

OPEN LANDS PLAN

CITY OF LOVELAND

MARCH 2003

CITY OF LOVELAND

Open Lands Plan

City of Loveland Natural Areas Program



CITY OF LOVELAND

Prepared in Partnership With



March 2003

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INTRODUCTION

Project Background

Loveland's citizens have long cherished this community of lakes, natural areas and wildlife habitat, a beautiful river corridor and agricultural lands, and stunning views of foothills and snowcaps. The City's residents, like those in many other Colorado communities, became increasingly concerned about the loss of open lands due to rapid development in the early 1990s. As a result, in 1995, Loveland voters joined citizens in other parts of Larimer County to pass a ballot initiative for a countywide

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open lands sales tax. The quarter cent sales tax has since been used to protect open lands, natural areas, wildlife habitat, regional park preserves, and agricultural lands, and to develop regional trails. Although the percentage fluctuates, at least 55% of the tax revenue is distributed to six municipalities within the county, with a minimum of 35% allocated to Larimer County Open Lands. The City of Loveland has received an average of 15.4% of the open lands tax revenues since inception, or about \$1 million per year.

To help guide the use of tax revenues to protect open lands in Loveland, the City's first open lands plan was prepared in 1996. Based on a 1993 document, *In The Nature Of Things*, a plan that identified and evaluated over 100 natural areas in the community, the first Open Lands Plan focused on the protection of natural areas, while also addressing agricultural lands, viewsheds, community separators and the development of trails.

Since then, Loveland has accomplished many of the goals described in that plan. The Loveland Open Lands Advisory Commission was formed in 1996 to advise the Natural Areas Division and City Council on open lands issues. The Natural Areas Division of Parks and Recreation currently has two staff members. Since 1996, the City of Loveland has successfully protected 1,605 acres of open lands in the Loveland area.

In 2002, DHM Design Corporation was retained to work with City staff and the Open Lands Advisory Commission in the preparation of a new *City of Loveland Open Lands Plan*. The purpose of this plan is to present the current status of the open lands program and to outline future land preservation in the Loveland area.

Definition of Open Lands

Open lands – Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated or reserved for public or private use or the enjoyment of owners and occupants of land adjoining or neighboring such open lands.

In order to heighten public awareness, the following is a list of types of lands and reasons for possible preservation. Just because a type of land is listed below does not necessarily mean that it should or will be preserved, or be preserved in its current condition.

- Lands that might be a resource for the community (such as farmland, rangeland, lakes, streams, rivers, wetlands, etc.).
- Lands that might be needed for the health and safety of the community (such as areas required for the recharge of groundwater, reservoirs and surrounding lands, lands with vegetation ensuring better air quality, high wildfire danger zones, steep slopes, floodplains, buffers around airports and similar facilities, etc.).
- Lands that could provide a diversity of activities for the public (such as public parks; areas with outstanding historical, educational, cultural or archaeological value; areas providing access to lake shores, beaches, rivers and streams, privately owned recreation areas, etc.).
- Lands that could act as community separators (including lands that provide a buffer between communities).
- Lands that might provide viewsheds and/or aesthetically pleasing experiences (including lands that provide aesthetic relief and pleasure to the public).
- Lands that are used for agricultural purposes including farms, ranches, orchards, vineyards, etc. (such lands can remain in private ownership while providing *visual* open lands, with the use of open lands funds to purchase conservation easements).

Planning Process and Public Involvement

The open lands planning endeavor was designed as a participatory process with opportunities for public input at several key points. In addition, the City maintained a website throughout the process that kept the citizenry informed as to progress and encouraged feedback on the plan. The first public meeting was held in June to identify issues, ideas and preferences regarding protection of open lands and the development of trails. In July, approximately thirty landowners, community leaders and agency staff participated in a half-day workshop to generate draft recommendations, actions and priorities. Natural Areas staff and the Open Lands Advisory Commission also reviewed Loveland citizens' responses to the Larimer County Open Lands Survey from 2001. Midway through the open lands plan process, four alternative scenarios were refined and then taken to citizens, the Open Lands Advisory Commission and City Council for review and comment.



Credit: Mike Strunk

VISION & GOALS OF THE PLAN

Loveland's 1994 *Comprehensive Master Plan* contains a very thoughtful section on the City's vision (philosophy statements), goals and objectives pertaining to open lands, natural areas and other significant lands. This information was repeated two years later in the City's first *Open Lands Plan*. With very limited exceptions, this vision is still valid in 2003. An addition to the original vision has been made to emphasize the importance of connectivity of open lands.

Vision

Loveland's vision is that the community will continue to view parks and open lands as important for humans and all living things, and these special places will remain an integral part of the lifestyles of the City's citizens and visitors. This philosophy will include a balanced approach to planning, seeking ways to conserve natural resources while meeting the needs of a community that will continue to grow in coming years. The City looks forward to the day when the existing system of developed and undeveloped parks, trails and open lands will be expanded throughout the community, becoming part of Loveland's image and identity. Some open lands should be accessible to all people for recreational use while others should be left relatively undisturbed, preserving their natural values. The City will protect open lands that are contiguous, and will add new lands that are connected to previously protected areas, to allow wildlife movement and thus better protect high-value habitat. When appropriate, open lands in and around the community will be used for educational purposes as well as for relaxation, beautification and recreation.



Credit: Mike Strunk

Loveland's vision is that the community will continue to view parks and open space as important for humans and all living things, and these special places will remain an integral part of the lifestyles of the City's citizens and visitors.



Credit: Charlie Johnson

Goals

Goal 1

The community of Loveland commits to identify, preserve, protect and enhance open lands, natural areas, and other significant lands deemed important to Loveland's quality of life, image or identity.

Goal 2

The Loveland community shall use a variety of protection techniques to preserve open lands, natural areas, and other significant lands. The intent is to use available resources to best meet the community's objectives while at all times respecting individual property rights.

Goal 3

Standards for open lands within the city and surrounding area (i.e., types of open lands, service areas, population, site characteristics) will be studied and compared with other similar communities. Two organizations (Colorado Open Space Alliance, Colorado Conservation Trust) have begun to track the open lands and natural areas in communities throughout Colorado.

EXISTING CONDITIONS & RESOURCES

Acquisition Inventory

The following table describes open lands owned and conservation easements held by the City of Loveland.

Natural Areas Fee Simple Ownership	Acres	Lovelands Ownership %	Loveland Acres	Management & Maintenance	Public Access Comments
Boyd Lake Greeley Loveland Irrig.	25.17	50.00	12.59	State Parks	rec trail
Boyd Lake North	39.58	50.00	19.79	State Parks	rec trail
Boyd Lake South	41.97	50.00	20.99	State Parks	rec trail
Centennial Natural Area	1.31	100.00	1.31	Loveland	no access
Cottonwood Natural Area	4.50	100.00	4.50	Loveland	rec trail
Devil's Backbone Hunter	247.00	9.00	22.23	Larimer County	county trail
Devil's Backbone Wild	135.00	15.87	21.42	Larimer County	county trail
Dryland Wheat Farm	792.00	75.00	594.00	Loveland	future trail
Emerald Glen Natural Area	10.00	100.00	10.00	Loveland	rec trail
Heinricy Lake	30.00	10.00	3.00	State Parks	rec trail
Hidden Valley	219.37	90.00	197.43	Larimer County	no access
Jayhawker Ponds Natural Area	30.00	100.00	30.00	Loveland	fishing
Long View Farm	479.00	16.66	79.80	Larimer County	future trail
Longs Park Natural Area	8.04	100.00	8.04	Loveland	no access
Loomis I, II, III	23.24	100.00	23.24	Loveland	no access
Macy Natural Area	1.20	100.00	1.20	Loveland	no access
Morey Wildlife Reserve at Mariana Butte	27.50	100.00	27.50	Loveland	future trail
Namaqua Natural Area	5.88	100.00	5.88	Loveland	future trail
Recreation Trail 1st	50.54	100.00	50.54	Loveland	rec trail
Recreation Trail 2nd, 3rd, 4th, 5th, 6th	11.03	100.00	11.03	Loveland	rec trail
RFJY Natural Area	12.03	100.00	12.03	Loveland	no access
Sonic Natural Area	0.50	100.00	0.50	Loveland	rec trail
Von Kaenel Natural Area	2.71	100.00	2.71	Loveland	rec trail
Windemere Natural Area	1.14	100.00	1.14	Loveland	no access
Total Fee Simple Acres Owned	2,198.71		1,160.87		

Natural Areas Conservation Easement	Acres	Lovelands Ownership %	Loveland Acres	Management & Maintenance	Public Access Comments
Dunkin Conservation Easement	51.18	100.00	51.18	owner	future trail
Lazy J Bar S Conservation Easement Parcel 1	99.89	100.00	99.89	owner	no access
Lazy J Bar S Conservation Easement Parcel 2	191.34	100.00	191.34	owner	no access
Lazy J Bar S Conservation Easement Parcel 3	35.25	100.00	35.25	owner	no access
Sylvan Dale Ranch	477.00	39.22	187.08	owner	future trail
Sylvan Dale Ranch - Green Ridge	140.00	8.36	11.70	owner	future trail
Sylvan Dale Ranch - Red Ridge	149.00	10.19	15.18	owner	no access
Waterford Place Conservation Easement	10.30	100.00	10.30	owner	future trail
Total Conservation Easement Acres Owned	1,153.95		601.91		

Total Acres Preserved (Loveland owned)	1,762.78
Less Acres Preserved by other than open lands taxes	157.93
Total Acres Preserved with Open Lands Tax Revenues	1,604.85

Properties acquired using Loveland open lands tax revenues

Existing Funding Sources

Larimer County Open Lands Sales Tax

To date, many of the accomplishments of Loveland's Natural Areas Division have been due to revenues provided by the countywide Help Preserve Open Spaces sales and use tax. Originally passed in 1995, and supported by voters in 1999 to extend through 2018, sales tax revenues are shared by Larimer County and the six municipalities that are wholly within the County. The City of Loveland's share of the tax revenues has averaged close to \$1 million annually since 1998, with total revenue collected by year-end 2002 of almost \$8 million. Funds received from Larimer County are deposited and operated as a special revenue fund by the City. It is anticipated that these funds will continue to be the major source of revenue for the protection of open lands in Loveland.

