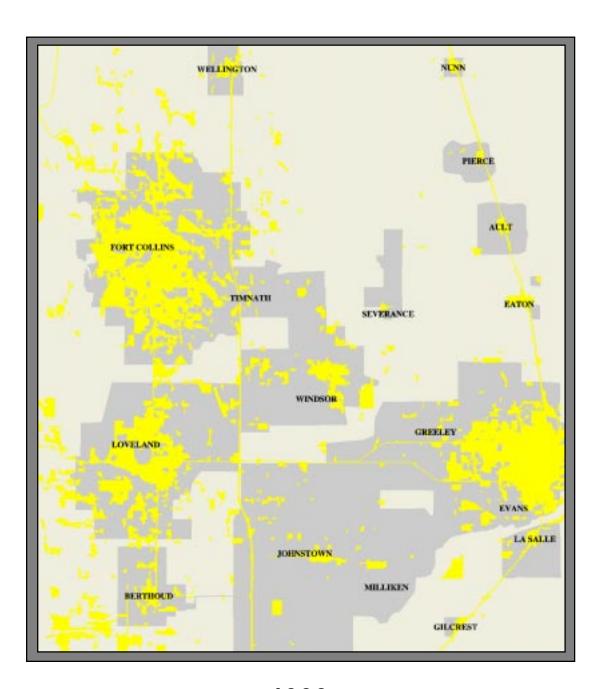
## Northern Colorado Community Separator Study



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Prepared by

EDAW, Inc.



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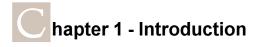


Active participants in this study include the following:

- Berthoud
- Fort Collins
- Greeley
- Larimer County
- Loveland
- Milliken
- Windsor

Special thanks to the City of Greeley for providing GIS mapping support and preparing many of the maps included with this report.

Also, thanks to the Northern Colorado Water Conservancy District for use of the District's satellite imagery.





Northern Colorado is experiencing rapid growth. As this urbanization continues, communities that once seemed distant from each other are gradually but inexorably extending their boundaries toward each other. If this trend continues, the major communities in northern Colorado's Front Range will merge into an extended metropolitan area with no apparent boundaries or separations between them. The possibility of a nearly continuous metropolitan area in the region is not far-fetched. A glance at Figure 2.1 in Chapter 2 shows that urbanization of the planned growth areas adopted by northern Colorado communities would result in each community being contiguous or nearly contiguous to at least one other community. Very little non-urban area would remain between any of the communities. A continuation of the community growth trends reflected in the current urban growth boundaries, many of which have expanded dramatically in recent years, would absorb the remaining community separation areas in the near future.

This is not the future that residents of northern Colorado want. As described in detail in Chapter 3, the great majority of residents in northern Colorado (82%) believe that avoiding continuous development between the region's cities and towns is an important objective. Furthermore, maintaining separation between our communities does not require limiting the growth and development of the region. The nearly 250 square miles of undeveloped area (1997) within adopted urban growth areas would accommodate more growth than can be anticipated in the foreseeable future. To put this in perspective, the amount of currently developed area within the region is just over 100 square miles.

It should also be noted that maintaining community separation does not preclude some degree of additional development in the identified separator areas. As discussed further in Chapter 3, some forms of rural residential development and virtually all types of agricultural use are fully compatible with the goal of maintaining community separation.

It should also be noted that maintaining community separation does not preclude some degree of additional development in the identified separator areas.

In recognition of the importance of the issue, the majority of northern Colorado's communities entered into a cooperative planning agreement intended to maintain separation in a manner that is fair and equitable to landowners. This report documents the results of that effort. Following this introduction. Chapter 2 provides an overview of the region, including land use trends, planned urban growth and environmental resources. Chapter 3 focuses on the results of a comprehensive survey that was implemented to better understand the views of northern Colorado residents on a range of issues associated with maintaining separation between communities. A regional system of community separators is defined in Chapter 4. The final chapter outlines further actions that are needed to achieve the long-term goals of maintaining community separation in Northern Colorado.

## hapter 2 - Planning Framework

### Introduction

Historically, the communities of northern Colorado have been distinct; interdependent economically and through cultural ties, but each with their own character, history and sense of place. Until fairly recently, the distinctiveness of our communities was almost a given – the distances separating Loveland from Greeley or Johnstown from Berthoud seemed substantial, more than enough to keep each community separate. With a few exceptions, such as Greeley/Evans, where two communities developed in proximity to each other from the early days, the issue of separation seemed to be isolated to the Fort Collins-Loveland corridor. A quick review of the evolution of the Fort Collins-Loveland corridor may offer some lessons that bear on the remainder of the region.

In 1950, Fort Collins barely extended south of Prospect Street and Loveland's northern boundary was essentially U.S. 34, a distance of more than 10 miles. Over the next two decades, the distance separating these communities shrunk to just a few miles and serious discussion of the need to address the issue was initiated. By 1977, the issue was sufficiently clear to motivate adoption of a goal in the Larimer County Policy Plan that called for maintaining separation between the two communities. Although intergovernmental agreements were signed and a task force created, undeveloped land in the corridor continued to diminish. Early efforts to maintain a corridor culminated in 1984 with a citizen's initiative to use sales tax and other funds to purchase open space between the two communities. Although the measure was defeated, consideration of the issue didn't die. More than 10 years later, a plan was adopted with specific measures to protect some of the remaining areas within the corridor. Adoption of "A Plan for the Region Between Fort Collins and Loveland," together with the provision of funds provided by a series of

successful sales tax initiatives, finally resulted in some degree of protection for portions of the remaining corridor.

The experience in the Fort Collins-Loveland Corridor illustrates the difficulty of maintaining community separation and a number of other lessons as well. Perhaps two stand out. First is the fact that the region's historic development patterns and good economic conditions can result in once seemingly distant communities becoming adjacent in a relatively short time. Second, though protection of a portion of the corridor is noteworthy, the resulting corridor is not continuous and the two communities will become all but indistinguishable along a portion of U.S. 287. In other words, not taking strong action early, even when strenuous efforts are made later, is likely to result in the protection of only a small amount of community separation.



The series of maps presented later in this Chapter show that the Fort Collins/Loveland corridor is no longer an isolated situation in northern Colorado. Recognition of this fact led to further efforts to address community separation on a broader, more regional basis. "The Northern Colorado Regional Planning Study," which was completed in 1995, laid the foundation for greater coordination among the communities in the region and led to the adoption of a comprehensive intergovernmental agreement that was signed in 1997. To date, the six communities signatory to the agreement include Berthoud, Evans, Greeley, Fort Collins, Loveland and Milliken. The fundamentals of the agreement are illuminated by the following eight principles:

- 1. Retention and enhancement of individual community identity is desired.
- Visual and spatial separation of urban development between communities is desired and will help retain and enhance community identity.

- 3. Preservation of agricultural land uses around urban areas is desired.
- Preservation of natural areas, such as streams, wetlands, wildlife habitat and other such values is desired.
- 5. Urban development should occur within or be incorporated into existing towns and cities.
- 6. Urban development should be accommodated where and when the full range of public services can be provided by municipalities or other service providers.
- 7. Development in rural areas within the regional planning area should be limited and generally related to or compatible with the rural character of the area.
- 8. The owners of private property affected by public policy decisions or other public actions should be advised, consulted and appropriately involved in planning activities and properly compensated for the taking of property rights resulting from such decisions or actions according to law.

### **Community Plans**

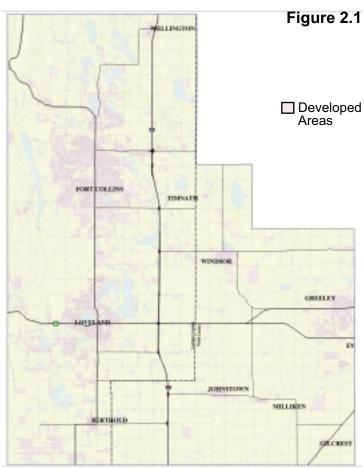
In addition to the regional framework provided by the intergovernmental agreement, individual communities have adopted plans that bear strongly on the issue of community separation. Rather than dwelling on the particulars of each community and county plan, it is more meaningful to review the regional development pattern that would evolve, cumulatively, through their realization. The series of maps on the next page illustrate the situation. The first map shows current conditions. Generalized areas of urban development are shown in this map derived from 1997 satellite imagery. As shown in the map, large expanses of agricultural and other non-urban lands separate many of the communities in the region, with the notable exception of Fort Collins and Loveland and Berthoud

and Loveland along the U.S. 287 corridor. Other than isolated pockets of development, a substantial distance remains between most of the communities east of I-25.

