

December 6, 2013

I. Text Amendment to the Teller County Land Use Regulations Overview:

- A.** This application proposes to remove the label: 'TOWN (Potential Development) OR Rural Resort (Rural Lifestyle Protection Area) from the legend of the Divide Region Growth and Conservation Map and 'TOWN (Potential Development) OR Rural Resort (Rural Lifestyle Protection Area)' from the legend of the Divide Town Growth and Conservation Map, both located in Appendix B, of the Teller County Land Use Regulations.

This request is based on the grounds that 'TOWN (Potential Development) OR Rural Resort (Rural Lifestyle Protection Area)' is an inappropriately used label on the Divide Region Growth and Conservation Map and the Divide Town Growth and Conservation Map for two principal reasons:

- Neither TOWN nor Rural Resort are individually defined terms nor are they part of the functional planning areas stated on each of the individual Divide Maps.
- Potential Development and Rural Lifestyle Protection Area represent two distinct functional areas within the growth management strategies of: Limited Growth and Growth. 'TOWN (Potential Development) OR Rural Resort (Rural Lifestyle Protection Area)' combined on the same line, as well as being shown on the two maps adds no value, rather, becomes a point of confusion.

The magnified Divide Town Growth and Conservation Map, with accompanying details of the Divide Town Center, has a complete Growth Area legend representing the three functional planning areas.

Growth Area, functional planning areas:

- Community Centers and surrounding mixed land use activity areas;
- Older established neighborhoods, existing, and/or approved activity areas;
- Potential development activity areas.

For the Divide Region Growth and Conservation Map; the Limited Growth area is made up of Rural Land and Rural Residential; both further delineated by the functional planning areas shown below. These planning areas, and their terms, represent a complete legend on the map.

Limited Growth Area, functional planning areas:

- Fringe protection areas;
- Resource, environmentally sensitive/significant protection areas (Rural Land)and
- Rural life-style protection areas (Rural Residential).

- B.** This application furthermore recommends that the term Rural Resort (Rural Lifestyle Protection Area), in addition to being removed from the legend of the Divide Region Growth and Conservation Map and Divide Town Growth and

Conservation Map, Appendix B, of the Teller County Land Use Regulations; be subjected to a moratorium on both the application and reference to Rural Resort (Rural Lifestyle Protection Area) as it does not meet the absolute minimum requirement of a definition to warrant inclusion in the chapters or appendices of the Teller County Land Use Regulations. 'Minimum requirement' would mean being legislatively adopted as a term into the Teller County Land Use Regulations with supporting text that provides, but is not limited to, a definition, standards, criteria, uses, and rules supporting its understanding and application. Displaying and referring to a term such as Rural Resort without supporting text causes confusion as to the term's meaning, surrounding process, approval/denial criteria, arbitrary nature of its application to property, and enforcement.

Additionally, this application would recommend that established terminology must be cross referenced and updated, as appropriate, in the supporting regulatory and advisory documents to ensure consistency and compliance with stated goals, policies and objectives of the Teller County Master Plan, Teller County Land Use Regulations and Regional advisory documents.

C. This application will further add supplementary text to Section 1.7.D of the Teller County Land Use Regulations that will prohibit a Figure, Table, Illustration, Graphic Depiction, Legend, Label, or Caption to be inserted into these land use regulations without meeting the minimum level of legislatively adopted text to support it.

II. Text Amendment: Whether the proposed text change:

- A. Is consistent with the purposes, goals, objectives and policies of all applicable Teller County Master Plan(s) or Maps(s).
1. The applicants believe the removal of 'TOWN (Potential Development) OR Rural Resort (Rural Lifestyle Protection Area)', is necessitated by the goals, objectives, and policies of the Teller County Growth Management Strategy (aka Master Plan) based on the following:

The purpose of the Master Plan is to enable current and future residents, developers, and land owners of Teller County to be able to rely on a consistent, clear vision of what they can expect will happen with the lands they own, wish to purchase, develop or are adjacent to. When lands have an arbitrary designation, that has no defined purpose, no definition, no shared understanding as to its intent, use and application, this lack of clarity is counterproductive to the orderly, planned and predictable directed growth pattern that the Teller County Master Plan was designed to provide.

2. Directed Growth, per the Master Plan, has the following stated goals to, though not limited to:
- a) Provide for planned and orderly use of the land and the environment in a manner consistent with constitutional rights.
 - b) Regulate the location of activities and developments which may result in significant changes in population density.

- c) Provide for the necessary intergovernmental cooperation required for planning and regulating the use of land.

The term Rural Resort is not defined in any chapter of the Teller County Land Use Regulations, is not defined in any section of the Teller County Growth Management Strategy, and is not defined in the Divide Regional Plan and therefore is not consistent with the stated purposes, goals, objectives, and policies of our legislatively adopted Master Plan. The need to have a defined vocabulary of land use terms is necessary to avoid an undefined term and designation being used and referenced arbitrarily to drive planning decisions. Arbitrary use demonstrates a lack of adherence to a Master Plan. A definition of <unknown> is insufficient and must not be allowed to meet the evaluative standard of being consistent with the purposes, goals, and objectives clause.

- 3. As previously stated in the introduction, Teller County has adopted six planning regions of which Divide is one. All land in Teller County is furthermore placed within *functional* planning areas. According to the Master Plan, this land classification and ‘utilization area’ strategy is provided for under Colorado Revised Statute Chapters 30.28.106 et. seq. and 29.20.104 et seq. . Each of the functional planning areas has specific objectives and criteria which distinguish it from other areas.

- a) Limited Growth Area (per the Growth Management Strategy Section VI)

- i. The County, and its communities, will discourage development in the three functional planning areas that are associated as limited growth areas of the County, including:
 - o Fringe Protection areas; (area 4)
 - o Resource and environmentally sensitive/significant protection areas; and (area 5)
 - o Rural life-style protection areas. (area 6)

These areas lack the needed facilities and services to support development in an efficient and economic manner; contain valuable natural resources; environmentally sensitive/significant lands deserving preservation or protection; and/or may be deemed important for protection to maintain the rural life-style of a specific region.

- ii. Rural Lands (A-1) and Rural Residential (R-1, R-1M) are established and recognized zones that have been paired with designated functional areas. Rural Land and Rural Residential have associated functional planning area labels associated to them and are considered to be part of a Limited Growth Area.
- iii. Rural Resort is neither a defined zone nor defined overlay. It has not been placed in a functional planning area with associated text within the Teller County Land Use Regulations, Teller County Growth Management Strategy, nor Divide Regional Plan. Rural Resort is not distinguishable from other areas due to its lack of definition, standards, objectives and criteria and therefore cannot be used for purposes of developing regional planning and

implementation strategies. Rural Resort must be set aside to avoid arbitrary, conflicting, and inconsistent interpretations and understanding which is necessary and crucial to the planning process.

- iv. Most importantly, because there is no definition, it is impossible to apply or enforce its use with consistency, leaving a public and its representative government agencies the thankless task of engaging in endless debate for which there is no expedient and true relief. There is no stated goal, policy, or objective where *<unknown>* definitions are encouraged as part of our County strategy. The continued promotion and support of undefined terms as part of our planning strategy is akin to having no planning strategy at all.

B. Is needed because of a change in economic, population, technological or other conditions, and the change is in the interest of the public health and safety.

1. Because the "Rural Resort "designation has no definition, it lends itself to assumptions that may or not be based in fact, including assumptions that lands given the Rural Resort designation have certain privileges or rights. There is no justification for such claims.
2. The confusion surrounding Rural Resort can potentially cause decreases in the value of lands located adjacent and surrounding "Rural Resort" designations or in the marketability of those properties due to the lack of definition, standards, rules, and criteria. Land use terms without definition and understanding undermine consumer confidence.
3. The application of Rural Resort could provide an unfair advantage to the select few property owners that have this property designation if it allows them to meet the first criteria for compliance with the Teller County Master plans(s) or legislatively adopted map(s) when seeking development permits as there is no criteria that can be referenced to ensure land and growth is managed appropriately.
4. The term Rural Resort has been stated, by Planning Department Staff, that it replace the term Rural Land without the justification supported by the Teller County Land Use Regulations, Growth Management Strategy Action Plans, or Divide Regional Plan as to when and how this replacement should occur. This gives rise to the arbitrary nature of its use, given the absence of definition, criteria, and standards when there is no justification to substantiate this replacement.
5. Rural Land and Rural Residential comprise the Limited Growth area designation. Rural Resort has not been legislatively evaluated as a term to know where and if it fits into the Master Plan in regards to the Functional Planning Areas.
6. Rural Resort is applied over, or in addition to, A-1 land, Commercial, and PUD defined zones with no understanding of the conditions that make each unique. This creates a situation that is not consistent with the Planning Areas that make up Growth, Potential Growth, or Limited Growth areas where each functional

planning are has specific objectives and criteria which distinguish it from other areas for utilization.

7. The Rural Resort designation has been applied to areas outside the Growth Node in areas designated as Limited Growth consisting of Rural Lands and Rural Residential. There are no stated conditions for which growth is or is not allowed under a Rural Resort designation.
8. As currently stated in County regulatory and advisory documentation, Limited Growth areas are conservation areas. Growth is directed toward the Town Center and supporting infrastructure.
9. Rural Resort may imply that the property with such a designation has the ability to develop in areas where such development would otherwise be denied. Without documented standards or criteria, what can or cannot be done is unknown. Having an unknown land use term is not in the best interest of the public.
10. Removal of Rural Resort text, and even its corresponding designation in its entirety, does not trigger an impact on any property that carries the label as there is no known benefit, behavior, tax, nor financial importance attached to the term. Undefined, the term has no relevance and meaning whatsoever, so removal of this undefined label is believed to generate no impact. (Note: a primary belief of this application it that it is a term's definition and subsequent standards and criteria that gives a land term its meaning, along with associated rights or obligation.)
11. The Rural Resort designation has exhibited the characteristic of remaining with such properties on the Divide Region Growth and Conservation Map after property transactions with no defined, understood, and accepted behavior stated in the regulatory and advisory documents that allows it to behave in this fashion. This further supports the concern of the arbitrary and unknown manner in which this term behaves.
12. Without a definition and accompanying criteria, there is no basis for any behavior or characteristics to be exhibited by the term Rural Resort. Any designation to property is premature and does not promote the health, safety, and welfare of Teller County residents from a '*planning*' perspective.

C. Would result in adverse impacts to the natural environment, including water, air, noise, storm water management, wildlife habitat, vegetation, and wetlands, that cannot be substantially mitigated.

1. On the contrary, removing the "Rural Resort" label from the Divide Region Growth and Conservation map and declaring a moratorium, pending necessary definition and criteria, will enhance the natural environment by clarifying what functional areas are part of Growth, Potential Growth, and Limited Growth areas and directing new development appropriately.
2. Removing the Rural Resort label and setting aside further application of the term until such time as criteria is established will help redirect or halt the potential of incompatible and high density uses away from areas without the adequate infrastructure to support such development and where residents have deemed rural life-style an important value and objective.
3. Removing Rural Resort and establishing a moratorium will prevent the potential for preferential treatment for property owners by themselves, other residents, or County personnel based solely on a *perception* that the "Rural Resort"

designation should allow considerations not allowed to others who own land without that designation in the absence of any supporting evidence.