Loveland's Capital Expansion Fee (CEF)

The City of Loveland approved a capital expansion fee to acquire and maintain open lands in May of 2002. A fee of \$327 for each new dwelling unit was initiated in the fall of 2002. The City of Loveland has issued an average of 955 dwelling unit permits annually from 1997 through 2001. This fee may generate \$300,000 per year, based on historic building activity averages, and is part of the philosophy of having growth pay its own way.

Great Outdoors Colorado Trust Fund (GOCO)

Established in 1992 by the state's voters, GOCO has been of enormous benefit to the protection of open lands throughout Colorado. While the preparation of applications is time consuming, and competition for grants is stiff, Loveland has benefited from GOCO funds. To date, over \$1,650,000 has flowed into the community for open lands protection.

Use of Loveland Open Lands Funds 1996-2002

As shown on the following table, approximately 45% of the City's open lands tax revenues have been used for purchasing and preserving land within the Growth Management Area (GMA). Approximately 34% of the open lands tax revenues have been used to preserve land outside the GMA but within the Community Influence Area (CIA). The remaining 21% was spent outside the CIA, primarily on the Fort Collins/Loveland separator area, which is substantially complete. The Growth Management Area is defined by the *Loveland 1994 Comprehensive Master Plan* as the area that generally will be developed within a 20-year timeframe and within which urban-level services are planned to be provided. The Comprehensive Master Plan notes that the build-out within the GMA may exceed twenty (20) years. The Community Influence Area is recognized as that area beyond the Growth Management Area within which development applications will be referred to the adjacent jurisdiction(s) for close coordination during the development review process.

Use of Loveland Open Lands Funds 1996-2002

	Acres owned	Loveland's % ownership	Loveland's Open Lands acres	Open Lands funds	% of Total
Properties purchased within Loveland Growth Management Area (GMA)					
Boyd Lake Greeley Loveland Irrig.	25.170	50.00	12.59	\$13,520	
Boyd Lake North	39.580	50.00	19.79	\$277,032	
Boyd Lake South	41.970	50.00	20.99	\$279,285	
Centennial Natural Area	1.310	100.00	1.31	\$0	
Morey Wildlife Reserve at Mariana Butte	27.500	100.00	27.50	\$229,142	
Namaqua Natural Area	5.880	100.00	5.88	\$102,078	
Dunkin Conservation Easement	51.176	100.00	51.18	\$104,635	
Lazy J Bar S Conservation Easement Parcel 1	99.885	100.00	99.89	\$130,244	
Lazy J Bar S Conservation Easement Parcel 2	191.335	100.00	191.34	\$678,586	
Lazy J Bar S Conservation Easement Parcel 3	35.249	100.00	35.25	\$70,847	
Waterford Place Conservation Easement	10.300	100.00	10.30	\$0	
Dryland Wheat Farm (1/2 of the land)	396.000	75.00	297.00	\$946,414	
TOTAL			773.00	\$2,831,783	44.56%
Properties purchased outside GMA but within Community Influence Area (CIA)					
Devil's Backbone Wild	135.000	15.87	21.42	\$75,000	
Devil's Backbone Hunter	238.000	9.00	22.23	\$75,000	
Hidden Valley	219.370	90.00	197.43	\$1,875,600	
Sylvan Dale Ranch	477.000	39.22	187.08	\$75,000	
Sylvan Dale Ranch - Green Ridge	140.000	8.36	11.70	\$32,600	
Sylvan Dale Ranch - Red Ridge	149.000	10.19	15.18	\$32,600	
TOTAL			455.05	\$2,165,800	34.08%
Properties purchased outside the CIA					
Long View Farm	479.000	16.66	79.80	\$410,669	
Dryland Wheat Farm (1/2 of the land)	396.000	75.00	297.00	\$946,414	
TOTAL			376.80	\$1,357,083	21.36%
TOTAL ACRES PRESERVED WITH OPEN LANDS TAX REVENUES			1,604.84	\$6,354,666	100.00%

Existing Open Lands and Natural Resources

(see *Existing Open Lands and Natural Resources map, page 12*)

Open Lands

Early in the planning process, it was determined that the study area for the Open Lands Plan should encompass the Community Influence Area (CIA), and all mapping reflects this decision. The CIA is shown as a pink dashed line that is defined by State Highway 60 on the south, County Road 30 on the north, the Larimer/Weld county line on the east, and the mouth of the Big Thompson River canyon on the west. This map also shows the City's Growth Management Area (GMA), delineated by a black dashed line, as it existed at time of adoption of this document.

Open lands that are currently managed, monitored, or more than 50% owned by the City's Natural Areas Program are shown in a golden color, notably several small areas along the Big Thompson River corridor, a dryland wheat farm in the northern portion of the study area, two conservation easements in the Ryan's Gulch area to the south, and a large portion of Hidden Valley, west of the City.

City of Loveland parks and golf courses are shown in dark green; open lands managed by Larimer County and other entities, such as Devil's Backbone, are shown in a light olive green; State Parks, such as Boyd Lake, are shown in brown; and State Wildlife Areas, such as Lon Hagler Reservoir, are shown in russet. Lands that are approved, or under review, for development under Larimer County's Rural Land Use Plan process, with clustered homes and considerable open lands, are shown in a light green.

The City's existing recreational trail extends along the Big Thompson River corridor and north through Boyd Lake State Park, and is shown as a red dashed line. Parks and Recreation acquired the trail corridor and several open lands parcels along the Big Thompson River over the last ten years. Proposed sections of the City's recreational trail are shown as a black dashed line. The City of Loveland is working with Colorado State Parks and many other jurisdictions between Trinidad and Fort Collins in the development of the Colorado Front Range Trail. Loveland's portion of this route is shown as a yellow dashed line extending north towards Fort Collins from Boyd Lake and south towards Berthoud through the Ryan's Gulch area. All proposed trails are general in their location.

Natural Resources

In 1993, the City and a team of consultants completed *In The Nature Of Things*, an inventory and analysis of natural resources in the Loveland area. This information was updated in 1996, and is valuable to land-use decision makers, city planners, developers, and property owners. The intent of the study was to facilitate informed decision making in regard to future urban development, open lands, and natural resource preservation and enhancement opportunities within Loveland city limits and its Community Influence Area. The natural areas identified in the study are shown with a cross-hatched symbol and outlined in red. As one would suspect, many of the natural areas are found along the Big Thompson River and around many of the area's lakes. Another prominent area with a very high resource rating is the First Ridge area, west of the city and north of US 34.

Big Thompson River Corridor West and East

(see Big Thompson River Corridor West and East maps, pages 13 and 14)

Since many of Loveland's most important natural resource areas are along the Big Thompson River, and much of the City's past and anticipated natural areas protection efforts are centered on this corridor, enlarged maps of the riverway are included in this report.

Proposed Developments as of December 2002

(see Proposed Developments as of December 2002 map, page 15)

At any given point in time, a number of projects are working their way through the city's land development process. If the development review process is successfully completed, the subject land will be developed with residential, commercial, industrial or other land uses in accordance with city regulations. The Proposed Developments map illustrates the projects that had been submitted to the City for development review as of December 2002. While some of these projects may have open lands components that are required as part of their approval, for the purposes of this plan, it is assumed that the bulk of each site will ultimately be developed and thus will not be considered for open lands protection. These sites are shown in red on the subject map.

The City of Loveland's current Land Use Plan, originally adopted in 2000 as a component of the Comprehensive Master Plan, defines significant areas east of the city that are proposed for intense development for employment and industrial purposes. These areas are outlined in red on both sides of the I-25 corridor and may provide little opportunity for open lands protection.

The Proposed Developments map also shows major four- and six-lane road improvements on both sides of the I-25 corridor, as described in the I-25 Corridor Plan that was adopted by Loveland in 2001. These road improvements are recommended to serve development in this area and will have an influence on the protection of open lands in the area east of the core of Loveland.

(Existing Open Lands and Natural Resources Map)
Please go to the Open Lands website to view this map and others at:
<http://www.ci.loveland.co.us/parksrec/olmaps.htm>

(Big Thompson River Corridor West Map)

Please go to the Open Lands website to view this map and others at:

<http://www.ci.loveland.co.us/parksrec/olmaps.htm>

(Big Thompson River Corridor East Map)

Please go to the Open Lands website to view this map and others at:

<http://www.ci.loveland.co.us/parksrec/olmaps.htm>

(Proposed Developments Map)

Please go to the Open Lands website to view this map and others at:

<http://www.ci.loveland.co.us/parksrec/olmaps.htm>

OPEN LANDS PLAN

(see Priority Areas map, page 23)

Overview

As this Open Lands Plan is implemented over time, Loveland citizens will enjoy increasing amounts of open lands, including important natural areas, agricultural lands and scenic viewsheds. A key component of this plan is the protection of open lands that are contiguous to other open lands or natural resources. Most of the City’s open lands preservation efforts will be located within the Growth Management Area. This plan provides a balanced emphasis on *close-in properties* and *natural areas* for current and future open lands preservation in Loveland.

