



## Memorandum

**To:** Board of County Commissioners and Planning Commission

**From:** Kristy Winser, Planning, email [Kwinser@co.routt.co.us](mailto:Kwinser@co.routt.co.us)

**Date:** March 7, 2019

**Subject:** 2019 Housekeeping Amendments, PL-19-100

---

### **Overview:**

The purpose of this agenda item is to have a joint discussion on general housekeeping amendments of the Routt County Zoning and Subdivision Regulations. The discussion items listed below are proposed changes for your consideration and staff is looking for feedback and direction on these items. These items are scheduled on April 4, 2019 as a discussion/adoption hearing to allow for flexibility to move forward with items ready for adoption or pull items off that may need further discussion prior to adoption. Staff has placed this item on the joint agenda to expedite the review and approval process time frame.

### **Zoning Regulations**

#### **Section 2 Definitions**

##### **Value Added Agriculture Processing**

In 2016, the Colorado Legislature amended the Custom Processing of Meat Animals Act (“the Act”) to allow for the slaughtering of poultry. This change exempted small scale producers from federal or state inspections and allows them to sell directly to consumers. There are certain requirements that must be met in order for a producer to qualify for this exemption. The Act allows for the processing of up to 1,000 birds and it does not differentiate between species of poultry. The poultry must be raised on the producers own farm, must be healthy when slaughtered, and the processing must be conducted under sanitary standards, practices, and procedures. These birds cannot be sold to restaurants, grocery stores, or institutions. Other requirements that a producer must comply with include specific labeling and record keeping requirements.

In 2013 the County adopted regulations that allowed the Planning Department to process applications for Value Added Agriculture production. The level of review required is based on

several criteria listed in the definition and chart below. There are also standards associated with this type of operation located in Section 8.25 of the Zoning Regulations. These regulations specifically exclude the processing of meat. Following amendment of the Act, CSU Extension and the Community Agriculture Alliance started receiving inquiries about the processing poultry. Because processing of meat is excluded from the definition of Value Added Agriculture, the only way that the Planning Department could process this type of operation is through a Home Industry.

Changes to the Value Added Agriculture regulations are suggested to allow for a more streamlined review process. The changes suggested include adding an exception to the definition of Value Added Agriculture for the processing of poultry so that this use can be processed under this section and to add criteria for what level of review is required based upon the number of birds proposed to be processed.

**Value Added Agricultural Processing:**

*The processing of agricultural products including the processing of poultry. Except for poultry, this does not include the processing of meat or game. Examples include but are not limited to: the manufacturing of herbal products, food products, woolen products, and cheese. May include accessory retail sales and/or a farm stand.*

	Value Added Agricultural Processing Facilities				
	Small – Administrative Permit	Medium – Conditional Use Permit		Large – Special Use Permit	
<b>Acreage</b>	Any Acreage	More than 35	Less than 35	More than 35	Less than 35
<b>Percentage of product grown on site</b>	More than 75%	More than 50%	More than 50%	Less than 50%	Less than 50%
<b>Facility size</b>	1200 square feet or less	1201-4000 sq. ft.	1200 square feet or less	4000 square feet or greater	1201-4000 square feet
<b>Vehicle trips per day</b>	Less than 50	Less than 50	Less than 50	More than 50	More than 50
Number of birds	100	250	250	500	500

**Structure/Small Structure**

**Structure Definition:**

*Anything constructed or erected requiring a fixed location on the ground or attached to something having a fixed location on the ground, an edifice or building of any kind, a container greater than 120 sq. ft., or any piece of work built or composed of parts joined together in some definite manner. This shall not include pipelines, telephone lines or electrical power lines, raised garden beds, retaining walls under 4-foot, culverts, ranch entry ways, mailboxes, walks, driveways, fences, and roads.*

In the past, patios and decks less than 30” were not subject to building setback requirements as they do not require a building permit. Currently, these elements may not be appropriate with the adoption of the Small Structure definition.

Staff scheduled this discussion regarding elements that are appropriate to be located in the setback. Staff can then include those items as exceptions in the definition, if deemed appropriate.

- **5.9 Sign Code**

There is conflict in the sign code regarding signage in the County Right of Ways. The Applicability section (5.9.2) states “*No signs are permitted in County Right of Ways unless a permit is obtained*”. Then under 5.9.4 General Standards B. Location 1.) it says for Detached Signs: *No portion of a detached sign, or its frame, bracing or support structure shall be located closer than five (5) feet from every boundary line of the lot or fifteen (15) feet from any public right-of-way*

Staff has consulted with Road and Bridge about the conflict and intent of this language and it was suggested to add the following language to clarify each section.

5.9.2 C. *No signs are permitted in County Right of Ways. Public, Address, Road, and Directional signs may be located in the Right of Way with the approval of Road and Bridge Department.*

5.9.4 General Standards

B. Location

1.) Detached Signs: *No portion of a detached sign, or its frame, bracing or support structure shall be located closer than five (5) feet from every boundary line of the lot or fifteen (15) feet from any public right-of-way. Signs maybe located closer than (15) feet from the Right of Way with the approval of the Road and Bridge Department .*

Ranch Signs

Staff suggests additional language to be included to 5.9.3.J Exempt Ranch Signs. There is currently no statement to clarify that a ranch sign has to be on the property that it relates to.

Staff suggests adding similar language found in other site specific sign exemptions with the following language:

5.9.3.J *Ranch signs. Signs limited to the name of the ranch, name of resident and address of premises located on the same property in which it relates to.*

### **Subdivision Regulations**

- **B.2.4 Attorney opinion**

There was a typo found in Section 7 Appendices of the Subdivision Regulations. The opinion should read “issued” –not “Issues”. Staff recommends this typo to be corrected.

### **Other possible amendments to consider**

- Currently, the practice has been that a trailer is considered as accessory to an active building permit and an applicant can live in this trailer for up to one year. There is no permit process or any standards to follow to monitor the use for compliance with standards that govern hookups such as sanitary and electric. Staff would suggest a Minor Use Permit process for this. The fee is \$100 and is essentially a “counter” permit similar to how we address Extended Camping.