STUDY SESSION AGENDA
TUESDAY
May 11, 2021

ALL TIMES LISTED ON THIS AGENDA ARE SUBJECT TO CHANGE

10:00 A.M.  ATTENDEE(S):  Adam Burg
ITEM:    Legislative Update

10:40 A.M.  ATTENDEE(S):  Brian Staley / Chris Chovan
ITEM:    Rail Proposals and Project Updates Briefing

11:10 A.M.  ATTENDEE(S):  Ryan Nalty / Katie Keefe / Greg Dean
ITEM:    Oil and Gas Update

ITEM:    Long Range Plan Implementation and Overlay Zones

12:55 P.M.  ATTENDEE(S):  Ryan Nalty / Jen Rutter / Greg Barnes / Nick Eagleson / Layla Bajelan / Christy Fitch
ITEM:    2021 Text Amendments

1:25 P.M.  ATTENDEE(S):  Dr. John Douglas, Executive Director, Tri-County Health Department / Sara Carrington, Tri-County Health Department / Jennifer Ludwig, Tri-County Health Department
ITEM:    Administrative Item Review / Commissioners Communication

1:55 P.M.  ATTENDEE(S):  Raymond Gonzales
ITEM:    Administrative Item Review / Commissioners Communication

TO WATCH THE MEETING:

• Watch the virtual Zoom Study Session through our YouTube Channel

***AGENDA IS SUBJECT TO CHANGE***
DATE OF STUDY SESSION: April 27, 2021

SUBJECT: Rail Proposals and Project Updates Briefing

OFFICE/DEPARTMENT: Public Works, County Manager’s Office

CONTACT: Chris Chovan, Senior Transportation and Mobility Planner; Brian Staley, PE, PTOE, Public Works Director; Adam Burg, Legislative Affairs Senior Advisor

FINACIAL IMPACT: None

SUPPORT/RESOURCES REQUEST: None

DIRECTION NEEDED: None

RECOMMENDED ACTION: Information update session

DISCUSSION POINTS:

- This is a Board-requested update to provide a summary of various rail proposals and related transportation projects in the Denver region and the state of Colorado.
- The briefing will focus on four main topics:
  - Front Range Passenger Rail and the proposed FRPR District
  - Amtrak Expansion (as part of the National Infrastructure Bill)
  - Transportation Bill being considered by the CO Legislature
  - RTD N Line expansion plans
Rail Proposals and Project Briefing Updates

Board of Commissioners Study Session
May 11, 2021

Public Works
Chris Chovan, Senior Transportation and Mobility Planner
Brian Staley, Director

County Manager’s Office
Adam Burg, Legislative and Government Affairs Senior Advisor
Today’s Discussion

- Front Range Passenger Rail
  - Front Range Passenger Rail District
- Amtrak Expansion (Federal Infrastructure Bill)
- Transportation Bill (CO Legislature)
- RTD N Line Extension
Front Range Passenger Rail
Front Range Passenger Rail District
(Senate Bill 21-238)

- District covers counties/jurisdictions from WY to NM, generally along the I-25 corridor
  - C/C of Denver
  - C/C of Broomfield
  - Areas covered by an MPO (e.g. DRCOG) in Adams, Arapahoe, Boulder, Douglas, El Paso, Huerfano, Jefferson, Larimer, Las Animas, Pueblo, and Weld Counties
  - Also, includes non-MPO areas within 5 miles of the I-25 corridor in Huerfano, Larimer, Las Animas, Pueblo, and Weld Counties
Front Range Passenger Rail District
(Senate Bill 21-238)

• Board of Directors include:
  • Governor’s Office (voting)
  • MPO/TPO Appointees (voting)
  • CDOT (voting)
  • RTD (non-voting)
  • BNSF Rail (non-voting)
  • UP Rail (non-voting)
  • Amtrak (non-voting)

• Must be Appointed by April 2022
• Must hold First Meeting by May 2022
Front Range Passenger Rail District

- Establish and collect fares
- Buy, lease, sell real estate/property
- Exercising taxing authority (upon majority vote by electorate)
  - 8/10 of 1%
- Station Area Improvement Districts
  - Established within two (2) miles within a passenger station
- Issuing Bonds
Amtrak has proposed a plan for new and enhanced rail connections across the United States.
Amtrak in Colorado

