



# CHAPTER 6: FUTURE LAND USE

## INTRODUCTION

This chapter expresses goals and strategies surrounding land use and the desired pattern of development for Clear Creek County. It focuses on three main ideas: concentrating development into areas that already have developed areas and services, protecting open space and lands with high ecological and scenic value, and recognizing that mining parcels may have other land uses while retaining their legal right to mineral extraction. These goals inform the Generalized Future Land Use Map that will guide decision-making around land use for the years to come.

## THE LEGACY OF MINING

As noted in Chapter 1, mineral resource extraction has and continues to be an important part of the County’s land use. As shown on MAP-11, mining activity in Clear Creek County continues to exist. While the diminishment in activity at the Henderson Mine will have a profound impact on mining activity in Clear Creek County, the preservation of mining opportunity for future generations is an important consideration of this plan.

It is also important to recognize that lands with dedicated mining rights are not always mined. The recent trend in the County has been the conversion of mining claims into residential use, consistent with County Land Use Code provisions. Additionally, some mining lands are currently being used, and plan to be used



for recreation purposes. As described below, recognizing that lands with mining rights might have other secondary land use opportunities is an important provision of this Master Plan.

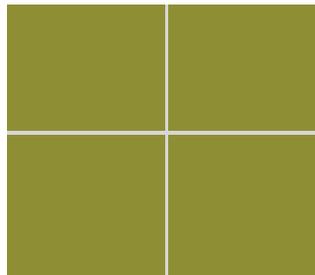
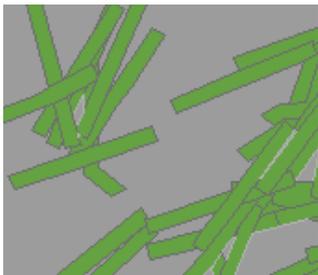
## GUIDING PRINCIPLES FOR LAND USE POLICY

In establishing this Generalized Future Land Use Map (See MAP-12), an important part of the process was defining key guiding principles that would shape how the map adapts to the Vision and Policy Framework described in Chapter 1. Seven important principles came forward during the process of building this Master Plan that the Map considers:

1. Create a hierarchy of “Multiple Use” areas that considers varying degrees of development and respect land use decision-making by subarea plans.
2. Place Multiple Use areas at key locations along I-70 and SH-40 in order to concentrate development into existing developed areas and to allow for convenient access to transportation infrastructure.
3. Avoid development in areas that are constrained by either steep slopes, high elevations, or lack on transportation access.
4. Opportunities for Open Space and Recreation should fully consider the diversity of owners and use types.
5. Establish residential zones that reflect that character of different areas in the County – rural residential in areas with large parcels, traditional residential in subdivided areas with smaller parcels, and dense residential in particular Multiple Use areas.
6. Although mining claims will always allow mineral resources to be developed there by right, certain mining areas of the County are envisioned for open space, recreation, or residential use. These dually designated land uses are depicted as “shades” of mining.
7. Recognize that most of the land in the County is owned and managed by the United States Forest Service.

### WHAT IS A “CELL”?

The Future Land Use Map (MAP-12, 12A, 12B and 12C) makes use of “cells” of 35 acre is area to help define the pattern for future land use. The graphic below illustrates how a cell is made based on the underlying or planned conditions. Each cell is 35 acres is size.



The green areas on the left are mining claims. When migrated to a cell they become the dominant land use form in the final cell.



## THE GENERALIZED FUTURE LAND USE MAP

The Generalized Future Land Use Map is designed to be conceptual in nature. Unlike a zoning map, it does not seek to identify specific land use outcomes for every parcel of land. Rather, it seeks to establish the important land use strategies that eventually can inform rezoning of land. When a zoning amendment is considered, the planning commission shall “consider” the consistency of the proposed zoning with the Master Plan. Therefore, the map is essentially a guide, along with the land use goals and policies, to help promote community conversation, discussion and input on future land use changes.

When one looks for a specific parcel, the following questions should be considered:

