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**Antlers Range Rezone
Letter of Intent**

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Tax Schedule No: 4218000022
Acreage: 244.496 Acres
Current Zoning: A-35 (Agricultural)
Requested Zoning: RR-2.5 (Residential Rural)

Request:

Vertex Consulting Services, LLC, on behalf of the Antler Range LLC, is respectfully submitting an application for a map amendment (rezone) from the A-35 zoning district to the RR-2.5 zoning district. A concurrent request has been submitted to subdivide the land into 84 lots. The proposed rezone is compatible with the surrounding planned and existing developments and is consistent with the Your El Paso Master Plan.

Utilities:

Mountain View Electric Association (MVEA) provides electric service and Black Hills Energy provides natural gas service to the area and have provided commitment to serve any new homes within the subdivision. Dwellings are to be served by individual onsite wastewater treatment systems and individual wells.

Neighborhood Meeting:

A neighborhood meeting was held on November 25, 2024. Several neighboring property owners were in attendance, with the majority of them owning 35+ acre parcels. The neighbors indicated they were not opposed to the proposed development. Two primary concerns were raised and discussed:

- Potential dust during construction
 - It was explained that the only grading to occur will be in association with the roadways and small water quality features. The County and State require these areas to be wet down to prevent dust and air quality issues.
- Well depletion
 - It was explained that the State and El Paso County require a finding of sufficiency for water quality, quantity, and dependability. This includes augmenting the wells.

Justification:

The pages that follow address each one of the criteria included within Section 5.3.5 (map amendment), of the El Paso County Land Development Code.

The application is in general conformance with the El Paso County Master Plan including applicable Small Area Plans or there has been a substantial change in the character of the neighborhood since the land was last zoned.

The proposed map amendment (rezone) is in general conformance with the Master Plan. Please see the Master Plan analysis below.

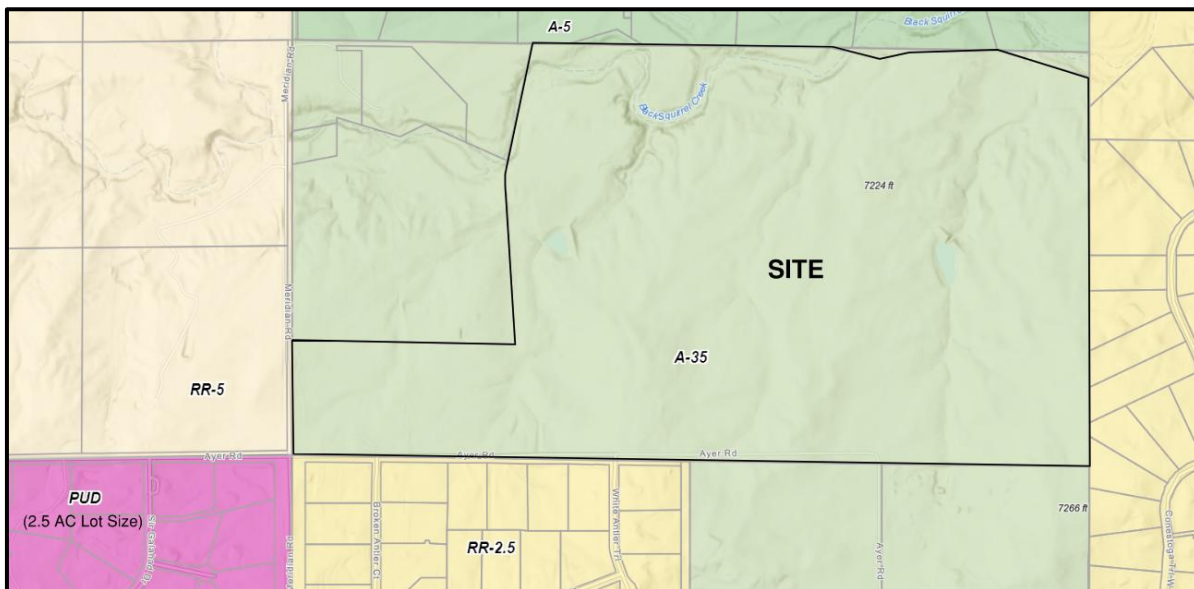
The rezoning is in compliance with all applicable statutory provisions, including but not limited to C.R.S. § 30-28-111 § 30-28-113, and § 30-28-116.

Pursuant to the El Paso County procedures, the County has posted the public hearing date in the newspaper ensuring all statutory requirements have been satisfied.

The proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions.

The property owner is requesting to rezone the property from the A-35 zoning district to the RR-2.5 zoning district. The parcels located immediately adjacent to the east and south are zoned RR-2.5. The property is also surrounded by the A-35, RR-5, and A-5 zoning districts.

Below is a map depicting the surrounding development and zoning:



Section 3.2 of the Code provides the purpose statements for all conventional zoning districts within unincorporated El Paso County.