Existing Service

Proposed Service

Cheyenne

Fort Collins

Denver

Colorado Springs

Pueblo

La Junta
Infrastructure Bill includes Amtrak

- Proposed by President Biden in late March
- Overall Package: $2 trillion
- $85 billion to modernize public transit
- $80 billion to improve/modernize passenger and freight rail
  - Amtrak’s repair backlog
  - Focuses on NE corridor and improved port connections to New Orleans, Savannah, others

- Amtrak’s 30-year Plan
  - Includes 30 new routes (including north-south along Front Range)
Upcoming Transportation Bill

- Bill in Draft Form; details being finalized
- New Fee Increases
  - Road Usage (gas tax) – 2 cents to start
  - Truck Fee – 6 cents to start
  - Electric Vehicle – $9/BEV, $3/PHEV
  - TNC (Rideshares) – 30 cents/trip
  - Online Retail Order – 25 cents/delivery
  - Others
- Balances Needs of Rural and Urban Communities
RTD FasTracks, N Line Extension

SH 7/North Thornton
York/144th
RTD FasTracks, N Line Extension

• Additional five (5) miles
• Two (2) additional stations
• No Timeline or Funding for Construction
• One of several segments still left as part of the FasTracks Program
  • B Line (Northwest) Extension to Longmont
  • C/D Line (Southwest) Extension to C-470/Lucent
  • L Line (Central) Extension to 38th/Blake along A Line
Discussion

• Front Range Passenger Rail
• Amtrak Expansion (Federal Infrastructure Bill)
• Transportation Bill (CO Legislature)
• RTD N Line Extension
## STUDY SESSION ITEM SUMMARY

**DATE OF STUDY SESSION:** May 11, 2021  

**SUBJECT:** Oil & Gas Update  

**OFFICE/DEPARTMENT:** Community & Economic Development  

**CONTACT:** Ryan Nalty, Interim Community & Economic Development Director; Katie Keefe, Environmental Program Manager; Greg Dean, Oil & Gas Liaison; Christy Fitch, Assistant County Attorney  

**FINANCIAL IMPACT:** None  

**SUPPORT/RESOURCES REQUEST:** N/A  

**DIRECTION NEEDED:** BoCC direction on Staff’s proposals for the next draft of the oil and gas regulation amendments  

**RECOMMENDED ACTION:** Staff will recommend a series of edits and additions to the draft text amendments in response to public and referral agency comments.  

**DISCUSSION POINTS:**  
- Timeline for oil and gas regulation amendments  
- Proposed Regulation Summary  
- Overview on Setback proposals  
- Community Engagement and Comment summary  
- Staff’s proposals for the next draft of regulations
Oil & Gas Update
Regulation Text Amendments
May 11, 2021
Amendment Timeline

Proposed Regulation Summary

Proposed Noise Standards Overview

Setbacks
- Setback Measurement
- Setback spatial analysis

Community Engagement

Public and Referral Agency Comment Summary

Staff’s Proposal – 2nd Draft
Oil & Gas Update
Regulation Amendments
Process Timeline

* The County will accept all public comments until the final hearing deadlines
## Oil & Gas Update
### Regulation Amendments
#### Proposed Regulation Summary