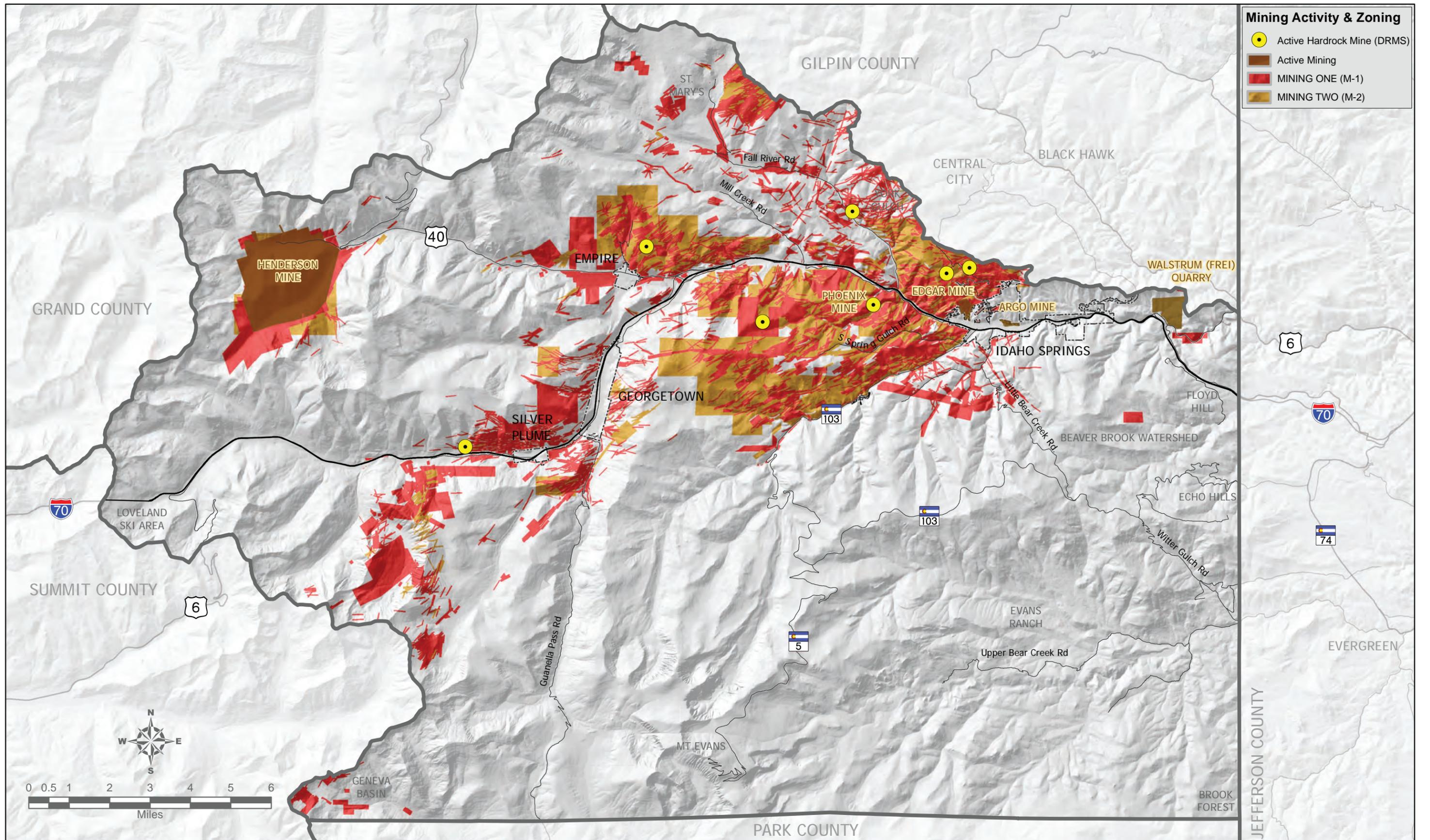
1. Where within the range of future land uses does this parcel sit? Is it generally shown as an area for the preservation of resources or where low/little development is expected? Is it proximal to a land use that may favor some form of more intense development?
2. If it does have some potential for development, then how do the underlying physical properties of the site relate to future uses? Does the parcel have land area suitable for development? Does it have appropriate access?
3. If it is shown mostly as preservation or low-intensity development, then how does the parcel address that expectation? Does it have high open space value?

The extensive number of mining claims parcels within Clear Creek County makes the underlying existing land use pattern very complex. To help reduce this complexity, the Generalized Future Land Use Map (see MAP-12) was constructed using cells approximately 35 acres in size, creating a grid of cells for the entire county. This level of evaluation enables the map to consider both the established and existing pattern of land uses (i.e., where land is developed in one form or another), as well as describe how land might evolve based on its location to roads, existing services, established population centers and the goals, objectives and strategies of the County. To help better communicate this long-range vision, the overall Generalized Land Use Map has been enlarged in three key details (MAP-12A, MAP-12B, and MAP-12C).