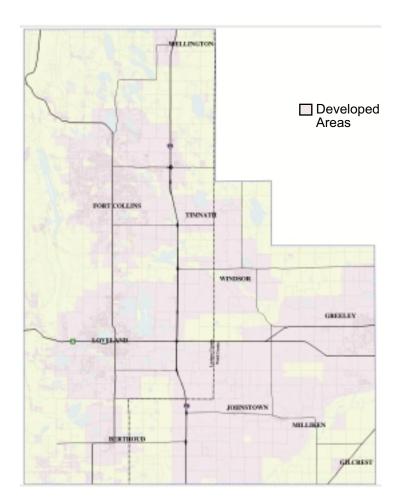
The second map, which shows existing city and town limits, paints a different picture. In this map the communities of Loveland and Windsor become contiguous and the distance between Windsor and Greeley begins to recede. These trends are more apparent in the third map, which depicts the current urban growth boundaries of each of the communities in the region. Although various communities use the term somewhat differently, an urban growth boundary generally denotes the area where each community anticipates providing urban services. In time, most of these urban growth areas will become urbanized with the possible exception of some area targeted for open space protection. As shown in the third map, build-out to these urban growth boundaries would result in a very different land use pattern than the one that exists today. Perhaps the most striking changes occur along the I-25 corridor, which becomes almost continuously developed from the southern end of the region through Fort Collins, and along the U.S. 34 corridor. Most of the land along the U.S. 34 corridor becomes urban and several communities become contiguous, including Johnstown with Loveland, Berthoud, Greeley and Milliken. The Towns of Timnath and Windsor also become contiguous, as does Greeley with Milliken.

The fourth map is a hypothetical look at a future based on continuation of current trends. In this map, approximately 65 additional square miles are added to the urban growth boundaries of the region's communities, an amount that is considerably less than what has been added in the last decade. The pattern shown in this map hardly requires a detailed description; the result is a large and continuous pattern of urban development throughout most of the region. Perhaps an important question to ask at this point becomes – "What is the likelihood of such a





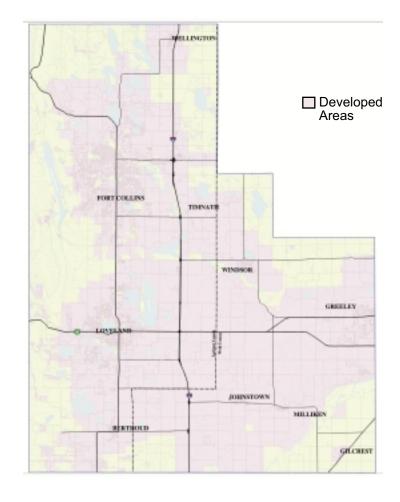
### 1. Existing Development



□ Developed

ULLINGTON ■ Developed Areas PORT COLLINS TIMINATE WINDSOR GREELEY HUEL **JOHNSTOWN** MILLBEN BERTHOLD gricust

2. Build-Out to Current Municipal Boundaries



3. Build-Out to Current Urban Growth Areas

4. Hypothetical Long-Term Build-Out

regional land use pattern eventually emerging?" In order to address this question, we need to look at anticipated population growth and environmental factors.

By all indications, the northern Colorado region anticipates continuing growth. Although long-term population forecasts are generally not available, it is possible to compile forecasts out to the year 2020. These are shown below for the two counties within the study area:

	1995 <u>Estmate</u>	2020 <u>Estimate</u>	<u>Difference</u>
Larimer County	215,742	334,009	118,267
Weld County	147,502	226,733	79,231
Totals	363,244	560,742	197,498

These estimates, which were prepared by the Colorado Department of Local Affairs, reflect an annual growth rate of approximately 2%. It should be noted that recent growth rates in the region are above 2% per year and several communities anticipate a continuation of this rate of growth. These numbers also include growth in southern Weld County and other areas that are not in the area addressed by this study. Therefore, it is more useful to look at anticipated growth in each of the communities and specific portions of the two counties. This information is provided in Table 2.1.

Table 2.1 Current and Projected Population Growth by Jurisdiction

	1997 <u>Estimate</u>	2020 <u>Estmate</u>	<u>Increase</u>	
Berthoud	4,041	7,130 <sup>1</sup>	3,089	
Fort Collins	106,466	162,400 <sup>2</sup>	55,934	
Greeley	71,000	115,838 <sup>3</sup>	44,838	
Johnstown	2,500	10,0004	7,500	
Loveland	46,254	79,430⁵	33,176	
Milliken	1,790 (1996)	3,638 <sup>6</sup>	1,795	
Timnath	224 (1996)	4,000′	3,776	
Windsor	7,500	17,9008	10,400	
Wellington	1,750	3,664°	1,914	
Subtotals	241,525	404,000	162,475	
Unincorporated Larimer County	64,014	96,86210	32,848	
Unincorporated Weld County	(Data not available)			
Totals	305,539	500,862	195,323	

- 1 Based on 2.5%/year, town's comprehensive plan says desired growth rate 2.3%.
- 2 From City Plan with 5 more years of growth at forecasted rate.
- 3 Based on 2.25% annual growth rate.
- 4 Based on projection of 150 housing units/year, from town's comprehensive plan.
- 5 Reflects current city projection.
- 6 Based on 3% annual growth.
- 7 Based on an estimate of 3,000-5,000 provided by town's planning consultant.
- 8 Based on 8% to 2000, 5% 2001-2005, 2.5% thereafter.
- 9 Based on 3%/year = build-out of current town limits.
- 10 Based on Larimer county population data and continuation of historic trends, which document that approximately 29% of the county's population resides in unincorporated areas. This ratio has remained constant for several decades.

By any measure, an increase of nearly 200,000 people in the region is substantial. To put this number in perspective, adding 200,000 people at a similar pattern as the region has developed historically will require urbanizing an additional area that is roughly equivalent to the area currently occupied by Fort Collins and Greeley combined, plus all of the towns (Berthoud, Johnstown, Milliken, Timnath, Windsor, and Wellington).

For the most part, any constraints to growth in northern Colorado that may emerge will be economically or politically driven. As shown in the series of maps discussed in this chapter, the region has relatively few physical or natural constraints to development. Those that do exist are primarily associated with floodplains, and to a lesser extent, wetlands and isolated areas of steep slopes along the river bluffs. Therefore, it is not anticipated that physical and environmental constraints will substantially limit growth and development in the region. Infrastructure availability, which has a profound influence on development patterns in the near term, is not an absolute limitation in a long-term development forecast. Instead, infrastructure availability in this region will reflect a series of economic and political decisions that emerge over time.

This is not to say, however, that the area lacks important wildlife habitats or other areas with important natural values. The remainder of this chapter summarizes some of the natural values that occur within the region. With one exception, the maps referenced in this chapter are presented in Appendix A. The one exception is Map 2.1, a composite of various planning and natural resource considerations.

### **Planning Factors**

Map A.1 shows the currently defined urban growth boundaries of the communities in the region. Also shown in the map are current municipal boundaries. As shown in the map, all communities in the region anticipate growth beyond their existing boundaries. Of particular significance is the fact that several Weld County communities have defined urban growth areas of such an extent that they are unlikely to become urbanized in a standard 15-20 year planning horizon. It should be noted that these areas are not recognized by Weld County in the absence of a formal intergovernmental agreement, which otherwise utilizes a three-mile referral area or standard ½-mile urban growth boundary to coordinate urban growth issues. Also of interest in Map A.1 are areas of overlapping

### Larimer County



urban growth boundaries, which occur in the I-25/ Highway 56 vicinity (Berthoud/Johnstown) and along the U.S. 34 corridor where Greeley, Johnstown and Milliken overlap south of the highway. At least to some extent, these overlapping boundaries reflect a desire on the part of each community to control the lands that surround them and to take advantage of revenue from tax generating uses that are likely to emerge along I-25 and U.S. 34.

As noted earlier, the adopted plans of the communities within the region generally provide for urban development within defined urban growth boundaries with several notable exceptions, including areas identified as priority open space or community separators. These areas are shown in Map A.2. Although these designations may have an impact, they are not an assurance that the area will be maintained as undeveloped or in rural, agricultural uses. Since potential community separator areas are largely within unincorporated Larimer and Weld Counties, it's also important to review the guidance provided by the adopted plans of these two jurisdictions. In 1997, Larimer County adopted a new comprehensive plan referred to as the Partnership Land Use Plan (PLUS). This plan contains a number of policies that strongly bear on the issue of community separation. Fundamental among these is the principal that new urban development will be allowed only in defined urban areas, and that new development in non-urban areas will be clustered in an effort to preserve the rural character of these areas. Another relevant policy is that "Buffers shall be provided between cities and towns to maintain community separation."

More specifically, the plan states that in rural areas allowed uses and densities will be based on the current zoning of the property and that "up-zoning" to increase residential density in rural areas shall not be approved. Thus, a review of existing zoning is relevant to a consideration of potential separator areas.

The great majority of lands in Larimer County that may be considered as potential community separators are zoned Open or Farming (FA or FA-1). The minimum lot size in the Open zone is 10 acres and 2.29 acres in the Farming zones, unless sewer is available. As noted above, PLUS provides that residential densities are to be based on existing zoning, meaning that a hypothetical parcel of 100 acres would be entitled to develop 10 residences in the Open zone and 43 units in the Farming zone if no central sewer were available. PLUS also provides that from 50-80% of the site must be maintained as open space, which means that housing units must be clustered, even if smaller lots are required than would otherwise be allowed by the existing zoning. The clustering requirement only applies to parcels 30 acres or more in size.