<table>
<thead>
<tr>
<th>Regulation / Topic</th>
<th>Current Adams County Regulation</th>
<th>Proposed Adams County Regulations</th>
<th>Proposed changes vs. COGCC standards</th>
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</table>
| **Setbacks**       | • 1,000-feet from the property line of:  
  o Existing and high occupancy residences  
  o Platted residential lots  
  o Schools, future schools, and childcare/daycare centers  
  o Environmentally sensitive areas  | • 2,000-feet from the property line of:  
  o All currently protected entities in AdCo regulations  
  o Designated Parks and Open Spaces  
  • 1,000-feet from groundwater wells  | Proposed AdCo regulations exceed COGCC standards |
| **Cumulative Impacts** | • Not directly regulated in County rules  | • Cumulative Impacts Plan submission for all applications that submit quantitative and qualitative analysis of short-term and long-term cumulative impacts to: Air, Noise, Light, Dust, Odor, Water (Public Health & Welfare), Traffic, Wildlife, Ecosystems, & Soil  
  • Plans for addressing, mitigating, and offsetting  | Proposed AdCo regulations meet or exceed COGCC standards |
| **Noise** | • AdCo adopted COGCC noise standards  
  • Required Background Noise Study  | • Retains COGCC increased noise standards in AdCo rules  
  • 2,000-foot pseudo-setback for noise  
  • Requires background noise and noise modelling analysis for all applications  | Proposed AdCo regulations exceed COGCC standards |
| **Community Outreach** | • Neighborhood meetings during pre-application/conceptual review process  | • Identification of Disproportionately Impacted Communities within ½ mile of the site  
  • Requires quarterly neighborhood meetings for locations within ¼ mile of any residences or schools post-approval  
  • Can require Operators to provide interpretation services and publish all information in languages other than English  | Proposed AdCo regulations exceed COGCC standards |

**This summary table is for reference only and does not represent all proposed changes to the Adams County regulations for this amendment process.**
## Oil & Gas Update
### Regulation Amendments
#### Proposed Regulation Summary

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<tr>
<td><strong>Traffic</strong></td>
<td>• Traffic Impact Analysis requirement&lt;br&gt;• Traffic Impact Fees based on size of location and proposed infrastructure</td>
<td>• Retains Traffic Impact Analysis and Traffic Impact fees&lt;br&gt;• Requires lifetime truck traffic estimates during each phase of operations both cumulatively and for each proposed route</td>
<td>Traffic not directly regulated by COGCC</td>
</tr>
<tr>
<td><strong>Alternative Site Analysis</strong></td>
<td>• Required for all applications&lt;br&gt;• Minimum 3 alternative sites, that are at least 1,000-feet apart&lt;br&gt;• Can require any plans necessary for Staff to review protectiveness of sites</td>
<td>• Required for all locations&lt;br&gt;• Minimum of 3 alternative sites, that are at least 500-feet apart and determined to be distinctly unique by AdCo&lt;br&gt;• Can require any plans necessary for Staff to review the protectiveness of sites</td>
<td>Proposed AdCo regulations exceed COGCC standards</td>
</tr>
<tr>
<td><strong>Water and Wildlife Protection</strong></td>
<td>• Proof of adequate water supply from applicable source or Water District available for industrial use&lt;br&gt;• Water Quality plan and various water source sampling requirements&lt;br&gt;• Natural Resource Conservation Overly Resource Review, where applicable</td>
<td>• Maintains all current AdCo water protection standards&lt;br&gt;• Requires identification of contaminate migration pathways&lt;br&gt;• Natural Resources Evaluation for all applications&lt;br&gt;• Requires plans for consultation with Colorado Parks and Wildlife</td>
<td>Proposed AdCo regulations meet or exceed COGCC standards</td>
</tr>
<tr>
<td><strong>Other Changes</strong></td>
<td>• Creation of an entirely new Development Application Guide for OGF Permits and the relocation of all application submittal requirements from Chapter 2&lt;br&gt;• Creation and consolidation of development standards for various topics into Chapter 4&lt;br&gt;• Other formatting and grammatical changes</td>
<td>Not applicable</td>
<td></td>
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**This summary table is for reference only and does not represent all proposed changes to the Adams County regulation for this amendment process.**
Noise Mitigation Requirements:

- **Noise Mitigation Plan**: Will require an Operator to demonstrate compliance with ACDS&R and COGCC R.423 for noise
  - AdCo will require noise modeling and ambient baseline noise studies for all applications. Submissions must demonstrate compliance during each phase of operation:
    - Ambient noise study shall measure A and C-weighted noise levels for minimum of 5 days
    - Noise modeling study shall estimate noise during each phase of operations for A and C-weighted noise
    - Noise modeling shall include a low frequency noise impact analysis, available C-weighted control measures, and topographic considerations of noise propagation
  - AdCo will require continual noise monitoring at all OGFs located within ½ mile of any residential buildings, schools, or residentially zoned parcels
  - AdCo will require an Operator to comply with the lowest maximum permissible noise level in COGCC R.423 for a location within 2,000-feet of a land-use designation boundary
Proposed setback measurements:
- From the edge of maximum disturbance to the parcel or property line of an existing residence, platted residential lot, school or childcare facility.
Oil & Gas Update

