

## Elbert County Master Plan Housing



*It is the intent of this Master Plan to promote and support a variety of housing options for current and future residents of the County, while preserving the natural beauty and rural atmosphere that the citizens cherish.*

### Preface

This *Housing* section is to replace and nullify pages 35, 36, and pages 40 to 44 (up to Economic Development Areas) of the existing *Elbert County Master Plan*, dated November, 1996.

This *Housing* section is a guide to be used by the citizens, the Community & Development Services Office (C&DSO), the Planning Commission, and the Board of County Commissioners when evaluating residential land use proposals in Elbert County. The ~~recommendations~~, criteria, goals, and policies in this section reflect the desires expressed by the citizens of Elbert County ~~and should be followed~~ to determine whether or not a proposed development should be approved. ~~or denied.~~

## Introduction

Elbert County is primarily a place of choice for its citizens. People living here do so by choice, not necessarily because of proximity to employment centers or urban amenities. Residents have indicated that the rural atmosphere and beauty of the high-plains grasslands are the primary reasons they have located here. Elbert County has recently experienced a significant increase in residential development, particularly for single-family residential developments. Balancing the demands of growth with the citizens' desire to preserve the rural character and environmental quality of the County is the primary impetus of this *Housing* section. This *Housing* section and the *Elbert County Design Standards for Residential Developments* (proposed as an amendment to the *Elbert County Zoning Regulations*, Section 16, PUD – Planned Unit Development, as a new Section "D"), are meant to work in unison when evaluating residential land use proposals.

## Housing Types

A healthy community offers a variety of housing types for its citizens, at various stages of their lives. It is the intent of this Master Plan to promote and support a variety of housing opportunities for current and future residents of the County, while preserving the natural beauty and rural atmosphere that the citizens cherish. Re-zoning applications that are proposing housing types other than single-family detached units will be evaluated on an individual basis for compliance with the "Goals and Policies" of this section, the *Elbert County Site Design Standards For Residential Developments*, Planned Unit Development standards, and compatibility with surrounding, existing developments.

Elbert County has been developed into a variety of lot sizes and acreages. Larger ranching acreages are located primarily in the central and eastern portions of the County; with smaller parcels varying in size from several hundred acres to one-third acre subdivided lots being located primarily in the northwest portion of the County. The traditional single-family detached house is the predominant housing option currently available in Elbert County. There are, however, appropriate locations within the County for duplex, patio homes, townhouses, condominiums, and other attached housing options; particularly if they are designed into planned single-family developments or located at intersecting "Arterial/Arterial Intersections". Please see the "Attached/Multi-Family Housing" section below for special criteria related to such projects.

Additionally, the housing needs of senior citizens who may desire a small yard or none at all, or who may have special housing needs, should be addressed. Senior housing is particularly appropriate near more populated areas that tend to

have more services within close proximity to one another. Given the existing housing inventory, young citizens and new families also have limited housing options. ~~since housing prices within the County are cost prohibitive for many.~~

Goal:

*Provide a variety of housing options that are compatible with the rural environment, and that comply with the Elbert County Master Plan and the Elbert County Site Design Standards for Residential Developments.*

Policies:

- 1.) New residential development shall conform to each of the following:
  - a.) complement the "rural character" of the County by incorporating large, contiguous areas of open space, **as described elsewhere in the Master Plan**;
  - b.) respect the natural contours and existing vegetation found on the proposed development site (minimize over-lot grading);
  - c.) processed as a Planned Unit Development;
  - d.) comply with the appropriate *Elbert County Site Design Standards for Residential Developments* and the recommendations found in the other sections of this Master Plan;
  - e.) accommodate the wildlife found on the site by protecting movement corridors; designate "no disturbance areas" or open space for sensitive wildlife areas; preserve "high-quality wildlife areas" such as riparian areas, land along the banks of drainages, streams, and other bodies of water by providing substantial buffers between such areas and the developed portions of the site (Note: "High-quality wildlife areas" are identified as those areas shown on the "Wildlife Resources Map", from the *Elbert County Open Lands, Parks and Trails Plan*).
- 2.) The clustering of housing should be encouraged as an acceptable design solution to maintain the "rural character" or to solve other site constraints.
- 3.) Developments of 320 dwelling units or more should provide more than one housing type (i.e. single-family, townhouses, patio homes, duplex, etc.), with opportunities for people of all ages, and for a variety of incomes.