In an Open zone, the open space requirement is 80%. Looking again at a hypothetical 100-acre parcel, the homes sites allowed in an Open zone would have to be clustered on 20 acres or less, allowing 10 units to be constructed on two-acre lots.\* Implementation of this policy has a significant bearing on community separation since a development with 10 lots clustered on 100 acres is relatively consistent with the goal of maintaining community separation. Little or no additional action would be needed in Larimer County areas that are zoned Open, which in the community separator study area are limited to areas north and east of Fort Collins.

The situation is substantially different in the Farming zone districts. Nearly all of the areas east and south of Fort Collins are zoned FA or FA-1. In these zone districts, a hypothetical 100-acre parcel would have an entitlement of 43 home sites, based on a minimum lot size of 2.29 acres. The minimum requirement for open space in the Farming districts is 50%; thus the allowed number of homes on a 100-acre parcel would have to be clustered on 50 acres. Without sewer availability,

<sup>\*</sup> In this situation where clustering is required, the minimum lot size drops to 2 acres from the 2.29 otherwise required.

the 43 home sites that would otherwise be allowed drops to 25 in order to maintain the required minimum lot size of 2 acres. However, if sewer is available, the full 43 home sites could be developed in a FA zone, which provides for a minimum lot size of .5 acre with sewer. Most of the area between Loveland and Berthoud is zoned FA-1 as is the area east of Fossil Creek Reservoir and south of Timnath. It should be noted that the area immediately south of Fossil Creek Reservoir is zoned Airport, which also has a minimum lot size of 2.29 acres. Thus the clustering requirement would be the same as was described for the FA-1 zone. In the Farming and Airport districts it will be necessary to purchase or otherwise acquire additional property rights if the goals of community separation are to be met.

**Weld County** 

The Weld County Comprehensive Plan was adopted in 1995. This plan is relatively silent on community separation per se, but discourages urban sprawl and contains a number of policies that encourage "urban type" development to occur within or adjacent to existing municipalities. More significant in Weld County is the fact that the great majority of unincorporated lands within the study area are zoned for agricultural use. In the agricultural zone district the county has established a minimum lot size of 80 acres, which is fully compatible with the goals of maintaining community separation. In these areas, community separation can be achieved in most cases by adhering to the existing zoning. It should be noted, however, that a number of uses may be allowed in an agricultural zone that may not be compatible with community separation. These uses include junkyards and a variety of industrial uses.

**Cities and Towns** 

Municipalities have the authority to annex lands, even if opposed by the county in which they are located, so long as contiguity and other requirements defined by the law in Colorado are met. In the absence of a specific intergovernmental agreement, therefore, municipalities can annex and take other actions that may be in conflict with the adopted county policies and plans relating to community separation.

### **Agricultural Lands**

Map A.3 shows the location of cultivated lands in the region. Cultivated lands shown in the map were derived from 1997 satellite imagery and include both irrigated farmland as well as dryland. However, the great majority of cultivated land shown in the map is irrigated. Although agricultural uses remain the dominant land use in the region, agricultural lands are rapidly being converted to urban uses. Nevertheless, agriculture remains an important segment of northern Colorado's economy and adopted plans at the county and municipal level encourage the protection of agricultural lands.

### Wildlife Habitat

Important wildlife habitat is shown in Map A.4. Areas shown in the map were derived from Colorado Division of Wildlife data (1997). Some of the habitat features shown include:

- Mule deer concentration areas and winter range
- Bald eagle roost sites
- Great blue heron rookery sites
- White pelican nesting areas

As shown in Map A.4, important habitat areas are nearly always associated with major drainages, such as the Poudre and Big Thompson Rivers and their associated uplands. Other important habitat areas include some of the reservoirs and other water bodies that are common in the area, particularly north of Fort Collins, and the foothills at the western edge of the study area.

### **Physical Resources**

Map A.5 shows the defined 100-year floodplains for the major drainages in the study area as well as mineral resource areas. Although residential and other types of development can occur within the 100-year floodplain, the actions required to elevate structures or otherwise protect them from flood flows often limits the overall level of development. As shown in Map A.5, mineral resource areas also frequently occur along the major drainages. In many instances, these sand and gravel resources are economically recoverable and they are protected from encroachment by state law. State law provides that mineral resources must be

## occur. This requirement often influences the timing and type of urban development that ultimately can occur.

## State and Federal Highways

## In most instances, perceptions of the character of the region and the degree of separation between its communities are derived while driving. For this reason, the major highways in the region were highlighted and a ½-mile buffer defined on either side of the road. This is the area where development activities would be most visible. Map A.6 displays this information.

recovered in these areas before urban development can

### Landmarks

# Notable geologic features are shown in Map A.7. These areas consist of the bluffs and uplands associated with the Poudre, Big Thompson and South Platte Rivers. As shown in the map, prominent bluffs are located along the south side of the Poudre River between Windsor and Greeley and in the Milliken vicinity. Wildcat Mound, which is located south of Milliken on the South Platte River, is a particularly notable landmark.

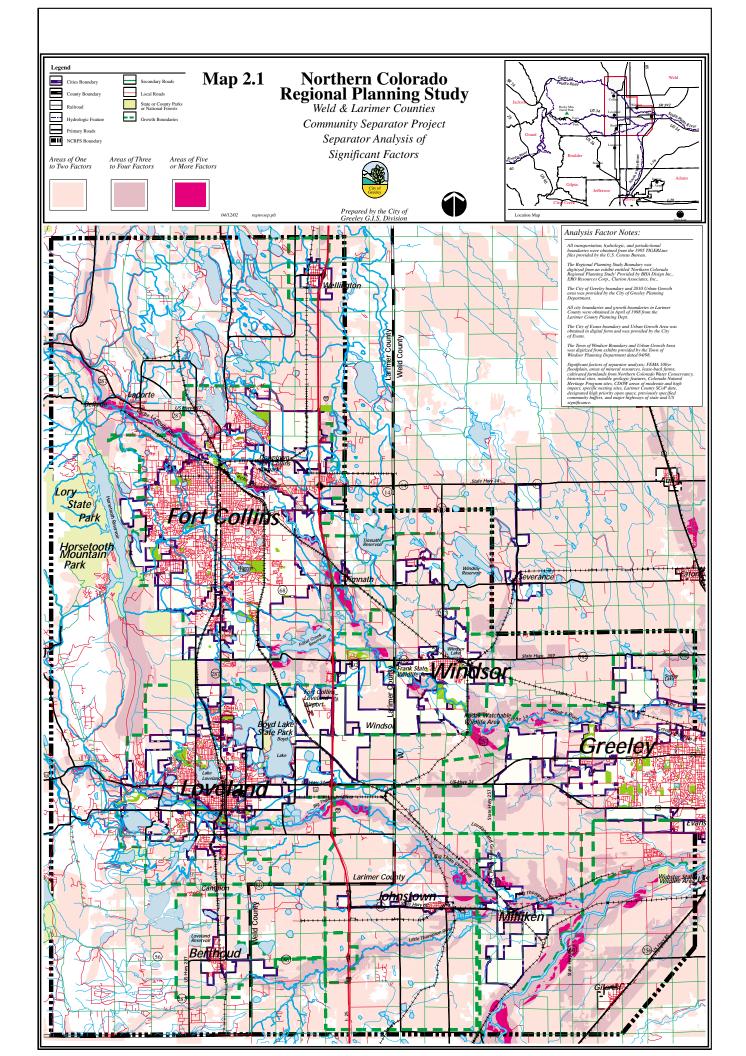
### **Synthesis**

In order to highlight some of the more significant community separator areas, evaluation criteria were developed and applied to the study area. The resulting composite map (Map 2.1) includes consideration of the following factors:

- Within one-half mile of a state or federal highway.
- Contains high value wildlife habitat as defined by the Colorado Division of Wildlife.
- Contains a site designated by the Colorado Natural Heritage Program.
- Contains notable landmarks or topography such as river bluffs or other geologic features.
- The area is actively cultivated, including irrigated and non-irrigated cropland.

- Contains a defined 100-year floodplain, mineral resources or other factors that limit the area's potential for urban development.
- Contains areas of notable geologic features (landmarks, river bluffs).

These factors were composited in Map 2.1, which identifies areas with several categories of overlapping conditions. These include areas with 1 or 2 occurrences, areas with 3 to 4 overlapping occurrences, and areas with 5 or more occurrences. As shown in the map, a number of areas strongly emerge from this analysis, particularly the corridors along the major drainages. Also emerging strongly are portions of several highway corridors, including U.S. 34 and State Highways 392 and 257.



## hapter 3- Community Guidance

Despite the fact that most communities in the region have embraced the objective of maintaining their individual identity through community buffers or separators, there has been little guidance on what constitutes an effective community separator. Some of the questions that emerge when considering community separators include:

- How large does a buffer need to be in order to maintain a sense of community separation?
- Does a separator have to remain essentially undeveloped? Or, conversely, what types of land use are appropriate or acceptable within a community separator?
- What should the character and condition of roads through these separators be?
- What landscape types best serve as separators?