Private Property Rights

The Open Lands Plan will be implemented only with the cooperation of willing landowners. This plan is advisory in nature and is not meant to decrease or increase property values. This plan should not be construed as a restriction on a landowner to enjoy, use, and sell his property. The Priority Areas map uses large “bubbles” to illustrate areas where the City will focus its preservation efforts. The bubble borders are generalized and purposely do not follow property lines.

It is highly unlikely that the City will acquire a majority of the land within the protected areas bubbles. Rather, these areas represent locations within which the City will focus negotiations with willing owners. Due to fiscal constraints, and in recognition that not all landowners within the designated areas will want to sell or donate their land to the City, it is anticipated that only a portion of the land within most areas will be protected as open lands.

Public Access

To protect sensitive wildlife habitat, wetlands and other natural resources, some open lands may not be open to direct public access, but may instead be of great value by providing *visual* access. Natural areas that have higher natural resource values may be accessible from viewing areas along the edges, while areas of lower habitat quality may have more direct public access. Trails and other facilities will be developed in open lands areas with less sensitive resources to accommodate public uses such as hiking, picnicking, wildlife viewing and other recreational uses. Future facilities will be designed to minimize undue impact to natural resources.



Credit: Mike Strunk



Credit: Brian Hayes

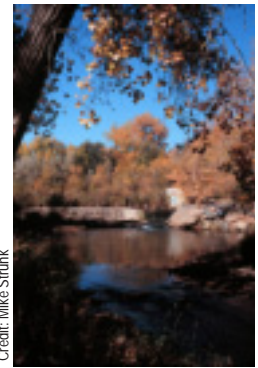
High Priority Lands

The following areas were determined to be high priorities for open lands protection, using input from citizens, landowners, staff, and the Open Lands Advisory Commission. Proposed Protection Areas are shown as brown shaded areas, and the Big Thompson River Corridor is shown in blue shading on the Priority Areas map.

Big Thompson River Corridor

A wonderful resource that flows through the Loveland area from west to east, the Big Thompson River is an area of special focus for open lands protection. Wildlife habitat, wetlands, other

riparian communities, and areas of high visual quality abound along the river. The City will strive to preserve as much of this corridor as possible. Some ponds that have resulted from former gravel mining operations offer prime opportunities for landscape restoration and protection and are included in the corridor. Much, but not all, of the river corridor is within the regulatory (100-year) floodplain. The river corridor symbol that is shown on the Priority Areas map is general in nature, the precise parcels to be protected will be determined on a case-by-case basis, based on detailed analysis of resource values.



Credit: Mike Strunk



Credit: Mike Strunk

Morey West

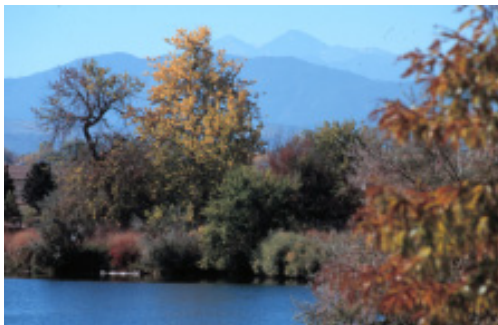
Just west of the Morey Wildlife Reserve, a property currently protected by the City's Natural Areas Program and located just west of the Mariana Butte Golf Course, lies a parcel of land that includes both riparian and upland resource values. Large cottonwoods along the Big Thompson River, wetlands, agricultural land and old fields are included in the Morey West area. The northern portion of this area has high quality wildlife habitat and natural resource values.

Namaqua

On the east side of Namaqua Avenue, north of the Big Thompson River, lies the City's Namaqua Natural Area. On the south side of the river is Namaqua Park. Extending from those two sites up the river to approximately Mariana Butte Golf Course, and down the river to Taft Avenue, and lying on both sides of the river, are lands that include riparian habitat and many gravel pit ponds. A significant portion of this area includes both highly rated natural areas and several lower value areas. An additional reason for protecting these lands is their visual resource value, as seen from the City's existing recreational trail along the river and as viewed by those using nearby city streets. A portion of the Namaqua priority area includes the area's first settlement, where Loveland had its beginnings in the 1850s.



Credit: Mike Strunk



Credit: Mike Strunk

Ryan's Gulch Confluence

Ryan's Gulch flows into the Big Thompson River at a point just south of the First Street Bridge, between Taft Avenue and US 287. A large number of gravel pit ponds are located south of the river in this area and wonderful riparian habitat occurs on both sides of the river.

Ryan's Gulch

The City of Loveland currently holds two conservation easements in the southern portion of the Growth Management Area, north of State Highway 60. Located southwest of Bud Mielke Reservoir, the Lazy J Bar S Conservation Easement protects irrigated agricultural values on the Rocky Mountain Lazy J Bar S Ranch. To the southeast, the smaller Dunkin Conservation Easement protects additional irrigated agricultural land in

the Ryan’s Gulch area. The Open Lands Plan proposes the protection of additional riparian and agricultural land around the Bud Mielke and Ryan’s Gulch reservoirs, along Ryan’s Gulch west of Taft Avenue and north and south of the existing Lazy J Bar S Conservation Easement.

Upper Ryan’s Gulch

Lying just west of the Lazy J Bar S Conservation Easement is a highly rated natural area consisting of the upper Ryan’s Gulch drainage, sections of two ditches, and a small pond. Important wildlife habitat includes mature cottonwood trees, scattered shrubs, and wetlands, valuable for songbirds and waterfowl. The wetlands also provide shoreline stability and sediment and nutrient filtering.

West First Street Agricultural Lands

A beautiful piece of pastureland is located northwest of the intersection of West First Street and Wilson Avenue. In addition to being one of the few remaining parcels of agricultural land in the western portion of the City, it is also a prime visual resource. Protecting this land as open lands will allow views north from First Street toward the river and hogbacks, and west from Wilson Avenue toward the mountains.



Credit: Mike Strunk

First Ridge / Hidden Valley

West of the City is a hogback (First Ridge) that forms a visual backdrop valued by many Loveland citizens. The unique geology and vegetation of this area also provide high value wildlife habitat, particularly for raptors such as prairie falcons and golden eagles, and for mammals such as mule deer, bobcat, coyote, and red fox. This hogback ridge contains a highly rated natural area, due to the very large size of its shrub-dominated community. Lying between First Ridge and Devil’s Backbone to the west is Hidden Valley. Approximately 219 acres of Hidden Valley were recently purchased by the City of Loveland, in partnership with Larimer County. Loveland and other entities will continue preservation efforts in this area.



Credit: Mike Strunk

Cascade Gulch

Just east of First Ridge, and draining south towards US 34, is a narrow valley that has retained much of its natural character. Wetlands, cottonwoods and a small pond occupy the valley. This area serves as a visual amenity for both motorists traveling along the highway and residents of the new subdivision to the west. The City’s proposed loop recreational trail will travel along the ridge to the east and provide a view of Cascade Gulch.



Credit: Mike Strunk

Western Mobile Pond

North of the Big Thompson River and east of US 287 lies a large open water pond surrounded by wetlands, shrubs and trees. Its proximity to the river and other protected open lands, as well as its high value habitat for songbirds, waterfowl, raptors, and small mammals, make this area worthy of protection.

Alford Wetlands

Lying west of the railroad embankment, south of 57th Street, is a long, narrow wetlands area. In part because of its close proximity to established residential neighborhoods and new development to the west, these wetlands are worthy of protection, primarily through the development review process. The City currently owns an 8-acre parcel on the south end of the wetlands. The City's recreational trail could access the north end of the wetlands.

South Boedecker

This high-value natural area located south of Boedecker Lake contains a drainage area with scattered small and large trees, open water, and a small mesic meadow. The drainage is set among agricultural lands, providing a diversity of wetland and upland habitat for songbirds and raptors, and a movement corridor for mammals. Bald eagles and hawks frequently use the site for roosting, and fox sightings are common. Protection of this area would augment existing open lands at Boedecker Lake and Lon Hagler Reservoir, both State Wildlife Areas.

Lakes & Shorelines

Loveland area's lakes and shorelines provide high natural resource values. Many of these lakes and shorelines are already protected in whole or in part by various entities, as described below. The Natural Areas Division will consider additional opportunities in these areas should they become available.

Boyd Lake

The west side of the lake has been largely protected by Boyd Lake State Park. The City of Loveland participated with the State Parks Department and Great Outdoors Colorado to preserve the Hirsch Farm, which remains as active irrigated farmland. A new subdivision on the northeast corner of the lake contains dedicated open lands, preserving the lakeshore.



Hienricy Lake

The City of Loveland, Larimer County, State Parks, and two other partners have acquired this lake just west of Boyd Lake. The lake and surrounding land provide high quality wildlife habitat, including open water, trees, shrubs, and upland meadows.