D. Addresses a demonstrated community need.

The applicant's believe this LUR amendment is necessitated by the following factors:

1. Removal of Rural Resort will alleviate confusion and uncertainty to anyone attempting to read and understand the current Land Use Regulations and associated maps.
2. The existence of an undefined entity undermines the stability of property values and may result in unforeseen and potential consequences, thereby placing an unintended and unfair burden on surrounding properties.
3. The residents of the area and/or the County have deemed the protection of the 'rural life-style' of these areas an important value and objective. Having an undefined entity with the same label does not support and align with this objective.
4. The Divide Planning Region has prepared a growth management plan for their region, the Divide Regional Plan. The Divide Regional Plan does not recognize Rural Resort as a valid and defined term or label within its documentation. From a Divide Regional Plan perspective, the term Rural Resort does not exist, other than on the map.
5. Without definition of terms, the characteristics of different uses or activities will go unrecognized with the potential that causes them to be located next to each other, increasing the likelihood for conflict. Segregation of uses through zoning is an important concept that cannot be met with the policy of having undefined terms in the Land Use Regulations.
6. The term Rural Resort (Rural Lifestyle Protection Area) was not defined and legislatively adopted into the Land Use Regulations, nor is there a common and consistent understanding.
7. There is no common understanding, or in some cases even knowledge, of the term Rural Resort within local realty offices, leading to the potential for misinformation between buyers and sellers and reinforcing the potential for destabilized property values.
8. Potential buyers and future residents of Teller County are unable to do their due diligence when researching the term Rural Resort to gather a solid understanding when there is no published information surrounding it. This lack of common understanding and definition denies the buying public the ability to know what they are buying near or next to.
9. Sellers are disadvantaged for being unable to effectively disclose or understand the use of the term when marketing their properties. Referring buyers to the Planning Department when the Planning Department is also unclear as to Rural Resort's definition creates a lack of confidence in our property designations and Planning Department, all of which underscores the need to have defined and understood land use terminology.

III. Conclusion

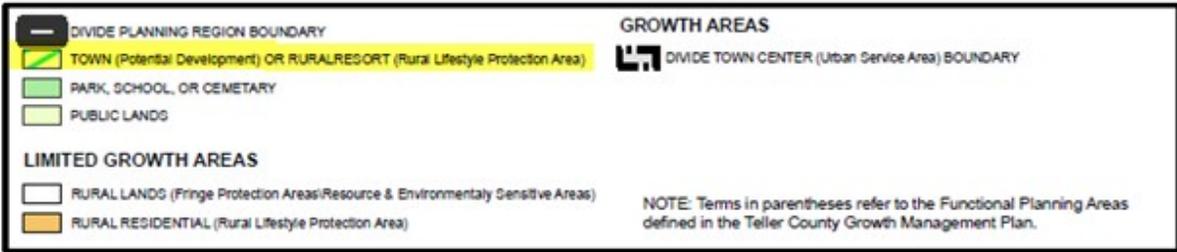
Per the Teller County Growth Management Strategy, 'the term "Growth Management" encompasses the conscious decision to accommodate or restrain development in any geographic setting, whether it is downtown Woodland Park, Ute Pass, Divide, the Cripple Creek/Victor historic mining areas or the Four Mile Area.'

It is the applicant's position, as concerned citizens of Teller County, that the **one** element a land use term must never have is the '*absence*' of a definition in a Teller County regulatory or advisory document, *especially* the Teller County Land Use Regulations, as the very nature of a *regulation* document calls for one. Land Use terminology and regulations must be understood in order to be appropriately, consistently and consciously applied to ensure they adhere to the goals policies and objectives of the Teller County Growth Management Strategy and Regional Area Advisory Documents.

Changes needing to be made under this text application:

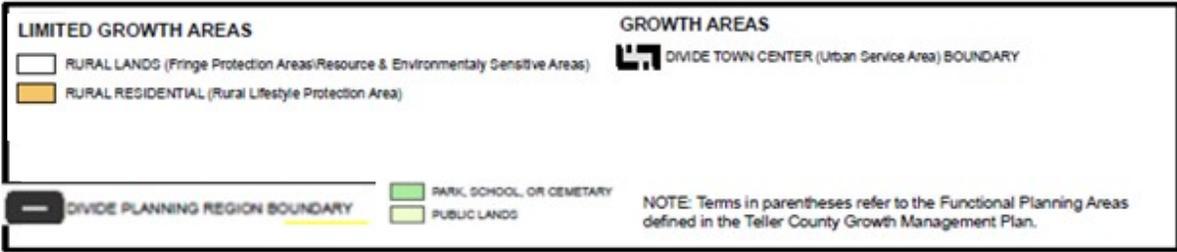
1. The yellow highlighted text 'TOWN (Potential Development) Or Rural Resort (Rural Lifestyle Protection Area)' would be removed from the Divide Region Growth and Conservation Map.

OFFICIAL MAP - TELLER COUNTY PLANNING DEPARTMENT



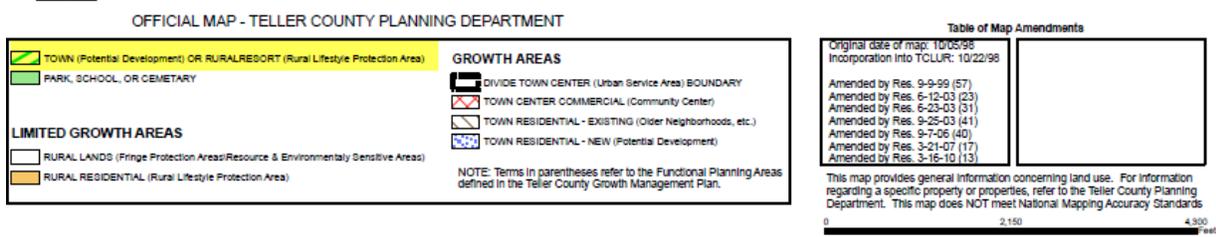
The corrected legend of the Divide Region Growth and Conservation Map, once the label is removed, would appear as below:

OFFICIAL MAP - TELLER COUNTY PLANNING DEPARTMENT

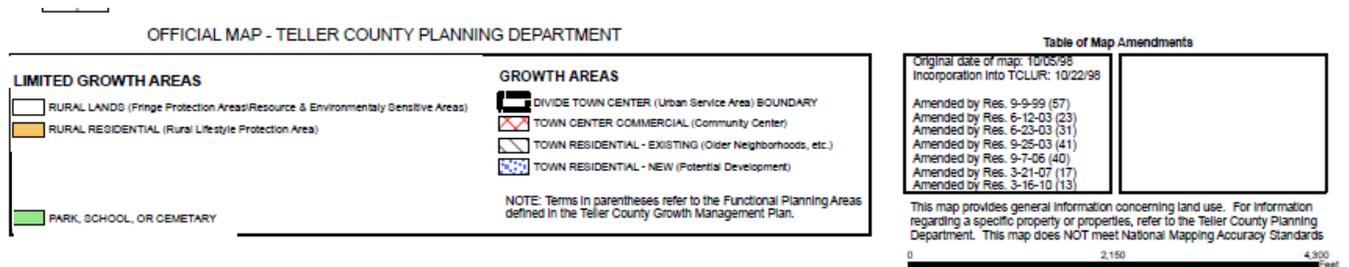


[Please Note: the above legend was rearranged to position Limited Growth and Growth Area information in closer proximity to each other and move other, less prominent labels, to the bottom]

2. The yellow highlighted text 'TOWN (Potential Development) Or Rural Resort (Rural Lifestyle Protection Area)' would be removed from the Divide Town Growth and Conservation Map.



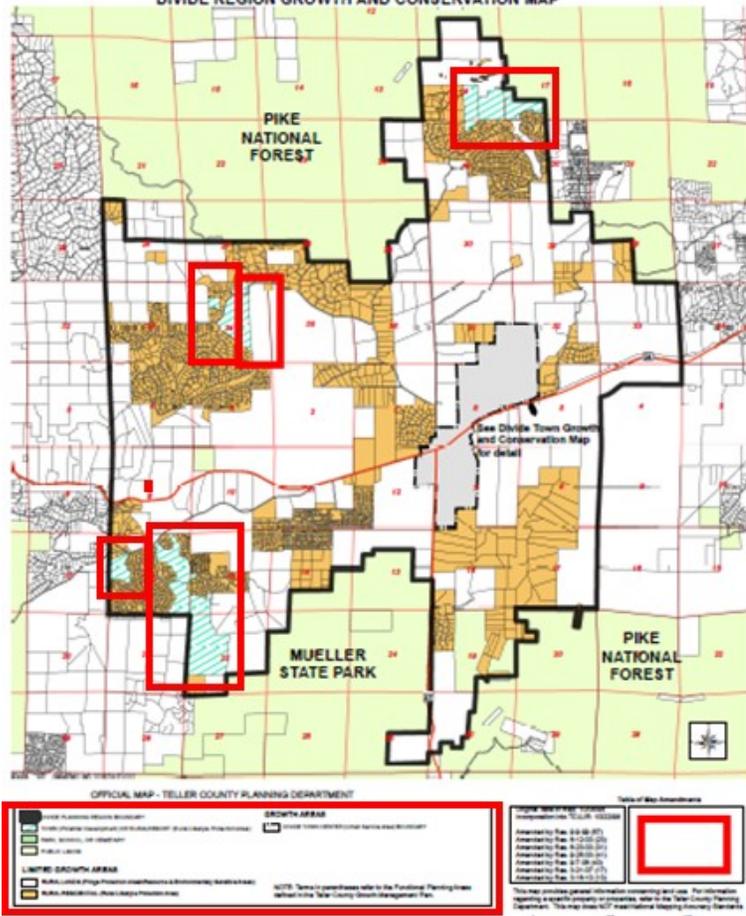
The corrected legend of the Divide Town Growth and Conservation Map, once the label is removed, would appear as below:



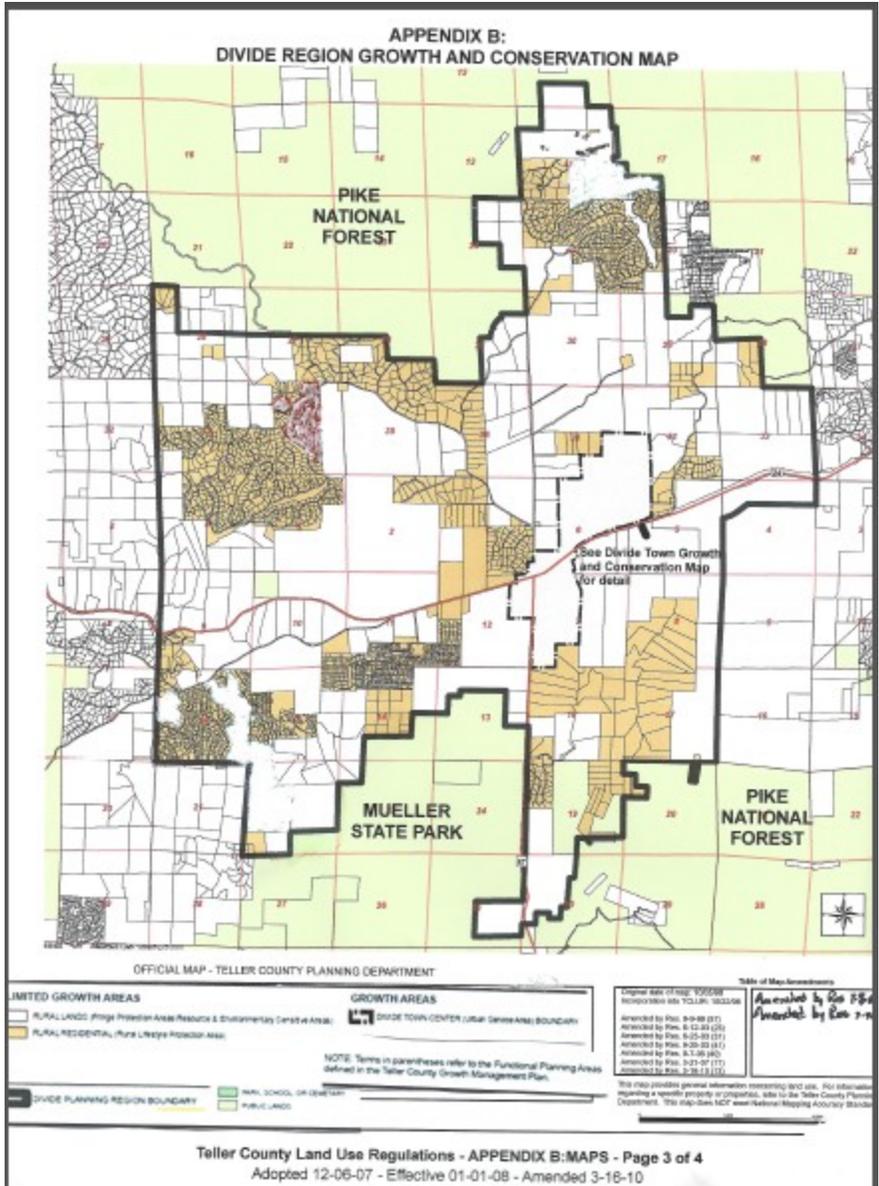
[Please Note: the above legend above was rearranged to position Limited Growth and Growth Area information in closer proximity to each other and move the other, less prominent label, to the bottom]