None of these questions have been systematically addressed in prior studies. Yet, little can be done to proactively address the goal of community separation without confronting these issues.

In an attempt to address these key questions on community separators, a public survey was implemented at various locations throughout the study area. The survey utilized slides illustrating a diversity of landscape conditions, development types, and photo simulations of potential development patterns and densities. The survey was developed and refined over a period of months by EDAW (Separator Study Project Consultant) and the steering committee. In the end, it included the use of 56 images to generate responses to a series of questions regarding the desired qualities of community separators as well as several

questions on related issues and demographics. The demographic questions were included primarily to determine whether or not the sample was typical of the overall population in the region.

The slide images and other materials were provided to each of the communities participating in the study for actual implementation of the surveys. Survey participants consisted of the general public as well as members of particular groups such as public boards and commissions, real estate interests and the environmental community. Responses from the general public were solicited at a series of open meetings that were advertised in the media and held at various locations in the region. Meetings of this type were held in Berthoud, Fort Collins, Greeley, Loveland, Windsor and Milliken. Although the intended survey participants were primarily the general public, a conscious attempt was made to include groups that reflect a range of opinions on land use planning issues. As noted, these groups included representatives of the environmental community, real estate/development community, and public boards and commissions. Responses from these groups were obtained by implementing the survey at one of their regularly scheduled meetings.

The survey process took approximately two months, during which more than 650 residents of the region participated in the survey. The number of surveys completed in each community was roughly proportional to their share of the overall population of the region. Approximately 70% of the completed surveys were from the general public, 16% were from public boards and commissions and their staff, 11% were from the real estate/development community, and 3% were from the environmental community.

The survey results were compiled by Dr. Jim ZumBrunen of the CSU Statistics Department and provide some important information on public opinion regarding community separation. Some of the key results from the survey are summarized below:

- A large majority (82%) of people in the region believes that maintaining community separation is an important objective.
- Residents rated the development pattern resulting from build-out of adopted community urban growth areas as negative (-1.53 on a +5 to -5 scale).
- The goal of maintaining community separation can be achieved without preventing all forms of additional development. Clustered development of up to 40 residential units on approximately 500 acres was perceived as meeting the goals of maintaining separation.
- A wide range of responses was received on the question relating to the size of an area needed to maintain effective community separation. Nearly half the responses fell within a range of ½ mile to 2 miles, with the largest single response being 1 mile.
- Any type of undeveloped/rural landscape was perceived as contributing to community separation.
   However, landscapes with water, trees or distinctive landforms were more highly preferred.
- Responses were generally consistent on the full range of questions asked and across the various types of groups that participated in the survey. This is a good indication that the survey was understood by those who participated in it, despite the complexity of the issues that were addressed.

More detailed results are presented in the remainder of this chapter.

## Importance of Community Separation

In response to a question regarding the importance of maintaining community separation by avoiding continuous development between the region's cities and towns, 82% of area residents indicated the issue was either very important (56.7%) or important (25.4%). While many communities have indicated through their plans that community separation is an objective, the views of the public on the importance of community separation has not been previously documented. The strong response to this question provides a clear message that community separation is seen as an important issue among residents of the region.

## Size of Community Separators

Two types of questions were developed to address the issue of how wide a community separator must be in order to effectively achieve community separation. One was a direct, open-ended question. The other was more indirect and approached the question through a review of maps depicting various projected growth patterns.

A wide variety of responses was received to the openended question on required width of a community separator. Nearly half of the responses were clustered between ½ and 2 miles, with the largest single group of responses indicating 1 mile (20.2%). The second largest response (16.3%) indicated 5 miles. The mean response was 4 miles.

The second method of addressing this issue was through a series of maps depicting projected growth of the various communities in the region. These were illustrated in the following series of images:

- Existing Development (taken from recent satellite imagery)
- Build-Out to Current Municipal Limits
- Build-Out to the Current Urban Growth Boundaries
- Build-Out to a Hypothetical Future

These same images were presented in Chapter 2 (Figure 2.1).

The respondents were specifically directed to note the relative amount of community separation in each image. A scale of –5 to +5 was provided with 0 being neutral. The instructions indicated that if the participant felt positively about an image, they should mark a number on the positive side of the scale from 1 to 5 that best reflected their degree of satisfaction. Alternatively, if they felt negatively about an image, they were directed to mark a number on the negative side of the scale from –1 to –5 that best reflected their degree of dissatisfaction. If they felt neutral, or had no opinion they were directed to mark 0.

Existing conditions, i.e. the existing level of development in the region and resulting degree of community separation, was rated most positive (mean rating of +2.67), compared to +1.25 for a map showing build-out to existing municipal limits. Build-out to established urban growth boundaries was rated negatively (-1.53). A hypothetical growth picture showing additional development beyond the urban growth boundaries was rated strongly negative (-3.65). From these responses, some inferences can be drawn on the amount of area required to achieve an appropriate degree of community separation in the region.

## Types and Levels of Development

One of the primary areas of investigation was an effort to understand what types and levels of development would be seen as acceptable within a community separator. For this analysis, aerial photos of three different landscape settings were used to depict a variety of development types. The first was a photo representing an irrigated agricultural landscape, the second represented a dryland agricultural setting, and the third represented a riparian corridor and adjacent uplands. Using available computer technology, a series of photo simulations was prepared depicting nine levels and patterns of residential development. The images used in the simulations were photos of actual types of rural development that has already occurred in the study area. The nine conditions of residential development included the following:

- 20 dwelling units on 10-acre lots
- 20 dwelling units on 2.5-acre lots
- 20 dwelling units on 1-acre lots
- 40 dwelling units on 10-acre lots
- 40 dwelling units on 2.5-acre lots
- 40 dwelling units on 1-acre lots
- 80 dwelling units on 10-acre lots
- 80 dwelling units on 2.5-acre lots
- 80 dwelling units on 1-acre lots

In addition to these development types, a golf course and a campus type business park were simulated. In each of the base scenes an area of approximately one square mile was delineated with a red line to enclose the area of interest. Respondents were asked to picture the delineated area as a potential community separator and to rate the simulated development patterns accordingly. A total of 34 images illustrating these types and levels of development were presented and respondents were directed to use the same –5 to +5 rating scale described above.

Despite the large number of images with often subtle differences, the pattern of responses were surprisingly consistent. All residential developments with some configuration of 20 homes were rated positively, meaning that the public generally perceives this level of development to be consistent with the goal of maintaining community separation. At 40 residences, ratings became mixed depending on the pattern of development. Forty residences clustered on one-acre lots generally received a positive rating, while larger lot sizes of 2.5 and 10 acres were uniformly rated as somewhat negative. "Clustered" refers to a development pattern whereby the residences are adjacent to each other, leaving the remainder of the area in agriculture or other non-urban uses. All developments with 80 residences were rated negatively, regardless of the pattern of development.

Although this portion of the survey focused on residential development, two other types of development were addressed. An image showing an extensive business park was rated negatively (-1.8; most negative of all development ratings) while a golf course, without adjacent residential development, was rated positively (1.87; fourth highest rating).

Few distinctions were shown based on lot size alone, and almost no distinctions were shown based on landscape type. Figure 3.1 shows the 12 images used to depict development patterns on one of the landscape types. Mean scores are also given and the images are arranged in order from highest to lowest rated.

### **Landscape Character**

A number of different landscape character types occur within the study area. Some lend themselves naturally to community buffers, such as steep or environmentally sensitive landscapes. Unfortunately, these conditions infrequently occur in areas where community separation may be desired. Given the variety of landscapes present and the opportunity to prioritize some landscape types as community separators, the survey included a series of questions designed to determine if northern Colorado residents value some landscapes more than others. Several of the landscapes present within the study area were shown, and survey participants were asked to rate each on the basis of their inherent value. Figure 3.2 shows the eight images that were used and the resulting ratings. The results indicate that landscapes with water and trees are strongly preferred (mean value ratings from 3.57 to 3.84). Landscapes with few distinguishing characteristics of landform, vegetation or water are still rated positively but are valued the least.

### **Connectors**

The fourth series of images addressed the desired character of road and highway connectors through separators. In most instances, our perception of the region and the degree of separation between its communities is derived while driving. Therefore, a series of questions was included to identify any differences in public opinion regarding either the type of roadway or the character of adjacent development. Ten images, five of roads and five of adjacent roadside development, were used in this portion of the survey. Figure 3.3 illustrates these ten images and their corresponding mean ratings. All road types were rated positively. However, a paved two-lane road was rated highest, followed by a narrow gravel road. Of the five roadside images, a scene with cultivated lands, trees and little apparent development rated highest. A scene with a few distant homes on 10-acre lots had the second highest rating. As the homes became more numerous and moved to the foreground, the ratings dropped quickly into the negative range.