Westerdoll Lake

The Greeley/Loveland Irrigation Company owns the shoreline of Westerdoll Lake. This property's natural resource values include open water, wetlands, and large cottonwood trees, surrounded by agricultural lands.

Horseshoe Lake

Portions of the peninsula of Horseshoe Lake are protected with a Conservation Easement held by the Legacy Land Trust. The City of Loveland Current Planning Division negotiated this easement at the time of annexation. Additional lands along the shoreline and at the northern tip of the peninsula are protected by the subdivision as dedicated open lands. The large open water body of Horseshoe Lake also provides very valuable habitat for waterfowl.

Donath Lake

Numerous cottonwood trees, which provide good raptor and songbird habitat, surround Donath Lake. The large open water habitat attracts waterfowl, particularly during migration. The small lake located immediately to the west contains shrubs, trees, and open water, providing good songbird, raptor and waterfowl habitat.

Boedecker Lake

The Colorado Division of Wildlife presently leases the lake and surrounding land to provide public fishing and hunting. The lease has approximately 10 years remaining. The primary value of this site for wildlife is the large open water body that provides good waterfowl habitat.

Bud Mielke Reservoir

The South Side Irrigation and Reservoir Company owns this reservoir, located in the Ryan's Gulch drainage. The City of Loveland owns approximately 27% of the water in the reservoir, or about 90 acre-feet in a normal year. Large numbers of waterfowl frequent this reservoir, as do bald and golden eagles.

Chapman Reservoir

Chapman Reservoir is located in the southeast part of Loveland's Community Influence Area. At the south end of the reservoir, two Rural Land Use Plans that preserved at least two-thirds of the subject properties as open lands have been approved through Larimer County. The large lake, wetland margin, and scattered trees provide good wildlife habitat.

Lower Priority Lands

The section above described those open lands ranked as the highest priority in terms of protection. However, the City will also consider other areas that meet the established evaluation criteria, particularly in support of Larimer County and/or other entities' protection efforts, or when opportunities for donations, grants, or cooperative ventures enable the protection of significant open lands. The following areas may be considered.

Southeast Agricultural Area

South of State Highway 402, and west of the Interstate, are lands that currently remain in agricultural production. Since this area is a lower priority, and consistent with Loveland's Land Use Plan and the I-25 Corridor Plan, the City will consider protection of this area only in partnership with Larimer County or other entities. This determination will be made on a case-by-case basis, as initiated by willing landowners.

Buckhorn & Eden Valleys and Hogbacks

Northwest of Loveland is a series of valleys and hogbacks that remain very rural in character. Residents and visitors enjoy views of pastureland and hay fields, where cattle, llamas, and horses graze. Upon request by Larimer County or other entities, Loveland will consider working in partnership to protect this area.

Carter Lake Viewshed

During the development of the alternatives described earlier, there was some support for working to protect the scenic values that exist on the most direct route (West First Street) from Loveland to Carter Lake. A bike trail to Carter Lake was also part of this alternative. This concept will remain as a lower priority for protection by the City.

Horsetooth Canal Valley

Extending south from the mouth of the Big Thompson River Canyon and US 34, and bordered on the west by the Horsetooth Supply Canal (Charles Hansen Feeder Canal), is a valley that remains in agricultural use and is frequented by the area's elk herd. Development of an entertainment amphitheater and related facilities is proposed in unincorporated Larimer County for this valley. Upon request by Larimer County, Loveland will consider working in partnership to protect this area.

Boyd Lake Viewshed

At the southeast corner of Boyd Lake, west of County Road 9, is a small parcel that currently remains vacant. This area is one of the few locations where the public can view the distant mountains from across Boyd Lake. While a development proposal is currently being evaluated by the City, the Natural Areas Program will consider, as a lower priority, working with willing landowners to protect the viewshed in this area.

Dry Creek Ridges

During the public participation processes for Larimer County and Loveland, concerns were expressed by some citizens regarding the development of the top of the hogbacks west of Loveland and Fort Collins. Although determined to be a lower priority by the Loveland Open Lands Advisory Commission because of remoteness from the City, the Natural Areas Program will consider working in partnership with Larimer County should they take the initiative in protecting these visual resources.

Louden Wetlands

A wetland extends northwest from near the intersection of Taft Avenue and County Road 28, and across Wilson Avenue. Due to their lower natural resource values, the Loveland Natural Areas Program identifies these wetlands as a lower priority for protection.

Trails

The Open Lands Plan addresses a varied trail system to serve Loveland citizens and visitors. Public response during the Open Lands planning process indicated a desire for more trails in the Loveland area.

Proposed Natural Areas Trails

The City's Natural Areas Program may develop trails on open lands. These trails will be planned with consideration of wild-life and other natural resource values and will not enter areas that are of particular importance or sensitivity. Decisions regarding which areas will receive trails, and their exact alignment, will be determined in the future on a case-by-case basis, as part of the management planning process. Funds from the management and maintenance reserve sub-account will be used to develop and maintain trails in open lands that are accessible to the public. It is anticipated that most of these trails would be natural soft surface trails.



Credit: Joyce Rhoades

Proposed Partnership Trails

The Colorado Front Range Trail plan, completed by Colorado State Parks in early 2002, proposes the development of a trail from Trinidad to Fort Collins using a combination of new and existing trails. The proposed route through Loveland enters the Loveland Growth Management Area from the south near Ryan's Gulch, extends north to the Big Thompson River, uses the existing loop trail along the river corridor and north through Boyd Lake State Park, and continues north toward Fort Collins. The Natural Areas Program will work in partnership with Larimer County, Colorado State Parks, and adjacent municipalities (Town of Berthoud, City of Fort Collins, Town of Johnstown, Town of Windsor) to secure easements or acquisition of trail area if they are part of a preservation project, similar to the Dunkin Conservation Easement which allows for a future trail to be built. The Natural Areas Division would not be responsible for construction or maintenance of these trails. The City will work with area developers to include segments of the Front Range Trail as part of the development process, if possible and where the opportunity exists.

(Priority Areas Map)

Please go to the Open Lands website to view this map and others at:

<http://www.ci.loveland.co.us/parksrec/olmaps.htm>

OPEN LANDS PLAN RELATIONSHIP TO OTHER ADOPTED PLANS

Comprehensive Master Plan / Land Use Plan

The *Loveland, Colorado 1994 Comprehensive Master Plan* was adopted in October, 1994. The Land Use Plan element was revised and updated in 2000. That plan contained vision statements and philosophies regarding open lands in the community and those are quoted, in updated form, in the second section of this 2003 document. The Comprehensive Master Plan stated that the “City shall develop a Comprehensive Open Space Plan.” In response to that directive, the City’s first Open Lands Plan was prepared and adopted in 1996. The time frame to accomplish preserving a large portion of the higher priority lands in this plan corresponds with the GMA described in the *1994 Loveland Comprehensive Master Plan* as the area that generally will be developed within a 20-year time frame.

Parks and Recreation Master Plan

Natural Areas staff will continue to coordinate with the Parks and Recreation Department to cooperatively identify and acquire trail easements on open lands and natural areas. Likewise, Parks staff will work with Natural Areas staff on open lands possibilities near the recreation trail corridor or as part of the recreation trail corridor procurement process. Parks and Recreation plans to provide trailheads in all four quadrants of the City, which will be sited to minimize impacts to environmental areas, while providing safe crossings and access to the recreation trail. Connections to county, regional and other Front Range communities’ trail systems will also be considered, as additional funds are available.

As site plans are completed for open lands properties, the management and maintenance of open lands and natural areas will be coordinated through the Parks and Recreation Department staff. Services on open lands will be contracted out where feasible or necessary.

Transportation Plan

Many future roadways identified in Loveland’s *2020 Transportation Plan* could impact existing and proposed open lands areas. In some cases, existing open lands projects are large enough that the planned development and need for roads may not occur. A case in point is the Lazy J Bar S Conservation Easement. The easement restricts the development of 327 acres in the south Ryan’s Gulch Drainage Basin. Only two additional single-family units are to be allowed on the entire ranch site per the recorded conservation easement. The conservation easement also restricts the paving and construction of roads on the property. Other roads may not be necessary due to the extremely low density now planned for this property.

Because of potential impacts to open lands and natural areas, it will be important to strike a balance between preservation and providing for a functional transportation network. Loveland’s many lakes and the Big Thompson River create natural constraints to the transportation system. A case-by-case review of natural areas and open lands potentially impacted by future road construction is recommended when the next comprehensive review of the *2020 Transportation Plan* occurs. Policies and procedures will be implemented by Natural Areas Division staff to improve the review and decision-making processes in an effort to strike a balance between transportation needs and land preservation.

I-25 Corridor Plan

In May 2001, the *I-25 Corridor Plan* was completed, and adopted by the City of Loveland, to guide transportation improvements in the interstate corridor that extends from south of Johnstown to north of Fort Collins. This plan was prepared with participation by the Colorado Department of Transportation, Larimer and Weld Counties and each of the communities within the corridor.

The *I-25 Corridor Plan* includes an important section on Open Lands and Natural Areas. The goals include:

- Protect riparian areas within the I-25 Corridor from negative impacts of development.
- Conserve agricultural lands at the north end of the Corridor.
- Maintain and improve scenic quality and landscape character along the Corridor.
- Identify a regional interconnected system of open lands and trails that extends beyond the Corridor.
- Identify a mechanism for funding natural areas and open space protection in the corridor.