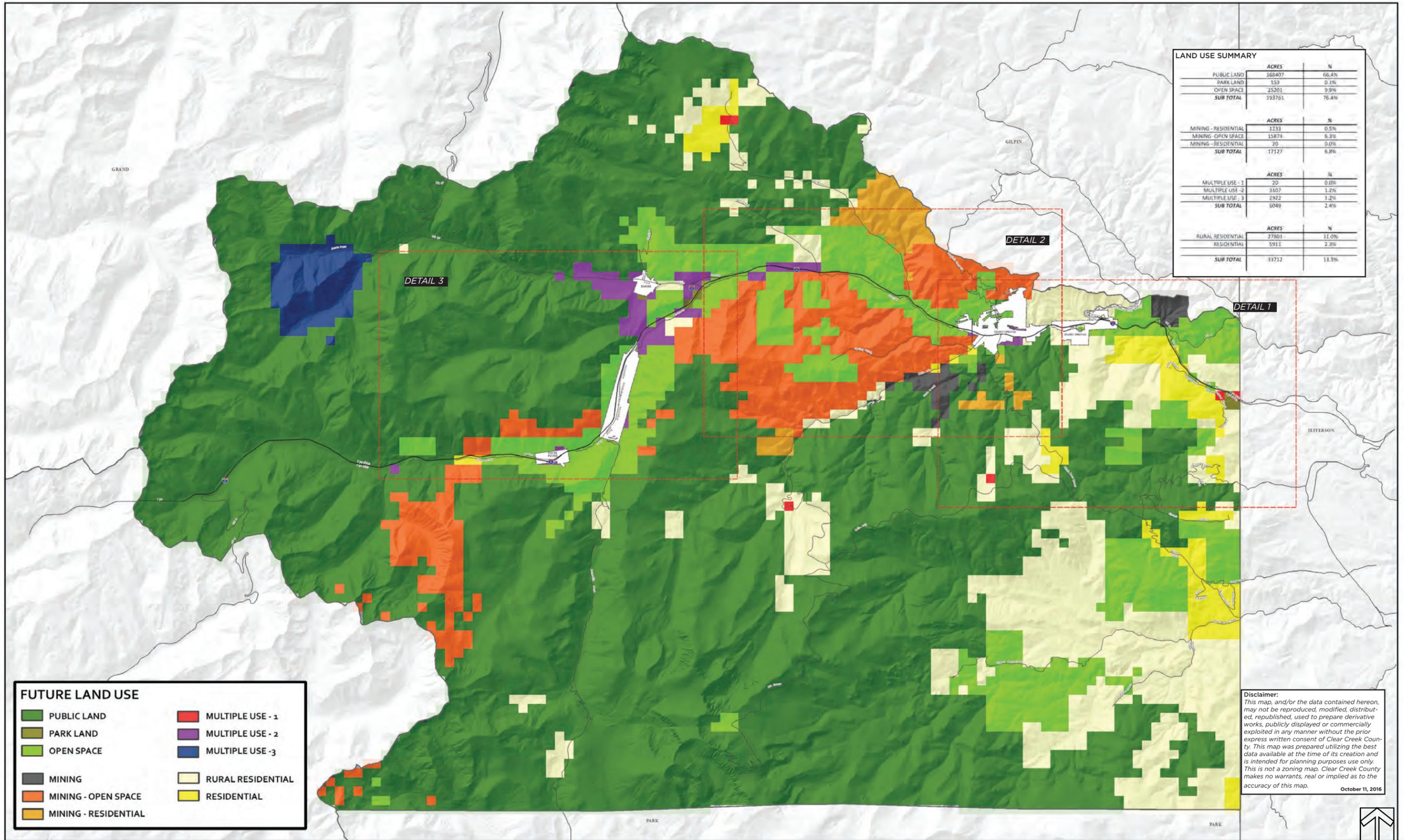
While this “grid” approach is very different from the 2004 Master Plan which expressed future land uses as more bubbles (or areas), it represents a balance between envisioning future land uses in high detail versus losing the big picture pattern it expresses. It is quite easy to get hyper focused on specific parcels, their historical or current use, and their zoning. While those considerations are important, a future land use map is intended to be used as an illustration for how Clear Creek County sees itself: allowing new development in certain areas, protecting others, or maintaining existing development patterns.

The pattern of land use shown on the Map is dominated by public lands, including lands within the National Forest. Elsewhere, it is along the I-70 Corridor, either adjacent to existing municipalities or within distinct areas (i.e. Empire Junction, Downieville, etc.) where land suitability, proximity to existing infrastructure and transportation systems enhances the potential opportunity for a greater diversity of development forms.