3. The area shown in the red bordered sections of the current Divide Region Growth and Conservation Map would be updated:

APPENDIX B:
DIVIDE REGION GROWTH AND CONSERVATION MAP

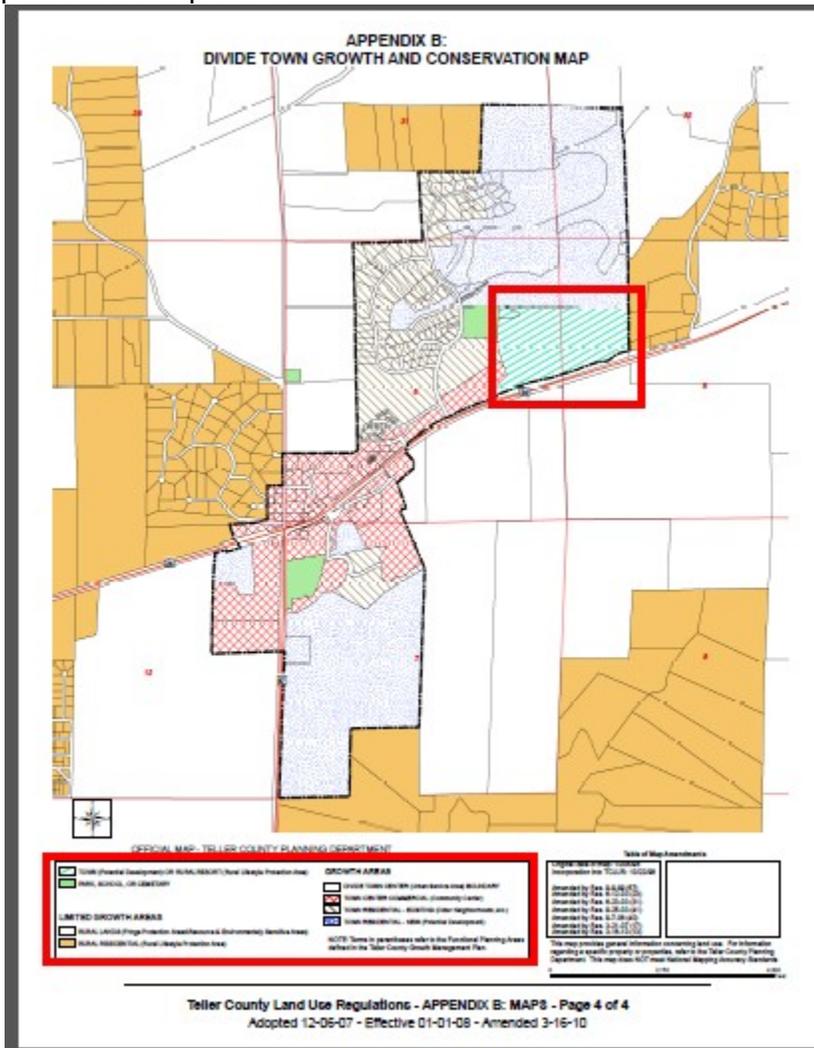


The corrected Divide Region Growth and Conservation Map would appear as shown below¹:

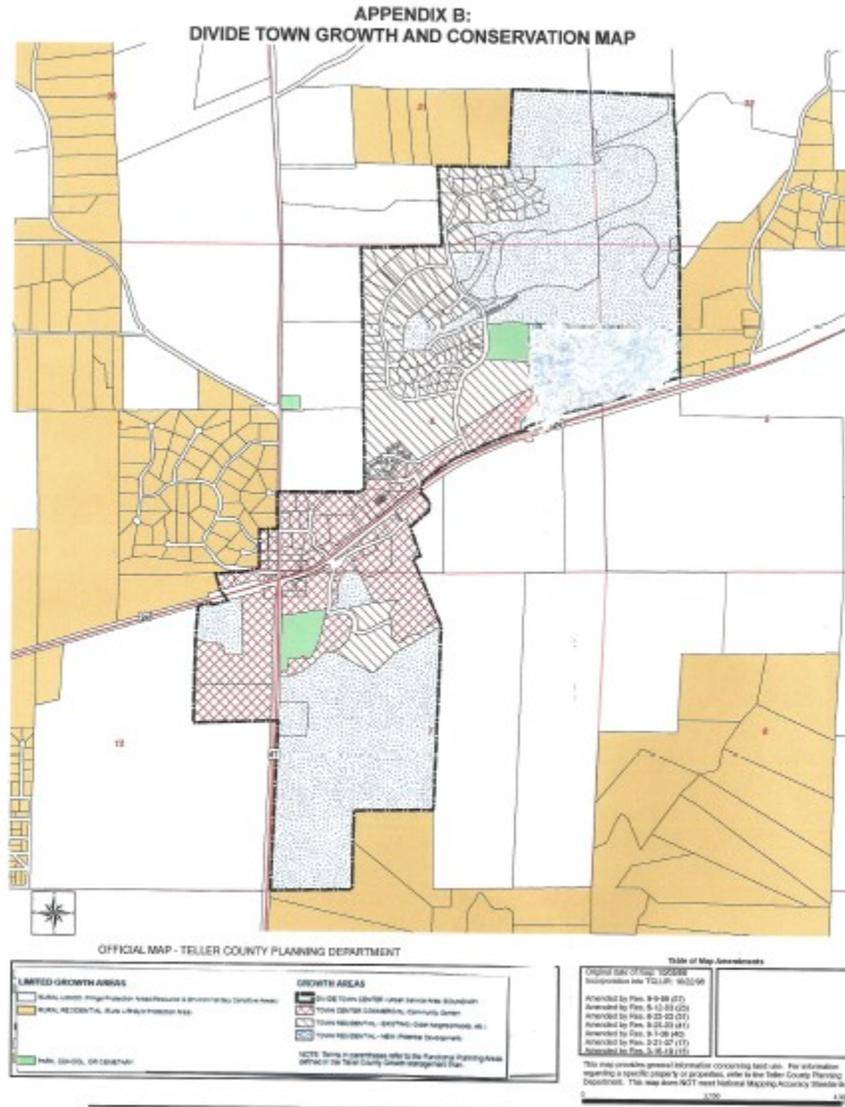


[Please Note: the legend was rearranged to position Limited Growth and Growth Area information in closer proximity to each other and move other, less prominent label(s), to the bottom]

4. The area shown in red on the current Divide Town Growth and Conservation Map would be updated:



The corrected Divide Town Growth and Conservation Map would appear as shown below¹:



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Adopted 12-08-07 - Effective 01-01-08 - Amended 3-16-10

[Please Note: the legend was rearranged to position Limited Growth and Growth Area information in closer proximity to each other and move the other, less prominent label, to the bottom]

5. Lastly, the following text will be inserted into the existing text under Section 1.7.D.

'As such, no Figure, Table, Illustration, Graphic Depiction, Legend, Label or Caption will be inserted into these Regulations without at minimum, the required text that supports its summary or explicatory use.

Add identifiers:

1. ' Legend' and 'Label' to Heading title and elsewhere in the paragraph where referenced.
2. 'Appendix'

Proposed changes:

D. Text Versus Figure, Table, Illustration, Graphic Depiction, Legend, Label or Caption.

These Regulations include certain figures, tables, illustrations, legends, labels, captions and graphic depictions such, unless stated otherwise, are solely supplementary to these Regulations, intended as summaries or examples for the sake of convenience or by way of explication only. As such, no Figure, Table, Illustration, Graphic Depiction, Legend, Label or Caption will be inserted into these Regulations without at minimum, the required text that supports its summary or explicatory use. If a conflict or overlap arises between the provisions of the text of these Regulations and any table, illustration, graphic depiction, legend, label or the captions for any section, subsection or appendix, the provisions of the text shall control.

Once changed, section 1.7.D would appear:

D. Text Versus Figure, Table, Illustration, Graphic Depiction, Legend, Label or Caption.

These Regulations include certain figures, tables, illustrations, legends, labels, captions and graphic depictions such, unless stated otherwise, are solely supplementary to these Regulations, intended as summaries or examples for the sake of convenience or by way of explication only. As such, no Figure, Table, Illustration, Graphic Depiction, Legend, Label or Caption will be inserted into these Regulations without at minimum, the required text that supports its summary or explicatory use. If a conflict or overlap arises between the provisions of the text of these Regulations and any table, illustration, graphic depiction, legend, label or the captions for any section, subsection or appendix, the provisions of the text shall control.

¹ **Note:** This application is being presented as a ‘text amendment’ rather than a ‘text and map amendment’. The only place where the label Town OR Rural Resort exists happens to be on the Divide Region Growth and Conservation Map and the Divide Town Growth and Conservation Map. There would be no designation of any parcel as Rural Resort or Town but for these terms appearing on the two maps. This application is essentially general in nature though it does seek to remove these not defined, potentially misapplied, misunderstood, and unnecessary Rural Resort and Town designations.

At the time of this application, the Divide Region Growth and Conservation Map in Appendix B of the Teller County Land Use Regulations has not yet updated Resolution 07-08-13(21) on the Divide Region Growth and Conservation Map or added the resolution to the table of map amendments. This application would request that the County not make a designation update for Rural Resort based on the July 2013 resolution. Rather this application recommends that the above resolution be added to the table of map amendments along with a new resolution calling for a moratorium of the Town OR Rural Resort label along with the removal of its designations.

It is further recommended via this application that Rural Resort be removed completely as a designation to those properties outside of Resolution 07-08-13(21) that were shown in red blocks and a full moratorium on the term’s usage goes into effect to avoid the confusion that exists today. Any properties so designated would revert to their previous state within their functional planning areas; *Limited Growth* (either Rural Land or Rural Residential) as is the case on the Divide Region Map and under the *Potential Development* label that already exists on the Divide Town Map. The current map inconsistencies that exist, due to the premature and in some instances ‘unknown application’ of the label Rural Resort, helps illustrate the confusion that results from a lack of definition, application, and execution, and underscores the absolute need to have all land use terms properly defined.

It is the hope of this application’s sponsors that future changes and updates to our County and Regional advisory and regulatory documents are undertaken by the appropriate agencies and staff wherever and whenever further inconsistencies come to light.

Appendix A

Supporting statements from the Divide Regional Plan:

Vision: a small town community made up of three planning areas:

- **Town Center:** A tight knit blend of residential and concentrated commercial district. Aka, Urban Service Area
- **Rural Residential:** Consists primarily of parcels of less than 35 acres. The lifestyle in Rural Residential areas should be protected and reduced density should be encouraged.
- **Rural Lands:** Consists primarily of tracts over 35 acres. Rural Lands should be encouraged to stay as they are.

It is obvious that the Divide Region has a plan, one which took many months and years to formulate, and one which should be followed in order to preserve the small town rural atmosphere where growth should be in the Town Center. The terms Rural Residential and Rural Lands do not include the term 'Rural Resort'.

Differentiating the land into the three planning areas above is a way the Divide Regional Plan seeks to manage growth through a phasing process in order to provide balance between the needs of humans, the environment, wildlife and economic development. It should be noted that Rural Resort is not a term referenced or acknowledged within the Divide Regional Plan document itself; in other words, as a term, Rural Resort doesn't exist.

