

Divide Regional Plan Modifications 2016

SECOND DRAFT

The proposed changes are intended to better synchronize the DRP with the current Teller County Land Use Regulations (TC-LUR). The DRP was last updated in 2006, prior to the TC-LUR changes implemented in 2008.

The desired improvements to the DRP relate to TC-LUR Chapter 8; Special Review Use Permits and the fact that in 2006 the Regulations included only Conditional Use Permits (CUP), but after the 2008 revision to the TC-LUR those Regulations now include Special Use Permits (SUP) in addition to CUP. The DRP currently references CUP and is silent on SUP which did not exist the last time the DRP was updated.

Where the DRP mentions Conditional Use Permits. We would like to modify those places to reflect the existence of both CUP and SUP and we propose doing that by using a reference to the title of TC-LUR Chapter 8, namely *Special Review Use Permits*.

In this set of proposed changes existing 2006 DRP text to be changed is in **Blue** and the proposed text changes are in **Red Italic Bold**.

Specific Change Proposals

The crux of this update to the Divide Regional Plan document is to alter the title of Addendum B.

Addendum “B” currently carries the Title:

ADDENDUM “B”

CRITERIA FOR AMENDING THE DIVIDE REGION GROWTH AND CONSERVATION MAPS FOR RECREATIONAL USE AND ALL CONDITIONAL USE PERMITS ON RURAL LANDS

we propose to alter the title of this Addendum to replace *Conditional* with *Special Review* which it would then read:

ADDENDUM “B”

CRITERIA FOR AMENDING THE DIVIDE REGION GROWTH AND CONSERVATION MAPS FOR RECREATIONAL USE AND ALL SPECIAL REVIEW USE PERMITS ON RURAL LANDS

Discussion – The phrase “*Special Review Use Permits*” is intended to relate to Chapter 8 of the Teller County Land Use Regulations document. The title of LUR Chapter 8 is Special Review Use Permits.

We assume that reference is obvious and that a reader of the DRP will know to look at the TC-LUR document. If necessary, the Divide Plan could include a statement telling the reader to refer to the LUR; either in Section II Definitions or in Addendum B itself.

Section II Definitions Of Terms Used In This Plan includes:

RECREATIONAL USES — includes but is not limited to public and private, profit or non—profit recreational activities, recreational facilities, recreation camps, summer camps, church camps, campgrounds and resorts as these terms are commonly understood and as may be defined in Teller County regulations. Additionally, included in this definition are any activities in Rural Lands or Rural Residential Lands requiring a recreation-related Conditional Use Permit.

we propose to replace *Conditional* with *Special Review* which would then read:

RECREATIONAL USES — ***includes but is not limited to public and private, profit or non—profit recreational activities, recreational facilities, recreation camps, summer camps, church camps, campgrounds and resorts as these terms are commonly understood and as may be defined in Teller County regulations. Additionally, included in this definition are any activities in Rural Lands or Rural Residential Lands requiring a recreation-related Special Review Use Permit.***

Section III Goals And Policies includes clause C5-5 which states:

C5-5 Cumulative impacts of recreational uses should be analyzed and considered as outlined in the attached criteria for amending maps for recreational use and all Conditional Use Permits.

we propose to replace *Conditional* with *Special Review* which would then read:

C5-5 Cumulative impacts of recreational uses should be analyzed and considered as outlined in the attached criteria for amending maps for recreational use and all Special Review Use Permits.

Section III Goals And Policies includes clause J1 which states:

J1 A keystone of the implementation of the Divide Regional Plan is the adoption into the Teller County Land Use Regulations of the Divide Growth and Conservation Maps as regulatory. Therefore, since any amendment to these maps may affect implementation of the Divide Regional Plan, Teller County and all concerned parties should consider “criteria for amending Divide Town Growth and conservation map” and “criteria for amending Divide Region Growth and conservation map” for recreational uses (resort CUP). These criteria are attached to this Plan as criteria addendum “A” and criteria addendum “B”.

we propose to remove the parenthetical (~~resort CUP~~) as not being necessary so this clause would then read:

J1 A keystone of the implementation of the Divide Regional Plan is the adoption into the Teller County Land Use Regulations of the Divide Growth and Conservation Maps as regulatory. Therefore, since any amendment to these maps may affect implementation of the Divide Regional Plan, Teller County and all concerned parties should consider “criteria for amending Divide Town Growth and conservation map” and “criteria for amending Divide Region Growth and conservation map” for recreational uses. These criteria are attached to this Plan as criteria addendum “A” and criteria addendum

“B”.

Discussion – The “resort CUP” referred to an old Conditional Use Permit within the Meadow Park development. That CUP has been over ridden by the Meadow Park PUD which includes the Town Resort on the Divide Region Maps (TC-LUR Appendix B, specifically Map 4 of 4). The resort area exists, just not as a CUP, it is now part of a PUD. Referring to a no-longer existing CUP serves no purpose and might even confuse some. We desire to remove all references to “Conditional Use Permits” in the DRP.

The Meadow Park Land Company might object to removing reference to the Resort CUP. If that is the case, omit this change so as to not hold up the other changes proposed.

Changing the DRP document and specifically the title of Addendum B causes other administrative changes to be included in the document.

The **Table of Contents** currently includes this entry:

[Addendum B — Criteria for Amending Divide Region Growth and Conservation Map for Recreational Use and All Conditional Use Permits on Rural Lands](#)

we propose to replace *Conditional* with *Special Review* which would then read:

Addendum B — Criteria for Amending Divide Region Growth and Conservation Map for Recreational Use and All Special Review Use Permits on Rural Lands

If, and when, these modifications to the Divide Regional Plan are approved, the document needs to be augmented to reflect the revised adoption date and should include the Adoption Resolution to provide a history, an administrative change performed by the County. The document currently states this:

DIVIDE REGIONAL PLAN

Originally Adopted April 1998 — Amended & Restated July 3, 2006

Adopted August 8, 2006

Add to that statement (on the Table of Contents page and Page number 1 as well as the page footer of all subsequent pages of the Plan) new Amended and Adopted dates.

The text in the last definition in **Section II – Definitions** in the Plan does not correctly identify the name of Map 3. Either change the map title or the name in the definition. Map 3 of the Divide Plan is not included in the LUR Appendix B, but instead that map came from the State Dept of Wildlife.

Finally, The Divide Region Plan includes three maps. When and if these changes are accepted the county should replace these maps with current, at the time, versions from the TC-LUR Appendix B (the official version of the maps).