Another consideration expressed in the Generalized Future Land Use Map is how existing mining claims might evolve over time. Mining has historically and continues to play an important role in the land use pattern of the community. As shown on the Mining Activity Map (MAP-11), while active mining is dominated by the Henderson Mine, many areas of the County are zoned for mining. While the allowed



MAP-11 | Mining Activities

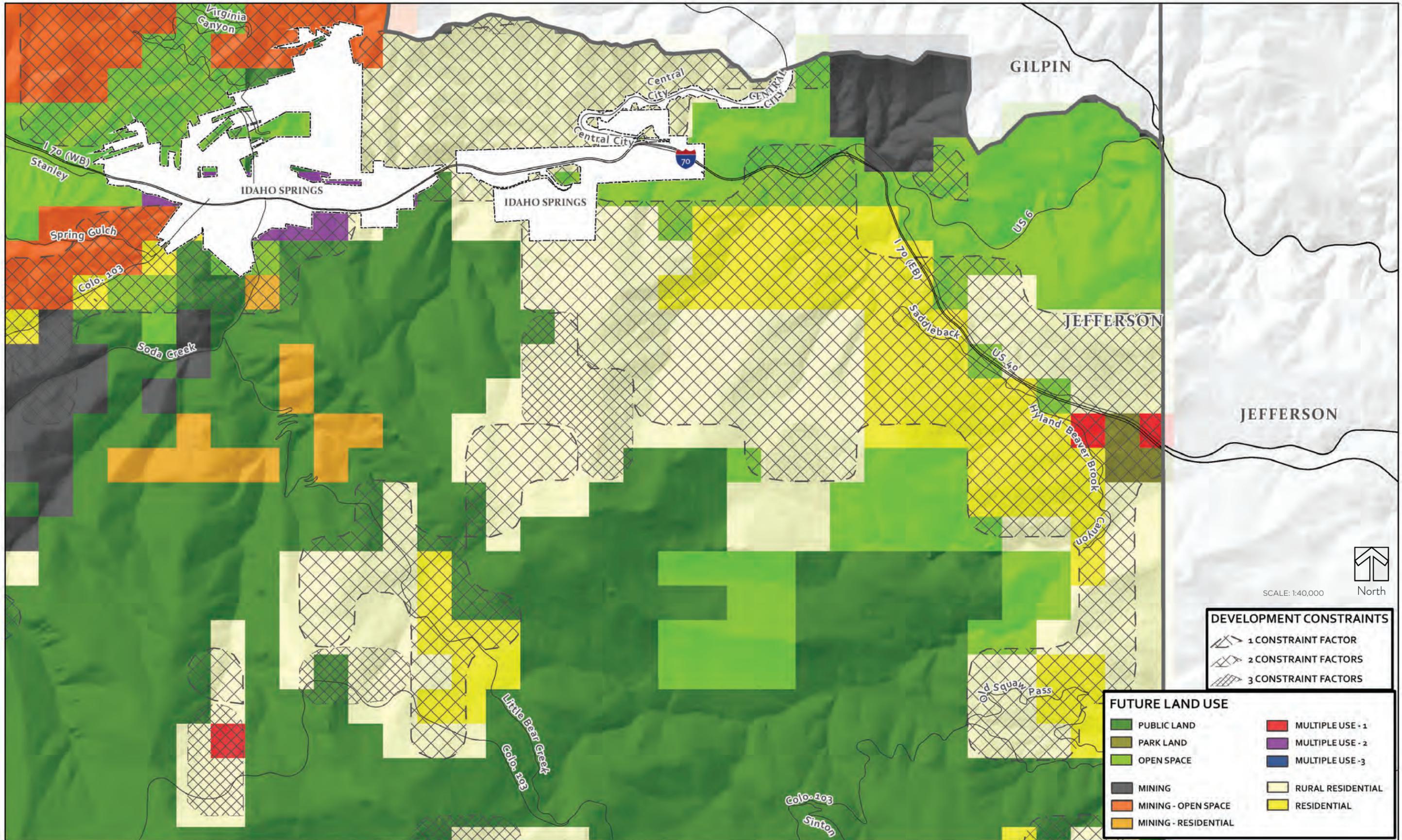


LAND USE SUMMARY		
	ACRES	%
PUBLIC LAND	168407	66.4%
PARK LAND	153	0.1%
OPEN SPACE	25201	9.9%
<b>SUB TOTAL</b>	<b>193761</b>	<b>76.4%</b>
	ACRES	%
MINING - RESIDENTIAL	1233	0.5%
MINING - OPEN SPACE	15874	6.3%
MINING - RESIDENTIAL	20	0.0%
<b>SUB TOTAL</b>	<b>17127</b>	<b>6.8%</b>
	ACRES	%
MULTIPLE USE - 1	20	0.0%
MULTIPLE USE - 2	3107	1.2%
MULTIPLE USE - 3	2922	1.2%
<b>SUB TOTAL</b>	<b>6049</b>	<b>2.4%</b>
	ACRES	%
RURAL RESIDENTIAL	27801	11.0%
RESIDENTIAL	5911	2.3%
<b>SUB TOTAL</b>	<b>33712</b>	<b>13.3%</b>

