

Proposed Larimer County Land Use Code Changes

15.1.7.A.2 New Growth in County.

Original Text: The Larimer County Transportation Master Plan 2017 (TMP) projects there will be a significant amount of new growth and development in Larimer County in the next 23 years.

Remove: Larimer County Transportation Master Plan 2017 (TMP)

Replace with: Larimer on the Move – Transportation Plan

Remove: in the next 23 years

Proposed Text: The Larimer on the Move - Transportation Plan projects there will be a significant amount of new growth and development in Larimer County.

15.1.7.A.3. Need for Capacity Expansion.

Original Text: The 2017 Transportation Capital Expansion Fee Study (TCEF) has determined that this new growth and development will require a substantial expansion in road capital facilities if adequate levels of service (LOS) are to be maintained on county roads.

Remove:2017

Proposed Text: The Transportation Capital Expansion Fee Study (TCEF) has determined that this new growth and development will require a substantial expansion in road capital facilities if adequate levels of service (LOS) are to be maintained on county roads.

15.1.7.A.4. Improvements Needed.

Original Text: TMP has identified the cost of growth-related transportation improvements required to maintain adequate levels of service on county roads. In addition, the TCEF has divided Larimer County's road system into "regional" and "non-regional" roads based on the use of the roads.

Remove: TMP

Replace with: Larimer on the Move - Transportation Plan

Proposed Text: The Larimer on the Move - Transportation Plan has identified the cost of growth-related transportation improvements required to maintain adequate levels of service on county roads. In addition, the TCEF has divided Larimer County's road system into "regional" and "non-regional" roads based on the use of the roads.

15.1.7.A.8. Compliance with Applicable Law.

Original text: The County Commissioners have determined that the TMP, the TCEF, and this regulation comply with the requirements of C.R.S. § 29-20-104.5 and other applicable law.

Remove: TMP

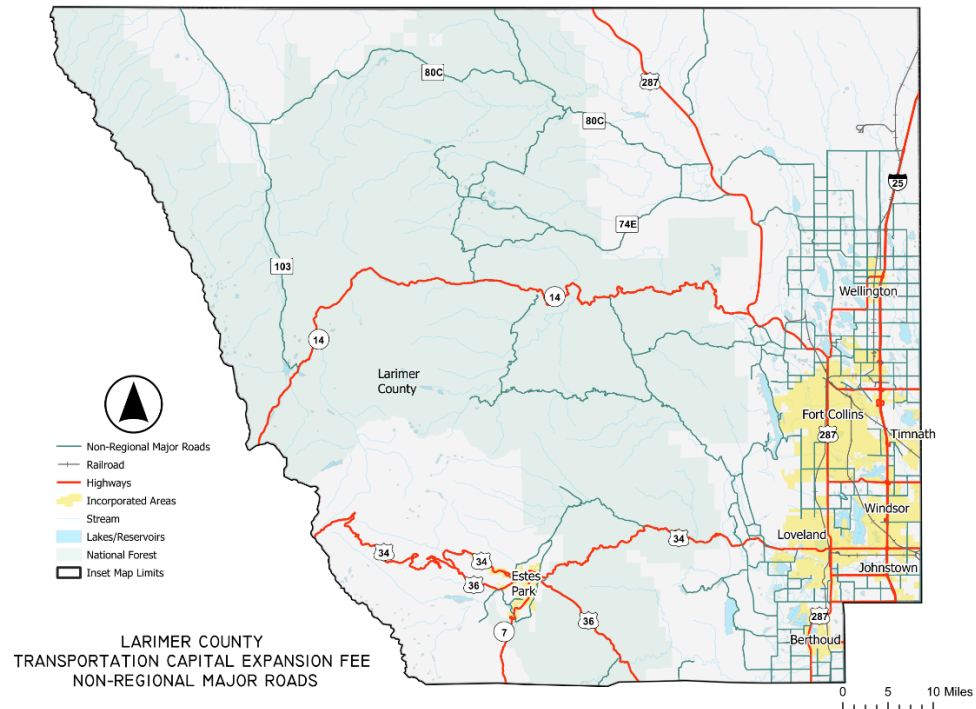
Replace: Larimer on the Move - Transportation Plan

Proposed Text: The County Commissioners have determined that the Larimer on the Move – Transportation Plan, the TCEF, and this regulation comply with the requirements of C.R.S. § 29-20-104.5 and other applicable law.