### **Results by Group Type**

As indicated previously, there was a good degree of consensus among the various types of survey participants. The four groups included the general public, public boards and commissions and their staff, the real estate/development community, and the environmental community. A careful review of the results from each group reveals only minor differences among these groups. Two are worthy of note. With regard to responses related to the size and extent of separators (Figure 2.1), there was generally a uniform decrease in ratings by three of the groups in response to each increase in the amount of developed area. The one exception to this trend was the real estate/ development community, which rated build-out to municipal limits higher than the image showing the existing level of development.

In response to the types and levels of development images (photo simulations), the four groups had varying point spreads between the highest rated images and those with the lowest ratings. The







Golf Course (Rating: 1.87)



20 Units on 10 Acre Lots (Rating: 1.33)



20 Units on 1 Acre Lots (Rating: 1.24)



20 Units on 2.5 Acre Lots (Rating: 1.17)



40 Units on 1 Acre Lots (Rating: 0.53)



40 Units on 2.5 Acre Lots (Rating: -0.01)



40 Units on 10 Acre Lots (Rating: -0.37)



80 Units on 10 Acre Lots (Rating: -0.61)



80 Units on 1 Acre Lots (Rating: -0.87)



80 Units on 2.5 Acre Lots (Rating: -1.06)



Business Park (Rating: -1.80)

Figure 3.1

Illustrations Used in the Survey to Simulate Development





Rating: 3.17







Rating: 3.80



Rating: 2.94



Rating: 1.09



Rating: 3.57



Rating: 2.81

Figure 3.2

Illustrations Used in Survey to Address Landscape Character

### Roadway Type



Rating: 1.35



Rating: 1.10



Rating: 1.05



Rating: 0.93



Rating: 0.31

### **Roadside Character**



Rating: 2.31



Rating: 1.68



Rating: -0.28



Rating: 0.37



Rating: -1.73

Figure 3.3

Illustrations Used in Survey to Address Connectors

general public and public boards, commissions and staff were very close in their responses. These two groups had a range of mean value scores from the highest rated scene to the lowest rated scene of 6.05 and 5.03 points, respectively. The real estate/development community showed the smallest range of differences, only 3.46 mean score points between the highest and lowest rated images. The environmental community, on the other hand, had a mean score range of 7.9 points between the highest and lowest rated image. While all four groups generally agreed on the order of images from most preferred to least preferred, the environmental group saw a wider range of differences than the general public and public board, commissions and staff, while the real estate/development community saw much smaller differences.

### **Demographics**

It is noteworthy that 55% of the respondents indicated they had lived in northern Colorado most of their life; nearly 46% for more than 25 years. Their responses are based on a knowledgeable perspective.

## hapter 4- Identification of Community Separator Areas

This chapter synthesizes the work described earlier in the report and defines a regional system of community separators. It begins from a regional perspective and identifies key remaining areas that contribute to maintaining the distinct identities of our communities. This is followed by an effort to prioritize some of the more critical areas, which are identified as key opportunity areas and are described in more detail in the second section of this chapter. As noted earlier, identification of these areas as community separators does not preclude additional development nor does it suggest that all of these areas are currently undeveloped. In most cases the areas identified for consideration as community separators have varying degrees of existing development and designation as a community separator would have no effect on these existing uses.

### **Regional Framework**

Areas that merited consideration as potential community separators were identified through consideration of two factors. First, the area must be located within the path of probable urbanization and contribute to keeping two or more communities from becoming contiguous. Second, designation of the area as a potential separator must not result in direct conflict with an adopted community plan. Application of these two basic considerations resulted in identification of the areas shown in Map 4.1. Also shown in Map 4.1 are existing open space areas as well as areas along major drainages that are unlikely to develop at urban densities due to floodplain restrictions.

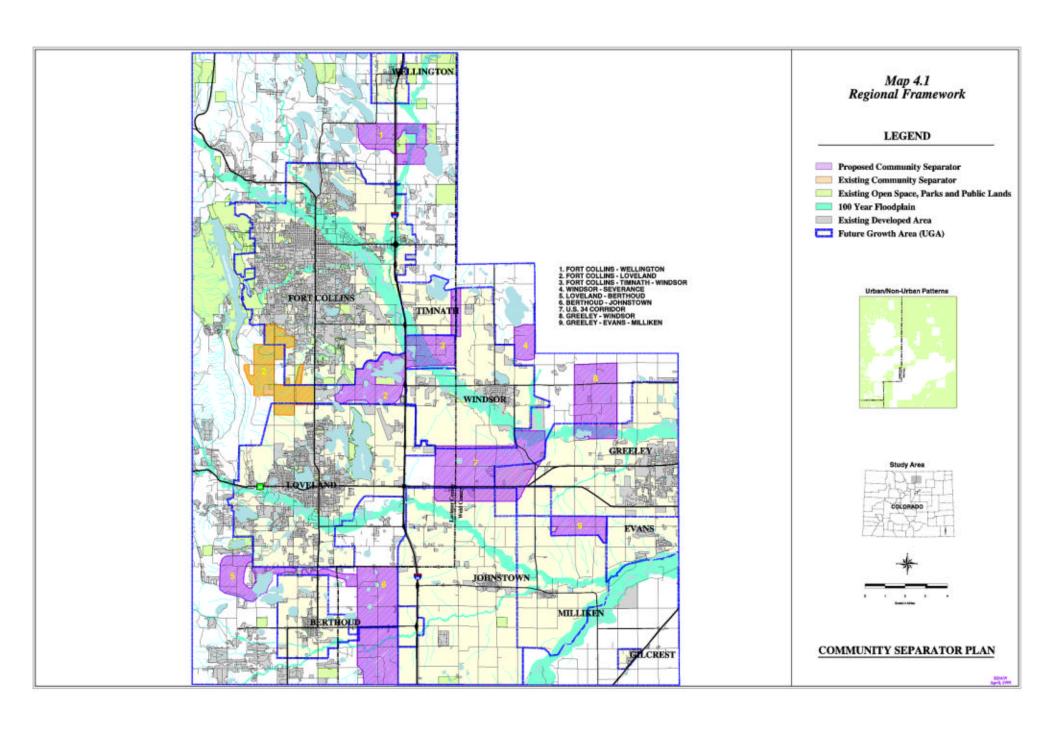
As discussed in Chapter 1, implementation of a regional system of community separators would not limit growth and development of the region in the foreseeable future, if at all. Nor would it prevent all forms of development in the areas identified as community separators. Instead, the result of establishing

formal community separators will be further encouragement of urban intensity development within existing communities - a goal that is consistent with the adopted plans of both Larimer and Weld Counties. Development of the approximately 150 square miles of area within existing urban growth boundaries would accommodate foreseeable growth and result in a region much different from that known by its current residents. Nearly all communities in the region would be substantially larger and the region's population would probably be more than twice what it is today. Nevertheless, establishment of the proposed community separators would retain some semblance of the distinctiveness of each community. Most communities would have unique boundaries and they would generally remain separated from neighboring municipalities by a swath of agricultural lands and a rural landscape. Furthermore, individual communities are likely to add to the separators shown in Map 4.1 through purchase of open space and other protection strategies.

The remainder of this chapter provides additional information on each of the separator areas. Chapter 5 addresses implementation considerations.

Fort Collins-Loveland

As noted earlier, planning for this area has been underway for several years and the need for maintaining community separation has been recognized in A plan for the Region Between Fort Collins and Loveland as well as the in Fossil Creek Reservoir Area Plan. The area shown in Map 4.1 is consistent with the recommendations of these two plans. The western portion of this community separator, from U.S. 287 to the foothills, has largely been implemented through the acquisition of open space by the City of Fort Collins, City of Loveland and Larimer County. Likewise, the area surrounding Fossil Creek Reservoir has been addressed through recent and planned open space acquisitions as well as implementation of a transferable development rights program. Additional efforts are needed in the area south of Fossil Creek Reservoir.



## **Fort Collins-Wellington**

This area extends from Cobb Lake across I-25 to the Windsor Reservoir vicinity. It includes two parcels of land owned by the State of Colorado (see map 4.1) and generally consists of large parcels zoned O, Open. This is one of the few portions of the study area where establishment of a community separator could occur well in advance of the area being included within an urban growth boundary. Nevertheless, growth in this direction is likely in the long run, considering the fact that the City of Fort Collins is hemmed in by other jurisdictions to the south and east and by the foothills to the west. Establishment of a community separator at this location is consistent with Larimer County's comprehensive plan.

### Fort Collins-Timnath-Windsor

As shown in Map 4.1, this separator area is located east of I-25 and includes an area south of Timnath as well as a northern extension along the Larimer-Weld County line. The southern portion of the area is contiguous with Fossil Creek Reservoir and the large Fort Collins-Loveland separator previously discussed. Creation of a separator at this location would provide a clear boundary between several communities that are beginning to converge along the I-25 corridor (Fort Collins/Timnath/Loveland/Windsor). It would also provide a break from the nearly continuous commercial/office park development that is likely to emerge along the I-25 corridor. Nearly all of this area is zoned FA-1, which means that additional actions will be needed to maintain a character that is consistent with the goals of community separation. The northward extension of this separator, which extends along the county line, would help to keep the Towns of Timnath and Windsor distinct. This portion of the separator is defined in the Town of Windsor's comprehensive plan.