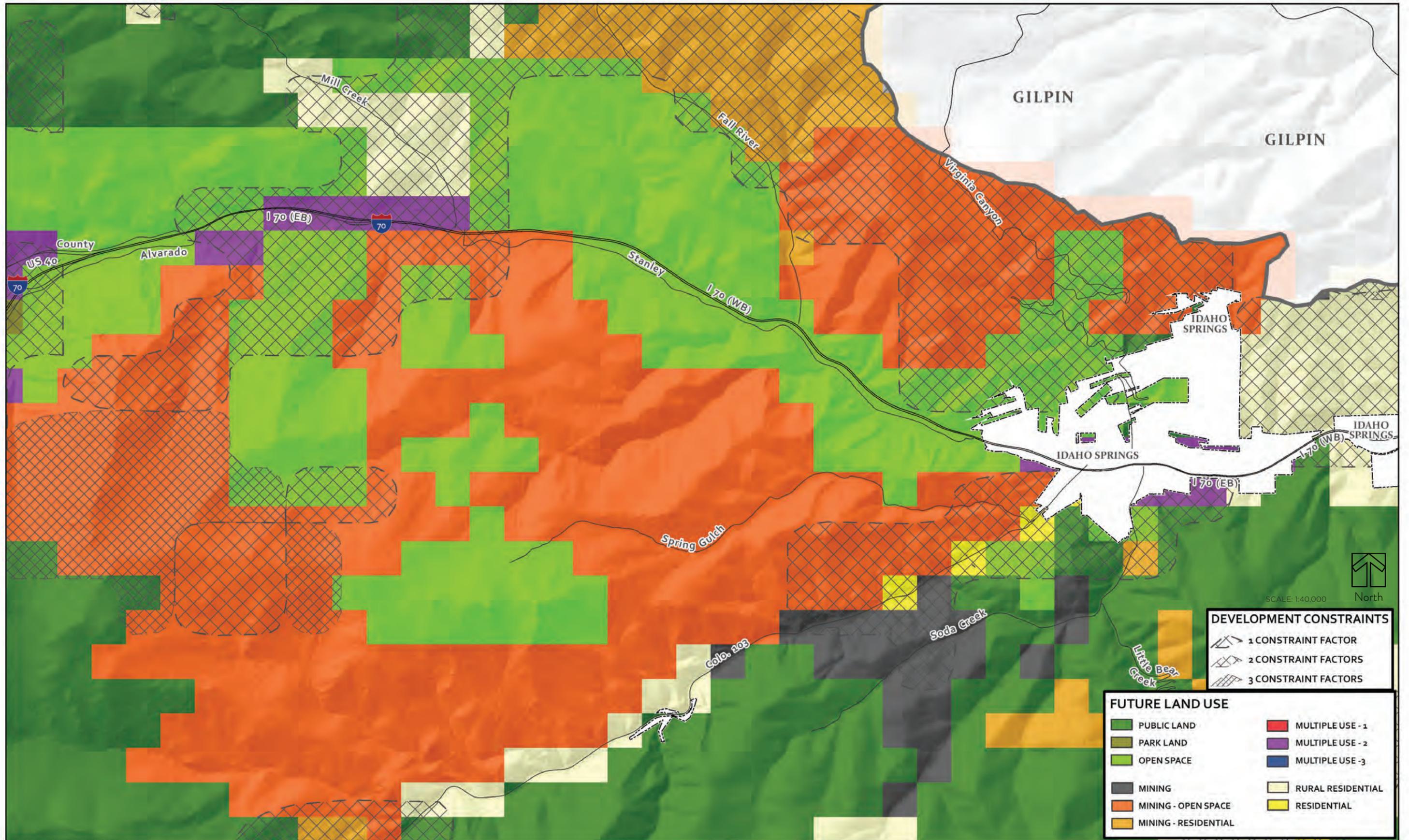
FUTURE LAND USE	
	PUBLIC LAND
	PARK LAND
	OPEN SPACE
	MINING
	MINING - OPEN SPACE
	MINING - RESIDENTIAL
	MULTIPLE USE - 1
	MULTIPLE USE - 2
	MULTIPLE USE - 3
	RURAL RESIDENTIAL
	RESIDENTIAL