Regulation Amendments

Setback Measurements
Oil & Gas Update

Regulation Amendments

Current Adams County Setbacks:

- Residential Buildings and Schools: 1,000-feet
- Environmentally Sensitive Areas: 1,000-feet
Oil & Gas Update
Regulation Amendments
Setbacks

Proposed Setbacks:
• Residential Buildings and Schools: 2,000-feet (yellow and red)
• Environmentally Sensitive Areas: 2,000-feet (blue)
• DWR Water Wells: 1,000-feet (teal)
Oil & Gas Update
Regulation Amendments
Community Engagement

Virtual meetings on Oil & Gas Regulations for residents and neighborhood groups.
Wednesday, April 21 | 6-7 p.m. on Zoom
Tuesday, April 27 | 5:30-6:30 p.m. on Zoom
Complete login details and more information: adcoa‣e.org/regulation-amendments

Reuniones virtuales sobre regulaciones de petróleo y gas para residentes y vecindarios.
Miércoles, 21 de abril | 6-7 p.m. en Zoom
Martes, 27 de abril | 5:30-6:30 p.m. en Zoom
Detalles acerca de cómo entrar a las sesiones y más información en adco‣e.org/regulation-amendments

Staff has, to-date, held 9 individual, 1-hour stakeholder meetings
Setbacks:

- Clarity on possible exceptions or waivers to proposed setback requirements:
  - Administrative Waivers
  - Waivers granted by the BoCC
  - Substantially Equivalent protections
- Specifics on the determination of Environmentally Sensitive Areas included in the setbacks
- Added specificity on the measurement and application of setbacks
- Expanded setback distances past 2,500-feet+
- Reverse setback distances of 2,500-feet+

Noise and other nuisance-type impacts:

- Clarity on the applicability of the proposed pseudo-setback for noise
- Application of noise standards and requirements specific to oil and gas operations
- Enforcement of noise and other nuisance provisions (odor, dust, and light)
- Response and procedure in response to a nuisance-based complaints
- Additional specifics or flexibility in the proposed noise modeling requirements
Summary of Public & Referral Agency Comments to-date:

Cumulative Impacts and Air Quality:
- Request for cumulative impacts requirement alignment and concurrence with COGCC standards
- More specificity and threshold levels for cumulative impact evaluations
  - Direct reference to Greenhouse Gas Emissions
- Continuous air quality monitoring at all locations with direct notice to residents
- Immediate halt on all future oil and gas permitting based on current ozone levels

Other Comments:
- General enforcement comments and requests for increased/additional fines/fees for violations
- Request to retroactively apply AdCo regulations to all existing oil and gas facilities
- Increased financial assurances for spill cleanup and remediation
- OGF Permit approval processes / permit expiration terms
- Expanded automatic resident notifications and neighborhood meeting requirements
- Clarification related to the role of the Comprehensive Plan on permitting decisions
Substantially Equivalent Protections:

- Add additional clarity and specific criteria of approval in the regulations for exceptions to AdCo setback requirements
  - Granted by the BoCC after a public hearing
  - BoCC determines substantially equivalent protections based on criteria such as:
    - Location and proximity of receptors
    - Nature, size, duration, and intensity of the proposed OGF
    - Planned BMPs, CoA, facility design, control measures
    - Compatibility with the surrounding areas and future land use
    - Cumulative Impacts
- Would allow permitting of OGFs closer than 2,000-feet from residences, schools, etc. on a site-specific basis
Oil & Gas Update
Regulation Amendments
Staff’s Proposals – 2nd Draft

In response to public & referral agency comments:

OGF Permit Expirations:

• Modify the OGF Permit term:
  o 3 years, after which time any undrilled/uncompleted wellbore approvals expire
  o Any additional drilling after the initial term will require a new OGF

• Other Staff Proposals for 2nd draft
**STUDY SESSION ITEM SUMMARY**

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<td>Long Range Plan Implementation and Overlay Zones</td>
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<td>None</td>
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<td><strong>DIRECTION NEEDED:</strong></td>
<td>Input on the proposed steps for implementation, specifically the overlays and text amendments.</td>
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<td><strong>RECOMMENDED ACTION:</strong></td>
<td>Approve the staff to move forward with the four proposed steps for implementing the County’s subarea plans and Comprehensive Plan.</td>
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</table>

**DISCUSSION POINTS:**

There has been an ongoing conversation about the need for implementation of the County’s subarea plans and the Comprehensive Plan that was adopted in 2012. In AIR on April 20, 2021, staff was directed to investigate options for large-scale rezoning.