U.S. 34 Corridor

This separator is a vital element of the regional system. It is discussed in greater detail in the second section of this chapter.

## Loveland-Berthoud

Although the municipal boundaries of these two communities remain several miles apart, a substantial amount of development has occurred in unincorporated Larimer County and the urban growth boundaries of each community are separated by only one half of a mile. This, together with the FA and FA-1 zoning in place on much of the area, makes creation of a separator in this area a challenge. As shown in Map 4.1, this separator is largely a narrow band along the Highway 60 corridor that broadens to the west near Lonetree and Welch Reservoirs. Given the amount of development that has already occurred in the Campion/U.S. 287 vicinity, the viability of this separator largely depends upon the Town of Berthoud. Several large parcels of undeveloped land remain within the Town's urban growth boundary and the Town is working on annexation agreements and open space acquisitions that may preserve some degree of separation between these two communities.

### **Berthoud-Johnstown**

As shown in Map 4.1, this large separator straddles Highway 56 east of Berthoud. It is discussed in greater detail in the second section of this chapter.

### Windsor-Severance

This separator, which is shown in Windsor's comprehensive plan, extends from Windsor Reservoir to the town's urban growth boundary. Substantial growth in both Severance and Windsor make it distinctly possible that these two communities will eventually become contiguous in this area. The area is currently zoned agricultural.

## Greeley-Evans-Milliken

This is the last area remaining outside of a planned urban growth boundary in this portion of the study area. It should be noted, however, that the City of Greeley's open space plan proposes that lands south of U.S. 34 remain undeveloped, which would effectively increase the size of the area shown in Map 4.1. All of the area within this separator is currently zoned agricultural.

## **Greeley-Windsor**

This area is shown in the Town of Windsor's comprehensive plan and extends north from the Poudre River to Weld County Road 70. It is outside of the urban growth boundaries of both communities and is currently zoned agricultural.

## **Key Opportunity Areas**

Based on a consideration of several factors, two of the community separators previously discussed were identified as key opportunity areas. Factors considered in identifying these key opportunity areas included:



- Timeliness some areas were identified as "hot spots" due to emerging development trends or need to coordinate with ongoing planning efforts. The U.S. 34 Corridor is an example of this.
- Resources present the analysis described in Chapter 2 was reviewed to identify areas with important natural values.
- Other activities some areas such as Fort Collins-Loveland and Berthoud-Loveland have ongoing efforts to maintain community separation.

Based on a general consideration of these factors, the two areas selected for further evaluation were the U.S. 34 Corridor & Greeley-Windsor and Berthoud-Johnstown separators. Each of these areas is discussed in more detail in the remainder of this chapter. In addition to further evaluation of existing conditions, identification as a key opportunity area will result in follow-up actions in the near future. These may include contacting selected landowners in an effort to determine their interest in participating in some type of conservation strategy such as selling or donating some portion of their development rights. These outreach efforts will also include meetings with interested landowners to provide them with information on estate planning, tax benefits derived from charitable

U.S. 34 Corridor

donations, and other strategies that may be in the landowner's best interests. In many cases, a landowner's financial interests and the goal of protecting open space may be mutually beneficial.

This area has many attributes that define it is an important community separator. Among these are the fact that the urban growth boundaries of five communities converge along the corridor and U.S. 34 is an increasingly important regional travel corridor. In addition, the separator area includes Highway 257 and a concentration of important wildlife habitat and a distinctive landscape that give it added significance.

The great majority of the area remains in agricultural production but several other land uses are present, including a salvage yard and residential subdivisions.

Nearly all of the area is privately owned. The one exception is Missile Silo Park, an area of approximately 40 acres that serves as a Weld County Park. Parcel sizes vary, but much of the area is held by a relatively small number of owners who each hold parcels of several hundred acres in size.

Other than some of the developed areas previously mentioned, the Weld County portion of the area is zoned agricultural while the Larimer County portion is FA. Another planning consideration is the fact that the area is included within the urban growth boundaries of both Greeley and Johnstown, which overlap along a portion of the south side of Highway 34. Johnstown's comprehensive plan identifies future land use within that portion of the separator area within the town's urban growth boundary as rural residential and agricultural. Both of these land uses are generally consistent with the goals of maintaining community separation. The City's of Greeley's comprehensive plan dates back to 1986 and does not address the area within the separator. However, the city has had some discussions with a real estate group that is interested in

developing a large-scale, mixed use project on land that straddles U.S. 34 west of the bypass/business route split. In these discussions, the city has expressed an interest in keeping a one-mile wide corridor (1/2 mile on either side of the highway) free from development in order to maintain community separation. These discussions are ongoing and no specific proposals have emerged to date.

The northeastern portion of the separator area has been identified as significant wildlife habitat. These areas include the Poudre River floodplain as well as the associated bluffs and uplands south of the river. Development in the area is minimal and the native vegetation, including riparian communities in the floodplain and a short grass prairie on the uplands, has remained relatively intact. The convergence of these two habitat types creates a wildlife haven and distinctive landscape that has become very rare along the north Front Range. Furthermore, this portion of the separator area has been identified as priority open space in a variety of plans, including plans prepared by Weld County, the Town of Windsor and City of Greeley.

**Berthoud-Johnstown** 

This area provides separation between planned commercial development along the I-25 corridor and the Town of Berthoud to the west. Highway 56, which bisects the separator area, is viewed by the Town of Berthoud as a critical community gateway and an area essential to maintaining the community's small town, agricultural setting. The urban growth areas of both Johnstown and Berthoud overlap near the I-25/ Highway 56 intersection, which has led to competing annexations and litigation. This conflict underscores the benefits of providing a community separator in this vicinity.

Agricultural uses remain the predominant land use in the separator area, but residential uses are increasing. A notable feature of the area is the occurrence of a series of reservoirs, several of which are 20 acres or more in size. The entire area is privately owned and most of the land is held in parcels of 160 acres or more. The area is located entirely outside of current community growth area boundaries and all of the land is zoned for agricultural uses.

The southern portion of the area includes the Little Thompson River corridor. This area is classified as important habitat by the Colorado Division of Wildlife. The Little Thompson River Corridor is also identified in both the Larimer and Weld County open space plans as a potential open space corridor.

# hapter 5 - Next Steps

This chapter outlines some of the steps required to make progress toward achieving the system of community separators defined in Chapter 4. It begins with a discussion of the broader actions required to maintain cooperation at the regional level. From this, the discussion proceeds to a review of implementation strategies for each of the specific community separator areas. Rather than providing a general survey of all the potential tools available for maintaining community separation, the discussion focuses on more specific recommendations for each area.



The recommendations largely rely on the use of programs and policies that are already in place. They are intended to be fair to landowners. Where existing zoning or policies provide entitlements that are not consistent with maintaining community separation, the recommendations identify a need to purchase development rights or establish a transfer of development rights program. Any transactions of this type would be done on a willing seller basis. However, the recommendations also identify a number of areas where further annexations should be minimized in order to maintain the existing zoning. In a region with more than 250 square miles of undeveloped area within adopted urban growth boundaries, more than twice the amount of area developed to date, the need to be very selective in further expansion of the area planned for urban development should be apparent.

# **Regional Cooperation**

Implementation of an effective, broad-scale program to maintain community separation in the region is not something that can be accomplished quickly. Nor can it be accomplished through a single set of actions that occur at one point in time. It can only occur through sustained efforts that build upon the success achieved to date in creating a spirit of cooperation among the various jurisdictions in the region. Therefore, it's

essential that some current efforts continue, including regular meetings of planning staff from each jurisdiction and quarterly meetings of elected officials on topics of regional importance, including community separation issues.

Another important action is for each jurisdiction in the region to cooperate on the development of a GOCO legacy request to help fund purchase of development rights or other types of open space protection in identified community separator areas. This type of regional cooperation is not unprecedented; many of the same jurisdictions came together previously on a successful grant application for the Poudre/Big Thompson River legacy project. With phasing out of the other types of capital projects previously funded by "The Lottery," the amount of funding available through GOCO for open space projects will begin to increase substantially in 1999. This increased funding, together with the solid foundation of regional cooperation and planning that has occurred to date, make the Northern Colorado Community Separator Project a good candidate for inclusion in GOCO's legacy program funding.

# Site-Specific Community Separators

Each of the community separators identified in Chapter 4 are discussed in the remainder of this chapter. As noted earlier, a series of specific recommendations is presented to achieve establishment of these separator areas. These recommendations are summarized in Figure 5.1.

