

Black Forest Vision Statement 2020

Specific Principles to Supplement Black Forest Policies and Goals El Paso County Master Plan Update

***Black Forest Land Use Committee
Terry Stokka, Chairman***

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Introduction – For the past 45 years the Black Forest Preservation Plan has guided the development of Black Forest, a unique character area composed of ponderosa pine forests, meadows, varied wildlife, rich history, and people who have chosen to live a rural way of life.

The Preservation Plan, originally published in 1974 and updated in 1987 with a trails addendum in 1999, was designed to assist development in this character area in a way that preserves natural features and perpetuates the rural, residential densities that attracted people to make their homes in Black Forest.

The new El Paso County Master Plan under development (due to be complete in late 2020) will contain policies, goals and recommended actions for development in the county and Black Forest. Goals and policies, however, do not provide specific principles for development in this unique character area and thus this document is mandatory to supplement the new El Paso County Master Plan for Black Forest.

Black Forest Vision – This Vision Statement represents the composite list of principles that Black Forest residents strongly feel should guide development in the Black Forest. This character area is highly desirable for people who want more property, separation from other homes, a lifestyle surrounded by trees, open spaces and wildlife as well as good access to the city. Residents recognize that residential development in such a desirable area is inevitable but desire that development be carefully managed to conform to zoning and existing developments as well as to preserve the natural environment. This Vision Statement does not propose to prevent development but to responsibly guide it.

Legal Framework - El Paso County is granted the authority to develop a Master Plan for an unincorporated area through state legislation. According to Sections 30-28-106 and 30-28-108 of the Colorado Revised Statutes (C.R.S.) the drafting and adopting of a Master Plan may be carried out at the discretion of the County Planning Commission (PC.) The PC shall, by Section 30-28-109, C.R.S. certify the plan to the Board of County Commissioners. Sections 30-28-106 and 30-28-107, C.R.S. specify the contents of the plan, its purpose and the authority for its amendment. This Vision Statement fulfills the requirements of a Small Area Plan as required by the Colorado Revised Statutes and must be part of the El Paso County Master Plan update.

Applicability - The provisions of this Vision Statement shall be advisory for El Paso County planners and decision-makers. However, the principles outlined below provide common-sense guidance for land use decisions that are expected to be followed by county planners.

- a. Protection of trees, grasslands, wildlife and other natural resources from over-development
- b. Protection and conservation of Denver Basin aquifers
- c. Prevention of excessive traffic, congestion and noise contrary to a rural lifestyle
- d. Adherence to existing zoning regulations

Boundaries of Planning Area - The planning area for this Vision Statement shall be Highway 83 on the west, the northern boundary of El Paso County on the north, Elbert Road, Evans Road and Eastonville Road on the east as far south as the extension of Burgess Road, west to Meridian Road, south to Rex Road, west along and 1.5 miles beyond Rex Road, south to the Stapleton Road alignment, west to Black Forest Road (exempting that part of Sterling Ranch and The Retreat at TimberRidge north of the line), north along Black Forest Road to Old Ranch Road, west to Howells Road, north following the city limit boundary to Shoup Road and west to Highway 83. There shall be no cooperative planning areas with the city or other Small Area Plans. A map of the area is attached.

Specific Principles to Guide Development in Black Forest

1. **Review of Development Proposals** - All commercial and residential development proposals and road issues shall be coordinated through the Land Use Committee for review and conformity with this Vision Statement. Additional coordination shall be effected with the Trails Association, Water and Wells Committee and Transportation Committee, as applicable.
2. **Conservation of Natural Resources** – To the maximum extent possible within the confines of residential development, the conservation of natural resources, wildlife, water, and natural beauty shall be a primary determinant in the development of Black Forest.
3. **Ecological Areas** – Black Forest contains two distinct ecological areas, timbered and grasslands, outlined on the attached map. Within the designated timbered areas, meadows and open areas created by the fire of 2013 shall be considered part of the timbered area and not grasslands. The principles in this Vision Statement apply to both areas.
4. **Density** - The following rules shall apply to residential densities:
 - a. **Density Limits** - Residential densities shall be a minimum of 5 acres per lot within each development in the entire planning area. One exception is south and southeast of the timbered area approaching the city limits and the urban areas surrounding Falcon. In this exception area, 2.5-acre lots shall be accepted as a transition from 5-acre lots at the timbered edge to urban densities. Urban densities shall be defined as lots 1 acre or smaller. This density requirement minimizes the impact on groundwater, wells, septic systems, roads, transportation systems, wildlife, and natural features. Lower density also maintains the rural atmosphere that is an integral part of Black Forest.
 - b. **Gross Density** - If all property in a development is divided into residential lots with no open space, all lots shall be at least 5 acres (with the exception of lots on sections lines which may be 4.75 acres.)