4.) Established subdivisions with lot sizes less than 35 acres that have been properly subdivided and zoned should be discouraged from further subdivision.

## General Standards for All Residential Developments

The *Elbert County Design Standards for Residential Developments* shall apply to all residential developments which create **eight (8)** lots or more. All residential developments which create **eight (8)** lots or more shall be zoned as Planned Unit Developments.  ~~, Agricultural, or Agricultural One.~~ A minimum of forty percent (40%) of the "Gross Acreage" of the site shall be permanently dedicated open space, within residential developments, except those developments which are proposing ten (10) acre or larger parcels, which shall have a minimum of twenty percent (20%) open space. Open space requirements for Conservation Communities (please see description below), shall be a minimum of fifty percent (50%) of the "Gross Acreage" of the site. Larger buffer areas of open space will be located along property perimeters, particularly when more dense development is proposed adjacent to larger parcels. Natural buffers of open space will be located such that logical connections for future open space on adjacent parcels are considered. This will result in larger, contiguous blocks of open space between the parcels. ~~Proposed subdivided lots that abut existing platted subdivisions or which are less than two hundred feet (200') from the property boundary, shall have perimeter lots at a minimum, that are similar in size to the lots they abut.~~ Where possible, proposed developments should align open space with open space in existing, adjacent subdivisions. Trails should connect internal open spaces and should extend to the property boundary for logical extensions on adjacent parcels. Native vegetation should be preserved and over-lot grading minimized.

## Residential Development Options

### 1.) Conservation Communities

"Conservation Communities" are developments which are characterized by large amounts of common open space and clustered, compact lots. Clustering of housing units: reduces the amount of infrastructure, shortens the linear distance of roadways, reduces the associated costs of road maintenance and snow removal, allows for shorter utility runs; while maintaining larger open space parcels. Conservation Communities are preferred over traditional residential developments. To qualify as a Conservation Community, the development must meet all the criteria listed below and all requirements mentioned in the "General Standards for Residential Developments" section below. ~~Compliance with the~~

~~qualifying criteria and general standards does not guarantee that an application will be approved.~~

Qualifying Criteria for a Conservation Community:

1. The parcel shall be a minimum of eighty (80) acres in area.
2. The applicant shall reserve at least fifty percent (50%) of the "Gross Acreage" as open space.
3. Land for open space shall be dedicated to **either a special district, or a qualifying non-profit entity, or to Elbert County or other group that has the ability and resources** required to administer and **must** perpetually defend the open space for its intended use. Open space may include: parks, natural undisturbed land, trails, wildlife habitat and corridors, landscaped areas, creeks, drainages, historic farmsteads and structures, active recreation areas, passive recreation areas, land for grazing or crop cultivation, grasslands, and forested areas, intended for general public use.
4. All parcels, tracts, lots, or land areas shall be legally created.
5. Compliance with all other applicable County regulations **and state law**, including ~~compliance with~~ HB 08-1141. **(CRS §29-20-301, et seq)**

Intent and Purpose of Conservation Communities:

Intent: Conservation Communities are meant to provide an alternative, and completely voluntary, method of dividing land that encourages the clustering of residential units and preserves large, contiguous blocks of open space.

Purpose:

1. To allow greater flexibility and creativity in the design of residential developments;
2. To help maintain and enhance rural character by protecting and preserving existing natural landscapes;
3. To maintain or create visual amenities through the preservation of open space within and between developments;
4. To allow for continued or future agricultural/ranching uses;
5. To encourage the permanent preservation of open space, forested areas, flora and fauna, environmentally sensitive areas, wildlife habitat, wetlands and other natural resources, and historic, cultural, and archaeological resources;

6. To promote a ~~less sprawling and~~ more efficient form of development that consumes less land;
7. To minimize the total amount of disturbance on the site;
8. To further the goals and policies of the *Elbert County Master Plan* and the *Elbert County Open Lands, Parks and Trail Plan*;
9. To facilitate the construction and maintenance of streets, utilities, and public services in a more efficient and economical manner.

#### Open Space in Conservation Communities:

The open space should have logical contiguity and connectivity to likely or existing open space on adjacent parcels. This open space is **to be** linked with a connecting trails system which links open space internal to the development and extends to the property **boundaries** for future connection with adjacent properties.

