



December 2015

Highway 402 Corridor/Loveland Intergovernmental Agreement Overlay Zone Planning Project

Scope of Work

- A. Introduction:** City Council has set as a high priority the preparation of a corridor plan for Highway 402. City staff has identified three planning efforts that need to be completed prior to preparation of that plan. The first was to resolve our Growth Management Area (GMA) boundary discrepancies with Johnstown. The first objective was accomplished in November 2013, as described below. The second is to have the Larimer County Commissioners adopt an ordinance extending the Loveland Intergovernmental Agreement (IGA) Overlay Zone (Overlay Zone) to include land within the Highway 402 corridor. The purpose of this Highway 402 Corridor Loveland IGA Overlay Zone Planning Project is to accomplish the second planning effort identified by City staff, that being adoption by Larimer County of the Overlay Zone.
- B. Johnstown/Loveland IGA:** In mid-2012, City staff was notified by the County planning staff that the County was not interested in considering any extension of the Overlay Zone until Loveland and Johnstown agreed upon a common GMA boundary. In November 2013, Johnstown and Loveland resolved the GMA boundary issues by entering into an IGA. The IGA establishes a collaborative process for Johnstown and Loveland to consider proposed annexations in an area referred to as the Overlap Area. The Johnstown/Loveland IGA allows us to move forward now on the Loveland IGA Overlay Zone planning effort, amendments to the Larimer County/Loveland IGA.
- C. Importance of Loveland IGA Overlay Zone:** It's critical to have the Overlay Zone extended to include the Highway 402 corridor for the following reasons:
- 1. Annexations:** Without the Overlay Zone in place, Larimer County has no legal ability to implement the terms in the existing IGA in the area adjacent to the Highway 402 corridor. The most important of these terms is a requirement that prior to the County approving any rezoning, special review permit or planned land division, the property owner first must have given Loveland an opportunity to consider annexation of the property.
 - 2. Orderly Development:** This is the rational way that Loveland and Larimer County have successfully facilitated orderly urban development in the other three quadrants of Loveland's GMA since the early 1980s. The original IGA has been amended several time since. The most current version is dated January 12, 2004.
- D. Corridor Plan Implementation:** Loveland would have little opportunity to effectively implement the vision or policies of a corridor plan for Highway 402 if property along the corridor remained in Larimer County. A corridor plan adopted by all three jurisdictions -- Larimer County, Johnstown and Loveland -- would provide the planning tools necessary to turn the Highway 402 corridor into a corridor like Harmony Road, instead of one like East Mulberry Road. Good planning now will return huge benefits in the future. All three jurisdictions will benefit from increased property and sales tax. Property owners within the corridor will benefit from realizing the highest and best use of their property. Property owners outside the corridor

will have greater assurances that they will be able to maintain their current life style until they decide to make a change. Cooperative planning now by all three jurisdictions could facilitate the provision of more efficient urban-level infrastructure as the area develops.

