

## **APPENDIX B – WILDLIFE REVIEW PROCEDURE**

It is unclear if this process runs concurrently with the preliminary plan process or must be completed prior to submission of a preliminary plan. B.1 D. 2., Lines 1340 and 1341 appear to require an approval by the Board of Commissioners of the Wildlife Review before a subdivision application may be filed. This seems to be overly burdensome and further lengthens the review/approval process. It seems to this reviewer the Wildlife Review process could occur concurrently with the review of the preliminary plan.

## **APPENDIX C – PLANNING CONSULTANT QUALIFICATIONS**

I fail to see the need to establish qualification criteria for planning consultants. No criteria are established for engineers although the State of Colorado does not license engineers within a specific engineering discipline. Some of the better subdivision design people I have worked with over the past 30 years were landscape architects, not planners. We do not establish criteria for real estate developers, surveyors (only that they be licensed). I did not see a requirement that a planner be involved in the process. Many engineering/surveying firms that are involved in the subdivision process do not employ land planners.

## **ADDITIONAL COMMENTS**

### **Cluster Development**

30-28-401 (a) C.R.S. declares that is in the public interest to encourage clustering of residential dwellings on tract of land that are exempt from subdivision regulation by county government pursuant to Section 30-28-101 (10) (c) (X), thereby providing a means of preserving common open space, of reducing the extension of roads and utilities to serve the residential development, and of allowing landowners to implement smart growth on land that is exempt from subdivision regulation.

(b) Landowners should have the option to consider cluster development when subdividing land into parcels in a manner that constitutes an alternative to the traditional thirty-five acre interests described in Section 30-28-101 (10) (c) (I).

(c) A process should be available for the development of parcels of land for residential purposes that will authorize the use of clustering, water augmentation, density bonuses, not to exceed two dwelling units for each thirty-five acre increment, or other incentives, and the transfer of development rights and fulfill the goals of the county to preserve open space, protect wildlife habitat and critical areas, and enhance and maintain the rural character of lands with contiguity to agricultural lands suitable for long-range farming and ranching operations.

I would recommend Custer County strongly consider the development of a "Rural Land Use Process" as set forth at 30-28-404 et seq. as an option to the thirty-five acre exempt subdivision process.

### **Minor Subdivision Process**

I have been requested to comment on the concept of a minor subdivision process. Such procedures are generally limited to a small number of lots where there are no new public improvements involved and having little or no impact upon existing County facilities and services. My experience is that the more complex and cumbersome a county's standard subdivision process is viewed, the more likely the development community will push to have a simplified process. In most instances the minor process then becomes the norm. Collectively, over time, such small presumably limited impact subdivisions may have a major impact upon the County and its infrastructure. I would recommend that rather than having a minor subdivision process, allow small, limited impact subdivisions to skip the sketch plan process and to file a preliminary plan and final plat concurrently. They still should be required to go through the full subdivision process but in an expedited more streamlined process.

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