

# County wants public input on new land use code

**By Carole McWilliams**  
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La Plata County doesn't want to repeat the mistakes from the last attempt to create a new land use code, where the end product was unusable, county planning staffer Jason Meininger told Bayfield Area Chamber of Commerce members on Aug. 20.

He characterized that as outside consultants getting some community input, then disappearing for months and coming back with a finished draft that satisfies no one.

The county commissioners approved that code two years ago, but it was never implemented because of all its problems. Early this year the commissioners rescinded that approval and started over.

A new land use code will be the last step in the process, Meininger said. The county put out a request for proposals from consultants in January, hired a consultant in March or April, put together an 88 page community demographic profile, and is now in a visioning process with community open houses and presentations to any community groups that are interested, he said.

As part of that, he passed out printed surveys for Chamber members to fill out, with basic questions of what do you value about the county and want to preserve, what do you want to change, and how do you want the county to be or not be in 20 years.

Residents also can fill out the survey on-line at the county website, [www.co.laplata.co.us](http://www.co.laplata.co.us). There's also a survey aimed at youth, Meininger said.

"State statute only requires us to deal with 11 issues (in land use). In reality we deal with a lot more. We are asking the community what those should be. We hope to have a draft vision in about a month that we can all agree on," and a draft comprehensive plan in December, he said.

Some of the community priorities showing up in the visioning meetings are local food production; transportation options, especially for senior citizens who can't drive any more; open space and recreation, including ball

fields for organized sports; retaining and enhancing cultural diversity; vistas; river corridors; affordable housing; and quality and quantity of drinking water, especially in areas that are losing flood irrigation to development.

Meininger noted the need to think about the level of various services people want as property tax revenue from natural gas development declines. Another revenue source has to be found for services to stay at current levels or increase, he said.

The county hopes for 75 percent community support for the new comp plan, which doesn't mean 75 percent of people support everything in it. It could mean agreement with 75 percent of what's in the plan.

It's a really high target, Meininger said. "I'd rather shoot high and come in a bit short."

Referring to the last failed effort at a new land use code, he said, "We don't want to show up once, go back to our basement, and come back with a completed draft. Until we have clear direction from the community that we got it right, we won't go on to the next step."

He continued, "Tell us what you want, and we have the tools to make it happen." He cited the idea that "If we don't plan our community, someone else will." He urged audience members to "take a more pro-active stance on what you care about and how you want us to grow."

He showed a pyramid diagram with the County Compass strategic plan at the bottom, then a new comprehensive plan, then district or sub-area plans, then the new land use plan.

He also showed a diagram of a broken upside down pyramid representing what's happened in the past. "For anyone who's been through the current land use process, I'm sorry," Meininger said. The current system doesn't give anyone certainty of what they can do with their land or land they are buying. "You fight your way through to the county commissioners, and they tell you what you can

do with your property after you've spent a lot of time and money," he said.

Longtime local Realtor John Mankins said his worst experience was with a couple of boundary adjustments, which should have been simple administrative approvals but took eight to 10 months.

Debbi Renfro said she spent almost a year getting a small subdivision through the process.

Meininger agreed that balancing property rights with regulation is an issue, especially with large landowners. "The reality is you can't do whatever you want. It's being able to do 90 percent of what you want, and knowing exactly what you can do. With our current system, there's a lot more perceived (versus actual) right that you can do what you want. But you can't."

He cited the issue of people who value their scenic view provided by someone else's ag land. "Put a price on it. What is it worth to you?" Meininger asked. If someone could develop their ag land and get \$1 million for it, maybe there needs a way for them to develop in a way that brings in half that and they get compensated for the rest to preserve a community benefit, he suggested.

"Let's figure a way that's equitable for everybody," he said.

Mankins said that with federal, state, and tribal land, a lot of county open space is protected.

If protecting private open space, ridgelines, and view corridors is really a public benefit, there should be some public funding for it so farmers and ranchers aren't subsidizing it, he said.

Meininger cited transfers of development rights as a way to do that. "You have to have a place you want development to go, and for people there to buy those rights."

He acknowledged the county is looking at some restrictions on 35-plus acre parcels created without county review under Senate Bill 35.

Mankins said the county should keep hands off those parcels.