Loveland's 2003 Open Lands Plan is consistent with the goals and policies stated in the *I-25 Corridor Plan* and also recommends protecting the Big Thompson River area.

A Plan For The Region Between Fort Collins and Loveland

The City of Loveland, City of Fort Collins, and Larimer County completed this plan, entitled *A Plan For The Region Between Fort Collins and Loveland*, in April of 1995. The study area for the plan is generally bounded by the first ridge of the Dakota Hogback on the west, Harmony Road on the north, the Larimer/Weld county line on the east, and 57th Street on the south. Within the overall study area, 22 planning sub-areas were identified. Substantial progress has been made in preserving parcels within this separator area since 1995. A large area to the west of US 287 has been preserved, approximately one mile long by three miles wide, including Long View Farm, McKee, and a dryland wheat farm along the foothills. On the east side of US 287, in the Fossil Creek Reservoir area, open land has been preserved by the City of Fort Collins and Larimer County. A conservation easement southwest of Donath Lake protects 51 acres in the area between CR 30 and 57th Street, east of Highway 287. The preservation of additional open lands south and southwest of Donath Lake, within Loveland's GMA, remains a priority for the City of Loveland.

PLAN IMPLEMENTATION

While the City of Loveland has made significant accomplishments in protecting key open lands since the 1996 Open Lands Plan, this Plan outlines an aggressive vision for the future. While it continues to emphasize the *preservation of natural areas*, the 2003 Open Lands Plan also targets *close-in opportunities* based on set priorities. It also describes the development of a possible trail system to connect natural areas and provide public access to open lands. In addition to using existing open lands tax revenues and the City's Capital Expansion Fee for open lands, this Plan recommends other possible funding sources and strategies to implement the City's open lands goals.

Priorities for Open Lands

One of the keys to successfully accomplishing the goals of the Plan will be to develop and adhere to an implementation strategy that includes priority setting. Natural Areas staff and the Open Lands Advisory Commission may conduct priority-setting exercises annually.

This Open Lands Plan describes a group of highly desirable priorities for open lands protection and trail development. It must be recognized that, on occasion, lands may become available that offer unforeseen, outstanding opportunities for protection of high value resources, or that land protection possibilities will surface that represent unparalleled financial bargains for the City. In these cases, the City reserves the latitude to pursue protection efforts irrespective of previously established priorities.

Financial Projections

The following paragraphs describe financial projections for Loveland's Open Lands funds for 2003 through 2018, as shown on the table on the following page.

Revenues

Revenue from the county open lands sales tax is projected to increase conservatively at 4.0% annually through the expiration of the tax in 2018. Capital Expansion Fees are projected to grow at 3.1% annually. Interest income has been estimated at 4.0% annually. The total Larimer County Open Lands Sales Tax, Capital Expansion Fees, and interest income projected through the sales tax expiration in 2018 is \$33,924,623. Future grants from Great Outdoors Colorado (GOCO) are not shown, but could augment capital for land preservation.

Reserve Account for Management and Maintenance

The designated amount deposited into a management and maintenance sub-account each month is 15% of revenue received from the Larimer County open lands sales tax, which will provide for maintenance and management of current and future acquisitions up to 2018. The balance as of December 2002 in the Management and Maintenance sub-account is \$1,234,987. Management and maintenance expenses for open lands are currently very low. Future expenses for management and maintenance are difficult to predict, as costs will vary depending on type of ownership (e.g., fee simple vs. conservation easement), level of public access, and other variables.

Expenditures

Projected expenditures shown on the table include operating expenses/maintenance reserve as an expense, and cash available for acquisition of land each year. The table assumes average cash available for acquisition each year from 2013 to 2018 to be \$1,650,000.

LOVELAND'S OPEN LANDS FINANCIAL PROJECTIONS - 2003 TO 2018

	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013-2018^	TOTAL
Available Cash Balance*	\$120,000	\$1,006,204	\$758,524	\$572,356	\$435,671	\$432,016	\$384,339	\$512,572	\$485,506	\$926,753	\$920,941	
Revenues												
Total Revenue (Tax, CEF, Interest)	\$1,618,609	\$1,622,097	\$1,698,401	\$1,763,266	\$1,812,294	\$1,884,910	\$1,978,123	\$2,040,820	\$2,127,849	\$2,200,254	\$15,178,000	\$33,924,623
Expenditures												
Operating Expenses/ Maintenance Reserve	\$355,555	\$369,777	\$384,569	\$399,951	\$415,949	\$432,587	\$449,890	\$467,886	\$486,602	\$506,066	\$3,490,992	\$7,759,824
Cash Available for Acquisition	\$376,850	\$1,500,000	\$1,500,000	\$1,500,000	\$1,400,000	\$1,500,000	\$1,400,000	\$1,600,000	\$1,200,000	\$1,700,000	\$9,900,000	\$23,576,850
Total Expenditures	\$732,405	\$1,869,777	\$1,884,569	\$1,899,951	\$1,815,949	\$1,932,587	\$1,849,890	\$2,067,886	\$1,686,602	\$2,206,066	\$13,390,992	\$31,336,674
Ending Working Cash Balance	\$1,006,204	\$758,524	\$572,356	\$435,671	\$432,016	\$384,339	\$512,572	\$485,506	\$926,753	\$920,941	\$2,707,949	

* Balances do not include 15% maintenance reserve. Designated cash reserve balance for maintenance is \$1,234,987 year-end 2002. On a monthly basis, 15% of Open Lands Tax Revenues are deposited into this designated fund. Revenue includes resources from both Open Lands Fund 32 and Capital Expansion Fund 22.

^ Totals are projected through 2018, when the current County Open Lands Sales Tax is scheduled to expire.

Long Term Management

The City of Loveland sets aside 15% of open lands tax revenues for long-term management and maintenance of its open lands system. Annual management and maintenance costs are estimated at \$35 per acre for open lands not open to the public, and \$130 per acre for lands that are open to public use. Because the open lands sales tax is due to expire in 2018, appropriate strategies will be needed to ensure long-term funding availability for management and maintenance expenses past the expiration of the tax.

Priority Area Costs

The table on the previous page projects total open lands income from 2003 to 2018 of \$33,924,623. Of that, \$23,576,850 is projected to be available for preservation projects, after administrative costs are excluded and a maintenance reserve transfer. Loveland has preserved 1,605 acres of land as of February 2003 for \$6,354,667, which equates to an average cost of \$3,959 per acre.

The total land represented in the Priority Areas map is approximately 4,700 acres. If land prices increase at 10% annually, Open Lands could preserve approximately 2,840 acres of land by 2018, which equates to approximately 60% of the priority areas recommended for preservation in this Open Lands Plan.

Conservation Easements

The use of conservation easements will be a recommended tool in preservation, unless public access is desired, or anticipated in the future. The prime candidates for easements are owner-occupied properties that have agricultural or equestrian uses and include water shares. The City of Loveland is qualified to hold conservation easements per the Internal Revenue Service. Currently, the City holds or co-holds several conservation easements. A benefit to the City of holding conservation easements is the protection of the property's resources, while the management and maintenance of the property remain the responsibility of the owner. The language of each easement is negotiated with the individual property owner, and must include protection of the property's conservation values. Water shares can be preserved to avoid the sale of water that could result in the drying up of the land under easement. The City of Loveland has worked with landowners in the past who have participated in the State of Colorado tax credit program. Property owners can take advantage of \$100,000 to \$260,000 in State of Colorado tax credits by granting a conservation easement as a "bargain sale" or by the full donation of a conservation easement.

The City of Loveland will continue to partner with other entities on projects by holding or co-holding conservation easements, when appropriate and feasible. This will enable other entities such as Larimer County to preserve open lands around the Loveland area. The GOCO open space grant review process favors projects with strong partnerships. Very few preservation projects in this area are completed without some private and/or government agency partnership.

The costs of setting up a conservation easement and the annual monitoring of easements are addressed through policies described in the Policies and Procedures section of this plan.

Larimer County Rural Land Use Process

The Natural Areas Division should encourage landowners to consider using the Larimer County Rural Land Use Process in appropriate areas within the Loveland CIA. This subdivision process allows for a maximum of one unit per 17.5 acres and requires a conservation easement or restrictive covenants on the remaining residual land. A minimum of 70 acres is required to participate in this process. In many cases, irrigation of farm ground continues. Several Rural Land Use Subdivisions have been approved within the Loveland CIA.

Environmentally Sensitive Areas Reports

Title 18 of the *Loveland Municipal Code* covers zoning, the development review process, performance standards, and zoning districts. Currently, the City is revising and updating this section of the code. *The City of Loveland 1994 Comprehensive Master Plan* Section 4.2 and *Municipal Code* Section 18.41 state that all proposed developments in or adjacent to natural areas, as identified by *In The Nature Of Things* and updated in this Open Lands Plan, are required to submit an Environmentally Sensitive Areas Report (ESAR) for review and approval by the Current Planning Division and the Parks and Recreation Department. **The policies in Chapter 6.0 of the Open Lands Plan adopted in 1996 shall be used as guidelines in such reports until the new Title 18 Code is adopted.** Chapter 6.0 of the *1996 Open Lands Plan* is included as Appendix A of this plan. Natural Areas Program staff will be involved in the process of reviewing and revising Title 18 to ensure consistency with this plan's goals and objectives.