Figure 15.1 Non-Regional Major Roads

Remove: existing map with more legible image (no changes to map content)

Replace with:



15.1.7.C.1 . Intent.

Original Text: These regulations are intended to implement and be consistent with the Larimer County Comprehensive Plan and the TMP.

Remove: TMP

Replace with: Larimer on the Move - Transportation Plan

Proposed Text: These regulations are intended to implement and be consistent with the Larimer County Comprehensive Plan and the Larimer on the Move – Transportation Plan.

15.1.7.C.4. Technical Support.

Original Text: These regulations are based primarily upon the TMP, the TCEF, the Comprehensive Plan, and other technical data collected in connection with those documents, all of which are incorporated herein by reference.

Remove: TMP

Replace with: Larimer on the Move - Transportation Plan

Add: Larimer County

Proposed Text: These regulations are based primarily upon the Larimer on the Move – Transportation Plan, the TCEF, the Larimer County Comprehensive Plan, and other technical data collected in connection with those documents, all of which are incorporated herein by reference.

15.1.7.E.1.e.

Original Text: Home occupation with ten or fewer average daily trip ends, accessory rural occupation with ten or fewer average daily trip ends, and bed and breakfast with six or fewer guests.

Remove: bed and breakfast

Replace with: hosted short-term rental

Proposed Text: Home occupation with ten or fewer average daily trip ends, accessory rural occupation with ten or fewer average daily trip ends, and hosted short-term rental with six or fewer guests.

15.1.7.F.2.a.

Original Text: The independent fee calculation study for the non-regional road capital expansion fee will be calculated using the following formula:

Total weekday vehicle trip ends × Trip rate adjustment factor for inbound trips, including pass-by × Average miles per trip × Trip length adjustment factor × Capital (Growth) cost per VMT.

Remove: Total weekday vehicle trip ends × Trip rate adjustment factor for inbound trips, including pass-by × Average miles per trip × Trip length adjustment factor × Capital (Growth) cost per VMT.

Replace with: Weekday vehicle trip ends x Adjustment factor for inbound trips, including commuting adjustment x Trip length adjustment factor x Utilization distance (i.e., miles per trip) x growth cost of arterials and intersections per VMT

Proposed Text: The independent fee calculation study for the non-regional road capital expansion fee will be calculated using the following formula:

Weekday vehicle trip ends x Adjustment factor for inbound trips, including commuting adjustment x Trip length adjustment factor x Utilization distance (i.e., miles per trip) x growth cost of arterials and intersections per VMT

Table 15-4 Non-Regional Road TCEF Input Factors

Remove:

Table 15-4: Non-Regional Road TCEF Input Factors	
Non-Regional (Average Miles per Trip)	3.72
2018 Non-Regional Capital (Growth) Cost per VMT [1]	\$191.42
Regional Average Miles per Trip	0.23
Regional Capital (Growth) Cost per VMT [1]	\$257.16
<p>Notes:</p> <p>[1] Cost per VMT varies annually (§15.1.7.E.3.b) Contact TCEF Administrator for current rate.</p>	

Replace with:

Table 15-4: Non-Regional Road TCEF Input Factors	
Average Weekday Vehicle Trip Ends per Development Unit	See TCEF report and ITE Trip Generation
Non-Regional Utilization Distance (Average Miles per Trip)	5.41
Non-Regional Capital (Growth) Cost per VMT for arterials plus intersections[1]	\$250
Trip Rate Adjustment for Inbound Trips	0.54 for residential (includes commuting adjustment) 0.33 for commercial (includes pass-by adjustment) 0.50 for all other non-residential
Trip Length Adjustment	1.20 for residential 0.56 for commercial

	0.81 for all other non-residential
<p>Notes:</p> <p>[1] Cost per VMT varies annually (§15.1.7.E.3.b) Contact TCEF Administrator for current rate.</p>	

Table 15-5 Non-Residential Development Trip Rate Adjustments

Remove: Table 15-5 (incorporated into Table 15-4)

15.1.7.G.1.a.