Scenic and highly Valued Landscapes:

- Resolution 3-28-96-21:
 - Areas within 1 mile of a national forest, national monument, national park, state forest or state park
 - Views from wildlife viewing roadways: Upper Twin Rock Rd., Lower Twin Rock Rd. and Cedar Mountain Rd.

We, the citizens of Divide, chose to, and are fortunate to live near open space with scenic and wildlife viewing areas. The term 'Rural Resort' has no definition for these areas.

Resource Protection Corridors: extend from the edge of the Town Center to the Region's boundary for 600 feet on each side of the major roads (Highway 24, Highway 67, County Road 5, and Cedar Mountain Rd) and along Mueller State Park.

These corridors help protect Growth Areas (Divide Town Center) from Limited Growth Areas (Rural Lands and Rural Residential). The term 'Rural Resort' is incompatible with 'Resource Protection.'

Views are one of the aesthetic values that make Divide the unique and beautiful environment enjoyed by residents, business owners, and passerby's. To further quote the Divide Regional Plan itself; ' Preservation of our vistas (and all they imply), dramatic through each of our seasons and equally spectacular year-round night sky, is a driving motivation for the implementation of this protective plan.'

Rural Residential: generally consists of existing parcels of less than 35 acres, including existing subdivisions. Some parcels less than 35 acre tracts might be designated Rural Lands based on character and surroundings. The lifestyle in Rural Residential areas should be protected and reduced density should be encouraged.

Primarily made up of single family homes, part of the established character and lifestyle of Rural Residential neighborhoods, is the peaceful quality and natural beauty of the land and surrounding environment. Rural Resort, without definition, standards, or criteria is not recognized as being affiliated, or in any way compatible to, Rural Residential.

Rural Lands: generally consist of tracts 35 acres or larger. Some 35 acre tract developments may be designated as Rural Residential if the intent, platting and use more closely fits the Rural Residential use.

Rural Lands should be encouraged to stay as they are.

Rural Land is what helps provide the 'open' character of the area and helps preserve the natural vistas, agricultural opportunities, preservation of limited resources, as well as significant and sensitive environments. Rural Resort, without definition, standards, or criteria is not recognized as being affiliated or in any way compatible to, Rural Land.

Carrying Capacity of the Land: how much development is possible on a piece of land after considering physical constraints (such as steep terrain) or considering infrastructure (such as minimum spacing requirements between wells and septic systems).

A growth related consideration for the concept of 'carrying capacity' of the land is determining what amount, if any, of non-residential, non-agricultural development is allowed outside the Town Center. The impacts of non- residential and non-agricultural development outside the Town Center must be recognized and considered. Rural Resort, without being a defined term or being one of the functional areas within the Growth and Limited Growth areas of the Divide Region lends no basis on which to be evaluated for impacts.

Cumulative Impacts: the total additive impacts on infrastructure and lifestyle created over time by approval of multiple large and/or small developments or recreational uses. Build-out and infill of existing approved development can be considered a cumulative impact.

The cumulative impact of all related and unrelated development and recreation within an area must be considered based on the overall and combined stress it puts onto any neighborhood or region in terms of lifestyle, maintaining the character of the area, preserving qualities of the land that have been deemed desirable, and lastly to the impacts to infrastructure, quality of life, and the environment. Rural Resort, without being a defined term or being one of the functional areas within the Growth and Limited Growth areas of the Divide Region, lends no basis on which to be evaluated for the level of stress due to cumulative impacts that may be the result of inviting and promoting development into areas otherwise determined to be unsuitable within a given planning area.

Section Comment:

Adherence to all of the above is critical to ensuring that ongoing and future development of the Divide region progresses in an orderly and phased manner consistent with the statements, goals and policies within the Divide Regional Plan and desires of its residents. Rural Resort is not a part of this written plan.

Goals and Policies:

A. Water: In the Divide Region we are concerned about water quantity and quality which future growth might adversely affect.

A1 Water supply is limited, essential to the entire community, and should be protected.

Land Use must ensure water, as a natural resource, is protected for all residents outside the Town Center. Undefined terminology cannot address this goal.

Commercial growth outside the Town Center has the potential to deplete water supplies of residential users and pollute groundwater through the use of unmonitored ISDS systems.

A2 Limit development that might jeopardize the water supply.

Development must be appropriate to the water source. Higher intensity use or density must be directed to the Town Center and allowed only when there is available access to public water. New Development outside the Town Center must be restricted in order to serve Rural Residential and Rural Land users.

Undefined terminology that does not measure residential or non-residential development, against an established measure per Planning Area, cannot meet this goal of limiting development that might jeopardize the water supply.

Large users of groundwater supplies should not be allowed outside areas where central water and sewer are available.

A3 Err on the side of conservatism rather than overbuild where water information is limited.

Water supply data must be representative of both proposed development balanced, and in context with, the needs and use of the surrounding area. To err on the side of conservatism will also take into consideration scenarios, such as drought and potential natural or catastrophic changes, such as fire and flood to the environment.

Do not allow commercial users to threaten domestic users of groundwater.

A4 Develop standards for water conservation and for prevention of over-exploitation.

There do not appear to be standards or criteria upon which development, permits, or changes in use within the Planning Areas (Limited Growth vs. Growth) are measured. A lack of standards paired with a 'hope for the best' attitude violates this goal and policy.

Current permitted users of groundwater should take precedent over proposed development of users of large scale.

Section Comment:

These guidelines are very important to hold fast to since there is only so much water for a certain density. The term 'Rural Resort' implies that an individual parcel is more important than the entire community. This concept goes against the Plan.

B. Intentionally left blank

C. Planning Areas: Town Center, Rural Residential and Rural Land.

C1 General

C1.01 Rural Lands: Maintain existing uses, density, and open character.

C1.04 Encourage developers to mitigate identifiable impacts.

Identifiable impacts are not always realized prior to development or in the conceptual phase. Impacts must be mitigated once realized. Developers and property owners have the obligation to not create or operate a nuisance. The

County is ultimately responsible in its enforcement. Town/Rural Resort has no definition, no standards, which then places the burden of

conflicts on neighboring citizens rather than the proactive position of the County when making its planning decisions.

Possible impacts must be considered and identified. Impacts that may not be readily identified prior to development, may be impossible to mitigate after development.

C1.07 Prevent commercial and industrial development outside of the town center.
Non defined terms depicting both Growth and Limited Growth do not foster this objective or establish criteria against which it can be consciously and consistently applied.

To maintain the rural character of residential Divide, commercial development should be paired with like development. Investment in rural residential land should not be threatened by property value lessening nearby commercial development.

C1.08 Establish the carrying capacity of the land.
The carrying capacity of the land has no criteria by which residential, non-residential use, or visitor use is analyzed and compared in any of the planning areas.

There are no regulations regarding the carrying capacity of rural lands in Teller County. While there is a limit as to the number of dogs allowed in a commercial dog kennel on A-1 land, there is apparently no limit as to the number of people allowed in a "meeting facility".

C1.09 Maintain peaceful and desirous place to live, work, recreate in beautiful mountain environment.
Commercial development in residential or rural areas changes the character of the living experience of residents forever.

One of the keys to realizing or maintaining this desire is to consciously restrict development to appropriate areas identified by functional area . Through strict adherence to buffer zones, along with the disapproval of spot zoning and leapfrog development requests, will incompatible uses stand a better chance of inadvertently and inappropriately being co-located next to each other. Rural Resort is not defined within the existing functional areas of the Master Plan.

C1. 10 Develop sign regulations and apply in all three areas.
Signs in rural areas unrelated to safety or traffic regulation detract from the natural beauty.

C2 Town Center General

C2.02 All new commercial, denser residential and light industry should be in the Town Center.
Allowing commercial uses outside the town center has the potential to ruin residential water supplies and contaminate groundwater.

This applies to non-residential, business purposes as well. Growth and future development must demonstrate its ability to

'fit' according to the standards and criteria of our regulatory and advisory documents. Rural Resort, has no definition, no established understanding, uses or users. The regulatory and advisory documents are designed to lend guidance to the orderly planning and growth of the area. There is no justification that having an undefined term on a map represents a 'free-for-all' or 'define as we go' approach. Both of these are counterproductive to upholding the vision, purposes and goals of land use planning.

C2.05 Growth should be based upon infrastructure, community values, and physical opportunities and constraints.

Heavy water users should not be allowed in areas where groundwater is relied upon by residential users who have owned property for years.

Growth has limitations. An undefined term, such as Rural Resort, that has neither known constraints nor even stated, positive characteristics, cannot be placed into a planning context. Rural Resort is simply an unknown entity. Planning must be about directing what is known, not unknowns. Unknowns generate risk and potential conflict. Generating risk and conflict are not stated objectives of the Master Plan or in the best interest of area residents.

C2.06 Town Center should not develop in a leapfrog pattern.

The County must monitor pockets of growth that either are or have been approved to be outside the Town Center in the context of compatibility and following the guidelines and suggestions of available Regulatory and Advisory documents. Where Town/Rural Resort designations have been applied to large parcels of land outside the Town Center, without established and publicized standards and criteria controlling their use within Rural Land/Rural Residential areas, the result has been increased complaints, dissatisfaction among area residents, an environment that is not desirable and peaceful to many of the residential constituents the County serves, and escalating conflicts and disagreements among adjacent and neighboring property owners, and the County, to name but a few.

Development should occur from the Town Center outward, not from rural areas toward the Town Center.

C3 Town Center Business Area

C3.07 Discourage downtown business encroachment on residential or adjacent land uses. Encroachment includes 'external effects' such as noise, glare, dust, trash, as well as impact on views.

'Out of sight', is not without concern. External affects come with the type of development regardless whether it is seen and is more a

function of size, scale, use, and users than visibility. Co-locating potentially mutually exclusive functional areas allows for the encroachment of business and commercial endeavors within limited growth areas and is in direct opposition to this stated goal. Rural Resort is an unknown term with unknown use/users/impacts.

C4.01 Promote design and site planning compatible with the area's character.
Rural Resort cannot be measured in terms of compatibility when it is undefined.

C4.02 Protect existing neighborhoods from the intrusion of higher intensity land uses.

Density rules must be added to the LUR's regarding uses on rural lands.

The term Rural Resort would appear to invite higher intensity land uses. It also implies transient use vs. residential use. Without definition and understanding, there is no way to protect existing neighborhoods from the potential for higher intensity use and users and the potential impacts those may bring.

C5.01 Rural Lands should be encouraged to stay as they are.

Once rural lands are changed to another use, they are lost forever.

The conscious decision to accommodate or restrain development in any geographic setting is what the Growth Management Strategy embodies.

Rural Resort cannot be consciously 'anything' as it is not defined

C5.02 Restrict new developments that could cause noise, visual blight, or noxious odors.

The quiet that rural living provides must be protected above all else, as that is the quality that provides rejuvenation of the soul.

C5.04 New recreational developments should be required to amend the Divide Growth and Conservation Map using map amendment criteria attached to the Divide Regional Plan, as well as County regulations.

And only with full disclosure of all future plans, and with the informed consent of surrounding residents.

Amending the Divide Regional and Town Growth Map with an undefined term,

such as Rural Resort, (or Town), or applying that term on property when Rural Resort is found nowhere else in published documents invites risk and conflict.

C5.05 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.

This requires complex analysis of professional research supplied by someone other than the developer.

Cumulative impacts need to be evaluated using current data and trend analysis and projections to avoid inappropriate overdevelopment of a use or density within the context of each unique functional planning area. Rural Resort, as a map label only, inherently invites Special Review Use Permits that cannot be considered due to lack of definition, impacts, standards, or criteria that might relegate a label, such as Rural Resort, to Growth areas only.

C5.06 New development with over a 100 participant capacity should annex into the Town Center subject to the 'criteria'.

This is an area that needs a specific threshold of carrying capacity of rural land, and is very noteworthy in its desire to direct heavy human use to the Town Center.

