June 23, 2009 – Initial Meeting

RURAL FRAMEWORK COMMITTEE
Committee Member Introductions

- One minute summary
  - Name
  - Subarea location/Stakeholder identification
  - What do you hope will come out of this rural framework effort?

- We’ll do half now/half in middle of meeting
Committee Tasks

- Submit recommendations on a framework of rural land use policies and regulations by October 15th.
- Review existing framework and assess rural values/visual preferences.
- Hold topically-focused work sessions to examine key issues.
- Develop rural development concepts from which staff will draft rural regulations.
- Hold feed-back open houses with public.
- Present formal recommendations to BCC at the Oct. 27th land use meeting.
Notes on Scope

- Primarily geared towards refining (considering the future applicability of) bonus-density, cluster development regulations for use within the non-urban (rural/semi-rural) subareas. May also consider appropriateness of semi-rural development in subareas slated for rural-only development.

- Cannot address all rural land use and lifestyle issues in depth with this effort, but can make future recommendations. Committee may continue beyond October 15th.
Committee Expectations

Ground Rules

- Generally agree up-front on the scope of work and timeline
- Participate effectively during limited meeting times
- Review materials provided
- Speak and act respectfully to all
- Operate on consensus basis where possible; vote when necessary
- Make your expertise available
- Email questions and concerns
Committee Web Site

- Will house most Committee materials by meeting/open house event:
  - Agendas
  - Background information/reports
  - Meeting handouts
  - Powerpoint presentations
  - Meeting minutes
  - Draft recommendations/Committee findings

- Includes a “blog” where the public can be asked to comment on specific issues/documents
Trends in zoning, subdivision and development
Nancy Gedeon, Community Services, Demographics

RURAL LAND USE PATTERNS
More introductions…
Overview of Douglas County Land Use Policies and Regulations Applicable to Rural Development

Jeanette L. Bare, AICP
Principal Planner

EXISTING RURAL FRAMEWORK
Comprehensive Plan – General community plan that guides land use decisions and implemented by:

1) Zoning – Use, intensity and other land use restrictions defined by District

2) Subdivision – Division of land into lots, tracts and streets for sale or transfer

3) Construction permitting – Specific codes applied to public facilities and private buildings
Comprehensive Master Plan

- Guide for general land use and development of the County
  - 2030 Land Use Plan Map
  - Sets forth key goals, policies and objectives by Planning Area:
    - Urban (Primary, Separated, Chatfield)
    - Non-urban (7 subareas)
    - Rural Communities (Franktown, Sedalia, Louviers)
    - Municipalities (and IGA areas)
  - Resource maps highlight key elements: Water Supply, Bedrock Aquifers, Class 3 Hazards, Steeply Dipping Bedrock, & Wildlife Resources
  - Other Plans: Recreation and Tourism; Parks, Trails, and Open Space; Transportation; & Minerals Extraction
  - Updated every few years by the Planning Commission
Comp Plan Policies for Rural Areas

- Rural/Semi-rural (Nonurban) Areas and Rural Communities
  - Defined (mapped) planning areas with land use and density recommendations
  - General narrative and overall policy statements for nonurban
  - Subarea specific policies
  - Other applicable sections – Community Resources and Services, Water Supply, Wildlife, Environmental Quality, and Transportation
Nonurban (Rural/Semi-Rural) Area Goals

- Protect and conserve the natural and rural character
  - Ranching, farming
  - Significant Wildlife habitats and biotic systems
  - Important scenic views (ridgelines and highway viewsheds)
  - Community separators
  - Community identity and sense of place
  - Stewardship of open space and natural areas
  - “in perpetuity” protection

- Ensure land use and design is compatible with the natural and rural character
  - (Compatible) nature and intensity of development
  - Healthy community design (trails/recreation)
Master Plan Definitions

- Nonurban Density Categories:
  - Semi-Rural – (Gross) density of 1 dwelling unit per 2.5 – 17.4 acres
    (Generally corresponds to RR, ER, and LRR Districts)
  - Rural – (Gross) maximum density of 1 dwelling unit per 17.5 acres
    (Generally corresponds to A-1, including Cluster-35 and former RSP Plans)

Gross Density – total units/total acreage of a subdivision/project (not minimum lot size)
Comp Plan Definitions

Rural Area
- Large tracts of land, typically used for ranching or farming operations. A maximum density of 1 du/17.5 acres may be achieved through the County’s Rural Site Plan process.