## Fort Collins-Loveland

As noted in Chapter 4, planning for this area has been underway for many years and specific actions have been defined or already implemented for much of the area. The area where additional efforts are needed is located south of the planning boundaries of the "Fossil Creek Reservoir Area Plan". This remaining area is located outside the urban growth areas of Fort Collins and Loveland and is zoned Airport, which has a minimum lot size of 2.29 acres if sewer is not available. A variety of other uses may be allowed if

Figure 5.1 **Separator Area Protection Strategies** 

Separator Areas	IGA to Limit Annexation & Encourage Adherence to Existing Zoning	Purchase of Some type of Property Rights	Clustering of Development	Transfer of Development Rights	Setbacks from Major Highways
Berthoud- Johnstown	•	0	•	•	•
Fort Collins- Loveland		•	•	•	•
Fort Collins- Wellington	•	o	•	•	•
Fort Collins- Timnath-Windsor	•	•	•	•	•
Greeley-Evans- Windsor	•	0	•	•	
Greeley-Windsor	•	0	0	0	<b>*</b>
Loveland- Berthoud	•	•	•	•	•
U.S. 34 Corridor	•	•	0	0	•
Windsor- Severance	•	0	•	•	

- Essential
  May be required or may contribute to solution
  May have applicability in the future

approved through a special review process. In order to achieve the goals of community separation in this area it will be necessary to take further steps. One of these steps would be an intergovernmental agreement between the two cities and Larimer County to not annex into the area unless specific commitments were made to recognize and enhance the area's importance as a community separator.

If the area remains in unincorporated Larimer County, the clustering required by PLUS will contribute to maintaining community separation but won't fully address the issue. Other actions that may be needed include defining the area as a "sending area" and transferring development rights through Larimer County's Transferable Development Rights (TDR) Program. This would also require preparing an area plan, which could be accomplished through an amendment to the "Fossil Creek Reservoir Area Plan".

Use of open space funds to purchase some level of development rights may also be required.

## **Fort Collins-Wellington**

This area is located in unincorporated Larimer County well beyond the current urban growth boundaries of both communities. Although any efforts to annex into the area would seem unlikely in the near future, it may be necessary at some point to adopt an intergovernmental agreement that provides for maintenance of the area as a community separator. In the meantime, the area's values as a community separator are well supported by the policies contained in PLUS. The area is zoned open, which has a minimum lot size of 10 acres. With clustering of future development and maintenance of the required 80% minimum open space, development would not substantially diminish the area's contribution to community separation.

## Fort Collins-Timnath-Windsor

A large portion of this area is located within the 100year floodplain of the Poudre River. Larimer County's floodplain regulations should help to keep any development of this portion of the area consistent with the goals of community separation. Other portions of the area, which are outside of any urban growth boundaries, are zoned FA-1 and have a minimum lot size of 2.29 acres. Even with the required clustering, development at this density would not maintain the necessary qualities of a community separator. Other actions that appear to be needed in this area include some form of purchasing development rights. Alternatively, portions of the area could be included within Larimer County's TDR program. An intergovernmental agreement involving Fort Collins, Timnath, Windsor and Larimer County will also be needed.

U.S. 34 Corridor

This area straddles the county line. A small portion is located in Larimer County, where the zoning is primarily FA with a minimum lot size of .5 acre with sewer and 2.29 acres without. The eventual availability of sewer in this area must be considered a likely possibility. In either event, current zoning will not provide for maintaining the necessary character of a community separator. Purchase of development rights or inclusion in the TDR program will be necessary in the Larimer County portion of the area.

Most of this separator is located in Weld County. With agricultural zoning in place over most of the area, the emphasis becomes the establishment of an intergovernmental agreement that will assure that this zoning remains in place and adhered to. A secondary issue is assuring that uses allowed in this agricultural zone, e.g., salvage yards, are set back or otherwise designed to be compatible with the goals of community separation. Parties to these agreements should include Johnstown, Windsor, Greeley and Weld County. As noted in Chapter 4, a portion of the area is located in Greeley and Johnstown's defined urban growth areas. Maintenance of the area as a community separator, however, would not be in conflict with the plans of these communities.

The northeastern portion of this separator encompasses a portion of the Poudre River floodplain and other areas with important wildlife and landscape values. Purchase of fee title, development rights or other protection strategies may be appropriate to provide greater protection of these values.

If the measures identified above cannot be implemented, any major development along the U.S. 34 corridor should incorporate set backs and other design strategies that preserve some of the open, agricultural character of the corridor.

Loveland-Berthoud

Efforts to maintain the character of this separator are already underway. The FA and FA-1 zoning in place will do little to maintain the value of this area as a community separator. Therefore, it appears that some form of purchasing development rights or establishment of a TDR effort will be necessary. In addition, annexation agreements in each of the two communities should provide for some degree of protection of the qualities that contribute to community separation. The most critical needs occur along the U.S. 287 corridor and the bypass that will be constructed in the near future. The presence of several large reservoirs will help to maintain a sense of community separation in areas west of the bypass, as does the fact that planned development in a portion of the area includes a major golf course. As described in Chapter 3, survey results identify golf course development as being consistent with the goals of maintaining community separation.

**Berthoud-Johnstown** 

This area is located in Weld County between I-25 and Berthoud. The great majority of the area is zoned agricultural, which provides for a minimum lot size of 80 acres. As previously discussed, keeping this zoning in place and adhering to its intent would largely accomplish the goals of maintaining community separation. An intergovernmental agreement involving Berthoud, Johnstown, and Weld County is needed to limit annexation into the area and provide for formal

recognition of the area as a community separator. The southern portion of the separator area includes a portion of the Little Thompson River floodplain and its associated wildlife and other natural values. The floodplain is fairly narrow at this point and therefore will not strongly influence development activities.

Acquisition of development rights may be needed in portions of the area in order to provide a greater degree of protection in particularly sensitive areas. In addition, set backs or other design measures may be needed to preserve the open, rural character of Highway 56.

Windsor-Severance

This relatively small separator is shown in the Town of Windsor's comprehensive plan. It is located outside of either town's urban growth boundaries and all of the area is zoned agricultural. As in other instances, the focus of future efforts should be an intergovernmental agreement involving Windsor, Severance and Weld County that limits future annexation and maintains the existing zoning.

**Greeley-Evans-Milliken** 

This area is located near the intersection of the urban growth boundaries of all three communities. The area is not traversed by any major roads and is not subject to immediate, large-scale development pressure. Again, the main action needed is to limit future annexations and maintain the intent of current agricultural zoning. This would require an intergovernmental agreement involving the three communities and Weld County.

**Greeley-Windsor** 

The northern portion of this area is traversed by Highway 392 and the southern portion includes the Poudre River and its associated floodplain. This area is also identified in the Town of Windsor's comprehensive plan as a community separator. The area is outside of Windsor's urban growth area and is currently zoned agricultural. Although the southern portion of the area is within Greeley's recently

expanded urban growth boundary, this is not a conflict due to the fact that the City's adopted open space plan targets the area for some form of protection. This portion of the area is also largely within the 100-year floodplain. With agricultural zoning in place, the main action needed is an intergovernmental agreement designed to minimize future annexations and assure adherence to the intent of the agricultural zoning. This agreement would require the participation of Greeley, Windsor and Weld County.

# **Survey of Implementation Tools**

Implementation of a regional system of community separators will require the use of a variety of tools. It is impossible at this point to assign specific tools to particular projects because each will have unique opportunities and constraints that will dictate the approach and methods of protection. All of the methods discussed below have been used successfully along the Front Range.

## Acquisition

Acquisition of some of the land area or certain land rights identified within proposed community separators will be essential. In general, some level of acquisition will be needed in those areas where existing entitlements provide for a type or level of development that is not consistent with the goals of community separation. Where acquisition is necessary, purchase of a conservation easement or specific development rights will generally be the preferred approach. In both cases, there is a legal agreement made by a property owner to restrict the type and amount of development that may take place on his or her property. This provides open space protection while retaining the land in private ownership and on the tax rolls. With conservation easements, certain levels and types of development may still be allowed.

Typically, the price of an easement or development right is calculated as the difference between appraised highest and best use and appraised value as farmland. A landowner may wish to sell the land at a price that is below market value or as a bargain sale, in which case

the landowner can take a tax deduction on the difference between the market price and the bargain price. The land or land rights can also be acquired through a donation, either as a bequest from the landowner or in exchange for the tax benefits that a donor receives. The combination of tax benefits and a desire to see the land preserved creates a strong incentive for a surprising number of landowners to include some level of donation in land conservation transactions.

Local governments can also develop leaseback arrangements in order to keep the land in agriculture. This can simply involve a standard lease agreement or a more complex transaction involving a division of land rights. If a property is acquired in fee simple, it's possible to retain certain development rights and then reconvey the property ("lease back"). In this way, a farmer/rancher has the ability to cash in on a portion of their land value while retaining control of the property and keeping it in agricultural production. This technique is being used in a number of open space programs.

## **Funding Sources**

There are a number of funding sources at the state and federal level that can be used to assist local open space protection efforts. It should be noted, however, that local governments have little control over the level or timing of the availability of these sources, and in most cases must compete with other governmental agencies. Several sources of funding are summarized below.