Even a 100 participant capacity may be incompatible to the surrounding area if located within Rural Residential or Rural Land designated areas. Rural Resort, if the term means outside participation, may require that it only be directed toward Growth areas and to become part of the Town Center where there is adequate supporting infrastructure to accommodate non-residential participation without the potential for negative effects, encroachment, and impact to surrounding areas. Without a clear understanding of the magnitude of Rural Resort, any number stated is arbitrary. Only with data in which to analyze and measure cumulative and associated impacts, can any restrictive number be realistically applied.

Section Comment::

Rural Resort and Town are without definition or standards and as such must be put into the appropriate context of Growth and Limited Growth without necessarily creating the need for additional vocabulary. A new word, or lack of definition, does not constitute a conferred right to behave any differently in the planning areas. Planning areas come with expectations, rights, obligations, and constraints and it is to these standards and criteria that development, or limiting development, is measured against.

The above statements from the Divide Regional Plan are interconnected in that they all build upon and depend on the other. Land use must not be so narrowly focused on a particular application that it loses sight of the broader goals and vision of the planning areas.

The County is tasked with following a planning strategy to ensure the inappropriate mixing of planning areas is avoided to preserve the health, safety, and welfare of its citizens, as well as

to maintain separation between the planning areas to avoid locating incompatible uses next to each other.

Having undefined terms, and no standards with which to apply them, does not follow the advice of the advisory guidance above.

Rural Lands are intended to maintain existing uses, density, and open character. They are to prevent commercial and industrial development outside of the Town Center and to encourage a peaceful and desirous place in which to live and work in a beautiful mountain environment. There should be no commercial development in this area. The term 'Rural Resort' invites growth and the potential for overdevelopment.

The concept of a Town Center is to encourage commercial venues in an area which is designed for growth. The Plan states that "ALL NEW COMMERCIAL, DENSER RESIDENTIAL AND LIGHT INDUSTRY SHOULD BE IN THE TOWN CENTER."

D. Town Center Growth

- D1 Outer boundary of the Town center should not expand before the Town Center is 75% developed or the map amendment criteria show a demonstrable community need and benefit. 'Developed' means platted, approved, and ready for building permit application.

Demonstrable community need we believe means 'in the immediate' vicinity community, or neighborhood and can be supported with data. Rural Resort serves no local community or benefit other than the land to which it has been applied, its visitors, and its operators.

- D3 Encourage development that is compact, environmentally positive, and aesthetically pleasing.

Leapfrog development or development without analysis to determine proper 'fit' should not be encouraged. Rural Resort has no association to the surrounding land and area with which to make a developmental determination.

Development of rural lands cannot be "environmentally positive'.

- D4 Monitor progress of development with the goals and policies of the Plan.

Unfortunately, Teller County does not seem to be in a position to "monitor" anything past the issuance of a permit.

According to the Plan, the Town Center is where growth should be. This protects existing surrounding rural neighborhoods from the intrusion of higher intensity land use.

E. Parks, Trails, Open Space, and Wildlife Preservation

- E2 All development should comply with:

- a. Colorado division of Wildlife 1996 or the most current recommendations for wildlife habitat; b. Specific standards limiting external effects (noise, glare, dust, fumes, vibrations, smoke, etc.); c. Design standards that reduce visual impact (such as large parking areas)

Development directed toward the appropriate functional area is vital. Incompatible development will threaten surrounding areas with the potential impacts as stated above. Rural Resort has no designated functional area.

- E3 Identify and protect sensitive areas, and restrict incompatible development or activities

This is imperative if future generations are to be able to enjoy open land.

- E9 Recognize and encourage the preservation of ranch and rangelands. *As densities in Teller County increase, ranch lands become increasingly important, and any development should be directed away from them. All means to keep rural lands intact should be championed.*

- E17 Preserve rural character, including large ranches and A-1 zoned tracts, natural vistas, pristine environments, and wildlife habitat

Development of a commercial nature, including high density recreational activities, should be directed to the Town Center where appropriate utilities are available.

We are to encourage the preservation of ranch and rangelands, preserve rural character, natural vistas, pristine environments, and wildlife habitat. The term 'Rural Resort' is incompatible with the preservation of ranch and rangelands preservation of rural character, natural vistas, pristine environments, and wildlife habitat.

F. Adequate Infrastructure

- F1 Growth anywhere in the Divide Planning Region should pay for itself. *This is especially important in the age of reduced tax revenues and the inability of County governments to provide even the basic maintenance of infrastructure.*

- F2 Adequate infrastructure should be available concurrently with any growth.

Ground water wells and ISDS systems are not acceptable for commercial development on rural lands.

- F3 Establish impact fees for roads, drainage, fire, and sheriff. *Even tax exempt organizations petitioning to develop rural lands should pay for the impacts they propose to cause.*

- F4 Impact fees, if designated by the County, should apply throughout the entire Divide Region.

This should apply to all equally, regardless of their perceived benefit to the community.

Growth is meant to be a benefit for the entire community, not a burden.

Impact fees do not mitigate incompatible uses or the merging of functional areas with commercial or business development encroaching upon Rural Lands and Residential neighborhoods in a leapfrog fashion.

G. Commerce and Industry: Plan for small business and light, clean, industries, including tourism, to help provide the tax base needed to support local services. Areas should not be offensive, overwhelming in scale, or create visual blight or noise pollution.

Development not consistent with surrounding uses, and that does not enhance the quality of life of current residents, should not be allowed.

Commerce and Industry are directed toward the existing Growth areas.

Commercial venues should be in the Town Center and support themselves and other local services. The terms commerce and industry are adequate with no need for an additional term 'Rural Resort.'

H. Left intentionally blank

I. Traffic

14 Encourage all new development to have or create direct access to Highway 24 or Highway 67 to limit increased daily traffic flow along current county roads. Having sufficient emergency evacuation is a vital concern for the safety and welfare of Divide residents.

Additional traffic on already overburdened roads in Teller County should not be allowed. Commercial development should take place where highway access is in place, i.e., the Town Center.

'Rural ' of 'Rural Resort' implies a venue outside of the growth node and not along the recommended highway routes. By the very term, it would place an undue spike in request for emergency services.

Addendum 'B': Criteria for amending the Divide Region Growth and Conservation Maps for Recreational Use and All Conditional Use Permits on Rural Land.

Existing Uses: Existing uses should be encouraged to succeed and improve facilities and operations. This DOES NOT necessarily mean encouraging expansion.

Expansion of use to include greater capacity for numbers of people, vehicles, noise, water use, sewage discharge and reduction of quality of life for current residents should not be allowed.

The expansion of existing uses that surpass density thresholds of a functional area run the risk of needing to relocate rather than encroach and change the nature and character of the land around them. Rural Resort has no defined and existing uses .

New Development: New development or addition of acreage to existing uses should consider the following criteria for approval:

Scale: Are the magnitude, intensity, and size of a proposal appropriate for the Divide community?

Buffers: Does the proposed new development have appropriate land buffer and or landscape buffers to protect residential areas and neighboring property from impacts?

Cumulative impacts: Do other recreational uses add up to more than appropriate vehicle trips per day on a particular road? Do other recreational uses create a burden to infrastructure on a particular road or area? Is there significant and adequate distance between recreational uses? Is there another recreational use within a one mile radius? Should this use annex into the Town Center? Does this recreational use overdevelop rural land by significantly changing density of human activity that could occur otherwise on the property?

New Development Inclusion: Should the new development be annexed into the Town Center due to participant capacity as outlined in C5-6?

Cost/Benefit Analysis: Would the inclusion of the applicant's land within the Town Center bring specific benefits to the Divide community? Is there a benefit to the Divide Region as defined by the goals of our Plan? Is there a compensatory trade of density or other benefits? Are there dollar costs or detrimental impacts that should be considered? Does the development proposal pay its own way?

Area Impact: Does the proposal negatively impact Rural Residential areas? Noise, light, odors, trash, etc.?

The very term 'Rural Resort' is an oxymoron, and should not be stated in any of the Teller County regulatory or advisory documents.

New Development, according to the Divide Regional Plan, should be measured against the above criteria. Rural Resort does not measure up due to its lack of consistent and defined scope.

Supporting statements from the Teller County Growth Management Strategy

1A-3: Encourage the monitoring of development to ensure a quality environment.

Monitoring of development in Teller County does not occur after the issuance of a permit, except to inspect construction. Preconstruction examination of expected impacts of development needs to be enhanced.

Monitoring land use issues and ensuring a quality environment comes as a result from prior planning decisions. When incompatible development or incompatible operations occurs, the result is conflict. Citizen complaints are the fuel driving a highly reactive process. It is more expensive to fix a problem late in the game, or worse yet, long afterwards, than to apply standards to prevent the problem from occurring in the first place. Of greater concern is that this reactive process puts the onus on the citizens who already bear the brunt of developmental consequences. Approval of vague and ad hoc planning decisions will continue to produce a reactive situation which does not meet the objectives of having and enacting a planning strategy. Undefined terminology exacerbates the problem. Expecting citizens to bear the burden of the consequences of poor planning through a complaint driven system underscores the need for adherence to a planning strategy that is proactive in nature and the avoidance of conflict driven complaints a goal. Upfront identification of impacts and proactive mitigation, along with locating development within their appropriate planning areas will help ensure a quality result. Without understanding Rural Resort, there is no way to monitor its development or enforce and manage any resulting complaints.

1A-4: Encourage the full utilization of the environmental review mechanisms of the county, regional, state, and federal agencies to insure that all public and private development will not exceed the carry capacity of the land or resource, degradation lands, or threaten the availability of the resource.

Where are the carrying capacity formulas and data for the land in our various planning areas and zones? If there are none, what review mechanisms are available through and including the Department of Local Affairs in Denver to lend guidance or to help create some? Without a measure of valid data and numbers that state what will fall below or above a given threshold - how does the county insure that development will meet this objective to avoid land degradation, diminished resources, or exceed the carrying capacity of the land?

Sending a request for comments on proposed development to already busy county, state and local government officials does not guarantee a logical, researched response. An in depth, researched response by every agency should be required. A "no response therefore affirmation" rule should not be allowed.

1A-7: Encourage the protection of limited growth areas by the use of the appropriate zoning district classification within them.

The protection of Limited Growth areas cannot be served with terminology that is undefined or vague in its meaning and application. Preserving a limited growth area cannot be done by approving large scale growth. Not understanding or misapplying zoning and planning to outlying areas will likely produce negative consequences. Rural Resort is such a term that

implies the ability to grow, without known and stated criteria, in Limited Growth areas. This contradiction, in and of itself, creates a mutually exclusive condition.

Especially limit uses that proposes to bring large groups of people and their associated water use, sewage disposal, noise, traffic and other issues into areas of limited growth.

1A-8: Encourage, within limited growth areas, investigation of the feasibility of applying down zoning, subdivision vacation, and other methods to decrease development opportunities in these areas.

Development that is not consistent with the conservation and preservation of lands in a Limited Growth area needs to be redirected to the Town Center or other areas better suited to the individual developmental needs.

New development should not be allowed.

1A-10: Encourage the limitation and regulation of access along roadways.

Regulation implies standards. Terminology that is void of standards and definition should be prohibited. Rural Resort, though undefined, is perceived as allowing unlimited access for non-residential use when this is not the case. The various planning areas need to establish access thresholds along county roadways and specifically measure and monitor this volume to ensure high intensity uses are not encouraged or conducted in inappropriate locations.

New driveway and access permits should be subject to more than paying the fee to Teller County.

1A-18: Encourage the development of noise referenced performance standards.

Such performance standards will vary depending on the planning area. Noise standards are one more measure keeping land use paired with its proper location. Land use terminology and the intended use of the land needs to be understood with standards established, in order to be effectively and efficiently developed. Rural Resort, as an area, has no such understanding.

This should include the Teller County Sheriff having a noise measuring device, and a separate from the state noise ordinance for Teller County that protects residents from loud or non-existent car or motorcycle mufflers, gunfire in subdivisions and other manmade noise that damages the peace and quiet of residential neighborhoods.

