

# PLANNING MATTERS



American Planning Association  
**Colorado Chapter**

*Making Great Communities Happen*

A Publication of the Colorado Chapter of the American Planning Association

May 2023

## Climate & Environment





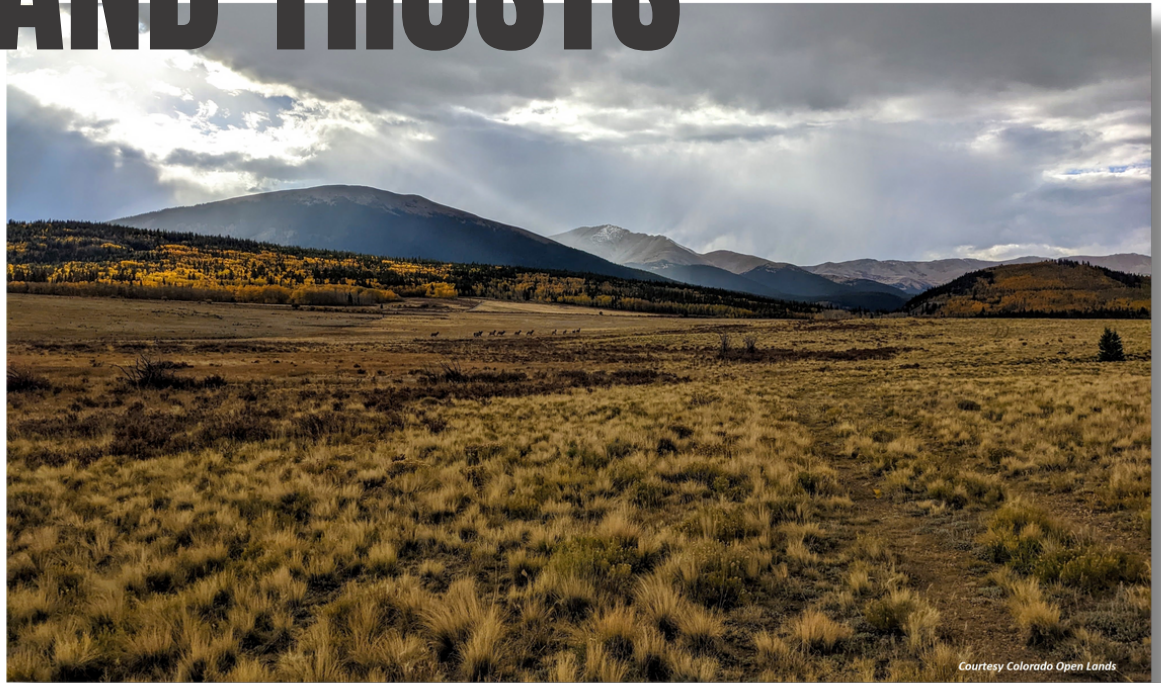


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# CONSERVATION EASEMENTS AS A TOOL FOR LAND TRUSTS



**A**s planners, APA members have a responsible role in the character our communities take. Planners pay careful attention to local attributes and community goals as they work to support the design of communities which are livable and vibrant. Perhaps just as important are the actions that aren't taken to further development. Those places which are left whole. The untouched parts of the state that contribute to Colorado's unmatched quality of life. This is the role that land conservationists take.

Ask any resident why they live in Colorado. Nine times out of ten, they'll mention something about our wild and open spaces. This state offers unmatched recreation opportunities, birding and wildlife watching, excellent hunting and angling, strong local

economies, and some of the most breathtaking natural scenery in all of the fifty states. It is the mission of Colorado Open Lands to ensure that as Colorado continues to grow, we retain these places that make it so special – for people today and into the future.

Colorado comprises about 66 million acres of land, about 60% of which is privately owned. Public land includes our parks and open spaces, and much of our Rocky Mountain peaks and other terrain. Private land, however, is often made up of the elements most necessary for life: streams and rivers, fertile soil, and landscapes suitable for building. It is the same characteristics that attracted human settlement that also make private land critically important habitat for our wildlife. Land trusts like Colorado Open Lands work to protect all the benefits that open lands provide.



Our primary tool is the conservation easement - a voluntary legal agreement between a landowner and a land trust that permanently restricts subdivision and development on a piece of land. The landowner retains ownership of the land, but the land trust has a permanent stake in ensuring that the land remains intact and undeveloped in perpetuity, even if the land changes hands. The process is driven by the wishes of the landowner, who also may receive significant financial benefits in exchange for giving up some of these property rights. These benefits can come from the federal or state government, including Colorado Lottery funds administered through Great Outdoors Colorado.