Great Outdoors Colorado

The Great Outdoors Colorado Trust Fund (GOCO) was created in 1992 by voter approval of Amendment 8. Under this amendment, a portion of State Lottery money is designated for funding programs for parks, wildlife, outdoor recreation, environmental education, open space and natural areas. Until recently, the fund was also used to pay off debt incurred from the State Capital Construction Fund. Now that these obligations have been paid off, the amount of funding available for open space and related projects is expected to increase from approximately \$20 million annually to in excess of \$40 million. The majority of available funding (71.5%) will be used for open space protection.

Recently, GOCO developed a strategic plan to guide its future activities, prompted in part by the availability of increased funding. The strategic plan identifies five areas where open space funding will be concentrated. These include:

- Important River Corridors
- Unique Natural Areas and Wildlife Habitats
- Community Separators
- Land for Future Parks and Outdoor Recreation
- Strategic Agricultural Lands

These criteria give specific recognition to the importance of community separators. Specifically, the strategic plan states – "Through its public process GOCO learned that, in certain areas of the state, protecting the unique identity and character of communities through the establishment of open space corridors and greenbelts is a priority." In fact, some of the areas identified in the Northern Colorado Separator Study fall within several priority categories, including river corridors, agricultural lands, and others.

Although grant requests for separator areas could fall within several categories, legacy project status should be seriously considered. To date, GOCO has funded 15 large projects of regional or statewide significance which integrate the goals of parks, outdoor recreation, wildlife, trails and/or open space. A total of \$59 million has been awarded to legacy projects and each project has received funding in the \$2 to \$10 million range. Among other criteria, the projects must demonstrate consistency with local, state and federal agency plans and policies, must have high demonstration value, have long term sustainable value to the cities of Colorado, and include the needs of under-served populations and provide opportunities for environmental education. Multiple partnerships are heavily encouraged.

Transportation Equity Act for the 21st Century - TEA 21

Transportation Equity Act for the 21st Century – TEA 21. This legislation, which is a direct successor to the 1991 Intermodal Surface Transportation Act (ISTEA), retains

many of the earlier provisions in ISTEA relating to non-traditional highway spending. Funding for transportation enhancement projects, which includes scenic and historic preservation, was increased from approximately \$450 million annually under ISTEA to \$620 million per year under TEA 21. The specific definition of "transportation enhancement activities" is shown below:

"... provision of facilities for pedestrians and bicycles, provision of safety and educational activities for pedestrians and bicyclists, acquisition of scenic easements and scenic or historic sites, scenic or historic highways, landscaping and other scenic beautification, historic preservation, . . . "

In particular, the legislation established a Transportation and Community and System Preservation Pilot Program that is intended to promote "green corridors" and other activities that reduce the impacts of transportation on the environment. Projects that protect lands along the I-25 and U.S. 34 corridors are likely to fit within this funding category.

Colorado Historical Society

The Colorado Historical Society administers the State Historical Fund, which totaled \$10.7 million in fiscal year 1998. The program is funded by proceeds from legalized gambling and targets 80% of available funding to a statewide grants program. An emerging area of potential funding is preservation of cultural landscapes or districts. Cultural landscapes are those specific sites and historic open spaces marked by human interaction with the land that are of particular historic significance. These can include large geographic areas and associated structures with historic significance. An example is historic ranching and farming operations that are threatened by encroaching development. Protection of the agricultural landscapes, irrigation features, and farm buildings that characterize portions of the study area may fit within the context of this funding program.

Sales and Use Tax

Many local governments along the Front Range utilize sales tax revenue to preserve open space. Larimer County has a dedicated tax, which is shared with each of the municipalities within the County. The City of Fort Collins also has a separate sales tax that is used to fund open space acquisition projects. Although prior efforts have been made, Weld County and the other municipalities within the Northern Colorado Community Separator Study planning area currently lack a dedicated funding mechanism for open space protection. In the long run, the availability of a dedicated funding mechanism may be essential for the City of Greeley and other Weld County communities to make meaningful progress on separator protection.

**Regulatory Tools** 

This section reviews some of the regulatory tools that can be used to contribute to implementation of community separators.

Intergovernmental Agreements

Intergovernmental agreements can be formulated between municipalities and the county to address matters such as the establishment of urban growth boundaries (UBGs) and determining which areas will become annexed by each community or remain unincorporated. These agreements may also include policies that apply to land use within the UGBs and beyond the UGBs within the County. These agreements can also be used to direct growth and the development of infrastructure to the most suitable areas, thus protecting productive agricultural land and other important open space areas. As noted earlier, the establishment of additional intergovernmental agreements is likely to be an essential step for several of the identified separator areas.

Clustered Development

Clustered development is a type of development where the buildings are grouped together at one or more places on the development site in order to preserve the remainder of the land as open space, protect important wildlife habitat, minimize construction of roads and extension of utilities, avoid hazardous areas such as floodplains, protect the character of a landscape, and keep the remainder of the land in agriculture. Developers may be offered extra density on the cluster area as a bonus to choose this approach. A conservation easement is recommended for the undeveloped portion of the land to insure that it is retained as open space. Larimer County has established such a program through its Rural Land Use Center, which may be applied to implement community separators in portions of that county. As previously discussed, Larimer County's Partnership Land Use System (PLUS) also provides for clustering, which in certain zone districts may largely achieve the goals of community separation.

Design Guidelines

Appropriate development should respect a community's character and sense of place. In important viewsheds, such as the I-25 and U.S. 34 corridors, development should be set back from the road, located in places that reduce its visual impact, or screened with appropriate vegetation. Guidelines can also be used to influence architectural character, assuring that new buildings have a mass and scale and use of materials and colors that have minimal visual impact. Use of traditional plant materials and sensitive siting of utility lines also help to maintain the rural character of a community.

Transfer of Development Rights

Transfer of development rights (TDR) is a device by which the development potential of a site is severed from its title and made available for transfer to another location. The owner of a site within a transfer or sending area retains ownership but not approval to develop. The owner of a site within a receiving area may purchase transferable development rights that allow a receiving site to be developed at a greater density. This method allows transfer of development away from environmentally sensitive areas to areas where development is more appropriate. This may be useful for protection of natural areas or agricultural lands. It is especially useful when a government entity does not have funds to purchase fee title or a conservation easement, and developers may benefit from increased density.

Implementation of a TDR system, however, is a somewhat complex undertaking and the newness of the concept tends to create a degree of resistance that may become controversial. Larimer County is in the early stages of creating a TDR program, which is currently limited to the Fossil Creek Reservoir vicinity. This program is likely to contribute to community separation goals in this area and may be expanded in the future to other areas. Establishment of a TDR program within the region would greatly advance the ability to successfully implement a comprehensive system of community separators

**Z**oning

Zoning and other regulatory tools can be used to direct development away from inappropriate areas and assure that appropriate densities and compatible uses are achieved. Effective use of large lot zoning designations maintains rural character and a land use pattern consistent with agricultural operations. Weld County, for example, has a requirement that generally limits development in areas zoned for agricultural use to one unit per 80 acres. However, zoning is subject to change and a rigid adherence to agricultural zoning in areas experiencing growth pressures can raise issues of individual property rights and fairness. In addition, existing County zoning often becomes moot when municipalities annex unincorporated areas. Therefore, zoning and other regulatory approaches usually must be supplemented with some of the other tools described in this section to be fully effective.

# **Voluntary Participation**

Agricultural Districts

The County or a group of farmers may establish a district wherein a farmer may voluntarily join for a preestablished, renewable length of time. Within these districts, state and local governments may be limited in their ability to restrict farm practices, take farmland by eminent domain, or allow construction of utilities. Sometimes, counties may grant additional incentives to farmers who join or create a district: cost-sharing for compliance with environmental regulations; soils and water conservation grants; exemption on state inheritance taxes; marketing support; and low-interest

loans for farm operation and improvements. Creation of such districts helps promote the continuation of agricultural use, thus contributing to open space goals.

Colorado Heritage Areas Partnerships According to a National Parks Service definition, a heritage area is a region where natural, cultural, and historic resources combine to form a cohesive, distinctive landscape arising from patterns of human activity shaped by geography. While the State of Colorado does not currently have a program for heritage area designation, it is studying the prospects for a state program. In the meantime, many communities have self-designated regions as heritage areas and have subsequently received high levels of support from state and federal agencies in addition to local governments and private sources. These areas could be eligible for funding from the Colorado Historic Society as discussed previously under "Funding Sources".

Colorado Natural Areas Program

The Colorado Division of Parks and Outdoor Recreation administers the Colorado Natural Areas Program. Its purpose is to identify, evaluate and protect examples of Colorado's natural heritage, maintain an inventory and registry of qualified natural areas and establish a system of designated natural areas. Anyone may initially nominate an area for consideration and both public and private lands are eligible. If the area meets certain criteria, and the landowner is willing, the site may be designated as a natural area. An agreement is written that outlines management, monitoring, and rights and duties of the landowner as well as the state. Depending on the resource and the desires of the landowner, use of the area may be restricted.

Designation of such areas protects habitats, biologic and geologic features, rare plants, and terrestrial and aquatic communities. It requires voluntary participation of landowners. It provides a way for landowners to receive technical assistance and other support to protect important habitats.