c. **Planned Unit Developments (PUD)** – A PUD may be used to allow flexibility to a developer to vary the sizes of lots for terrain, drainage, open space, lot configuration and market demand. A PUD shall still be required to meet the density standards of no more than 1 lot per 5 acres within a development except in the areas bordering urban development.

d. **Subdividing** – Once a development is platted, no lot may be further subdivided unless it results in a subdivision of no more than 1 lot per 5 acres except in the areas bordering urban development.

e. **Clustering** - If a developer desires smaller lots than 5 acres and is willing to cluster lots to provide open, undeveloped space, the number of lots permitted shall be calculated on the gross acreage of the entire parcel using the 5 acres per lot criteria. This is the only density bonus permitted in this Vision Statement. The purpose of this provision is to encourage open space that shall provide wildlife corridors, natural areas, and trails. Lots less than 2.5 acres shall require a central water and septic system. If clustering is used, no less than one-third of the total parcel shall be open space.

f. **Open Spaces** - Open spaces are portions of land within developments that shall not be overlot graded or developed in any way other than a trail. Open spaces shall be permanent and shall be maintained and managed by a Homeowner's Association, placed in a conservation easement, placed in a metropolitan district or deeded to the El Paso County Parks Department for inclusion in the El Paso County Parks system.

g. **Conservation Easements** - Conservation easements shall not be counted in the density calculations for a development unless they are easements placed on open space as part of the clustering provisions outlined above at the time the development is platted. Conservation easements are designed to set aside property in perpetuity. Because of that, such easements are not meant to be moved. Conservation easements may be moved, modified or changed only with the permission of the Black Forest Land Use Committee and appropriate setbacks shall be included for property owners adjacent to the original conservation easement boundaries.

h. **Transfer of Development Rights (TDR)** - Development rights shall not be transferred from one parcel to another. Each parcel must meet the density requirements by itself.

5. **Commercial Nodes** - Sufficient property currently exists in designated commercial nodes to provide the neighborhood commercial space needed. Requests for commercial property beyond these nodes shall be considered on a case by case basis. It is not a goal of this Vision Statement to encourage commercial development. Commercial businesses shall be concentrated within a quarter mile of the following designated commercial nodes:

- a. Black Forest Road and Shoup Road.
- b. Black Forest Road and Burgess Road.

6. **Home Businesses** - Home businesses shall be permitted and are defined as businesses that do not generate customer traffic or require customers to drive to the home to conduct business.

7. **Industrial Areas** - None of the industrial areas along Vollmer Road are part of this planning area. No development of industrial areas shall be permitted within the planning area without the approval of the Land Use Committee.

8. **Roads** - Roads in Black Forest are designed for local transportation and not as a throughway to transit the forest. Larger, more efficient road systems exist on the boundaries and outside the planning area to carry larger volumes and heavier traffic. Roads within the planning area shall be limited to two-lane roads. Road and other transportation issues shall be coordinated with the Transportation Committee and Land Use Committee.

a. **Truck Routes** - Interior roads shall be "No Truck Routes" for trucks not conducting business or delivering goods to Black Forest locations.

b. **Right-of-Way (ROW)** - The ROW for a road in the planning area shall not exceed 70 feet except at intersections where turn lanes may be necessary. A ROW of 70 feet permits a center lane or turn lane on a limited basis to provide ingress and egress from areas of heavier traffic. Trees shall not be removed unnecessarily inside or outside of the ROW except when necessary for safety reasons. Tree-lined roads are a major attraction in the Black Forest.

c. **Turn Lanes** - To minimize the impact on private property, turn lanes and acceleration/deceleration lanes shall only be utilized at intersections where the volume of traffic is a safety issue.