D. Work Plan Tasks: (completed)

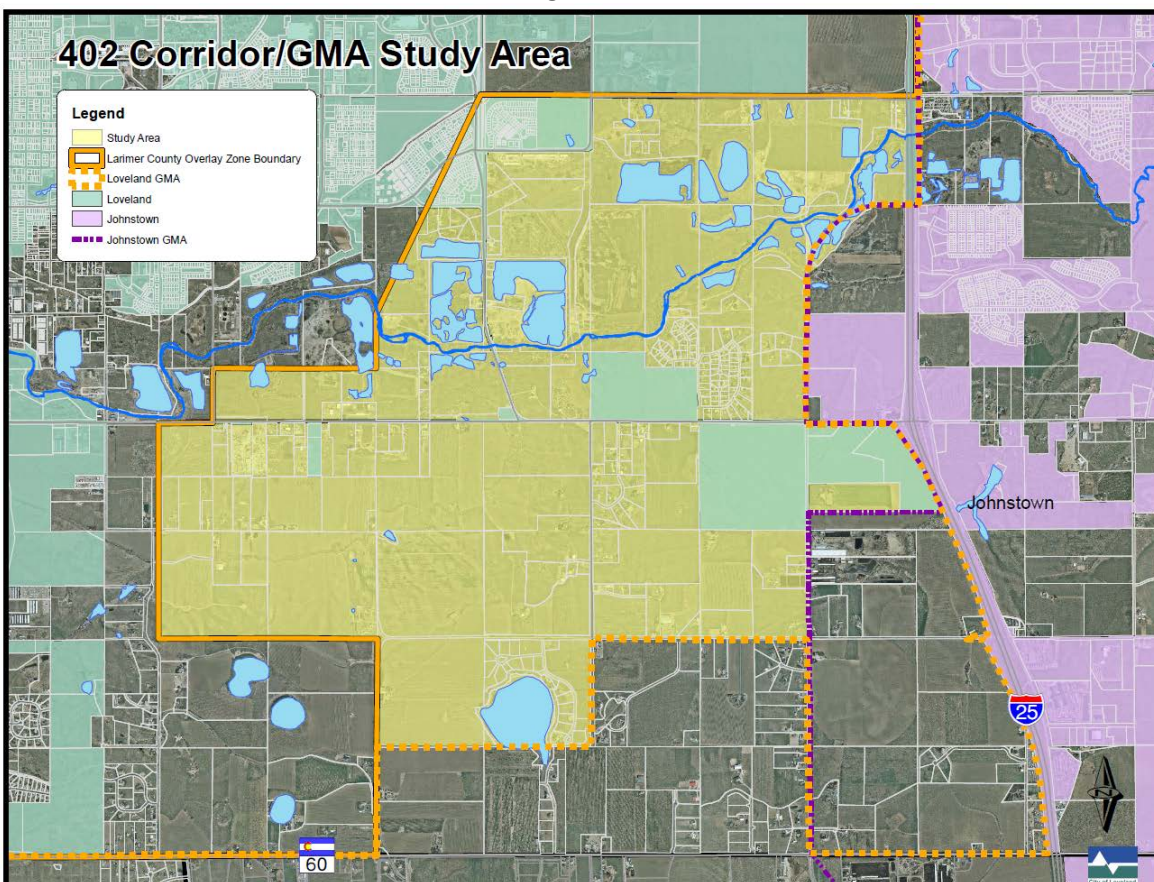
1. **Initial meeting with Larimer County, Johnstown and Loveland planners:** The Planning Team agreed on a strategy to facilitate early and extensive property owner involvement in the planning process, a general work plan and study area for the project. All owners of property within the study area will be considered “stakeholders.” Figure 1 on page 3 of 4 is a map of the study area, which includes all the land within the existing Loveland GMA that is not currently included in the Overlay Zone.
2. **Informational meetings with elected and appointed officials:** The Planning Team met with the Larimer County Commissioners and Planning Commission on March 8, 2015 and was given authorization to proceed with the work plan in general, with emphasis on early and extensive outreach to stakeholders.
3. **Initial outreach to stakeholders:** On July 20, 2015, the Planning Team met with approximately 65 property owners to introduce the Planning Team and explain the general purpose of the planning effort. The primary objective of the meeting was to have stakeholders tell the Planning Team about plans they have for their property in the next 20-25 years. The Planning Team provided information on growth projections for the North Front Range and what opportunities that growth is likely to create for urban development along the corridor. The Planning Team explained the meaning of being in Loveland’s GMA. The key outcome of the meeting was a map identifying those stakeholders who were not interested in having their property included in Loveland’s GMA. The discussion indicated that many property owners were resolved to the expectation that urban development along the corridor was inevitable.
4. **First stakeholder workshop:** On September 24, 2015, the Planning Team met with approximately 35 property owners to provide answers to questions asked at the July meeting and review a rough initial draft of a possible GMA boundary based on input from property owners during the initial outreach meeting. The Planning Team explained the effects on private property values in the future based on the land use categories shown on Loveland’s Comprehensive Plan Future Land Use Map and how the GMA is used by the City and other utility providers to plan to provide utilities and other infrastructure to accommodate urban development in the future.
5. **Plan Revision:** The Planning Team met on October 21, 2015 to review possible revisions to the Future Land Use Map within the Study Area. Revisions were developed to allow higher density residential development in the vicinity of mixed use non-residential activity centers, while maintaining lower density residential land use categories adjacent to existing rural development anticipated to remain in the County within the planning horizon of 20-25 years.
6. **Second stakeholder workshop:** On November 19, 2015, the Planning Team met with approximately 50 property owners to review the proposed revisions to the Future Land Use Map. The discussion focused on Future Land Use Map and the benefits of making allowances for higher density housing closer to jobs, major transportation routes and commercial centers.
7. **Revise Plan and IGAs:** Planning Team to meet to prepare preliminary draft Future Land Use Map and, if necessary, draft revisions to the Larimer County/City of Loveland IGA.
8. **Planning Commissions and Planning Board Study Sessions:** Present preliminary draft Future Land Use Map, including proposed GMA boundary, along with draft IGA amendments to Larimer County Planning Commission and Loveland Planning Commission.
9. **Revise Plan and IGAs:** Revise preliminary draft Future Land Use Map, GMA boundary and initial draft amendments to IGA based in input received at joint planning commission study session.
10. **Elected officials study sessions:** Present final draft Future Land Use Map, GMA boundary and draft IGA amendments to Larimer County Commissioners and Loveland City Council.