Original Text: For the purpose of ensuring fee payers receive sufficient benefit for fees paid, one road benefit district is established that is the geographic entirety of Larimer County. The benefit districts have been revised from the 2006 Fee Study from four to one district.

Remove: The benefit districts have been revised from the 2006 Fee Study from four to one district.

Proposed Text: For the purpose of ensuring fee payers receive sufficient benefit for fees paid, one road benefit district is established that is the geographic entirety of Larimer County.

15.1.7.H.2. Prior Rights Continue.

Any person entitled to a refund pursuant to the terms of the non-regional transportation capital expansion fee regulation ~~of 2006~~ shall retain any such rights notwithstanding the replacement of that earlier regulation with this regulation, and the adoption of this regulation shall not affect the dates upon which any such refund may become due or the procedures that the claimant shall follow in order to obtain a refund.

Remove: of 2006

Proposed Text: Any person entitled to a refund pursuant to the terms of the non-regional transportation capital expansion fee regulation shall retain any such rights notwithstanding the replacement of that earlier regulation with this regulation, and the adoption of this regulation shall not affect the dates upon which any such refund may become due or the procedures that the claimant shall follow in order to obtain a refund.

15.1.7.J. Review Every Five Years.

Original Text: At least once every five years, the Fee Administrator will recommend to the County Commissioners whether any changes should be made to the non-regional road component of the TCEF or this regulation. The Fee Administrator will be assisted by their counterparts in participating local governments. The purpose of this review is to analyze the effects of inflation on actual costs; to assess potential changes in needs; to assess any changes in the characteristics of land uses; and to ensure that the non-regional road capital expansion fees will not exceed a proportionate share of the costs of addressing the impacts of growth and development on non-regional roads as required by applicable law. Any recommended modifications of this regulation as a result of the review shall only be effective following approval by the County Commissioners.

Remove: At least

Replace with: approximately

Proposed Text: Approximately once every five years, the Fee Administrator will recommend to the County Commissioners whether any changes should be made to the non-regional road component of the TCEF or this regulation. The Fee Administrator will be assisted by their counterparts in participating local governments. The purpose of this review is to analyze the effects of inflation on actual costs; to assess potential changes in needs; to assess any changes in the characteristics of land uses; and to ensure that the non-regional road capital expansion fees will not exceed a proportionate share of the costs of addressing the impacts of growth and development on non-regional roads as required by applicable law. Any recommended modifications of this regulation as a result of the review shall only be effective following approval by the County Commissioners.

15.1.8.A.2. New Growth in County.

Original Text: The Larimer County Transportation Master Plan 2017 (TMP) projects there will be a significant amount of new growth and development in Larimer County in the next 23 years.

Remove: Larimer County Transportation Master Plan 2017 (TMP)

Replace with: Larimer on the Move – Transportation Plan

Proposed Text: The Larimer on the Move – Transportation Plan projects there will be a significant amount of new growth and development in Larimer County.

15.1.8.3. Need for Capacity Expansion.

Original Text: The 2017 Transportation Capital Expansion Fee Study (TCEF) has determined that this new growth and development will require a substantial expansion in road capital facilities if adequate levels of service (LOS) are to be maintained on county roads.

Remove: 2017

Proposed Text: The Transportation Capital Expansion Fee Study (TCEF) has determined that this new growth and development will require a substantial expansion in road capital facilities if adequate levels of service (LOS) are to be maintained on county roads.

15.1.8.A.4. Improvements Needed.