1A-21: Encourage proposed development to assess its impact on the image, form, and character of the specific region or community in which it is to be located through the adoption of design criteria.

Standards and criteria need to be established so that impacts on the above characteristics can be uniformly understood and assessed.

Not only encourage, but mandate.

1A-22: Encourage design quality based on public desires and site constraints through the development of design codes and policies.

Planning area policies require adherence.

Public desires, especially nearby residents must be considered and acted upon. Property owners should not loose property value because of development that occurs in areas where it is not recommended.

1A-24: Encourage the creation of strong environmental standards for new development.

Environmental standards may differ considerably between planning areas due to the conservation, preservation, and maintenance goals and objectives of limited growth areas vs. growth areas with established access to resources and a different mix of use and users. Developing standards that are appropriate for the planning areas as well as within the context of the greater community is critical.

Environmental assessments should be made by professionals not employed by but paid for by the developer.

1A-30: Encourage site planning techniques and design standards that are compatible with natural topographic conditions.

Natural topographic conditions also bring their own impacts that need to be considered with any development effort. Using sound as an example; which way the wind blows or whether one property is above (uphill) or below (downhill) from another will influence the sound levels experienced by the surrounding property owners. Adherence to Planning Area standards and criteria also encourages site planning through evaluating development requests in the context of the nature and character of either growth or limited growth areas.

Rural Resort does not determine standards, rather it lacks them.

Because this can be done, it should not preclude denying applications in areas designated as "environmentally sensitive".

A1-31: Encourage local governments to coordinate design standards for street, water, and sewer systems, to insure compatibility.

Ensure growth in limited growth areas is compatible with the surrounding uses and characteristics of the area. Commercial, industry, and high intensity uses are directed to the Town Center with adequate infrastructure.

Commercial development in areas without central water and sewage systems should not be allowed period.

1A-32: Encourage the creation, based upon environmental characteristics, of performance standards, districts, and other provisions, and apply appropriate development requirements.

Standards and criteria need to be developed in order to be required and applied to development. Terminology used and referenced without definition and standards, such as Rural Resort, cannot meet this stated objective.

Areas with sensitive environmental characteristics should not be considered for development.

1A-47: Encourage the appointment of a citizen's committee, a minimum of every five years, to review the County's subdivision regulations and proposed uniform sign code.

The County does not regulate nor monitor the citizen's committee today. The County needs to be a collaborative partner in this effort. Citizen groups need to be visible, transparent, and easy for local residents and citizens to engage with. Citizen review and participation is encouraged for all who are interested. The County needs to provide an ongoing budget for citizen group activities, including meeting and community update announcements. A wide range of participants can help monitor activities throughout the planning region.

Teller County needs to involve its citizens in this effort, to prevent the developer fox guarding the henhouse syndrome.

1B-2: Encourage the identification of parcels within the regional planning areas that are able to accommodate growth.

This cannot be accomplished by simply purchasing land and then asking to change the zoning to grant your wish.

The establishment of Limited Growth (Rural Lands and Rural Residential) and Growth area, with its three functional planning areas, form the basis of this identification. Rural Resort, as an undefined term and area, is not a part of it.

B-7: Encourage efficient residential development patterns.

Which means not overburdening existing roads, emergency services, water resources, and reducing quality of life of current residents.

Promote compatible uses and conservation of limited and shared resources. Having an undefined term, Rural Resort, is counterproductive to efficiency.

1B10: Encourage within limited growth areas, only limited and very low density residential development be available areas.

This does not include high density recreational use and commercial uses that would bring large numbers of people into residential areas.

1B-14: Discourage commercial and industrial development within unincorporated areas of the County unless it would 1. Provide for a specific neighborhood or area need, or 2. Must rely upon a specific site location.

This should be limited to a fire station.

1C-14: Encourage the identification of methods for the improvement, maintenance, and development of an efficient transportation system for the movement of people and goods through Teller County in a manner that is in keeping with the rural mountain lifestyle of the County, and the beauty of the natural environment.

Developments that adds to traffic should not be allowed.

1C-16: Encourage the identification of the relationship between the transportation systems and adjacent land uses.

Developments that do not provide direct access to a major highway should not be allowed, as current county roads cannot support more traffic.

Section Comment:

There is no appropriate zoning for 'Rural Resort' and when the term is mentioned in text there is no definition, criteria, guidelines, or location. This is a term that just 'appeared' in 2006 on some locations. There are no guidelines to monitor a 'Rural Resort' development. There are no guidelines to encourage the full utilization of the environmental review mechanisms of the county, regional, state, and federal agencies to insure that all public and private development will not exceed the carry capacity of the land or resource, degradation lands, or threaten the availability of the resource.

Objective 2A - to protect the health, safety, and welfare of the public by preventing inappropriate land use, requiring developers to mitigate identifiable impacts, and by implementing methods which eliminate the cost of growth from the taxpayer.

2A-1: Encourage new growth to be financially, economically, socially, and aesthetically beneficial to Teller County. New development should pay its own way and should not be a burden to the County taxpayer.

This should include ANY development, including tax exempt organizations. These groups often have the greatest impact on county resources, while contributing little if anything in the way of compensation for the damage they cause. There are ways for a non-profit to contribute to the local government to mitigate their impacts.

New growth will avoid inappropriate land usage, and its associated cost of mitigation, when initially directed to the appropriate functional planning area. Rural Resort is not an identified and adopted functional planning area.

2A-3: Encourage protection of the health, safety, and general welfare of individuals and the County by ensuring that project reviews consider the site's characteristics, performance standards, and appropriate conditions.

Project reviews should be impartial, complete, and reviewed by a public committee that has no relationship with the development community.

Performance standards require actual, current, and relevant data in order to be measured. Standards need to be set to have something to measure against. Rural Resort has neither.

2A-6: Encourage the reduction of environmental impact of activities which are directly, or indirectly, related to new development.

ANY environmental impact by new development MUST be mitigated.

2A-8: Encourage that new land uses take appropriate measures to control air, land, soil, and water quality impacts.

These "measures" MUST be monitored by Teller County, and if the county cannot afford monitoring, the developer must pay the county to do it.

Measurements require data and data analysis to have meaning and enable controls to be put into place.

2A-9: Encourage the prohibition of land uses which would have a negative environmental impact that cannot be mitigated.

This should be mandatory.

Impacts need to be understood and measured against a standard to be mitigated. Rural Resort offers no such standards or understanding of impacts.

2A-10: Encourage the design and enforcement of standards which would require new, major developments to meet specific environmental impact criteria.

Large scale development will have impacts that cannot be mitigated. These types of land use should not be allowed.

2A-11: Encourage the development of standards which require new major developments to mitigate specific environmental impacts.

Identified impacts Must be mitigated, impacts that were not identified, must also be mitigated when discovered.

2A-12: Encourage the recognition that commercial and industrial developments have different impacts on the surrounding area and upon the county; such impacts should be considered during the project's review.

These should not be allowed on rural lands.

Commercial impacts needs to be specifically identified and addressed. Open ended designations, such as Rural Resort, do not lend themselves to identification while potentially being very much commercial.

2A-14: Encourage the protection of residential neighborhoods from excessive noise and air pollution, traffic volumes, dangerous conditions, and conditions that are not conducive to a peaceful and desirous place to live.

Commercial development, by its very nature, should not be allowed anywhere near an established residential neighborhood.

Development requests should be held accountable to the standards of each functional planning area. High intensity uses, high non-residential density, commercial and business use are not compatible with the limited growth constraint of residential neighborhoods and needs to be directed toward the Town Center. Rural Resort has the potential of not being conducive to a peaceful and desirous place to live. Rural Resort; undefined and unconstrained, is a potential threat to existing residential neighborhoods.

2A-19: Encourage that impact analysis of development activities include the effects of construction required to provide utility, services, and facilities.
This should be mandatory for any application near residential areas, and not done by the developer.

It makes no sense to discuss impacts for a term (not a zone) which has no definition, criteria, guidelines, or location.

Objective 2B: To identify methods for the minimization of pollution of land, air, soil, and water through proper location of industries, disposal sites, other activities, and planning to minimize inappropriate energy use and to encourage conservation.

2B-1: Encourage the maintenance and improvement of the quality of the air, water, soil, and land resources of the county.
If a proposed development cannot guarantee these criteria, no approval should be given.

2B-2: Encourage the provision of sufficient environmental data and information to enable adequate evaluation of proposed developments.
This must be done by an impartial, professional company, not involved with the development community.

Data must be current and indicative as to the nature of a proposal. Without definition and accompanying data, Rural Resort can't be adequately evaluated.

2B-3: Encourage compatibility between potential development and the natural environment.

This is difficult, and must be evaluated impartially.

2B-4: Encourage the development of standards which require new industries or businesses to mitigate specific environmental impacts.

This should be mandatory and monitored by Teller County, paid by the developer.

New industries and businesses need to adhere to the standards of the functional planning areas in which they wish to locate.

2B-5: Encourage the establishment of a task force to review the environment and develop a management program to detail implementation roles and responsibilities for carrying out this goal of the Plan. The program should manage land conservation and development activities in a manner that adequately reflects the county's desires for a quality environment, healthy

economy, and be consistent with state environmental quality statues, rules, standards, and implementation plans.

If this is not done, the quality of life in Teller County will continue to deteriorate.

Which County agency, Commission Group (volunteer or elected), or Citizen Group is tasked with this effort? It seems that it must be collaborative in nature and that all are responsible regardless of party affiliation or who's in office at any one time. Land use and planning are long term efforts requiring adherence to the goals of the plan.

2B-8: Encourage the control, location, and design of land uses so that noise producing transportation facilities are not located near residential or other land uses which require a quiet setting.

Locating activities in the appropriate functional areas will help avoid conflict.

2B-31: Discourage the use of individual on-site disposal systems in favor of the centralized community sewage disposal system; however, if an individual septic system is the only alternative, such system shall comply with the requirements of the Individual Sewage Disposal Systems (ISDS, Teller County).

Monitoring of commercial, high volume systems should be done by the county.

2B-32: Encourage the recognition that a moratorium on septic systems, and hookups to existing systems, may be needed.

This is critical, and must be tied to water use.

Section Comment:

The term 'Rural Resort' has no impact on the pollution of land, air, soil, and water because it is a nonexistent phenomenon which has no definition, criteria, guidelines, allowable uses, or place in Teller County.

Objective 3A - To develop a land utilization system based upon the availability of appropriate services and facilities, community values, and physical opportunities and constraints.

3A-1: Encourage growth based on the ability of the land to accommodate new growth and in accordance with the identity and goals of the County, and its Communities.

With no carrying capacity numbers for rural lands in the LUR's, this statement is unenforceable.

3A-9: Encourage the promotion of compact, contiguous and planned development patterns by programming development approvals based upon the availability of utilities, services, and facilities found in specific functional planning areas.

Development of rural lands without access to central sewage treatment facilities should be banned.

3A-19: Encourage that residential, commercial and industrial growth is located in communities, and areas, where adequate public services and facilities are available.

(Same as above) Development of rural lands without access to central sewage treatment facilities should be banned.

Water is a limited resource and large scale development and high intensity use needs to be directed to the Town Center with adequate access to water. Areas away from the Town Centers and on wells need to encourage appropriate development to preserve this vital resource. Without participant standards and thresholds of non-residential density, Rural Resort designations promote high intensity use away from adequate services and facilities in relation to the surrounding nature and character of the neighboring areas.

3A-31: Encourage within limited growth areas, that only limited purpose development is permitted where public facilities and services may be available in a limited but efficient and timely manner.

High use by large numbers of people in limited growth areas should be prohibited.

3A-32: Encourage within limited growth areas, no extension of capital improvements in such a way as to subject the area to increased development pressure.

Rural land should remain rural.

3A-33: Encourage within limited growth areas, that new development be approved only upon meeting the criteria for growth areas and upon the availability of community water and wastewater systems.