Semi-Rural Area
- Defined at a density that can range from 1 du per 2.5 acres to 1 du/17.49 acres. Greater densities, up to 1 du/2.0 acres, can be achieved as the result of a density bonus or approved PD zoning.
Nonurban Subarea Density Policies

1, 3, 6: Chatfield Valley, Indian Creek and West Plum Creek – RURAL ONLY 1/17.5

2: High Plains – RURAL (semi-rural generally not supported) 1 du/17.5 ac

4: Northeast – SEMI-RURAL 2.5 – 17.4 du/ ac

5: Cherry Valley – RURAL ONLY 1/17.5

7: Pike National Forest & Foothills – RURAL ONLY 1 du/35 ac (no RSPs)
Subarea goals – Development Residential Type and Density

- **Northeast Subarea (2.5 – 17.4 acre density):**
  - Semi-rural intensity supported where it is a logical infill (2.5 – 17.4 acre density)
  - Rural Site Plans (bonus cluster) may be supported

- **High Plateau Subarea (17.5 acre density or less):**
  - Low intensity rural; semi rural GENERALLY NOT supported
  - Rural Site Plans (bonus cluster) may be supported

- **Chatfield Valley, Cherry Valley, Indian Creek, West Plum Creek Subareas (17.5 acre density or less):**
  - Low intensity rural; semi-rural NOT supported
  - Rural Site Plans (bonus cluster) may be supported

- **Pike Forest and Foothills (35 acre density or less):**
  - Semi-rural intensity INCONSISTENT with plan
  - Cluster-35 Plans (not RSPs) supported for this area

**COMMERCIAL/INDUSTRIAL REZONINGS ARE NOT SUPPORTED IN NONURBAN**
Rural Community Plans

- Sedalia and Louviers.
  - Use/density proposals for A-1 lands to be determined based on site specific considerations guided by general policy statements.

- Franktown. A-1 areas divided into:
  - Semi-rural (“B” - 1 du/5 acres)
  - Rural (“A” - 1 du/17.5 through RSP), and
  - Rural/semi-rural transition areas (1 du/10 acres).
Zoning Resolution

- Defines use, density and bulk requirements by District

- Official zoning map and written regulations
Zoning Resolution Elements

- Straight Zones (A-1, RR, GI, etc…)
- Planned Development Districts (PD)
- Cluster 35 and Rural Site Plans (C-35)
- Site Improvement Plans (SIP)
- Uses Allowed by Special Review (USR)
- Overlay Zones
- Rezonings and Amendments
- Variances and Appeals
Types of Districts:

- Straight-Zones
- Planned Development Districts
- Overlay Districts
  - IGA’s with Parker and Castle Rock
  - Wildfire Hazard
  - Floodplain
  - Water Supply
  - Centennial Airport
Subject to Public Hearing (PC/BCC)

- Use by Special Review
- Map Change or Rezoning – to either a different straight zone or PD
- Amendment (to any portion of the written regulations)
- Variance (non-use) or Appeal of an Administrative Decision (Board of Adjustment)
Administratively-Approved Plans

- Site Improvement Plans (commercial/industrial and multi-family, administrative review, and USR uses)

- Rural Site Plans

- Cluster-35 Plan
# Zoning Development Standards

## Single Family Residential:

- Permitted uses: principal, accessory, special review
- Min. Lot Size
- Max. Gross Density
- Max. Building Height
- Min. Building Setbacks
- Utility requirements
- Parking
- Animals

## Additional standards for Commercial and Multi-family, Bonus-density & Cluster Single-family Plans, and Admin. Reviews & USRs:

- Lighting
- Landscaping
- Bldg. envelopes
- Bldg. elevations/design
- Open space set asides
- Wildlife friendly fencing
- Operational restrictions
Rural Area Zone Districts

- **A-1/Agricultural (17.5 - 35 acre)**
  - Cluster 35 (1 du/35 ac max density) – cluster (no bonus)
  - Former/now repealed RSP (1 du/17.5 ac max density) – 40 - 100% bonus-density cluster

- **LRR/Large Rural Residential (10 – 34.9 acre)**
  - Density bonus up to 40% (open space/central water/design)

- **RR/Rural Residential (5 – 9.9 acre)**
  - Density bonus up to 35% (open space/central water/design)

- **ER/Estate Residential (2.5 – 4.9 acre)**
  - Requires central water
  - Density Bonus up to 20% (open space/design)

- **SR/Suburban Residential (9000 square feet)**
  - Requires central and sewer

Actual lot size, NOT zone district designation, determines permitted uses and setbacks.
Approved PDs, RSPs, and C-35 Plans

- **8 Nonurban Planned Developments** (all semi-rural densities): Keene Ranch, Bell Mountain Ranch, The Canyons N/S (separate), Fox Hill, Scott Road, Reata South PD, River Canyon PD,

- **14 approved Rural Site Plans** (rural: 1 du/17.5 ac max)
  - 9 located in West Plum Creek, 2 in Franktown, 1 in Cherry Valley, 2 in Chatfield Valley, 1 in Indian Creek
  - 8 utilized 100% bonus/remainder used 20 - 40%
  - 583 residential lots approved
  - Approximately 7500 acres preserved in protected open space tracts, and more through private covenants within lots
  - For 100% bonus RSPs, lots sizes have ranged from 2.5 to 10 acres. For lower bonus RSPs, lots sizes have been in the 10 – 30 acres range.
  - 2 RSPs in process (and one pending recordation)

- **4 Cluster-35 Plans** (rural: 1 du/35 ac max)
“Overlay Zones” applying to Rural

- **Use by Special Review – Section 21** (compatible uses requiring additional review to ensure appropriate intensity, site design, and impact mitigation).

- **Animals – Section 24** (animal units permitted, grazing/devegetation standards, horse boarding)

- **Water Supply – Section 18A** (sets forth water supply standards for Margins A, B, C and Pike/Rampart when coupled with specific land use processes – subdivisions and rezonings.)

- **Wildfire Hazard – Section 17** (requires mitigation implementation plans for at-risk areas – implemented through land use processes and driveway permits).

- **Floodplain** – Section 18 (restricts development in defined floodplains)

- **Parker and Castle Rock IGA’s** – Sections 19A and 19B (sets forth “rules” for development within the Town’s planning areas and within defined county buffer areas).

- **Natural Landforms Protection (IBC)** – for designated properties, sets forth design standards for driveway construction in hazard, steep slope and high visibility areas (mostly along the mountain backdrop)
Subdivision Resolution

- “Plats” create legal lots, tracts, and roads for subsequent transfer and development

- Review process to ensure adequate services and general “build-ability”

- PC/BCC and administrative processes

- Certain exemptions from subdivision
DEVELOPMENT REFERENCE MAP
DOUGLAS COUNTY, COLORADO

LAND DIVISIONS:
- LAND ZONED AGRICULTURAL ONE
- ZONED, NOT YET SUBDIVIDED
- SUBDIVISIONS
- EXEMPTIONS
- RURAL SITE PLANS
- 35 ACRE DIVISIONS (NO SUBDIVISION NEEDED)
- DIVISIONS WITHOUT SUBDIVISION PROCESS
- INCORPORATED TOWNS

OPEN SPACE:
- PRESERVED/CONSERVED
- STATE / REGIONAL PARKS
- PIKE NATIONAL FOREST

North

Scale: 1 inch = 1 mile
Land Divisions and Subdivisions in Rural/Semi-Rural Areas

- **Senate Bill 35**
  - 35 acre divisions still subject to roadway and basic life-safety standard reviews by County.