Original Text: The TMP has identified the cost of growth-related transportation improvements required to maintain adequate levels of service on county roads. In addition, the TCEF has divided Larimer County's road system into "regional" and "non-regional" roads based on the use of the roads.

Remove: TMP

Replace with: Larimer on the Move - Transportation Plan

Proposed Text: The Larimer on the Move - Transportation Plan has identified the cost of growth-related transportation improvements required to maintain adequate levels of service on county roads. In addition, the TCEF has divided Larimer County's road system into "regional" and "non-regional" roads based on the use of the roads.

15.1.8.A.9. Compliance with Applicable Law.

Original Text: The County Commissioners have determined that the TMP, the TCEF, and this regulation comply with the requirements of C.R.S. § 29-20-104.5 and other applicable law.

Remove: TMP

Replace with: Larimer on the Move - Transportation Plan

Proposed Text: The County Commissioners have determined that the Larimer on the Move - Transportation Plan, the TCEF, and this regulation comply with the requirements of C.R.S. § 29-20-104.5 and other applicable law.

Figure 15.2 Regional Road System

Remove: existing map with more legible image (no changes to map content)

Replace with:

Original Text: The regional road fee is based primarily upon the TMP, the TCEF, the master plan, and other technical data collected in connection with those documents, all of which are incorporated herein by reference.

Remove: The regional road fee is based primarily upon the TMP, the TCEF, the master plan, and other technical data collected in connection with those documents, all of which are incorporated herein by reference.

Replace with: These regulations are based primarily upon the Larimer on the Move – Transportation Plan, the TCEF, the Larimer County Comprehensive Plan, and other technical data collected in connection with those documents, all of which are incorporated herein by reference.

Proposed Text: These regulations are based primarily upon the Larimer on the Move – Transportation Plan, the TCEF, the Larimer County Comprehensive Plan, and other technical data collected in connection with those documents, all of which are incorporated herein by reference.

15.1.8.C.5. Compliance with Law.

Original Text: Regional road fee is intended to comply with the provisions of C.R.S. § 29-20-104.5 including without limitation the requirements (i) that the regional road capital expansion fee not be calculated or used to fund existing deficiencies in the regional road system, (ii) that no property owner be required to provide a dedication or improvement for the same improvements funded by the regional road capital expansion fee.

Remove: Regional road fee is

Replace with: These regulations are

Proposed Text: These regulations are intended to comply with the provisions of C.R.S. § 29-20-104.5 including without limitation the requirements (i) that the regional road capital expansion fee not be calculated or used to fund existing deficiencies in the regional road system, (ii) that no property owner be required to provide a dedication or improvement for the same improvements funded by the regional road capital expansion fee.

15.1.8.F.2.e.

Original Text: Home occupation with ten or fewer average daily trip ends, accessory rural occupation with ten or fewer average daily trip ends, and bed and breakfast with six or fewer guests.

Remove: bed and breakfast

Replace with: hosted short-term rental

Proposed Text: Home occupation with ten or fewer average daily trip ends, accessory rural occupation with ten or fewer average daily trip ends, and hosted short-term rental with six or fewer guests.

15.1.8.G.2.a.

Original Text: The independent fee calculation study for the regional road capital expansion fee will be calculated using the following formula:

Total weekday vehicle trip ends × Trip rate adjustment factor for inbound trips, including pass-by × Average miles per trip × Trip length adjustment factor × Capital (Growth) cost per VMT.

Remove: Total weekday vehicle trip ends × Trip rate adjustment factor for inbound trips, including pass-by × Average miles per trip × Trip length adjustment factor × Capital (Growth) cost per VMT.