Wastewater systems on a commercial scale are necessary for any development in areas with high groundwater use by current residents.

Rural Resort designations established thus far are not in designated Growth areas.

3A-34: Encourage within potential development activity areas, that development shall be in areas of contiguous location, and that public facilities shall be available and adequate.

Restates that development should extend from the Town Center outward. Further development of rural lands without commercial waste treatment systems cannot continue because of prevalent ground water pollution.

3A-35: Encourage within potential development activity areas, that development be permitted in accordance with the availability and adequacy of essential public facilities and services such as water and waste water systems, streets and roads, schools, parks, storm drainage, and fire protection.

In Divide, the only commercial waste treatment system exists in the Town Center.

3A-36: Encourage within potential development activity areas, that capital improvement programming be utilized so that all public facilities and utilities can be provided to support development in a timed and orderly manner.

Development in rural areas cannot be accomplished without capital outlays that include municipal waste treatment facilities.

3A-37: Encourage within potential development activity areas, that public capital improvements are scheduled to provide for increased densities and intensities without adverse effects on adjacent neighborhoods.

Development must pay for itself, period. Public monies for capital improvement is nonexistent now, and for the foreseeable future.

3B-8: Encourage use of county and Community facilities and properties for various appropriate community purposes.

Existing State and local community parks and National forests can help serve many of the group and recreational needs of residents and visitors, as well as provide additional services.

Section Comment:

Since the term 'Rural Resort' has no definition, criteria, guidelines, or an explanation of allowable uses, the term 'Rural Resort' has no impact on the pollution of land, air, soil, and water, community values, and physical opportunities and constraints. It has no place in Teller County as it cannot determine or encourage growth, old or new, it cannot promote compact, contiguous and planned development patterns by programming development approvals based upon the availability of utilities, services, and facilities found in specific functional planning areas.

Objective 4A: To evaluate activities and developments which may result in significant changes in population density on the basis of the overall impact upon the community, surrounding area, and county.

4A-1: Encourage the evaluation and the development of density criteria based upon topography, natural constraints, adjacent land uses, accessibility and proximity to public facilities, the desire for a variety of housing types, and the image of Teller County as a mountain environment.

Human rural land densities must be established.

4A-2: Encourage the continuing evaluation of the long term effects of growth upon the physical form of the County and its Communities.

Development impact on current residents must take precedence over perceived benefit of development.

4A-3: Encourage the recognition that commercial, recreational, and industrial development have different impacts upon the County and consider such impacts during the project review.

Commercial and recreational development near established residential areas should not be allowed.

Standards must be established against which impacts can be assessed and determined. Unless Rural Resort is a defined

term with standards for uses and users, impacts cannot be determined and adequately evaluated during review.

4A-4: Encourage the evaluation of the impact of significant density changes in land use in order to ensure compatibility.

Impact studies by potential developers do not satisfy this directive.

Non-residential and transient population thresholds need to be established for activities both within and outside of the Town Center to promote compatibility. If Rural Resort

significantly changes population density, it may be, by its very nature, incompatible in limited growth areas or require significant limitations.

4A-6: Encourage developments with regional impacts to be designed and located so that demand for fire and police protection services is minimized.

Activities such as camping with campfires, activities where the risk of bodily injury is great (rope courses, ATV riding, shooting) should be prohibited.

4A-11: Encourage within limited growth areas, the maintenance of rural densities and minimization of new development opportunities.

This needs to be mandatory.

Rural density primarily consists of single family residences. Rural Resort, though undefined, has been applied to areas encouraging non-residential use without establishing standards and constraints on the human density passing thru.

4a-12: Encourage within limited growth areas, that appropriate public capital improvements be planned which provide for the projected densities and intensities of use without adverse effects on adjacent areas.

The approval of high density uses which involve high water use, high sewage disposal and large numbers of people should be banned.

Per the direction of our regulatory and advisory documents, managed growth will emanate outward from the Town Center. Areas should not be considered as potential development areas without the arrival of adequate infrastructure to avoid the adverse effects and leapfrog development situations.

Section Comment:

Because it is a nonexistent phenomenon, the term 'Rural Resort' cannot be used to encourage the evaluation and the development of density criteria based upon topography, natural constraints, adjacent land uses, accessibility and proximity to public facilities, the desire for a variety of housing types, and the image of Teller County as a mountain environment. No one knows what the term 'Rural Resort' is or its definition.

Objective no. 5 - to identify environmentally sensitive land and hazardous areas including: flood plains, steep slopes, wildfire lands

and geologic hazards, and restrict incompatible development and activities in their vicinity.

Independent review of these conditions must be done by an entity other than the developer.

5-6: Encourage the review of proposed environmentally sensitive land development to be based upon the following:

- The demonstrated need to locate in such area
- The function/value of the area
- The limitation of density and intensity by the degree of sensitivity
- The impact on the county and surrounding area
- The degree of sensitivity and the limitations on uses imposed by such lands
- The beneficial impact on such lands and the environment from letting such functions naturally occur or not occur.

This review requires current and relevant data accumulated over time. If Rural Resort is undefined, where you don't know what you have, then you can't know how to evaluate it within a given location.

5-14: Encourage the provision of sufficient environmental data and information to enable adequate evaluation of proposed development.

(Same as #5 above) Independent review of these conditions must be done by an entity other than the developer.

Data needs to be relevant, current and measureable in a consistent and repeatable fashion.

5-15: Encourage the preservation of unique areas and protection of environmentally sensitive areas from the effects of development.

Unfortunately, as level land becomes less available in Teller County, more developers will attempt to develop in areas that are steep and environmentally sensitive. Land next to scenic corridors must be protected.

5-16: Encourage the identification of environmentally sensitive lands and their functions.

Wildlife will be affected most when development is pushed into sensitive areas.

Environmentally sensitive lands lack adequate resources for certain development activities, in addition to supplying wildlife corridors, vista and viewing roadways.

5-17: Encourage the establishment of an Environmentally Sensitive Overlay Zoning District Classification based upon the features of the land where substantial evidence indicates that uncontrolled or incompatible development could result in damage to the environment, life, or property and application of appropriate standards to the land and use.

Make this mandatory.

Criteria and characteristics need to be determined to establish this kind of district. As with the other functional planning areas, factors are determined that make each unique. Without an understanding of these factors, uncontrolled and incompatible

development is likely to result and continue where it has already occurred which is why open ended terminology like Rural Resort is questioned.

5-19: Encourage developers and users of environmentally sensitive lands to take precautions to protect such lands from degradation.

Development on environmentally sensitive lands should be prohibited.

5-20: Encourage the County to develop the Environmental Constraints Map that identifies natural hazard areas.

This should be done now, and strictly adhered to.

Section Comment:

Since the term 'Rural Resort' is a nonexistent phenomenon which has no definition, criteria, guidelines, or an explanation of allowable uses, the term 'Rural Resort' cannot help identify environmentally sensitive land and hazardous areas. It cannot be used to help developers and users of environmentally sensitive lands to take precautions to protect such lands from degradation.

Objective No 6 - To identify and protect environmentally significant land, including wildlife habitats and scenic and highly valued landscapes, and restrict incompatible development and activities in their vicinity.

6-1: Encourage the protection and preservation of the natural character of significant lands for utilization and enjoyment by present and future citizens.

Development from now on cannot be left to CUP and SUP proposals decided by those with no training in land use, and especially land use in rural areas with no commercial infrastructure.

One consideration is to educate volunteer commissioners and citizen committees, in addition to the resident population, in an ongoing fashion to foster collaboration and understanding.

Reaching out to and within the community is equally beneficial. Continual review and interaction by those who have stated, created, and are entrusted with carrying out the vision of the Master Plan will go a long way in ensuring our county remains a desirous place to live by its present and future residents.

6-2: Encourage the preservation of unique natural areas and protect environmentally significant areas from the effects of development.

Environmentally significant areas have been identified, at what point can they be determined to be off limits to development based on their location?

6-3: Discourage development of significant lands of greatest environmental value.

Performance standards need to be established and published as to what they are for a given area to discourage inappropriate development.

6-4: Encourage the protection of the aesthetic qualities of the natural environment.

This precludes development in areas deemed sensitive.

6-5: Encourage within limited growth areas the protection and conservation of land and other natural resources which are the basis of the mountain living character, community, economy, and life style of Teller County, and its Communities.

Development in rural limited growth areas must not occur without water protection clauses, including commercial sewage treatment facilities.

6-7: Encourage public awareness of the importance of preserving environmentally significant lands.

Teller County should take the lead in forming action committees to help interpret goals and rules for development.

6-9: Encourage the protection of visibly prominent areas and corridors from inappropriate activities.

Development should be banned in view corridors.

High density use needs to be steered away from visibly prominent areas where the open character of the land, vistas, and wildlife corridors are highly valued by the surrounding neighborhood and overall community. Rural Resort designations tend to capitalize on their geographic locations without regard for the shared enjoyment and qualities of the area by surrounding residents.

6-10: Encourage the recognition of Pikes Peak and the view towards the mountain as the County's most important environmentally significant resource, that it should be protected for existing and future County residents and visitors.

Should be mandatory.

Redirect potential development from limited growth areas with Pikes Peak to avoid the introduction of visual blight.

6-12: Encourage the preservation of the visual quality of significant ridges and views by ensuring that structures, roads and development, are located and designed to avoid the negative visual impact of changing the ridges and views.

Adhere to the standards set by the Divide Regional Plan of restricting development 600' from a designated viewing roadway, assuming that this stated distance is deemed adequate to preserve the interests of area residents, as well as the views from negative impact .

6-13: Encourage the preservation of the visibility of unique areas and other points of orientation.

6-14: Encourage the development of an inventory, or criteria, to identify and determine the status of environmentally significant lands within the County.

6-15: Encourage the protection of environmentally significant lands where substantial evidence indicates that uncontrolled or incompatible development has been identified.

6-16: Encourage the establishment of an Environmentally Significant Overlay Zoning District Classification based upon features of the land where substantial evidence indicates that uncontrolled or incompatible development could result in irreversible damage to important natural systems of local significance and aesthetic values and develop appropriate standards to the land and use.

6-19: Encourage the recognition of the needs of wildlife, a renewable resource subject to management by man, which includes preservation of suitable lands for adequate food, water, cover, reproduction, and the control and protection from identified destructive factors.

6-21: Discourage the development of environmentally significant lands which contain and support significant wildlife habitats and corridors.

6-22: Encourage all new development to give priority consideration to the natural environment.

6-25: Encourage recognition of the sensitivity of development to environmental features and factors.

6-27: Encourage allowing of growth and development only if it is in harmony with the natural and man-made resources of the area and compatible with the natural environment.

6-28: Discourage development in the areas of environmental significance.

6-29: Encourage land use of limited, or low, intensities in environmentally significant areas.

6-30: Encourage the direction of utility expansion away from areas of environmental significance and resource value.

6-31: Encourage the provision on sufficient environmental data and information to enable adequate evaluation of proposed developments.

6-32: Encourage the recognition of viable ranch and range lands as an important natural and economic resource and encourage their preservation.

(6-12 thru 6-32) All the above should be mandatory and enforcement immediate.

Section Comment:

6-1 thru 6-32 coincide in many instances with 'Rural Land' which is characterized in the Master Plan as; Resource and Environmentally Sensitive/Significant Protection Areas. It is also considered to be a Fringe Protection Area; both of which are designated as Limited Growth.

'Development will be discouraged in these areas based upon recognition of the importance of maintaining and managing the natural resources in a prudent and efficient manner for generations to come. Further it is understood that uncontrolled or incompatible development on or near environmentally sensitive

Lands will result in damage to life, property, and the environment. And finally, it is understood that that uncontrolled or incompatible development on or near

Environmentally significant lands may result in irreversible damage to important historic, cultural, or scientific lands, aesthetic views, areas of unique natural

beauty, and natural lands or systems deemed locally significant.'