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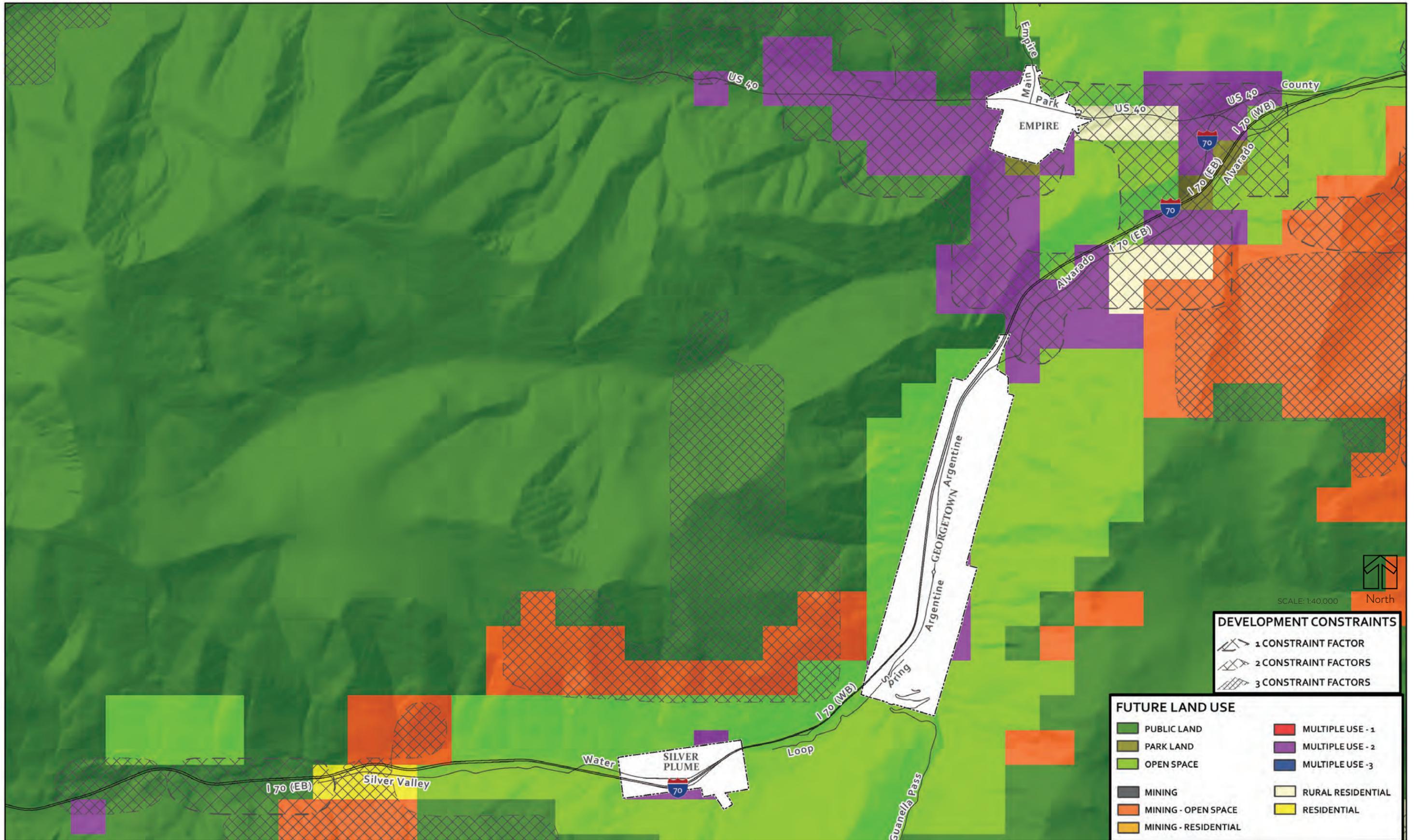
SCALE: 1:150,000 North



MAP-12A | Generalized Future Land Use - Detail Area 1



MAP-12B | Generalized Future Land Use - Detail Area 2



SCALE: 1:40,000



**DEVELOPMENT CONSTRAINTS**

	1 CONSTRAINT FACTOR
	2 CONSTRAINT FACTORS
	3 CONSTRAINT FACTORS

**FUTURE LAND USE**

	PUBLIC LAND		MULTIPLE USE - 1
	PARK LAND		MULTIPLE USE - 2
	OPEN SPACE		MULTIPLE USE - 3
	MINING		RURAL RESIDENTIAL
	MINING - OPEN SPACE		RESIDENTIAL
	MINING - RESIDENTIAL		

MAP-12C | Generalized Future Land Use - Detail Area 3



purpose is always mining, the experience of the County has been many of these lands have transitioned to secondary uses. The Generalized Future Land Use Map orients some of these mining areas towards new land use outcomes; recreation or open space/recreation or residential use. Some areas of mining are preserved as mining-oriented. Overall these depictions affirm the County Vision and its emphasis on preserving critical open space, providing access to recreation and concentrating development in areas with lowest environmental consequence and greatest proximity to existing and established settlements, while honoring traditional mineral rights.