In this presentation, staff will discuss four proposed steps to implement the County's long-range plans:

- Step 1: Overlays and Text Amendments
- Step 2: Create a Mixed Use Zone District
- Step 3: Comprehensive Plan Update (Advancing Adams)
- Step 4: Development Standards Overhaul
Long Range Plan Implementation and Overlay Zones

Board of County Commissioners Study Session
Community and Economic Development Department
May 11, 2021
Background

- Ongoing conversation about the need for implementation strategies
  - 2012 Comprehensive Plan
  - Welby
  - Federal Boulevard
  - RTD Station Areas

AIR on April 20, 2021:
- Direction to investigate options for large-scale rezoning
Plan Implementation: Process

Regulatory & Policy Changes (Text Amendments) -> Investment Strategies (CIP) -> Development Review (Empower Comp Plan) -> Plan Implementation
Summary

• Step 1: Overlays for Subareas and Text Amendments

• Step 2: Create a Mixed Use Zone District

• Step 3: Comprehensive Plan Adoption

• Step 4: Development Standards Overhaul
Step 1: Overlays

Current Zoning Overlays

- Aviation Overlay
  - Airport Influence Zone
  - Height Overlay
  - Noise Overlay
  - Front Range Noise Overlay
- Flammable Gas Overlay
- Mineral Overlay
- Natural Resource Conservation Overlay
Step 1: Overlays

City of Fort Collins, TOD Overlay Zone

**Site Planning**
- Building Orientation
- Central Feature or Gathering Space
- Outdoor Spaces

**Streetscape and Pedestrian Connections**
- No parking between front doors and street
- Street trees/seating
- Enhanced crosswalks

**Character and Image**
- Articulation
- Building Height
Step 1: Overlays

City of Brighton, South 4th Street Overlay

Site Planning
- Small-scale and neighborhood-compatible commercial reuse of the residential structures
- Modified building types and frontage types

Performance Standards
- Screening requirements
- Conditional Use Permits
Step 1: Overlays

City and County of Denver

38th and Blake Incentive Overlay
- Allows buildings to exceed the maximum height of the underlying zone district
  - Affordable Housing Units in Station Areas
  - Increased Payments to the City’s Affordable Housing Fund
  - Community Serving Uses

River North Overlay
- Design Requirements:
  - Setbacks
  - Parking location and access
  - Massing
  - Street-level active uses
  - Pedestrian Access
Step 1: Overlays

Welby Subarea: North, South, and East

Design Criteria
- Enhanced Landscaping Standards
- Lighting, signage, and design elements unique to Welby
- Allow mixed-use around the 72nd and 88th Avenue Stations and along major corridors

Honor Welby’s Rich History
- Beehive Concept near major corridors
- Wayfinding pedestrian level signage
- Display local art

Ensure Compatible Uses
- Hours of operation
Step 1: Overlays

Federal Blvd. Framework Plan

Design Requirements:
- Enhanced landscaping requirements
- Lighting, signage, and design elements unique to the Federal Blvd. Corridor

Land Use:
- Mixed-Use
- Higher density residential to attract commercial
Clear Creek Valley TOD Plan
TOD and Rail Station Area Planning Guidelines

Allow Mixed-Use
- Establish appropriate mix of uses
  - Live, Work, and Play
- Allow a mix of residential uses
  - Establish a residential density target

Restrict low intensity, land consumptive uses
- Agriculture, construction staging, outdoor storage, and auto oriented uses
Step 1: Text Amendments

- Create overlays for subarea plans:
  - Welby Subarea Plan
  - Federal Boulevard Framework Plan
  - Clear Creek Valley TOD Plan

- Outdoor storage changes
  - Reduce threshold to require a Conditional Use Permit in I-2 and I-3