The following uses are allowed in the reserved open space:

1. To the extent open space within a Conservation Community is not used for the purposes described in paragraph **5** below, it must contain a component intended to preserve significant natural resources, including forest, wildlife habitat, migratory corridors, creeks, drainages, wetlands, and historic, cultural, and archeological resources, if any. The adequacy of this component shall be **recommended** by the C&DSO based on an assessment of the extent of significant natural resources within the proposed open space and the land required to preserve those resources. Open space remaining in a Conservation Community after this component has been assessed and delineated, may be dedicated to any of the uses described in paragraphs 2-5 below.
2. Passive recreational uses limited to hiking, biking, or equestrian trails, provided all the following conditions are met:
  - a. The open space supporting these activities is left primarily in its undisturbed natural condition;
  - b. The use does not involve **recreational** motorized vehicles; and
  - c. If the passive recreational use is on land set aside for purposes described in paragraph 1 above, the use is not inconsistent with that purpose.
3. Active recreational uses **includes, but is not** limited to ball fields, community/recreation centers (with associated parking), equestrian centers, tennis and basketball courts, playground and associated equipment, and exercise courses, provided, however, that land identified

in accordance with paragraph 1 above shall not be used for these purposes.

4. Pedestrian amenities such as benches and restrooms.
5. Farming and hay production and ranching, not including feed lots **or confined animal feeding operations (CAFO)**. ~~provided such activities accommodate corridors for public use of open space.~~
6. Other similar uses deemed appropriate **and approved upon application**. ~~allowed by permission of the C&DSO Director.~~

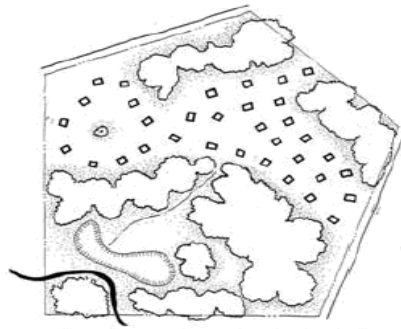
The primary difference between Conservation Communities and Conventional Residential Developments involves the location of housing in clustered units, while preserving large amounts of common open space. Conventional acreage lots consume large amounts of land, require more linear footage of roads and require much higher road maintenance. Conservation Communities should be allowed on parcels of 80 acres or larger. The following steps should be followed when designing a Conservation Community:

1. Identify and preserve significant resource areas as open space;
2. Locate housing sites in the remaining "developable area";
3. Align roads and trails;
4. Draw individual lot lines with building envelopes. The following drawing illustrates the steps involved in designing a Conservation Community:

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Step 1: Delineation of Conservation Land