Potential Funding Sources

City Sales Tax

Several northern Front Range cities, including Fort Collins, Boulder, and Longmont, have a dedicated city sales tax to preserve open lands. Members of the Open Lands Advisory Commission have discussed with City Council the issue of proposing a city wide sales tax dedicated to preserving open lands. Loveland has historically ascribed to the “pay as you go” method of preserving land. The main disadvantage to the “pay as you go” strategy is that land prices continue to escalate. The longer the City waits to purchase open lands, the greater the risk of the price being higher, or the land being lost to development. As described in the Priority Area Costs section above, additional funding sources would be needed to fully implement this plan.

State Programs

While GOCO is traditionally viewed as the primary source of state funds for open lands protection, there are a number of other funding programs that could assist in the implementation of this Open Lands Plan. These programs and their primary uses include:

- Colorado State Trails Program: trail planning and construction
- Colorado State Parks: Land and Water Conservation Grant
- Colorado Department of Transportation: trail planning and construction
- Colorado Division of Wildlife: Watchable Wildlife and Fishing Is Fun programs
- Colorado State Historical Society: historic protection & restoration
- Colorado Youth Corps Association: trail construction

Federal Programs

There are several Federal programs that could provide funding to help meet the goals of the Open Lands Plan. The three most pertinent are:

- Land and Water Conservation Fund (LWCF): open lands acquisition
- Transportation Efficiency Act (TEA-21): trails & historic preservation
- Farmland Protection Program (FPP): agricultural protection

Non-Profit Organizations & Corporations

There are many non-profits and businesses that have made substantial contributions towards open lands protection and trails development throughout Colorado. Some of these grants are awarded only to organizations with 501(c)(3) status such as the Loveland Parks and Recreation Foundation. The *Colorado Grants Guide* is a valuable reference regarding this source of funding. Some of the more prominent non-profit and corporate organizations interested in open lands and trails projects include:

- Gates Family Foundation: conservation, parks & recreation
- Coors Brewing Company: protecting & improving water resources
- New Belgium Brewing Company: conservation easement tax credits

Land Trusts

A number of land trusts work in Colorado to protect open lands and agricultural land, some of which have been active in the past in the Loveland area. The following are some of the land trust organizations that could help in the implementation of the Open Lands Plan:

- American Farmland Trust
- Colorado Cattlemen's Agricultural Land Trust
- Colorado Open Lands
- Legacy Land Trust

POLICIES AND PROCEDURES

Acquisition Procedure

The Natural Areas Division will only acquire land or conservation easements from willing sellers or donors or as a part of a development application. Interested sellers or donors can approach the City with information about their property. The Natural Areas Division then performs a preliminary evaluation based on priorities for protection (i.e., location, natural areas rating, contiguity with other protected open lands) and conducts a site visit, if warranted. If the property is considered worthy of protection, staff analyzes potential protection techniques and partners, and provides an initial review. If negotiations proceed, an appraisal is ordered from a qualified licensed appraiser and a title insurance commitment is ordered. Pending an appraisal acceptable to the seller and the City, a purchase and sales agreement and contract are drafted, and an environmental audit is conducted. Upon staff's recommendation to City Council, a site may be preserved or protected.

Natural Areas Division Policies

To assist with decision-making and to provide a quality open lands program, the Natural Areas Division will utilize the following policies and procedures:

1. The Natural Areas Division will attempt to acquire land before lands are annexed to the City, or planned for development.
2. An ownership and encumbrance search shall be conducted for potential acquisition sites. Appraisals will be obtained if needed to determine the fair market value of the potential acquisition property.
3. A title commitment and survey will be required for each potential acquisition. If the site is acquired, a title policy in the amount of the acquisition will be supplied to the City.
4. The Natural Areas Division will acquire property by warranty deed, conservation easements, or right of-way easements.
5. Each property considered for acquisition shall be evaluated using the Comparative Analysis Chart – Ranking of Open Lands for Protection. A copy of this form is available at the City of Loveland, Department of Parks and Recreation, Natural Areas Division.
6. The Larimer County Help Preserve Open Spaces ballot initiative requires that at least 15%, and up to 30%, of the open lands tax dollars be set aside for management costs. Loveland's policy will be to set aside 15% of annual open lands tax revenues for long-term management and maintenance of its open lands system.
7. Requests for sale or use of City property will meet applicable City and State requirements.
8. The Natural Areas Division will adhere to government regulations and codes on the management and operation of sites and facilities.
9. The Natural Areas Division will follow established planning and development review processes and coordinate appropriate referrals with other City Departments and entities.

10. In certain cases, Loveland may partner with Larimer County and other entities, to a recommended maximum level of 10% of annual revenues, and in return expect these other entities to reciprocate on projects initiated by Loveland.
11. All facilities will be designed to reasonably meet ADA standards, where possible.
12. The Parks and Recreation Department will continue to provide contract maintenance for the Natural Areas Division for ground maintenance. Services will be contracted out where feasible or necessary.
13. The Director of Parks and Recreation can designate certain lands for exemption from the weed ordinance (Section 7.16.040 of the Loveland Municipal Code). These areas may include natural areas, wildlife corridors, or wetlands. Properties exempt from this ordinance will be designated on an ongoing basis. Management plans prepared for natural areas and open lands will address weed control, weed eradication, and revegetation when necessary using native species.
14. Hunting shall not be permitted on open lands or natural areas owned by the City of Loveland (Section 9.48.010 of the Loveland Municipal Code).
15. The Natural Areas Division shall prepare applications for grants when staff and the Director of Parks and Recreation determine that the time spent on the grant is commensurate with the potential amount of the grant award.
16. Farm leases for actively farmed agricultural properties owned by the City of Loveland or encumbered with a Conservation Easement shall be kept on file at the City of Loveland, Department of Parks and Recreation, Natural Areas Division. site.
17. The Natural Areas Division and Open Lands Advisory Commission shall review and make recommendations to City Council for utility easements through open lands or natural areas. Appropriate referrals by the Natural Areas Division will be made to the Water and Power Department as acquisition of properties and/or conservation easements are being negotiated. Most underground utility lines and facilities do not affect the conservation values of a property. Above-ground facilities and structures will be evaluated to determine the possible consequences to the conservation values of an open lands site.
18. The Natural Areas Division shall acquire ownership of any water shares tied to property, when appropriate and feasible.
19. Equestrian uses are permitted on open lands only if specified in a Conservation Easement or as part of a property-specific management plan.
20. Law enforcement for trespassing and other code violations on City-owned open lands is performed by the City of Loveland Police Department, and by the Larimer County Sheriff's Department if the property is located in the county. The Division of Wildlife is responsible for enforcement of wildlife and fishing regulations.
21. Signage for natural areas and open lands shall identify the property as open lands and provide rules and regulations applicable to the property.

22. All contracts for acquisition of open lands or natural areas shall be approved by City Council.
23. Restoration and revegetation of open lands, if necessary, shall be performed in accordance with a baseline inventory and management plan prepared by staff or outside contractors for each property.
24. All costs to donate a conservation easement on a parcel of land shall be paid by the owner, unless the Director of Parks & Recreation gives prior approval for partial or full payment by the City.
25. Staff acknowledges that future roadways identified in Loveland's *2020 Transportation Plan* could impact existing open lands as well as proposed protection areas illustrated on the Priority Areas map. Appropriate referrals by the Natural Areas Division will be made to the Public Works Department as acquisition of properties and/or conservation easements are being negotiated. Staff acknowledges the need to strike a balance between transportation needs and land preservation.

Management and Maintenance Plans

Individual properties owned by the Natural Areas Division are managed in accordance with site-specific management plans. The Big Thompson River Natural Areas Management and Maintenance Plan is being developed for all City-owned open lands properties along the Big Thompson River, including land that has been acquired by the Parks and Recreation Department for the recreation trail.

The Natural Areas Division will continue to develop individual management plans for other City-owned natural areas, open lands, and conservation easements. Management plans are based on a baseline inventory conducted at the time of acquisition, and describe permitted uses and appropriate stewardship of resources.

Several properties and conservation easements co-owned by the City with other entities are managed and maintained by the partner entities. As future properties and conservation easements are acquired with other partner entities, management will be determined by intergovernmental agreements or negotiated contracts.

Natural Area Rules and Regulations

Natural Areas staff and Parks and Recreation staff have been working in conjunction with the City attorney's office to establish and codify Natural Areas Rules and Regulations, especially prior to public use. Rules and regulations will be developed based on uses of the property that are compatible with the management plan for each property. Some parcels may require comprehensive rules for the site. Other parcels may only require signs describing limited or no public access.

Naming Policy

Natural areas will be named in accordance with the Natural Areas Naming Policy, a copy of which is available at the City of Loveland Parks and Recreation Department.

Conservation Easement Monitoring

Conservation easements are typically held by a land trust whose primary purpose is the preservation, protection or enhancement of land in its natural, scenic, ecological, and/or open lands condition. The land trust monitors the property on an annual basis to ensure compliance with the terms of the conservation easement (Morey, Namaqua, Lazy J Bar S Parcels 1 and 2). An endowment is established by the City of Loveland or the property owner with the land trust to compensate for the cost of monitoring the property annually. In cases where a conservation easement is held by the City of Loveland, the Natural Areas Division monitors the property on an annual basis to ensure compliance with the terms of the easement (Lazy J Bar S Parcel 3, Dunkin, and Waterford Place). Monitoring reports are forwarded to all entities with an interest in the property (e.g., Great Outdoors Colorado, Larimer County) and are kept on file at the City of Loveland.