9. **Eminent Domain** - Eminent domain shall not be permitted for the construction of roads for private development.

10. **Water** - Water is a precious commodity with uncertainty as to the longevity and reliability of the aquifers beneath Black Forest. The goal of this Vision Statement is to preserve water for present and future generations. Water issues shall be coordinated with the Water and Wells Committee.

a. **Individual Wells and Septic Systems** - Private wells and septic systems shall be the primary source of water and wastewater treatment. It is the position of the Land Use Committee that a density of 5 acres or more per lot is a reasonable density to extend the life of the Denver Basin aquifers for many generations.

b. **Central Water Systems** - Developers shall be encouraged to install central water supply systems using deeper aquifers and not the Dawson aquifer for a more stable and reliable water source. There shall be no density bonus for such systems.

c. **Lawns and Sprinklers** - Because of the shared nature of the aquifers, watered lawns shall be limited to 2500 square feet per residence and underground sprinkler systems shall not be permitted.

d. **Water Export** - Water shall not be sold or exported outside the planning area.

e. **Commercial Water Uses** - Car washes, food processing, commercial greenhouses, or other similar businesses that use large amounts of water shall not be permitted.

11. **Golf Courses** - No further golf courses shall be constructed within the planning area.

12. **Setbacks** - Any urban development planned along the border of the planning area shall be encouraged to have 1-acre lots along their border as a transition and have a 150-foot setback from the boundary. Since all property along the boundary of the planning area is zoned for 5-acre lots, the owners of those boundary lots have an expectation of rural zoning and low density. This setback shall be open space and shall not contain any structures, roads or utilities. The setback may have a non-motorized vehicle horse and walking trail.

13. **Trails** - Trails serve to maintain and encourage the outdoor lifestyle that Black Forest residents enjoy and wish to preserve. Trails also provide alternate modes of commuting as vehicle traffic continues to increase. In addition, some trails serve as migration corridors for the benefit and preservation of wildlife. Trail easements across private and public land for non-motorized vehicles, horses and hikers shall be encouraged and pursued. The coordination of trail development brings together private landowners, land developers and public agencies to provide non-motorized trails and bicycle lanes throughout Black Forest. These trails and lanes will be linked to the Regional Trail System as outlined in the El Paso County Master Plan for Parks, Trails and Open Space, and the City of Colorado Springs Open Space Master Plan. Trail development, maintenance and advocacy shall be coordinated through the Black Forest Trails Association whose mission is, "To create a safe, legitimate, non-motorized, multi-use recreational trail system that connects Black Forest neighborhoods to each other and the El Paso County Regional Trail System."

14. **Exterior Lighting** - Downward-directed lighting shall be required to limit light pollution. Security lights of the type provided by Mountain View Electric Association shall be discouraged. Dark sky principles are important to residents.

15. **Wildfire Prevention** – Fuel reduction for prevention of wildfire shall be encouraged through defensible spaces, clearing of downed timber, thinning of forests, and other fire safety measures recommended by local fire authorities.

16. **Cultural and Other Significant Features** - Cultural, historical, paleontologically or archaeologically significant buildings, sites, and objects, forests, grasslands, parks, open spaces, trails, and designated federal, state, and local wildlife areas shall be protected as much as possible.

17. **Expectations of Existing Residents** – Existing residents moved to Black Forest with the expectation of open spaces and larger lots consistent with the rural lifestyle. They expected and were assured that zoning would protect their area from urban development. County planners have a duty for the public good to ensure development does not disrupt the character of existing neighborhoods. Existing residents have a right to be considered in land use decisions and their expectations shall be a significant part of all land use decisions.