Step 2: Location of Building Sites



Step 3: Alignment of Streets and Trails



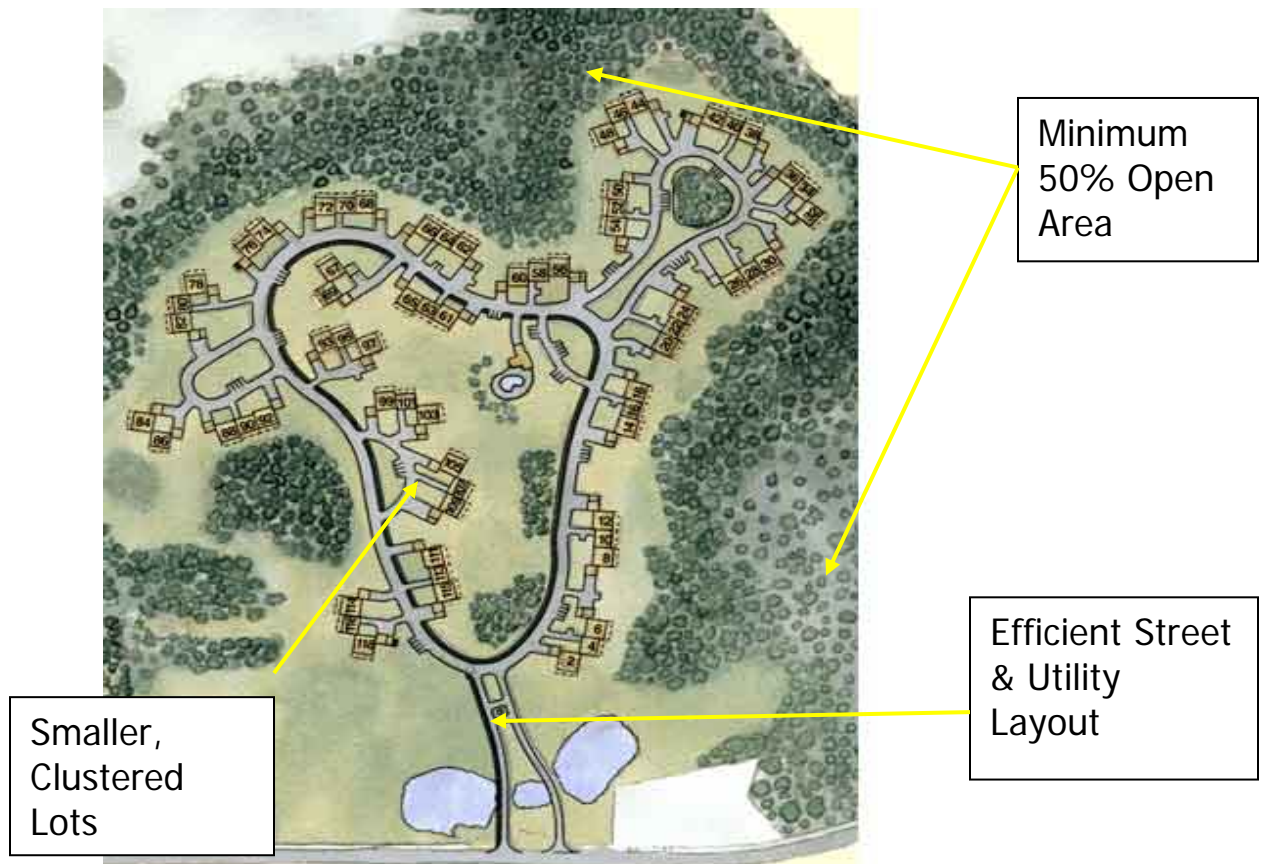
Step 4: Drawing in Lot Lines

### **Conservation Community – Design Steps**

The following site plan illustrates the fundamental design elements of a Conservation Community:

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Provisions for an adequate, safe, and dependable water supply should be demonstrated during the approval process for Conservation Communities. In addition, any proposed sanitary sewer system design for a Conservation Community must meet all applicable county, state or federal regulations regarding such facilities, prior to installation. All proposed residential developments **are encouraged** ~~should investigate the potential for~~ **to** obtaining water and/or sanitary sewer services from existing service providers. Conservation Communities should be developed according to the standards and processes specified in the *Elbert County Site Design Standards for Residential Developments*, the *Elbert County Zoning Resolution* and the *Elbert County Subdivision Regulations*.

There shall be no minimum lot size within Conservation Communities. The intent is to have groupings of lots in more concentrated portions of the property to increase the amount of open space. Conservation Communities may consist of any combination of single-family or attached/detached patio homes. Multi-family structures, of not more than eight (8) units, may also be permitted, particularly if the units are integrated toward the interior of proposed developments.

## 2.) Conventional Residential Developments

Developments that are not Conservation Communities will be considered “Conventional Residential Developments”. These communities will typically have larger lots than Conservation Communities. This type of development will have a minimum of forty percent (40%) open space, unless the lots are ten (10) acres or larger, which requires at least twenty percent (20%) dedicated open space.

### Residential Densities

Densities for proposed residential developments shall be based upon the type of water and sanitary sewer systems, the amount of open space/amenities provided, and the type of development proposed (“Conventional Residential Development” or “Conservation Community”, as depicted in the “Base Density Table for Residential Developments” on the next page).

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## Base Density Table for Residential Developments

<u>Type of Development</u>	<u>Well &amp; Septic</u>	<u>Central Water/Septic</u>	<u>Central Water/Central Sewer</u>	<u>Percentage of Open Space or Cash-in-Lieu</u>
<b><u>Conventional Residential Development</u></b>	1 dwelling unit per 10 acres (based upon "Net Acreage")  <u>Note:</u> Required open space shall be reduced to 20% of the "Gross Acreage" for proposed developments with lots 10 acres or larger. No individual lot served by well and septic shall be less than 10.0 acres.	1 dwelling unit per 5.0 acres+ (based upon "Net Acreage")  <u>Note:</u> No individual lot, served by an individual septic system, will be less than 5.0 acres in size.	1 dwelling unit per 0.85 acres (based upon "Net Acreage"++)	Minimum of 40% of the "Gross Acreage" shall be dedicated open space or combination of cash-in-lieu*
<b><u>Conservation Community</u></b>	N/A	N/A	1 dwelling unit per 0.65 acres (based upon "Net Acreage"++)	Minimum of 50% Open Space For "Conservation Communities" or combination of cash-in-lieu*