The purpose of the RR-2.5 (Residential Rural) zoning district:

“The RR-2.5 zoning district is a 2.5 acre district intended to accommodate low-density, rural, single family residential development.”

The purpose of the RR-5 (Residential Rural) zoning district:

“The RR-5 zoning district is a 5 acre district intended to accommodate low density, rural, single-family residential development.”

The purpose of the A-5 (Agricultural) zoning district:

“The A-5 zoning district is a 5 acre district primarily intended to conserve agricultural resources and ranching operations and accommodate limited residential use.”

The purpose of the A-35 (Agricultural) zoning district:

“The A-35 zoning district is a 35 acre district primarily intended to accommodate rural communities and lifestyles, including the conservation of farming, ranching and agricultural resources.”

The primary difference in the intent of the above zoning districts is the dimensional standards, more specifically the minimum lot size requirement. All districts purpose statement includes rural/agricultural. All districts allow for single-family and rural land uses. The purpose statements of the zoning districts are compatible with one another.

The Land Development Code definition of “Compatibility” clearly points out that two items do not need to be identical in order to be considered compatible; “The characteristics of different uses, activities or designs which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include height, scale, mass and bulk of structures. Other important characteristics that affect compatibility are landscaping, lighting, noise, odor and architecture. Compatibility does not mean “the same as.” Rather, compatibility refers to the sensitivity of the proposed use, activity or design in maintaining the character of existing development within the vicinity.”

Using the Code definition, compatibility can be accomplished if:

1. Located adjacent to one another in harmony (coexist without negative impacts).

The existing condition is harmonious. The fact that the surrounding zoning districts are already varied with A-35, A-5, RR-5, and RR-2.5 adjacent to one another is evidence enough that these zoning districts can, and do, abut one another harmoniously.

All zone districts require a 25 foot front and rear setback. The side setback requirement in the A-35, A-5, and RR-5 zone district is 25 feet whereas the RR-2.5 zone district requires 15 feet. This difference in dimensional standard will not impact the surrounding zoning districts due to all proposed lots abutting the rear and not the side. The only dimensional standard difference of note is the minimum lot size requirement, however, the difference in lot size will not result in negative impacts to the surrounding properties.

The RR-2.5 zoning district permitted uses is essentially a paired down, or less intense, list of those land uses allowed in the A-35, A-5, and RR-5 zoning districts. There are no permitted uses in the RR-2.5 zone that are not permitted in the other surrounding zone districts. The zone districts can remain adjacent in harmony.

2. Compatible height

The A-35, A-5, RR-5, and RR-2.5 all allow for a maximum height of 30 feet.

3. Compatible scale, massing, and bulk

The RR-5 zoning district has a maximum coverage of 25% whereas the A-35, A-5 and RR-2.5 do not include a maximum coverage. Anticipated structures in all zone districts include single-family detached dwellings, garages, and barns. The scale, massing, and bulk standards within the surrounding zone districts are compatible, and identical.

4. Compatible landscaping, light, noise, odor, and architecture

All zone district have the same landscaping, lighting, noise, and architectural standards.

5. Maintain the character of existing development in the vicinity

The character of the surrounding zoning is already very diverse with the A-35, A-5, RR-5, RR-2.5 zone districts being adjacent to one another without a density transition from one to another. The proposed rezone will result in the existing RR-2.5 located to the south and east being extended into this parcel, but will not result in a disruption of the existing character.

The site is suitable for the intended use, including the ability to meet the standards as described in Chapter 5 of the Land Development Code, for the intended zone district.

Table 5-4 of the Land Development Code identifies the density and dimensional standards of the RR-2.5 zoning district:

- Minimum lot size: 2.5 acres
- Front Setback: 25 feet
- Side Setback: 15 feet
- Rear Setback: 25 feet
- Maximum Height: 30 feet

The concurrently reviewed preliminary plan depicts lot sizes meeting the 2.5 acres size limitation.

Master Plan Elements

Below is an analysis of the various El Paso County Master Plan elements.

Your El Paso County Master Plan Analysis

Chapter 1 of Your El Paso Master Plan (2021) states that the Plan is “general in nature-it cannot tackle every issue in sufficient detail to determine every type of necessary action.” In addition, Chapter 1 goes on to state that the Plan “is intended to provide clearer and more coordinated policy, resulting in a document that effectively communicates County goals and identifies specific actions to achieve both County-wide and local area objectives.” When taken together, these two statements suggest to the reader that the Plan may only address certain issues at a cursory level and that specific steps or actions for addressing such issues may not be offered within the Plan. That conclusion is certainly the case in numerous instances and with regard to a variety of topical areas. However, where that is not the case is with respect to the requested map amendment (rezoning) to the RR-2.5 zoning district, as identified below.

Key Area Analysis

The subject property is not identified in the Plan as being within a Key Area.