A recent study from Colorado State University found that for every dollar the state invested in conservation easements, the public received \$8-12 in tangible benefits. These include what ecologists deem “ecosystem services,” which can include protection of wildlife habitat, flood and fire mitigation, and soil retention. Of course, the intangible and unquantifiable benefits go far beyond that, helping give Colorado its unparalleled sense of place and character.

Once planners are involved in a project, the way has already been paved (no pun intended) for development. But the next time you help orient a site to take advantage of a spectacular view, or see some of our furry or feathered friends visiting nearby, know that those uniquely Colorado experiences just might be thanks to a land trust and a conservation easement.

Leslie Volkar, Director of  
Communications, Colorado Open Lands

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# Wildfire Prevention Snapshot

As forest health issues expand across the nation, appear on wildfire focused newscasts, and annually occur on Summit County landscapes, the Summit County Wildfire Council (SCWC) support locally-based county initiatives through public engagement and the promotion of its wildfire prevention and preparedness programs.

Through voter approved tax measures in 2008 and again in 2018, a variety of programs give action opportunities to large landowners, organized neighborhood and community groups, and independent parcel owners. The ballot measures are a tax increase based on residential property value. For every \$100,000 of assessed value, owners see an increase of \$2.83 per month. The measure allocates approximately \$1.5M to wildfire prevention programs annually.

The 50/50% Hazardous Fuel Reduction Grants (HFR), the 90/10% CWPP Implementation Grants (CWPP), the Strong Future Fund monies (SFF), and the award winning free Chipping Program provide action oriented solutions to the wildfire issue.

Additional tools used to address this important issue are building and planning codes. Codes can establish an improved framework to integrate wildfire hazard reduction with land use planning. The Countywide Comprehensive and basin master plans each promote resilient, sustainable communities and mitigation of natural hazards such as wildfires.

Ultimately, partner driven educational outreach is the cornerstone of Summit County's program delivery. Stakeholder partnerships begin with SCWC. Lead organizations are Summit County Government, USFS, Colorado State Forest Service, two fire districts, six towns, including Town of Breckenridge, river basin representatives and Colorado State University Extension. In an effort to extend the reach, professional organizations including Rotary and Summit Association of Realtors, as well as NGOs and non-profits are included. Media outlets further increase our visibility and spread the important forest health messages. social media, newspaper, radio, electronic impressions, and the mobile billboard are tools used to keep the wildfire issue relevant and meaningful.

Dan Schroder, Summit County Director,  
Colorado State University Extension



# Protecting and River Floodplains in Estes Park

Following the destructive 2013 flood in the Estes Valley, the State of Colorado funded a study to provide a mitigation and land use framework in areas likely to be affected by future flooding, erosion, and debris flow events. This effort, known as the Colorado Hazard Mapping Program (CHAMP), led to updated floodplain maps. Accordingly, a Revised Preliminary Flood Insurance Study and corresponding Flood Insurance Rate Maps (FIRMs) dated 12/20/2021 were issued for Larimer County, including Estes Park. These maps reflect a much more extensive Special Flood Hazard Area (SFHA) in downtown Estes Park that affects many more structures and types of land use in the central business district.



Although the Preliminary FIRMs are not expected to be officially adopted until sometime in 2024, the Town of Estes Park has been using the results of the CHAMP maps as a regulatory tool for both land use and flood risk since September 2019. Since then, the municipal code provides for regulating to the new CHAMP maps wherever the SFHA is broader and covers more territory than the narrower outdated floodplain boundaries still shown on the effective maps from 2006. Based on this code, activities on land adjacent to rivers where flood hazard risk is highest are subject to appropriate floodplain regulation.

Also, until the CHAMP data was available, the Town's floodplain regulations did not align with minimum standards required by Code of Colorado Regulations for regulatory floodplains. Adoption of the current floodplain regulations has provided municipal code authority to guide land use planning and decisions by Town staff, developers, and potential buyers of property covered by the SFHA.



Before modern maps and current regulations were available to help regulate floodplain encroachments, a 2002 provision in the Estes Park development code provided some protection. The standard is still applicable and requires structures to be set back from streams and rivers “to preserve and enhance the important hydrologic, biological, ecological, aesthetic, recreational and education functions that stream and river corridors, associated riparian areas and wetlands provide.” In the business district, buildings must be set back at least 20 feet from a riverbank. Outside of downtown, new development must be at least 50 feet away from the bank unless the land has been previously developed (which triggers a setback of 30 feet).