\*Footnotes to Base Density Table

\* - No more than ten percent (10%) of the required open space will be allowed to be credited with "cash-in-lieu" fees. **Developments of 80 acres or less are required to pay cash-in-lieu.**

++ - "Net Acreage" = (Gross Acreage – Open Space Acreage) – (10% for roads)  
 (Note: "Density" is defined as the number of dwelling units per the acreage specified in the "Base Density Table for Residential Developments" above. This is different than lot size which is specified in acreage or square footage. Individual lots in a subdivision with central water and central sewer may be smaller in size than the "Base Density".)

## Density Increases

Note: Density increases shall only apply to developments proposing central water and central sewer systems or those tying into an existing water/sanitation district. Cumulative density increases shall not exceed twenty percent (20%) over the "Net Density".

- 1.) Recreation centers, community centers, recreational amenities, or other community amenities will be eligible for a density increase of 2% – 20% density increase over the "Net Density", with the percentage of density increase being proportional to the value and/or extent the proposed amenity is open to the general public.
- 2.) Historic structure preservation and rehabilitation – Negotiable percentage of density increase over the "Net Density", based upon the costs associated with the rehabilitation of structures and the use of the rehabilitated structures. Amenities open to the general public will support a higher density increase than those that are not.

## Examples for Calculating Densities for Residential Developments

- 1.) Development with Individual Well and Septic – 500 acre parcel, with a "Base Density" of 1 dwelling unit per 10 acres (based upon "Net Acres"), with 20% open space, assume 10% of the "Developable Area" for roads.

How many dwelling units would be allowed on the 500 acre parcel?

500 acres - 20% (open space) = 100 acres for open space

500 acres - 100 acres (open space) = 400 "Developable Acres"

400 acres X 10% (for roads) = 40 acres

400 acres – 40 acres (for roads) = 360 "Net Acres"

360 acres / 10 acres per dwelling unit = 36 dwelling units - "Net Density"

Answer: 36 dwelling units = "Net Density"

- 2.) Development with Central Water and Individual Septic Systems – 500 acre parcel with a "Base Density" of 1 dwelling unit per 5.0 acres (based on "Net Acres"), with 40% open space, assume 10% of the "Developable Area" for roads.

Question: How many units would be allowed on the 500 acre parcel?

500 acres – 40% (open space) = 200 acres for open space

500 acres – 200 acres (open space) = 300 “Developable Acres”

300 acres X 10% (for roads) = 30 acres

300 acres – 30 acres (for roads) = 270 “Net Acres”

270 acres / 5.0 acres per dwelling unit = 54 dwelling units – “Net Density”

Answer: 54 dwelling units = “Net Density”

3. Development with Central Water and Central Sewer Systems – 500 acre parcel with a “Base Density” of 1 dwelling unit per 0.85 acre (based on “Net Acres”), with 40% open space, assume 10% of the “Developable Area” for roads.

Question: How many units would be allowed on the 500 acre parcel?

500 acres – 40% (open space) = 200 acres for open space

500 acres – 200 acres (open space) = 300 “Developable Acres”

300 acres X 10% (for roads) = 30 acres

300 acres – 30 acres (for roads) = 270 “Net Acres”

270 acres / 1 dwelling unit per 0.85 acres = 317 dwelling units – “Net Density”

Answer: 317 dwelling units = “Net Density”

4. Conservation Community with Central Water and Sewer Systems – 500 acre parcel with a “Base Density” of 1 dwelling unit per 0.65 acres (based on “Net Acres”, with 50 % open space, assume 10% of the “Developable Area” for roads.

Question: How many units would be allowed on the 500 acre parcel if the project was designed to be a Conservation Community with a “Base Density” of 1 dwelling unit per 0.65 acre (based on “Net Acres”), 50% open space, a 6000 square foot recreation center being built for the

community, a soccer/football field, and pedestrian benches along the integrated trail system?

