stated Resolution 2017-11 is where the Administrative Code Amendment was adopted reclassifying all Class II Land Use Permits

for Special Uses into what is now known as a "Minor Land Use Permit" within the AVLUP.

- A member asked about Zoning in the Animas Valley and if taking Major out of the AVLUP was legal?
- The District Plan is to be updated periodically. The RDAC will be working on that after the work is done to restore the requirement of a Major Land Use Permit for all Special Uses in the Animas Valley Land Use Plan.
- A member stated that accountability is what we are concerned about from our County.
- Anita stated the RDAC committee will firm up the changes to the LUC revisions for clarification and will set up a meeting with the BoCC members on an individual basis.
- Per Anita, the requested Land Use Code revisions will then be submitted as a project on the La Plata County Planning portal.
- Anita also stated we would be requesting a moratorium on new Special Projects until these issues are rectified. Publicity would follow.
- A member made a comment that the County may say developers would scream with these changes because they could lose money. Another member stated what about the residents and the "Taking" of their rights and property values? Do we not have a say anymore in our Code?
- A vote was called to approve the redlined revisions to the Land Use Code, Chapter 65, Animas Valley Zone Districts and Economic Development Areas, including the suggested changes from tonight's meeting. The vote was unanimous for approval.
 - Approvals via email: Darlene Koontz, Tom & Marian Townsend, Carolyn McKay, Jimbo Buickerood, Greg & Gretchen Otteson,

Suzanne Parker, Crest Oelke, Kent & Florence Short), Jerry & Patti Lane & Tom Doak

- Next-steps: How can non-active members help? Members need to comment on the County web portal when the Revisions / Amendment to our Land Use Codes becomes a project. Neighbors and friends should also participate with comments on the County portal.

Meeting adjourned at 7:30 pm

Respectfully submitted,
Brenda Fernandez (RDAC Member)
Sheila Lee (RDAC Member)

From: durangodills@charter.net
Subject: Attendees and Responses
Date: August 19, 2024 at 12:59 AM
To: Brenda Fernandez bkwildflwr@gmail.com, Sheila Lee sheila4lee@gmail.com, Anita Rancatti anita.rancatti@gmail.com

Brenda,

Here's a list of those in attendance. I have a total of 19 in actual attendance.

RDAC Members

Sheila Lee
Frank Lee ?
Brenda Fernandez
Dot Wehrly
Patti Zink
Deb Paulson
Connie Durand
Albert Durand
MariaSpero
Anita Rancatti
Chuck Rancatti
Daniel Klein
Tom Pen
Shirley Dills

AVAC Members

Molly Martin
Judy Spolum
Jon Spolum
Louis Meyer
Marian Palmer

These people did not attend but sent emails in favor - several are RDAC Members but since my computer is misbehaving you might want to check with Anita to see which ones are or are not.

Darlene Koontz
Gretchen Otteson
Greg Otteson
Marian Townsend
Thomas Townsend
Florence Short
Kent Short
Jerry Lane
Patti Lane
Carolyn MacKay
Jimbo Buickerood
Suzanne Parker
Tom Doak

Wasn't sure email from Gil VanLunsen was an actual vote from the wording and Anita said she had a response from someone named Paula but wasn't sure who that was. These may be 2 more additions for a total of 15 more. This would make a total of 34 votes in favor that I'm aware of.

You might want to check with Anita to see if she has anyone else to add to the list.

Shirley