- 11. Revise Plan and IGAs:** Revise final draft Future Land Use Map, GMA boundary and draft IGA amendments based on comments received at joint study session.
- 12. Plan and IGA adoption:** Present final draft Future Land Use Map, GMA boundary and draft IGA amendments to Larimer County Commissioners and Loveland City Council for adoption.
- 13. Loveland IGA Overlay Zone:** Larimer County Commissioners public hearing and adoption of Loveland IGA Overlay Zone.

E. Oil and Gas Development: Strategies are still under discussion by the Planning Team on how to incorporate the new rule making on oil and gas development under way by the Governor’s Task Force and the Colorado Oil and Gas Conservation Commission (COGCC). A presentation was made to the COGCC on November 16, 2015 asking the COGCC to require oil and gas operators to include in the consultation process local governments having land use authority within a GMA regarding the location of large oil and gas facilities and require the COGCC Director to give the location preferred by the local government the highest priority in that consultation. The new rules are still pending. This request would require the City of Loveland to be included in consultation due to the City having land use control within the City’s GMA through its IGA with Larimer County. The goal would be to limit new oil and gas development to areas outside the 402 corridor to avoid land use conflicts and hinder the orderly development of the corridor. The objective would be to maximize both surface and mineral rights property values within the corridor by taking full advantage of horizontal drilling technology.

F. Work Plan Schedule: The schedule on the following page illustrates a general timeline for the Highway 402 Corridor Planning Project.

Figure 1.



Work Plan Schedule

Tasks	2015												2016										
	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sept	Oct	Nov
1. Initial meeting w/County and Loveland planners			★ ^{3/18}																				
2. Informational meetings with elected officials					★ ^{5/13}																		
3. Initial outreach to stakeholders						★ ^{7/20}																	
4. First stakeholder workshop									★ ^{9/24}														
5. Plan Revise – Planning Team										★ ^{10/21}													
6. Second stakeholder workshop											★ ^{11/19}												
7. Plan and IGA Revisions – Planning Team																							
8. Planning Commissions Study Session																							
9. Plan and IGA Revisions – Planning Team																							
10. Elected officials study sessions																							
11. Plan and IGA Revisions – Planning Team																							
12. Plan and IGA adoption (public hearings)																							
13. Loveland IGA Overlay Zone (public hearings)																							

★ Task Completed

■ Task Duration