500 acres – 50% (open space) = 250 acres for open space

500 acres – 250 acres (open space) = 250 “Developable Acres”

250 acres X 10% (for roads) = 25 acres

250 acres – 25 acres (for roads) = 225 “Net Acres”

225 acres / 0.65 acre per dwelling unit = 346 dwelling units – “Net Density”

346 units “Net Density” + 20% (69 units) – for recreation center, ball fields, and pedestrian amenities = 415 units

Answer: 415 Total Units with Density Increase

### Attached/Multi-Family Criteria

*Goal: Provide alternatives to the traditional single-family residential unit, in appropriate locations - near goods and services, near town borders, within larger residential developments, appropriate locations along highway frontages, within “Activity Centers”, or at “Arterial/Arterial Intersections”.*

Currently, approximately two percent (2%) of the Elbert County housing inventory is considered multi-family housing (two or more attached units), according to US Census figures. Several segments of the County population could benefit from housing options other than the traditional single-family unit. Housing costs within the County are prohibitive for many younger citizens, newer families, and those on fixed-incomes. ~~A healthy County should provide housing options for all its citizens, throughout their lives.~~

Developments of 320 acres or more should provide more than one housing type (i.e. single-family, townhouses, patio homes, duplex, etc.), with opportunities for people of all ages, and for a variety of income levels.

The following criteria should be considered for all proposed attached or multi-family developments:

- 1.) All proposed developments should be processed as a Planned Unit Development re-zoning;

- 2.) Projects should be located near town borders, designed into larger (320 acres or more) single-family developments, "Activity Centers", or located at "Arterial/Arterial Intersections";
- 3.) Projects should be located on arterial roads capable of handling the additional traffic, within acceptable levels of service, or sufficient roadway/access improvements should be required of the development;
- 4.) Developments should be physically compatible with adjacent land uses in design, scale, and architectural elements;
- 5.) The site design should include pedestrian access to adjacent goods and services, open space, and existing adjacent pedestrian trails/sidewalks;
- 6.) Projects should have a quality site design, as evidenced by conformity to the *Elbert County Site Design Standards for Residential Developments*;
- 7.) Adequate buffering should be provided to adjacent lower density residential housing;
- 8.) Projects should be served by central water and central sewer.

Types of Attached/Multi-Family Housing:

- Duplex – A duplex is a type of structure consisting of two (2) dwelling units that are attached to one another, with each unit having a completely separate entrance. Both dwelling units within a duplex structure are located on the same lot.
- Patio Home - A patio home is a single-family dwelling unit located on its own lot. It may be attached or detached.
- Townhouse – A townhouse is a single-family dwelling unit, attached from the ground to roof, with each unit having an individual outside access. Each unit within a townhouse development is located on an individual lot, and the common wall between attached units creates the plane of the common property line between adjoining lots. Rows of attached townhouses should not contain less than three (3) dwelling units and no more than eight (8) dwelling units. Common open areas and landscaping are usually maintained by a property owners' association.
- Multiplex – A multiplex is a structure containing at least three (3) and no more than eight (8) attached dwelling units. Each unit may take direct access to a private yard or access point, or units may share yards and access. The units may be arranged in a variety of configurations, including back-to-back, side-to-side, or vertically.

Each multiplex structure is located on an individual lot, which is usually owned and maintained by the building or unit owners.

## Water – Recommendations for All Residential Developments

In an effort to preserve and protect the ground and surface water in Elbert County, the following recommendations should apply to all residential developments:

- 1.) Backflow valves are recommended for individual wells and central water systems to protect the aquifers from contamination;
- 2.) Wells should generally be drilled **to the bottom quarter** ~~through the entire thickness~~ of the permitted aquifer;
- 3.) Developments should connect to existing central water and sewerage systems, when feasible;
- 4.) Central water systems should meter in-house usage within the subdivision;  
~~**If practical,** Wells for central water systems should produce from one aquifer deeper than the shallowest non-tributary aquifer;~~
- 5.) High-capacity wells within the subdivision should be located such that they do not impact aquifers utilized by local, small-capacity domestic users.