The Generalized Future Land Use Map also identifies areas with constraints to potential future development. Three factors have been considered; steep slopes, high elevations, and proximity to existing County-maintained roads. There are different markings for areas that meet only one of these criteria and areas that meet two or three of the development constraint criteria. This constraint layer provides additional insight on the remoteness of these areas and what site factors should be considered assessing policy for future development.

## LAND USE DESIGNATIONS

The Generalized Future Land Use Map (See MAP-12) identifies nine broad categories for land uses. These run the spectrum from public lands to areas defined for “multiple use”. Each of these designations is summarized below.

### Public Lands

These areas are primarily owned by the Forest Service with some parcels owned by the State Land Board, Colorado Parks and Wildlife. The County has limited jurisdiction over these parcels. The overwhelming percentage (68 percent) of the County is public United States Forest Service Land

### Mining

Land designated as having valid mining claims will always have their mineral rights protected. However, certain mining areas are of interest for secondary purposes such as residential or recreation. Approximately 7 percent of the County is identified as this land use designation.

These areas are depicted on the Generalized Future Land Use Map as the following categories:

#### Mining Areas – Natural Resource Extraction

The long-term use of lands within these areas is likely to involve natural resource extraction in some form or another.

#### Mining Areas – Open Space and Recreation

Areas identified for future open space and/or recreational use were established based on either their proximity to adjacent conserved lands, their potential scenic sensitivity or their potential recreational value. Generally lands within this classification have very limited access potential, are very steep or may be “land locked” by severe terrain.



## Mining Areas – Residential

The continued migration of some lands currently identified as mining towards residential use has been contemplated in this Future Land Use Plan. The scope/scale of these areas is largely limited to areas with already established residential settlement. As the land use policies suggest, the expansion of residential lands within mining claims is not encouraged.

## Rural Residential

Rural Residential refers to residential development on lots larger than 35 acres. The larger lots are intended to preserve the rural character, scenic views, and provide conservation land. These areas are primarily in the eastern portion of the county, adjacent to Jefferson County, and are already largely developed. Additionally, an IGA and subregion development plan from the CPHAA (Coordinated Planning and Highway Access Agreement) for the area directly north of Idaho Springs and adjacent to Gilpin County shows that much of it is to be developed as Rural Residential. It is the intention of this land use map to incorporate the land use plans subareas have for themselves and bring them up to the County level. Approximately 11 percent of the County is identified as this land use designation.

## Residential

Residential areas are those on parcels smaller than 35 acres. Most of this land is in existing subdivisions that are platted and have access to services, and located in the eastern portion of the county, south of Interstate 70. Another location of existing residential land use is north of Downieville, Lawson, and Dumont, and up Fall River Road all the way to St. Mary's. It is envisioned that these areas will continue to be residential, at the density allowed by the current zoning. Approximately 2 percent of the County is identified as this land use designation.

## Open Space

These areas are designated to be undeveloped, with many of the parcels acquired by the Open Space Commission since its inception. Open Space lands are also owned by the Colorado Park and Wildlife Agency, Jefferson County Schools, the State Land Board, and Denver Mountain Parks, among other owners (See Open Space map for specific ownership). Open space lands do have recreation opportunities on them, such as trails, but also contain wildlife areas and watershed areas that are primarily for ecological benefit. Areas platted for residential or commercial development were not included in the Open Space designation, even if they are currently undeveloped. Open space areas are primarily along the Interstate 70 corridor, but exist throughout the county. One reason that Open Space along the highway corridor is so important is so that the communities along the corridor maintain a sense of separation and independence. Approximately 10 percent of the County is identified as this land use designation.

## Park/Recreation

These areas are used for active recreation on either private or County-owned lands. These lands include both commercial areas for recreation-owned businesses as well as recognized public parks and/or school grounds. Uses on these lands include Echo Lake Park as well as rafting and ziplining operations. Parks within the municipalities of Clear Creek County are not represented in this plan. Although not much land



is dedicated to this use due to the desire for open space, clusters of recreation-based businesses in these areas are encouraged as they can contribute greatly to economic development. Less than 1 percent of the County is identified as this land use designation.

### **Multiple Use-1**

These areas allow for multiple uses with the intention of maintaining the level and intensity of current land uses or future uses specified by an approved subarea plan. Site-specific considerations in these areas such as scenic vistas, sensitive natural and cultural resources, natural hazards, availability of services/ infrastructure, and existing and/or future limitations on access, water, or sewer may limit or shape development. Uses may include residential, commercial, parks and open space. This area is limited to an approximately 20 acre area near Floyd Hill, where the appropriate level of development intensity needs to be examined further at the subarea level. Only a very small percentage of the County is indicated as this land use designation.