Agricultural Land Evaluation (LESA)

American Farmland Trust and Larimer County's Agricultural Advisory Board developed a systematic methodology specifically for Larimer County to identify important agricultural lands. The Land Evaluation Site Assessment (LESA) system is an evaluative tool used by government agencies to rate agricultural properties. Larimer County adopted the LESA system in July 2001. The City of Loveland Natural Areas Program may use the LESA system when evaluating specific agricultural parcels for possible protection.

The LESA system was developed to determine the quality and sustainability of land for agricultural uses. More specifically, the LESA system was developed to provide a tool that would meet public policy needs for analyzing farmland conversion and protection issues by combining assessments of soil-based qualities of a site with non-soil factors that affect a site's importance for agricultural use. LESA consists of two components: land evaluation (LE) and site assessment (SA).

Land Evaluation Component

LE is used to rate the soils for a given area from best to poorest based on soil capability units taken from the Larimer County Soil Survey.

Site Assessment Component

SA factors include farm size/percentage suitable for agriculture, water availability, land condition, distance to an annexed boundary, habitat value, strategic value, visual/scenic value and cultural/historical values.

PROTECTION TECHNIQUES

Changing Development Patterns

The techniques described below, taken from the 1996 plan, may require amendments to Loveland's current Land Development Regulations. Work on revisions to Title 18 of the City's regulations is currently being conducted by the City in conjunction with its consultants. Depending on the outcome of this endeavor, the following tools may or may not be applicable to the protection of open lands in Loveland. Staff will continue to work with city planning staff and the consultant to incorporate the concepts framed in this plan with proposed Title 18 changes to ensure consistency.

Limited or Protective Development

A property with high visual, agricultural or natural resource qualities may be developed in ways that protect conservation values. This "protective" or limited development allows for the sensitive development of a portion of the property in exchange for the protection of the remainder. Usually the undeveloped portion is protected through a conservation easement. The reserved development sites are located so as not to interfere with agricultural operations, wildlife habitat, scenic or other resource values. The value of these limited development sites is enhanced by the permanent protection of lands adjacent to them. Limited development permits the landowner to protect the conservation values of a property while achieving economic objectives through the creation and sale of a few sensitively located, but very valuable, residential lots.

Rural Cluster or Open Space Zone

Cluster development concentrates, or groups, development on one or more portions of a site in order to permanently preserve other portions of the site. Instead of large lots, the cluster concept encourages small lots adjacent to productive agricultural, scenic, or natural resource lands. Common open lands are created that can be used for agricultural or recreational purposes. This concept can be combined with conservation easements to permanently protect the open land that is created by the clustering of development. Generally, a cluster ordinance requires that 60 to 80% of the site remain open and often a density bonus is utilized to encourage landowners to utilize this technique.

Voluntary Techniques

Conservation Easement

A conservation easement is a voluntary and permanent restriction limiting development of a property in order to protect conservation values. The easement can either be donated to a land trust or governmental entity or purchased by a governmental entity. The easement is a recorded restriction in the property deed and therefore applies to all subsequent owners. The conservation easement is a flexible instrument that can limit development as much as the landowner desires.

A conservation easement is usually granted to a qualified nonprofit land trust or governmental entity that has the responsibility of monitoring and enforcing the terms of the easement. A land trust is either a local organization or part of a national or statewide organization such as the Trust for Public Land or the Conservation Fund. Except for the fact that certain development rights have been limited by the terms of the easement, the landowner continues to own, use and manage the property.

Since the donation of a conservation easement is treated for tax purposes as a charitable gift, the landowner is entitled to a charitable deduction on their income tax equal to the difference between the fair market value and the restricted value of the property. Since the easement reduces the value of the property, it can be an important tool in reducing estate tax liability for properties that have appreciated rapidly. With the conservation easement in place, the landowner still retains full control over public access and management of the property.

Deed Restrictions / Covenants

If a landowner determines that a conservation easement is not an appropriate technique for protection of their property, a deed restriction or mutual covenant may be more acceptable. Mutual covenants are made between adjacent landowners restricting the use or development of the properties. Covenants are different from easements since they are enforced through other landowners, not a government or nonprofit organization. As a result, enforcement is optional and depends on adjacent landowners taking court action. In addition, they are not perpetual and are not treated as a charitable deduction for income tax purposes, as are easements.

Technical Assistance Team

An alternative which has been tried by a number of jurisdictions and land trusts is the establishment of a technical assistance team to explore alternative conservation techniques and analyze legal, tax, land planning and ranching / farming options to assist families in considering a wide range of alternatives for protecting open lands.

Negotiated Access to Lakes

In several instances, public recreational access to privately owned water bodies in Loveland has been accomplished through negotiated agreements. In one example, the Greeley and Loveland Irrigation Company sold the recreation rights to Lake Loveland to an association of adjacent homeowners. The homeowner's association then leased a portion of the lake to the City of Loveland for use as a public beach.

Acquisition of Title or Development Rights

Cash Purchase

Cash purchase at the fair market value (known as fee simple acquisition) is generally the preferred option for most landowners selling property to public entities. While in many instances obtaining cash payment yields the greatest return to the landowner, capital gains and other taxes may significantly reduce net return and make other types of transactions more attractive.

Estate Planning

The combined impact of federal and state inheritance laws may require families that own large properties to sell their land just to pay estate taxes. These taxes can amount to 55% or more of the value of the property and with the recent rapid escalation in land values, sophisticated estate planning may be required to minimize estate tax liability. Proper estate planning can reduce or eliminate estate taxes and keep the property in the family.

Creative Land Purchase for Public Open Space

For lands that may be desirable for public acquisition and management, there are a variety of creative techniques for interacting with private landowners. These include bargain sale, installment purchase, lease/option, gift, trade, rolling option, and charitable remainder trust, and are discussed below. The management of public lands may require extensive public resources as these lands are removed from the tax rolls. Financing for public acquisition of open lands often comes from property tax, sales tax, or special bond elections. The following techniques could be used. Many of them have already been employed by the City to help preserve land.

Donation or Gift

For certain landowners the charitable donation of land to a public entity or a nonprofit land trust is attractive for tax, family and estate planning reasons.

Bargain Sale

A bargain sale is a combination gift and sale of a property to a governmental or nonprofit entity. The landowner receives the benefit of both cash income and a charitable gift tax deduction for the difference between the fair market value and the bargain price.

Lease – Option

A lease-option agreement permits the City to lease a property for a period of time with an option to purchase the property during or at the end of the term of the lease. Such an arrangement would permit the City to determine whether it is in the City's interest to acquire the property, to assess management costs and to provide additional time to assemble sufficient funds to complete the purchase.

Right of First Refusal

Through a right of first refusal a landowner agrees to inform the City of their intention to sell a property to another party, but providing the City with the opportunity to match the best offer. A right of first refusal would not bind the City to acquire the property, but would give the City the opportunity to purchase if so desired.

Donation with Reserved Life Estate

A landowner may wish to donate land to a public entity or land trust, but retain the use of all or a part of the property during their lifetime or the lifetime of the immediate family.

Charitable Remainder Trust or Charitable Gift Annuity

A charitable remainder trust or charitable gift annuity permits a landowner to donate a property to a trust or a governmental entity in return for a fixed annual payment. Such arrangements may have significant tax benefits for landowners who have held property for a long period of time. These techniques can be used as an effective estate planning and retirement planning tool.

Installment Purchase

An installment purchase is simply a purchase spread over a term of years to benefit both purchaser and seller. An interest rate is built into each installment payment and one of the benefits of selling to a public entity is that the interest may be tax exempt, further increasing the seller's return.

Rolling Option

A rolling option is a series of options to buy portions of a property and thus extend the purchase over a period of years. Rolling options are frequently used by public entities that do not have sufficient funds for a fair market purchase, but can expect an annual appropriation for acquiring the remainder of the property. Generally, the least attractive portion of the property is sold first so that there is incentive for the public entity to complete the full purchase once the rolling option period begins.

Bridge Financing / Land Trust

A number of land trusts, such as the Trust for Public Land, acquire lands for public entities and then resell them to the public agency on terms that are beneficial to the public. Often a land trust can move quickly and creatively to acquire property, particularly where the owner must sell the property within a short time frame or in instances where development is imminent.

Management Agreement

A management agreement identifies a plan according to which a property will be managed, either by the City or the landowner. It permits a landowner and the City to cooperate on managing a specific property to meet mutual objectives. While a management agreement does not provide permanent protection, it promotes cooperative stewardship of a property.

Land Exchange or Trade

Through what is referred to as a “1031 Exchange” a private landowner may exchange one property for another and postpone or avoid paying capital gains tax as a result. This can be an effective tool as illustrated in the following two instances. First, public entities often have surplus lands that can be traded to a private landowner for more desirable open lands. Second, the City could acquire a parcel of land to be traded for a desirable open lands parcel, thereby saving the private landowner capital gains tax, which could result in lowering the cost to the City. The tax consequences of the land exchanges or trades can be very beneficial to the private landowner. They are also beneficial for the public entity since the trade could reduce the City’s cost. Land trades may be time consuming and may involve a high level of complexity, but can be extremely beneficial for both parties.