~~In addition, all residential developments shall have an adequate 300-year water supply and shall comply with all provisions of HB 08-1141, at the time of application for the Planned Unit Development zoning.~~

## Coordination with Adjacent Towns and Counties

When a proposed development is located within the three (3) mile extraterritorial jurisdiction (ETJ), of an incorporated town, the proposed development will be referred to and coordinated with the town (to the extent possible). Ultimately, inter-governmental agreements should be developed between Elbert County and adjacent jurisdictions to address development that occurs along these common boundaries. Any proposed development which will impact a surrounding county will be referred and coordinated with that county, such that impacts (to the extent possible), will be mitigated. Any residential development that creates off-site traffic impacts shall adequately address those impacts and provide acceptable solutions to the off-site impacts, prior to the public hearing dates being set for review by the Planning Commission and the Board of County Commissioners.



## Housing Section Amendments

This *Housing* section contains goals and policies which have been deemed appropriate at this point in time; it cannot provide for all future changes in economic conditions and development demands. As a result, the *Housing* section should be reviewed and updated periodically to consider unforeseen circumstances. Exceptions or amendments to the *Housing* section's recommendations, criteria, goals, and policies can be made as follows:

### 1.) Individual Case Basis

The Elbert County Planning Commission or Board of County Commissioners may approve exceptions to this section if they find that the original objectives of the section are met, the proposal is a unique situation, has C&DSO support, and has been evaluated by the community. The Elbert County Planning Commission or Board of County Commissioners may deny an application if they find that the proposed development does not conform to the *Housing* section's objectives and policies.

### 2.) Periodic Review by the Elbert County Planning Commission

This *Housing* component of the Master Plan should be reviewed periodically by the Elbert County Planning Commission to determine whether or not the goals, policies, and objectives are still appropriate, or in need of modification. Should the Planning Commission determine that modifications, additions or deletions are necessary; the amendments to this section shall be reviewed and approved through the public hearing process.

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## Housing Section Definitions

"Activity Centers" – Areas capable of supporting a mix of more intense land uses, including higher-density housing, retail, office, community uses, and open space.

"Arterial/Arterial Intersections" – Highly visible quadrants where **major** arterial roads intersect, which are appropriate for higher intensity land uses such as: retail, office, light industrial, and higher density residential projects. **Arterial roads typically serve major traffic movements and function to move large volumes of traffic through a community and are identified in the West Elbert County Transportation Master Plan.**

"Base Density" – The number of units allowed per acre (based upon the Net Acreage), as depicted in the *"Base Density Table for Residential Developments"* shown above.

"Conservation Community" - Developments which are characterized by large amounts of common open space and clustered, compact lots. To qualify as a Conservation Community, the development must meet the criteria as specified in the "Qualifying Criteria for a Conservation Community" section.

"Conventional Residential Development" - Developments that are not Conservation Communities will be considered Conventional Residential Developments. These communities will typically have larger lots than Conservation Communities.

"Developable Acres" – Gross acres of the site less the acres required for open space.

"Gross Acres or Acreage" – Total acreage of the parcel.

"High-Quality Wildlife Areas" - Those areas shown on the "Wildlife Resources Map", from the *Elbert County Open Lands, Parks and Trails Plan*.

"Net Acres or Acreage" – Developable Acres less 10% (for roads).

"Net Density" – Net Acres divided by the Base Density as depicted in the *"Base Density Table for Residential Developments"* shown above.

"Open Space" – A classification of land in Elbert County obtained by approval of application or designation by right that; (1) has been preserved and protected by severance of development rights to a third party through purchase, conservation

easement, dedication and/or donation to a public agency or land trust; or (2) upon application meets one or more of the purposes of open space set forth in the Elbert County Land Use Regulations, and will be preserved by future protection as approved in the application. Land that does not qualify as open space land is land; (1) whose development is otherwise restricted by zoning, regulation (such as setbacks, septic fields) or committed to alternative use (such as access easements, covenanted uses); or (2) open space, including green space easements which are not transferred to ~~owned by~~ a third party, such as a land trust or governmental entity, including a metro district, will be allowed by exception only, and based on good cause shown.

Wetlands which meet the requirements under either the Colorado Wetlands Program, the Colorado Water Quality Control Act (CRS 25-8-101; et seq), or the Federal Clean Water Act (33 USC 1342), are also expressly identified here as qualifying open space even though such wetlands are subject to other restrictions (Elbert County Resolution Number 07-84, *Definition of Open Space Land and Land That Does Not Qualify as Open Space Land*).

"Planned Unit Development" – Custom zoning for a particular property which encourages innovative approaches to land uses, creative design of land uses, energy conservation, efficient use of open space, preservation of environmental conditions and compatibility with overall County objectives.

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