- Empower Comprehensive Plan
  - Conditional Use Permit criteria of approval
    » Add “Conformance with the Comprehensive Plan”
  - Strengthen language of other criteria of approval
Step 2: Mixed Use Zone District

- A Mixed-Use added Fall 2020 as a CUP in C-5
- Requires a text amendment (could be added to Step 1)
- Called for by 2012 Comp Plan and Subarea Plans
Legal Update: Large-Scale Rezoning
Step 3: Comprehensive Plan Update
Advancing Adams

- Phase I – Completed April 2021
- Phase II
  - Kick off: May 6, 2021
  - Significant outreach at outside summer/fall events (Fair, festivals, parks)
  - Proposed adoption timeline:
    12/9/2021 – PC Study Session (90%)
    12/7/2021 – BoCC Study Session (90%)
    1/13/2022 – PC Public Hearing (adoption)
    2/1/2022 – BoCC Public Hearing (ratification)
Recommendation

- That staff proceed with the following Implementation steps:
  - Step 1: Overlays and Text Amendments
  - Step 2: Create a Mixed Use Zone District
  - Step 3: Comprehensive Plan Adoption
  - Step 4: Development Standards Overhaul

- The Board approves an FTE specific to Plan Implementation

- The Board approves funds for Development Standards overhaul in 2022 (Step 4)
**STUDY SESSION ITEM SUMMARY**

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<td><strong>DIRECTION NEEDED:</strong></td>
<td>Input from the Board on the prioritization of the text amendments to be completed in 2021.</td>
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<td><strong>RECOMMENDED ACTION:</strong></td>
<td>Approve the staff to move forward with four rounds of amendments to the Development Standards and Regulations in 2021.</td>
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**DISCUSSION POINTS:**

Staff will be presenting a brief update on the current text amendment initiatives, including oil and gas and parks zone districts, as well as upcoming text amendments that are proposed to be in two separate bundles. Bundle 1 is comprised of text amendments relating to the implementation of the long-range plans, as well as tiny home villages. Bundle 2 includes updates to the sign code, adding a process for Location and Extent applications, and other general updates.
2021 Regulation Amendments

Board of County Commissioners Study Session
Community and Economic Development Department
May 11, 2021
Summary

• Current Text Amendment Initiatives
  • Oil & Gas
  • Parks Zoning

• Upcoming Text Amendments
  • Tiny Home Villages
  • STR Licensing
  • Sign Code updates
  • Process: Location & Extent
  • Other minor updates
Current Initiatives

- Oil and Gas
  - Align County regulations with new COGCC regulations
  - Increase setbacks from homes and schools
  - More protective performance standards

- Parks Zone Districts
  - Add 3 new zone districts
  - Add new uses (primary & accessory)
  - Allow some temporary uses without a permit
  - Next update: June/July
Upcoming Text Amendments (Bundle 1)

- Create overlays for subarea plans:
  - Federal Boulevard Framework Plan
  - Welby Subarea Plan
  - Clear Creek Valley TOD
- Outdoor storage changes
  - Reduce threshold to require a Conditional Use Permit in I-2 and I-3
- Empower the Comprehensive Plan
  - CUPs: “Conformance to the Comp Plan”
- Add Mixed Use zone district (?)
- Tiny Home Villages
  - Add as conditionally permitted use in certain zone districts
  - Add performance standards
Upcoming Text Amendments (Bundle 2)

- Short-term Rental Licensing
- Sign Code updates
  - Make uniform throughout
  - Reduce clutter
  - Add criteria for variations from required setbacks
- Add process for: Location & Extent (C.R.S. 30-28-110)
- Clean up and update Chapters 8 and 9 (Engineering)
Parks Zones @ BoCC
Oil & Gas @ BoCC
2022:
January - Bundle 2 @ BoCC
February - Advancing Adams


Parks Zones - Outreach
Bundle 1 - Outreach
Bundle 2 - Outreach

2022:
January - Bundle 2 @ BoCC
February - Advancing Adams
Recommendation

• That staff proceed with the following rounds of text amendments in 2021:
  – Oil & Gas
  – Parks Zoning
  – Bundle 1: Implementation Updates
  – Bundle 2: General Updates