Area of Change Analysis

The subject property is identified in the Areas of Change map within the Plan as being within the “Minimal Change: Undeveloped” area of change.

Page 21 of the Plan characterizes areas of “Minimal Change: Undeveloped” by stating:

“The character of these areas is defined by a lack of development and presence of significant natural areas. These areas will experience some redevelopment of select underutilized or vacant sites adjacent to other built-out sites, but such redevelopment will be limited in scale so as to not alter the essential character. New development may also occur in these areas on previously undeveloped land, but overall, there will be no change to the prioritized rural and natural environments.”
(Emphasis added)

This 244.496 acre parcel is an underutilized vacant parcel adjacent to 2.5 acre rural residential development to the south and east and agricultural development to the north and west with varied parcel sizes. The essential character is rural with a few of the surrounding larger parcels having agricultural cattle grazing leases. The proposed preliminary plan depicts a rural development with lot sizes being a minimum of 2.5 acres. The roadway alignments have been planned taking into the natural topography, resulting in the majority of the project area maintaining the natural terrain, vegetation, and character. The proposed roadways are a rural cross section. The preliminary plan will be an extension of the existing character.

Placetype Analysis

The subject property is shown on the Placetypes map of Your El Paso Master Plan as being within the Large-Lot Residential Placetype.

Page 26 of the Plan identifies the following land uses as being Primary Land Uses within the Large-

Lot Residential Placetype:

- Single-Family Detached Residential (typically 2.5 acre lots or larger)

In addition, the Placetype includes the following Supporting Land Uses:

- Parks/Open Space
- Commercial Retail
- Commercial Service
- Agriculture

The Large-Lot Residential Placetype is described further on page 26 as follows:

“The Large-Lot Residential placetype consists almost entirely of residential development and acts as the transition between placetypes. Development in this placetype typically consists of single-family homes occupying lots of 2.5 acres or more, and are generally large and dispersed throughout the area so as to preserve a rural aesthetic. The Large-Lot Residential placetype generally supports accessory dwelling units as well. Even with the physical separation of homes, this placetype still fosters a sense of community and is more connected and less remote than Rural areas. Large-Lot Residential neighborhoods typically rely on well and septic, but some developments may be served by central water and wastewater utilities. If central water and wastewater can be provided, then lots sized less than 2.5 acres could be allowed if; 1.) the overall density is at least 2.5 acres/lot, 2.) the design for development incorporates conservation of open space, and 3.) it is compatible with the character of existing developed areas.

Conservation design (or clustered development) should routinely be considered for new development within the Large-Lot Residential placetype to provide for a similar level of development density as existing large-lot areas while maximizing the preservation of contiguous areas of open space and the protection of environmental features. While the Large-Lot Residential placetype is defined by a clear set of characteristics, the different large-lot areas that exist throughout the County can exhibit their own unique characters based on geography and landscape.” (emphasis added)

The proposed development includes lots 2.5 acres in size or greater. The preliminary plan also depicts all floodplain and wetland areas as no-build areas, preserving and protecting the natural environment and features.

El Paso County Water Master Plan

The Executive Summary from the Water Master Plan (2018) states that “The Plan Water Master Plan (WMP) was developed for the Board of County Commissioners, El Paso County officials and staff, developers, citizens, and water providers within the County for the purpose of identifying and addressing water supply issues earlier in the land use entitlement process.” A water sufficiency finding is being requested with subdivision. It should be noted that the Water Master Plan only contemplates centralized providers and did not provide an analysis for individual well, as is proposed here.

The subject property is located within Planning Region **3** of the Water Master Plan, pursuant to Figure 3-1 on page 25. The Plan provides an analysis of water supply for central water providers, not for developments served by individual wells. Central water service is not proposed and water is to be provided by individual wells.

A Water Resources Report has been submitted with the preliminary plan application. The report identifies there is sufficient water in terms of water quantity, quality, and dependability for the lots included in the subdivision.

El Paso County Parks Master Plan

The El Paso County Parks Master Plan (2022) does not depict any planned or existing trails or open space on the subject property. Land dedication, or fees in lieu of land dedication are not required with a rezone application, however, fees in lieu of dedication will be provided with the concurrently reviewed subdivision.

2024 Major Transportation Corridors Plan (MTCP)

Access to the site is from Ayer Road with Meridian Road being adjacent to the west. The 2024 MTCP depicts Meridian Road as a minor arterial and Ayer Road as a non county-maintained roadway. Right-of-way dedication will be needed at the time of final plat for Ayer Road. A traffic impact study was prepared by SM Rocha and details the potential traffic impacts of the proposed development. The study concluded that the proposed development will not trigger any improvements to the surrounding roadway network.

Other Topical Elements of the County Master Plan

The proposed rezone is in compliance with the other topical elements of the County Master Plan, including the Master Plan for Mineral Extraction, and the El Paso County Wildlife Habitat Maps and Descriptors.