

Introduction for land use and water planning discussion



QQ meeting
June 29, 2017
Granby, CO

What exactly are we talking about, water sensitive land use planning?

- **WATER CONSERVATION IN LAND USE CODE.** Examples include:
 - Landscape regulation. Landscape plan requirements, allowable plants, soil quality requirements, development envelopes, tree size requirement, rain sensor requirements
 - Equipment. Green plumbing code, indoor fixture efficiency, reuse of water, smart meters, submetering multifamily units.
- **WATER PROVIDER TOOLS.** Conservation plans, water auditing, water budgets, metering improvements

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- **MASTER PLANS.** Required for counties with pop of 100,000 or more and counties that experience 10% increase during any five year period, municipalities with more than 2000 or located in counties subject to master plan requirements
 - For counties, if there is water supply element “planning commission shall consult with entities that supply water for use within the county or region to ensure coordination on water supply and facility planning, and the water supply element shall identify water supplies and facilities sufficient to meet the needs of the public and private infrastructure reasonably anticipated or identified in the planning process.” C.R.S. 31-23-206 (d)
- **TRADITIONAL LAND USE REGULATIONS.**
 - Zoning: municipalities (C.R.S.§ 31-23-301) and counties (C.R.S.§ 30-28-111) may regulate land use through zoning for the purpose of promoting the “health, safety, morals, or general welfare.”
 - Subdivision: authorized for municipalities (§ 31-23-214) and required for counties (§ 30-28-133).
 - PUD: counties and municipalities are authorized to allow planned unit developments (PUDs)
 - UGB, Cluster development, in-fill zoning, overlay zoning, setback requirement

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- **1041/ AREAS & ACTIVITIES OF STATE INTEREST.** Establishes criteria for local governments to use in planning for and regulating such projects with state impact. (§ 24-65.1-101, et seq.) **Includes:**
 - *Site selection and construction of new or expanded water and sewage treatment systems*
 - *Site selection and development of certain solid waste disposal sites*
 - *Site selection and construction of major facilities of a public utility*
 - *Efficient utilization of municipal and industrial water projects*
- **GROWTH DEVELOPMENT.**
 - *Including the*
 - *Location*
 - *Timing*
 - *Cost*
 - *Intensity*
- **ADEQUATE WATER SUPPLY**



DON'T FORGET WATER QUALITY

Local governments have authority over non –point source protection.

Vehicles to impose water quality protection include:

- Subdivision controls
- Special use permits
- Zoning use restrictions
- Building permit
- 1041 permits
- Conservation easements
- 208 Plan compliance requirement
- Minimum/maximum lot size
- Impervious surface ratios
- Slope restrictions
- Open space dedication
- Erosion and sediment control
- Revegetation
- Water body setbacks
- Spill and prevention control
- Floodplain requirements



QQ Policies and Principles re: land use and water intersection

QQ Policies:

- Strengthen available tools to protect water quality and quantity.
- Assist local governments to strengthen and implement water quality provisions of their land use codes.
- Advocate “smart growth” to those utilizing headwater sources as water supplies, oppose the ad hoc policy of growth driving demand for imported water supplies.

Principles for Colorado’s Water Plan:

- Solutions in the Colorado Water Plan (CWP) to supply water for growth and development in one part of the state should not over-ride land use plans and regulations adopted by local governments in the part of the state from which water will be taken.
- The CWP should promote mechanisms to reduce demand through agricultural or municipal efficiency/conservation, land use and smart growth policies that further water conservation, and controls on water usage.



QQ Land Use and Water Conservation Workshop

May 7, 2014

QQ hosted more than 35 planners and planning commissioners, primarily from headwaters towns and counties on the West Slope. Several attendees represented Front Range communities as well, including Arapaho County and Denver Water. Overall reflections include:

- Agreed on the importance of integrating land use planning with water planning
- Immense opportunities exist for closing Colorado's future water supply gap through land use planning and conservation while also restoring and maintaining healthy rivers and preserving agriculture.
- Recommended continuing discussions on how best to establish and measure water conservation targets in land use planning, but emphasized that this is best done at the local level. They also want to consider legislation that would require, rather than allow, a water planning element in municipal and county master plans around the state.

QQ Commissioner Dialogue with Metro Area County Commissioners

“Every community can do better on water conservation and efficiency via locally determined measures, such as, but not limited to, reinvestment in aging infrastructure, community education, enhanced building codes, and water-sensitive land-use planning.”

•Guiding statement for county commissioners Boulder County, City and County of Denver, City and County of Broomfield, Eagle County, Grand County, Pitkin County and Summit County, *Comments on the Colorado Water Plan (March 5 - May 1, 2015)*, Item No. 67. May 1, 2015.

COLORADO'S WATER PLAN

From the Water Plan's goals:

By 2025, 75 percent of Coloradans will live in communities that have incorporated water-saving actions into land-use planning.

- The CWCB will work with the Department of Local Affairs, local governments, water providers, Colorado Counties Inc., Colorado Municipal League, the Special District Association, councils of governments, and homebuilders (Colorado Association of Homebuilders) to examine and strengthen the tools they collectively possess to help Colorado reach this objective.



Post-COLORADO'S WATER PLAN Successes

- SB 15-008: directed the CWCB and DOLA to develop free land use and water training programs.
 - DOLA and CWCB have subsequently developed trainings, offered free webinars, and held a train the trainer workshop
 - Also rain barrel and water reuse legislation in 2016.
- CWFE Water Fluency trainings
- Upcoming Sonoran Institute trainings: *Growing Water Smart: Resilient Communities and Watersheds*

And the Challenges...

- Water and land use related introduced bills that have been defeated in Colorado legislature:
 - 2015 Turf Bill. Would have limited the amount of turf grass allowed in an approved development.
 - 2016 Water Conservation in Master Plans bill. Would have added water conservation to list of permissive items local governments might include in master plans.
 - 2017 Adequate Water Supply § amendment. Would have required developers to report on water conservation plans and considerations in their adequate water supply submittals. Local governments would have had to ensure developers include water conservation discussion.
 - 2017 Water Conservation in Master Plans bill. Would have added water element to list of permissive items local governments might include in master plans. If a water element exists, water conservation required to be part of that element.

What's next to move forward with this QQ priority?