- **D.C. Subdivision Resolution**
  - Sketch, Preliminary and Final Plat (2-3 steps)
  - Minor Development Plat (4 or fewer lots, up to 10 in some cases)
  - Exemptions from Subdivision (limited review/BCC meeting):
    - Lots created by certain kinds of legal actions
    - Boundary line adjustments (no parcels created)
    - Lots with more than one principal dwelling
    - Former RSPs and C-35 Plans
    - Public/quasi public uses
Construction Permitting

- Building permits for private structures and utilities
- Public Works Permits for roads, grading and drainage
Construction Permitting for Rural Areas

- **Building permit codes:**
  - IBC and IRC and related codes (covers construction, plumbing, electrical, energy, fuel and gas. Also includes provisions for driveway design, wildfire mitigation and water supply for firefighting purposes)
  - IFC (Fire Code)

- **Public Works codes:**
  - *Douglas County Roadway Design and Construction Standards* - for roadways
  - *Douglas County Storm Drainage Design and Technical Criteria Manual* - for drainage
  - Wildfire Hazard Regulations (Appendix 58) provide minimum access standards (formerly NFPA299) and the Natural Landform Protection Regulations (IRC appendix) cover driveway designs in special areas.
Other constraints on local land use decision making

- State Enabling Legislation for Counties and Cities
  - SB 35
  - Planning and Land Use (including annexation for cities)
  - 1041 (Matters of State Interest)
- Federal or Other Governmental Preemptions
  - Communication facilities (cell and electricity)
  - Agriculture
  - Mining
  - Schools
  - Churches (RLUPA)
- Private covenants
- Intergovernmental Agreements
- Regulatory authorities/permitting processes
  - Colorado Dept. of Health and Tri-County Health
  - Local Fire Districts
  - State Engineers Office
  - Basin Authorities
  - DRCOG
  - Special Districts
- Other statutes and case law
  - Takings, vesting, due process, eminent domain …
Next Steps

- July 14th – visual preference (values assessment) exercise and rural values guiding principals

- Topical work sessions/rural concept development
Rural Framework Committee - Tentative Meeting Schedule
(meetings generally held Tuesday evenings, 6 - 8:30 pm, A/B Conf. Room)

May 14  Rural Framework Planning Process Kick-off Open House

June 23  Initial Committee Meeting
  Framework Scope and Timeline and Committee Logistics
  Rural land use development patterns and trends
  Policy and Regulatory Framework Overview

July 14  Rural Values Identification and Assessment
  Visual Preference Survey
  Rural Values Statement/Guiding Principals

Rural Area Tour(s) - tours to be developed and lead by Committee members - possibly utilizing one
or two Saturday mornings in July.

July 21  1st Public Check-back Open House (Rural Values Assessment and Guiding Principals
  Review)

July 28  Issue Evaluation and Concept Development #1 (Environment & Open Space)*

August 11 Issue Evaluation and Concept Development #2 (Rural Services & Lifestyle)*

August 25 Issue Evaluation and Concept Development #3 (Water)*

Sept. 8  Issue Evaluation and Concept Development #4 (Land Use)*

Sept. 22 Rural Framework Concepts/Recommendations
  Rural Framework draft
  Policy and regulatory tools/approaches for framework implementation

Sept. 29 2nd Public Check-back Open House (Rural Framework Concepts)

October 6 Finalize Rural Framework Recommendations
  Review Open House feedback/modify framework draft as needed
  Review Staff draft of zoning and subdivision changes

October 13 Final meeting wrap-up
  Review any final changes to framework recommendations
  Prepare for Committee Presentation to Board

October 15 Written Recommendations on Rural Framework due to BCC
  Draft Regulatory Amendments due to BCC

October 27 Formal Committee Presentation to BCC
  Formal Staff Presentation to BCC

* Broad topic areas - subject to further refinement based on values assessment.