### **Multiple Use-2**

These areas allow for multiple uses with an emphasis on commercial and residential development. Economic activity and housing for all income levels are encouraged in these areas. The type of mixing and intensity of uses in these areas should be defined in more detail by subarea plans. A small (approximately 1.2 percent) amount of the County is identified as this land use designation.

### **Multiple Use-3**

These areas allow for multiple uses with an emphasis on keeping options open for re-use and redevelopment. Henderson Mine is the primary location of this category. This land use designation covers about 1.2 percent of the County.

### **Development Constraint Overlay**

The Future Land Use Map detail areas identifies cells with the hash marks overlaying the land use category. These hash marks indicate that there are development constraints in these areas. Cells that are indicated with development constraints include one or more of the following criteria: an average elevation above 10,500 feet, located more than 0.5 mile from a County-maintained road, or the having an average slope above 30 percent.

Those that meet two or more of the criteria have a more intense hash mark. Over 43 percent of these area are identified as constrained applying these metrics.



## LAND USE POLICY

### Goal A: Direct the extent of urban development towards existing municipalities and designated multiple use areas.

#### *Strategies*

1. Use subareas plans to further identify the type, scale, and intensity of development in “Multiple Use” areas.
2. Create a countywide comprehensive housing plan to ensure suitable housing exists for a wide range of incomes and those with jobs in Clear Creek County. Within the plan, identify suitable areas for increased housing density and affordable housing.
3. Explore a Transfer of Development Rights (TDR) program to direct development away from rural or remote areas and into areas where there is existing development and supportive infrastructure.
4. Encourage development that maintains or enhances pedestrian and bicycle mobility and accessibility.
5. Support infill development and adaptive redevelopment that takes advantage of existing infrastructure and services.
6. Explore use of a fiscal impact questionnaire that developers fill out when applying for development so the County can better understand the impact to the County's budget and services.

### Goal B: Ensure land uses are compatible with the natural and rural character of Clear Creek County.

#### *Strategies*

1. Support the Open Space Commission in purchasing and protecting properties with high scenic, ecological, and recreational value.
2. Use Open Space and National Forest System lands to maintain a sense of openness between communities to provide separation of individual communities.
3. Discourage development in locations above timberline (10,500 feet), that have excessively steep or unstable slopes, or are of high ecological value.



## **Goal C: Plan for interim, transitional, and “second use” utilization for areas identified as having mineral resources and claims.**

### *Strategies*

1. Allow for the potential for or continuation of mineral resource extraction on mining claim parcels.
2. Support purchase of development rights or conservation easements on mining parcels with high ecological, scenic, or recreational value.
3. Support secondary recreation use on mining claims that are adjacent to or contain existing recreation opportunities.
4. While allowing residential development on M-1 parcels, clarify to potential homeowners and builders the access and services constraints they may confront with a residential conversion.

## **Goal D: Support the development of subarea plans that advance the goals and strategies of the County and support the Vision.**

### *Strategies*

1. Review existing subarea plans and encourage local communities to review their existing subarea plans in light of the updated Master Plan, and to evaluate where changes might be beneficial to improve their alignment with County policies and goals.
2. Develop a guidebook for subarea or neighborhood planning that articulates the specific policies and goals that the County believes should be addressed within any proposed new or amended subarea plan.
3. Review the County process for review of subarea plans to assure that the consideration of all plans are done consistently and objectively in relationship to County policies and goals.
4. Build upon existing community planning efforts, including the PEIS I-70 process and Blueprinting 2.0, by aligning policy objectives and leveraging public inputs into any new subarea or neighborhood plans, including the I-70 mountain corridor visioning process.





## SUPPORTING THE VISION

The following matrix summarizes how each of the Land Use goals relates and supports the Policy Framework statements identified in Chapter 3.

LAND USE GOALS	SUPPORTING POLICY FRAMEWORK STATEMENTS (See Chapter 3)											
	1	2	3	4	5	6	7	8	9	10	11	
Goal A: Direct the extent of urban development towards existing municipalities and designated multiple use areas		X	X	X	X							
Goal B: Ensure land uses are compatible with the natural and rural character of Clear Creek County		X	X	X								
Goal C: Plan for interim, transitional, and “second use” utilization for areas identified as having mineral resources and claims.	X		X					X				
Goal D: Support the development of subarea plans that advance the goals and strategies of the County and support the Vision.	X	X	X								X	