Replace with: Weekday vehicle trip ends x Adjustment factor for inbound trips, including commuting adjustment x Trip length adjustment factor x Utilization distance (i.e., miles per trip) x growth cost of regional roads per VMT

Proposed Text: The independent fee calculation study for the regional road capital expansion fee will be calculated using the following formula:

Weekday vehicle trip ends x Adjustment factor for inbound trips, including commuting adjustment x Trip length adjustment factor x Utilization distance (i.e., miles per trip) x growth cost of regional roads per VMT

Remove:

Table 15-6: Regional Road TCEF Input Factors	
Housing Type	Fee per Unit (dollars)
Non-Regional Average Miles per Trip	3.72
2018 Non-Regional Capital (Growth) Cost per VMT [1]	\$191.42
Regional (Average Miles per Trip)	0.23
Regional Capital (Growth) Cost per VMT [1]	\$257.16
Notes:	
[1] Cost per VMT varies annually (§9.5.6.C.2) Contact TCEF Administrator for current rate.	

Replace with:

Table 15-6: Regional Road TCEF Input Factors	
Average Weekday Trip Ends per Development Unit	See TCEF report and ITE Trip Generation
Trip Rate Adjustment	0.54 for residential (includes commuting adjustment) 0.33 for commercial (includes pass-by adjustment) 0.50 for all other non-residential
Trip Length Adjustment	1.20 for residential 0.56 for commercial 0.81 for all other non-residential
Regional Road Utilization Distance (Average Miles per Trip)	0.54
Regional Road Capital (Growth) Cost per VMT [1]	\$164

Notes:

[1] Cost per VMT varies annually (§9.5.6.C.2) Contact TCEF Administrator for current rate.

15.1.8.H.1.a.

Originals Text: Because the TMP and TCEF show widespread use of the regional road system by all portions of Larimer County, all of the unincorporated area within Larimer County is hereby designated as the regional road capital expansion fee benefit district. This single benefit district is the same as the single benefit district established by the regional transportation capital expansion fee regulation of 2006 that this regulation replaces.

Remove: This single benefit district is the same as the single benefit district established by the regional transportation capital expansion fee regulation of 2006 that this regulation replaces.

Proposed Text: Because the TMP and TCEF show widespread use of the regional road system by all portions of Larimer County, all of the unincorporated area within Larimer County is hereby designated as the regional road capital expansion fee benefit district.

15.1.8.2.

Prior Rights Continue.

Original Text: Any person entitled to a refund pursuant to the terms of the regional transportation capital expansion fee regulation ~~of 2006~~ shall retain any such rights notwithstanding the replacement of that earlier regulation with this regulation, and the adoption of this regulation shall not affect the dates upon which any such refund may become due or the procedures that the claimant must follow in order to obtain a refund.

Remove: of 2006

Proposed Text: Any person entitled to a refund pursuant to the terms of the regional transportation capital expansion fee regulation shall retain any such rights notwithstanding the replacement of that earlier regulation with this regulation, and the adoption of this regulation shall not affect the dates upon which any such refund may become due or the procedures that the claimant must follow in order to obtain a refund.

15.1.8.K. Review Every Five Years.

Original Text: At least once every five years, the Fee Administrator will recommend to the County Commissioners whether any changes should be made to the regional road component of the TCEF or this regulation. The Fee Administrator will be assisted by their counterparts in participating local governments. The purpose of this review is to analyze the effects of inflation on actual costs; to assess potential changes in needs; to assess any changes in the characteristics of land uses; and to ensure that the regional road capital expansion fees will not exceed a fair share of the costs of addressing the impacts of growth and development on regional roads as required by applicable law. Any recommended modifications of this regulation as a result of the review shall only be effective following approval by the County Commissioners.

Remove: At least

Replace with Approximately

Proposed Text: Approximately once every five years, the Fee Administrator will recommend to the County Commissioners whether any changes should be made to the regional road component of the TCEF or this regulation. The Fee Administrator will be assisted by their counterparts in participating local governments. The purpose of this review is to analyze the effects of inflation on actual costs; to assess potential changes in needs; to assess any changes in the characteristics of land uses; and to ensure that the regional road capital expansion fees will not exceed a fair share of the costs of addressing the impacts of growth and development on regional roads as required by applicable law. Any recommended modifications of this regulation as a result of the review shall only be effective following approval by the County Commissioners.