Fringe Protection Area adds; 'Not suitable for new development because existing or planned municipal or community street, sewer, and water systems are not, or will not be available during the time frame of this plan. It is likely that some areas within these regions may be reclassified as Potential Development Activity

Areas when facilities become available. However, at this time only limited to no development can be accepted in these areas based upon the lack of street, sewer, and water systems. This serves to preserve the sense of community and protects the recognized natural character of the planning region.'

Rural Resort, though undefined, may not serve as a replacement for Rural Land without adhering to the guidelines given the Rural Land designation stated above. Yet, Rural Resort has been applied to lands with the above characteristics

but rather than preserve and limit development instead, request to increase it through special review use permits that invite substantial growth and density. In practical application, this mismatch of planning area criteria demonstrates no adherence or continuity to the Rural Land classification in terms of respecting all of the limits that go with it. It also demonstrates a lack of adherence to the Master Plan and to the citizenry that expect this level of protection and conservation to be aggressively applied through absolute dedication and stewardship by our County officials.

Since the term 'Rural Resort' is a nonexistent phenomenon which has no definition, criteria, guidelines, or an explanation of allowable uses, the term 'Rural Resort' cannot identify and protect environmentally significant land, including wildlife habitats and scenic and highly valued landscapes, and restrict incompatible development and activities in their vicinity.

Objective No. 8 - to promote cooperation in the Development in the Growth Management Plan between Teller County and other regional, local, state, and federal governments.

8A-1: Encourage the formation of Regional Planning Area Action Plans consistent with the intent of the Teller County Growth Management Plan and Action Plans.

Action plans need to be reviewed, once formed, to remain consistent.

8A-3: Encourage the monitoring of the plans and proposals of state, regional, and federal uses and comment where appropriate.

Monitoring helps ensure consistency and highlight discrepancies. This application is an example of the desire to comment at a regional level. In this case, the issue is the term, use of the term, and designation of the term, Rural Resort. Inconsistencies, concerns, and lack of definition have brought

with it unintended consequences in terms of risk, uncertainty, confusion, and potential negative impacts to surrounding areas that are deemed to be inconsistent with many of the vision statements in our regulatory and advisory documents.

8A-6: Encourage full utilization of the environmental review mechanisms of the county, regional, state, and federal agencies to ensure that all public and private development will not exceed the carrying capacity of the land or resource, or degrade the lands, or threaten the availability of the resource.
When there is no stated limit for carrying capacity, rural lands will continue to diminish, as well as quality of life for current residents.

8A-14: Encourage that recreation facilities and land be planned for, and set aside, through a cooperative and coordinated plan that is mutually acceptable with private developers, the County Commissioners and staff, the planning and zoning commission, and with applicable community recreation and park commission and officials.

Improvement of public facilities where infrastructure is in place should be the priority over private facilities where it is not.

8A-20: Encourage the development of an economic development policy that is consistent with the County's and community's desire to manage growth and its effects.

Community meetings will go a long way in instituting this policy.

Section Comment:

Since the term 'Rural Resort' is a nonexistent phenomenon which has no definition, criteria, guidelines, or an explanation of allowable uses, the term 'Rural Resort' will not and cannot help promote cooperation in the Development in the Growth Management Plan between Teller County and other regional, local, state, and federal governments because no one knows what it is or means.

Objective No. 9A - To enhance and maintain a sense of community for the county, cities, towns, and areas.

9A1: Encourage the protection and improvement of the desired image and character of the County, regions, and communities.

Adherence to the functional planning areas will help. Rural Resort is not a defined term or designated functional area.

9A-2: Encourage development that is responsive to the established identity of Communities and regions.

The primary objective of the Rural Lifestyle Protection Area is to protect areas within the county identified as not suitable for new development because existing or planned municipal or community street, sewer, and water systems are not available. Further, the residents of the region and/or County have deemed the protection of the rural life-style of these areas an important value and objective. Rural Resort and Rural Lifestyle Protection Area are not a match, as land within the Rural Lifestyle Protection Area - is characterized by a land

use pattern of both undeveloped land that is still in a natural state, and a minimal amount of developed land of primarily low density single family residential along with rural lifestyle being a value and objective as stated above.

9A-3: Encourage the evaluation of the effects of development on the image, character, and physical characteristics of the Community or region.

Unregulated and unplanned growth will ruin the very character of Teller County.

9A-4: Encourage the adoption of design criteria for proposed development to assess its impact on the image, form, and character of the specific region or community in which it is located.

9A-9: Encourage the support, maintenance, and preservation of the quality of life desired by the residents of the County.

9A-10: Encourage maintenance of the services, government, social, and natural amenities that create quality of life.

Quality of life has a direct parallel to the planning and adherence to land use criteria that serve to preserve and protect the character of established and designated areas and to direct growth accordingly. Rural Resort challenges this ability by inferring unlimited growth and density in limited growth areas.

9A-11: Encourage the development of plans to promote, nourish, and support Teller County's communities as peaceful and desirous places to live, and work, in a beautiful natural environment.

9A-12: Encourage the planning and management of growth and development which supports and enhances the identity of Teller County's peaceful mountain communities in a beautiful natural environment.

9A-13: Encourages the recognition that Teller County enjoys a unique and beautiful environment of pine forests and most impressive and beautiful views of Pikes Peak.

9A-14: Encourage the development of density criteria based upon topography, natural constraints, adjacent land uses, accessibility, the proximity to public facilities, the desire for a variety of housing types, and in the image of Teller County as a mountain environment.

9A-15: Encourage the maintenance and preservation of the natural environment of Teller County's mountain communities.

9A-16: Encourage the establishment of the carrying capacity of the land according to the goals of this plan to maintain Teller County as a peaceful and desirous place to live, work, recreate, and enjoy life in a beautiful mountain environment.

9A-17: Encourage within limited growth areas, the protection and conservation of land and other natural resources which are the basis of the mountain living character, community, economy, and life style of Teller County.

9A-19: Encourage within limited growth areas, the maintenance of the rural characteristics of areas and minimization of new development opportunities.

Section Comment:

All the above need to be utilized when in a regulatory document.

Since the term 'Rural Resort' is a nonexistent phenomenon which has no definition, criteria, guidelines, or an explanation of allowable uses, the term 'Rural Resort' will not and cannot enhance and maintain a sense of community for the county, cities, towns, and areas. It will not help encourage the support, maintenance, and preservation of the quality of life desired by the residents of the County. It will not help discourage but only increase land density. The term will cause confusion by residents, developers, and any other person desiring to recreate, live, or operate a business in Teller County.

Objective No. 9B - To promote appropriate design and arrangement of development which is compatible to the community, area, and neighborhood.

9B-1: Encourages the planning and management of growth and development which supports and enhances the identity of Teller County as a peaceful mountain community within a beautiful mountain environment.

9B-2: Encourage the recognition that commercial, recreational, and industrial development have different impacts on the surrounding area and upon the County and consider such impacts during the project review.

The impacts of one development or special use cannot be at the expense or to the detriment of another. Adherence to a planned and orderly progression of our growth areas emanating from the Town Center vs. limited growth and conservation of the remaining areas of Rural Land and Residential will help prevent incompatible uses from being co-located. Encouraging and accepting undefined terms, such as Rural Resort, without standards, measure, or placement within the context of the planning areas is to encourage Spot Zoning and demonstrates lack of planning and adherence to the Master Plan and planning area utilization.

9B-14: Encourage potential development or redevelopment, of a specific area, to be compatible with the image and character of the area and its surroundings.

Standards and criteria must be established to avoid spot zoning and ensure the placement of activities and uses are compatible to each other and the surrounding natural environment.

9B-26: Encourage evaluation of the effects of development on the image, character, and physical characteristics of the Community or area.

Evaluation requires standards and the ability to measure against stated goals and objectives. Effects of development need to be spelled out in detailed fashion and applied against the backdrop of the planning area to ensure an appropriate 'fit'.

Encouraging and accepting undefined terms, such as Rural Resort, without standards, measure, or placement within the context of the planning areas cannot meet this objective.

9B-27: encourage the development of a phased, long range program of water and sanitary sewage system services to promote compact, contiguous and planned growth.

This supports the need to plan according to established growth areas and contain high intensity and commercial uses near the infrastructure needed from both a business perspective and to support the health, welfare, and safety of area residents.

9B-31: Encourage the prevention of the encroachment of downtown commercial activities on residential or adjacent land uses.

Encouraging commercial activity outside of the downtown area will not meet the goal of preventing encroachment of commercial activities on residential or adjacent land use. Land use must be proactively planned in order to be proactively stopped to avoid creating leapfrog development and locating non compatible uses near or next to each other.

9B-35: Encourage the location of commercial and industrial development into compatible, attractive, and efficient commercial centers and industrial parks within Communities.

9B-36: Discourage commercial and industrial development within the unincorporated areas of the County unless it would provide for a specific neighborhood or area need or must rely upon a specific site location.

9B-37: Encourages the establishment of standards and policies for industries based on the scale and character of Teller County as a mountain community in a natural environment.

9B-43: Encourage the protection of neighborhoods from excessive noise and air pollution, traffic volumes, dangerous conditions, and conditions that are not conducive to a peaceful and desirous place to live.

9B-47: Encourage that new development be compact and contiguous to already developed areas where possible.

9B-48: Encourage the stabilization of taxes on residential property in older neighborhoods through improved development standards and enforcement of zoning controls.

9B-53: Encourage within limited growth areas, the recognition of the existence of the existence of established developments and only encourage appropriate infill to the maximum extent possible compatible with the rural characteristics of the area.

Section Comment:

Since the term 'Rural Resort' is a nonexistent phenomenon which has no definition, criteria, guidelines, or an explanation of allowable uses, the term 'Rural Resort' will not and cannot help promote appropriate design and arrangement of development which is compatible to the community, area, and neighborhood.

Objective 9C - To provide for the development of quality housing and residential opportunities affordable to all the citizens of Teller County.

9C-4: Encourage the maintenance of present residential areas and the development of new residential areas that are peaceful and desirous places to live.

9C-5: Encourage the preservation of the character and nature of existing residential areas.

9C-7: Encourage the protection of existing neighborhoods from the intrusion of higher intensity land uses.

9C-8: Encourage the involvement of neighborhood residents in the formation of decisions affecting their neighborhood.

Section Comment:

All of the above call for growth management strategies to be employed and conservation mechanisms to be firmly in place to prevent incompatible uses, loss of character, and the intrusion of higher intensity uses that consume natural resources rather than preserve. The protection of existing neighborhoods and maintaining residential areas so that they remain peaceful and desirous places to live is a goal of the Teller County Master Plan. Adopting terms that are not included in the planning areas and without definition and standards cannot meet this goal. There is limited to no ongoing arena for involvement by area residents in the formation of decisions affecting their neighborhood. While the Divide Regional Plan has well thought out advisory strategies, there is little to no measure and adherence to how it is applied in the context of growth vs. limited growth areas in a consistent manner.

The term 'Rural Resort' is a nonexistent phenomenon which has no definition, criteria, guidelines, or an explanation of allowable uses. The term 'Rural Resort' will not and cannot help provide for the development of quality housing and residential opportunities affordable to all the citizens of Teller County.

Objective 10A - To encourage a well-balanced diversified economy to promote local employment opportunities, to promote a stronger capture of local and tourist expenditures, and to provide an adequate supply of commercial opportunities.

10A-2: Encourage economic development policies that are consistent with the County's, and Community's, desire to manage growth.

Growth must be managed within the confines of the Planning Areas and availability of infrastructure.

Section Comment:

The term 'Rural Resort' will not and cannot help encourage a well-balanced diversified economy to promote local employment opportunities, to promote a stronger capture of local and tourist expenditures, and to provide an adequate supply of commercial opportunities. It has nothing to do with encouraging

development policies that are consistent with the County's, and Community's, desire to manage growth.

The term 'Rural Resort' is a nonexistent phenomenon which has no definition, criteria, guidelines, or an explanation of allowable uses. The term 'Rural Resort' needs to be stricken from any Teller County text.