This land use ordinance was featured in a joint publication by FEMA and Colorado Department of Homeland Security and Emergency Management: Best Practices—Promoting Successful Mitigation in Colorado (September 2014). The story title is “Land Use Ordinance Protects Buildings in Estes Park.” From an environmental perspective in the age of climate change in 2023, a more appropriate title for this information is “Land Use Ordinance Protects Rivers and Streams in Estes Park.”

Jennifer Waters, EIT, CFM, Development Review & Floodplain Administrator, Town of Estes Park



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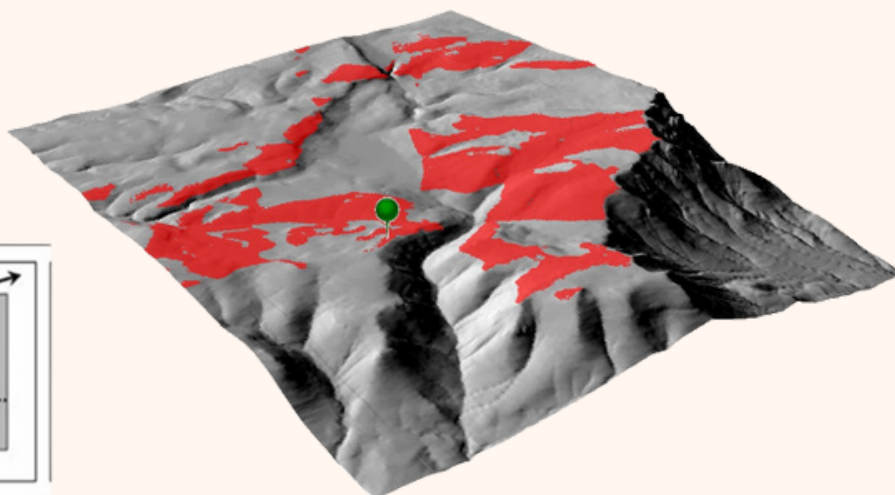
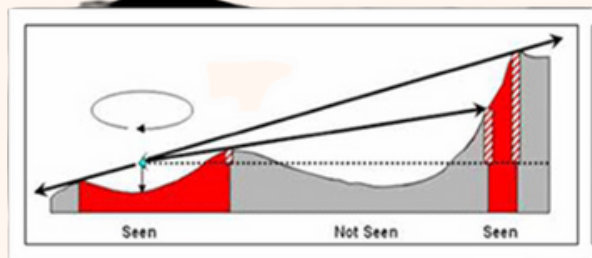


# Viewshed Analysis for Conservation Planning

Tourism brings in \$21.9 billion per year to Colorado's economy. Even during much of the COVID-19 pandemic, tourism in Colorado was booming due to the scenic nature of our state. The unique topography and pristine wilderness draw people to Colorado for outdoor recreational activities, sightseeing, and driving for pleasure. However, the value of "scenic" resources in Colorado is difficult to define and quantify.



Fortunately, there is a process that can help delineate areas susceptible to scenic degradation. Viewshed analysis is a computer algorithm in Geographic Information Systems (GIS) that leverages topographic models to define what areas are visible from proposed visual obstructions in the landscape, like buildings, roads or utilities. This visible area is called the viewshed.



The diagram on the left shows how existing obstructions can screen a view. The output (viewshed) is on the right. (Source: GIS Stack Exchange)

In 2022, the Colorado Department of Transportation (CDOT) Landscape Architecture Section, in collaboration with CDOT Region 1 Planning and Environmental, developed a standardized viewshed analysis process to use in transportation projects subject to National Environmental Policy Act (NEPA) review. A data-driven computer process reduces the need to drive to sites repeatedly, saving time, gas and reducing the environmental impact of projects. It helps graphically communicate potential project impacts to stakeholders and the design team, add to project buy-in early in the planning phase, and can inform design.

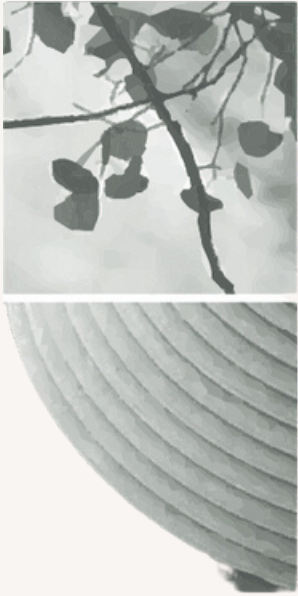
In 2023, CDOT secured funding to run viewshed analyses along all Scenic and Historic Byways in Colorado to identify lands most visible from byways. A CDOT consultant will then help local land trusts prioritize parcels for future conservation easements. A similar process can be used by other agencies to map viewsheds around visually sensitive parks, open space, trails, energy projects, and communication facilities.

Delineated viewsheds can be provided to local agencies as a planning tool to develop viewshed protection or overlay districts as part of zoning codes to limit building height in visually sensitive areas. This data can also be used to encourage transfer of development rights (TDR) to shift development to less visually sensitive areas, or purchase of development rights (PDR) where a landowner sells their development rights to a local government. The end goal is to restrict development in scenic viewsheds and preserve views for generations to come.

Viewshed analysis is not the only computer-based tool that facilitates conservation planning. A 2014 APA publication, titled "Applying Conservation Planning Tools," builds on a 2011 evaluation of how planners used GIS software to facilitate conservation planning efforts. Most planners surveyed were not aware of GIS-based conservation planning tools. The publication discusses how conservation planning requires close coordination with conservation biologists, ecologists and GIS specialists, who are usually housed across various agencies. Planners at any level of government can leverage viewshed analysis among these other GIS tools to ensure that tourism, a main driver of our state's economy, isn't negatively impacted by development.

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# Local Governments Adapt to the Colorado River Crisis by Integrating Water and Land Use Planning

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hile this past winter might lead us to believe otherwise, climate change forecasts drier conditions, hotter

temperatures, and reduced snow melt in Colorado in the coming decades. Water supply is being affected for the long term, and indicators ranging from drought stage declarations to limits on issuing new taps for development show that communities throughout the Colorado River Basin are already feeling the pain. These scenarios offer a cautionary tale, and planners must adapt accordingly to make their communities resilient to a more water scarce future.

What does that look like in practice? Over two dozen cities across the Colorado River Basin mobilized around this crisis in November 2022, signing a Memorandum of Understanding (MOU) pledging to reduce their water demand across several development-related categories. An important first step, the MOU did not describe specifically how each community will accomplish its pledged goals.

Growing Water Smart, a joint program of the Sonoran Institute and the Babbitt Center for Land and Water Policy, is uniquely positioned to assist Colorado municipalities in determining the details of how water demand can





be reduced through land use tools like development codes, landscaping ordinances, comprehensive plans, and more to impact both future growth and existing development. Even if your community wasn't a signatory to the MOU in November, Growing Water Smart can still assist you in meeting your water conservation and efficiency targets and planning for the reality of water scarcity.

The Growing Water Smart program helped meet a goal outlined in the 2015 Colorado Water Plan that "75 percent of Coloradans will live in communities that have incorporated water-saving actions into land use planning by 2025." Since 2017, Growing Water Smart has trained leaders representing over 65% of Coloradans on ways to reduce municipal water demand during an action-oriented, three-day workshop. With guidance from Colorado land use and water experts, each community brings to the workshop an interdisciplinary team of planners, water resources specialists, economic development representatives, elected officials, and other key staff. Teams engage in facilitated work sessions to increase their community's water and climate resilience through land use plans and policies, leaving the workshop with a 12-18 month action plan specific to their community. Participants also become eligible to apply for post-workshop technical assistance funding to help bring their water smart action plans to life.

Growing Water Smart alumni communities in Colorado provide excellent examples of what local action on reducing water demand can look like. Take the Town of Mt. Crested Butte, which adopted water conservation standards in their code, or Fort Collins, which agreed to water conservation estimates being included in their criteria for assessing future land use map options. Fort Collins has since participated in Sonoran Institute's water and land use metrics program and incorporated commentary and resources about water into the conceptual planning and pre-application stages of development review, maximizing water efficiency in new development from the start.

Whatever your municipal water challenges, Growing Water Smart stands ready to assist Colorado communities with transitioning to meet this moment. To learn more and apply for an upcoming workshop, visit [growingwatersmart.org](http://growingwatersmart.org).

Eliza Stokes, Program Manager, Growing Water Smart



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## A Committee Now!

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APA Colorado also has a number of committees that allow members to get involved in more specific aspects of planning in Colorado. Available committees are listed below and a full description of each committee can be found on our website: [apacolorado.org/committee-home](http://apacolorado.org/committee-home)

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- Equity, Diversity & Inclusion Committee (EDI)
- Emerging Planning Professionals (EPP)
- Great Places Committee
- Healthy Communities Committee
- Legislative Committee
- Membership Committee
- Nominating Committee
- Outreach & Communications Committee
- Professional Development Committee
- Sustainability Committee
- Youth in Planning

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Stay tuned for the program and registration  
information coming in June.

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