Purchase of Development Rights (PDR)

This technique is utilized in many states and counties on the east and west coasts. Under this scenario, a governmental entity purchases the development rights to open land or agricultural land in order to keep it in ranching/farming or undeveloped. Development rights associated with the property would be sold on a voluntary basis. The value of those rights usually varies from 30% to 80% of the fair market value of the property. The landowner is able to obtain the equity or development value from the property, keep the land open or in productive agricultural use, keep it in the family and pass it on to the next generation, and make needed capital investments with the proceeds. When the development rights are purchased, the land is permanently restricted. PDR programs are often funded through property, sales and special purpose taxes as well as through general obligation bonds.

Regulatory Techniques

Author’s note: a variety of regulatory techniques may result from ongoing amendments to Loveland’s Land Development Regulations. Revisions to Title 18 of the City’s Municipal Code are currently underway by the City and its consultants. Depending on the outcome of this endeavor, any additional regulatory tools adopted may be applicable to the protection of open lands in Loveland. Since the regulatory climate has not changed significantly, the following language from the 1996 Open Lands Plan is used:

Transfer of Development Rights (TDR)

TDR is similar to PDR in that the landowner receives compensation for the development value of the land. However, once the TDR program is established by governmental action, the system relies on the free market transfer of development rights from the open land to development areas, as opposed to governmental acquisition with PDR. In order for TDR to work effectively, both “sending” and “receiving” areas need to be identified. The “sending” areas are the lands that are to be protected, with the development rights from those areas sold to developers in identified “receiving” areas. The developers of a receiving site could acquire development rights from the owners of a sending site if they wanted to develop at greater densities than currently permitted. The transaction would take place between a willing buyer and seller so that the price for the development rights would be negotiated. Once the system is established, it can work effectively to redistribute development rights from open lands to more urban areas. Establishing this system is extremely complex and may require a number of years for the community to work out all the details so that transfers work effectively. TDR is working in a number of counties and states around the country. Larimer County has successfully put in place a TDR system in the Fossil Creek Reservoir area, north of Loveland. This has resulted in transferring development from the sensitive north shore of the reservoir to the Harmony Road area. This project also helped to preserve approximately 51 acres just west of Donath Lake that is located between Loveland and Fort Collins. This is a great concept, but it requires a significant effort to get it effectively implemented and tailored to local circumstances.

Overlay District, Site Plan Review or Performance Zoning

An overlay zoning district defining agricultural uses, natural resources, floodplain, or visual resources could be created which either prohibits development in certain areas, or establishes performance or site plan criteria for development in these areas. The performance criteria would encourage residential development on lands that do not contain these special resources or sets criteria so that identified properties are developed in a manner that responds sensitively to these resources.

Agricultural Preservation Techniques

County Right to Farm and Ranch Law

A county right to farm and ranch ordinance protects agricultural enterprises from nuisance suits and complaints related to their agricultural activities. It gives constructive notice to potential adjacent residential landowners that agricultural activities and practices in the area will continue and may cause odors, land use practices and transportation impacts that may affect adjacent residential living.

Formation of Agricultural Districts

Agricultural districts are voluntarily formed where farmers and ranchers agree to keep their land in agricultural use for a defined period of time, usually five to ten years. In return, property owners receive additional property tax relief and protection from nuisance complaints. In addition, limitations are placed on the county’s ability to extend roads, utilities, and special districts into the defined agricultural district.

Agricultural Zoning

Agricultural zoning establishes a minimum size area for subdivisions and identifies permissible uses. To be effective, the minimum lot size should be related to the minimum amount of land necessary for a viable agricultural operation. In practice, most agricultural zoning establishes lot sizes at 20, 40, 80, 160 acres or larger. The effectiveness of large lot zoning relates to how firmly it is enforced and whether the lot sizes relate to an economically viable farm size. Often the agricultural zones are merely holding zones for conversion to other uses later on. In addition, agricultural zoning is often not flexible enough to permit the sale of smaller lots should a rancher need to generate additional income while wanting to convey as little of the productive lands as possible.

Agricultural Buffer Zones

In agricultural areas, any non-agricultural development could be required to provide physical separation between agricultural and non-agricultural uses to prevent non-farm uses from interfering with normal agricultural operations or to reduce the potential for nuisance complaints related to farm operations.

SUMMARY & CONCLUSIONS

The City of Loveland is located at one of the most dramatic landscape transitions in the region... from the expansive Great Plains to the towering Rocky Mountains. It is blessed with a wealth of natural areas that remain from pre-settlement days, scenic viewsheds, and productive agricultural lands, all of which are treasured by the community's citizens and visitors. Many residents perceive Loveland as a place where small town values remain, and the security and beauty of its residential neighborhoods continue to attract an ever-growing population.



Credit: Debbie Eley

The Loveland City Council exhibited foresight in 1994, when they adopted a Comprehensive Master Plan that eloquently described the protection of a system of open lands in the community. In 1996, the City's first Open Lands Plan was completed and adopted by City Council. In the years since, several key natural and agricultural areas have been protected by acquisition of titles or conservation easements from willing landowners.



Credit: Mike Strunk

In response to these open lands accomplishments, and in recognition of the need to revisit the recommendations of the 1996 Plan, the City began preparation of this Open Lands Plan in June 2002. Through input from a series of public meetings; a workshop with landowners, City staff, and members of the Loveland Open Lands Advisory Commission; and the City's website, refinement of the earlier vision and goals took place.

After considering a range of four alternative scenarios for protecting open lands and developing trails, the City decided upon an Open Lands Plan that protects a system of inter-connected natural areas, viewsheds and agricultural lands, mostly within the City's Growth Management Area. The Big Thompson River corridor remains at the core of the open lands system.

The Loveland Open Lands Plan is not of itself a regulatory document. It is intended to serve as a guide to consider in the preservation of open lands through any combination of the strategies and techniques described in this plan.

Volunteers can play a very important role in accomplishing the vision set forth in this Open Lands Plan and can perform many duties that might otherwise be required of City staff, thus freeing up a larger portion of the budget for direct open lands protection.

The quality of life in the Loveland area will be enhanced while prime natural, visual and agricultural resources will be preserved through the implementation of the recommendations described and illustrated in this document. The many citizens, staff, and community leaders who took part in this planning process will have the satisfaction of knowing that their participation helped shape the future of the community's open lands system, to the benefit of Loveland's current and future generations.

"Think big...nobody ever regretted keeping land open." — Public meeting participant

ACKNOWLEDGEMENTS & PLANNING TEAM

ACKNOWLEDGEMENTS

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Open Lands Advisory Commission

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Appendix A
Chapter 6.0 of 1996 *Open Lands Plan*

6.0 Open Lands Focus Elements

6.1 THE BIG THOMPSON RIVER CORRIDOR

The Big Thompson River is Loveland's only natural waterway and contains more than one-fifth of all the natural sites surveyed within the study "In the Nature of Things: Loveland's Natural Areas." These areas include riparian forest ponds and fields containing habitat rated from low to high. Numeric quality ratings were given to 14 attributes. The ratings ranged from 1 (low) to 10 (high). A rating of 1 indicates either that the natural area values are exceedingly low, that no natural values exist or that the value is absent altogether, e.g., no wetlands on a completely upland site. These ratings were based on professional judgement, rather than on quantitative field data. All told, some 18 sites along the Big Thompson received an overall habitat quality rating of 6 or higher as identified in the study "In the Nature of Things: Loveland's Natural Areas." In particular, the river west of Taft obtained a very high habitat rating and is the only place along the river that combines an uninterrupted view of the Front Range with a completely natural foreground setting. Other sites have high potential for habitat enhancement, as well as for new recreational opportunities such as horse trails. Thus, the river is an extremely important natural resource and this plan recommends protection techniques to improve and enhance the corridor for both wildlife and human use.

The river is visible from only a few places along town roads. An excellent paved bike path does run along part of the river, but to become useful as the backbone of a transportation network, it needs directional signs explaining how to get to downtown, parks and

neighborhoods, as well as interpretive signs explaining river history, wildlife habitat and riparian vegetation.

At issue is how to protect and enhance the Big Thompson River Corridor. Currently the corridor remains a patchwork of public (City/County) and private land holdings that include existing development, activity lands, agricultural lands, active and reclaimed gravel operations.

The City should explore opportunities to work with landowners, in particular along the eastern sections of the corridor. For example, the City may be able to offer incentives to gravel-miners to plan for long-range conversion to wildlife habitat and recreational uses. Conservation techniques to encourage these activities might include creative purchase, land exchanges, deed restrictions, conservation easements, purchase of development rights, and clustered or limited development.

Proposed Development Guidelines

This plan recommends that in the future, the area within the **floodway** not be developed, and the area within the 100 year **floodplain** remain in as undisturbed a state as possible to protect wildlife habitat, to protect water quality and to minimize flood damage. Specific recommendations are made for areas along the river corridor and for the area within the 100 year floodplain.

This plan also proposes development guidelines within two areas along the Big Thompson River. The areas are designed to be flexible according to the river's natural characteristics and settlement and land-ownership patterns along the corridor. It is the intent of the City to work with landowners fairly, and work on a site by site basis.

The first area is an innermost **Resource Protection Area** that includes the floodway plus important natural areas (those rated 6 or higher for overall

DEFINITIONS

Floodway: the central part of the floodway, which must be reserved as open space to carry floodwater efficiently and without damage to life or property (FEMA).

100-Year Floodplain: the area that has a 1 in 100 likelihood of flooding in any given year.

Fringe Area: the area outside of the floodway but still within the 100-year floodplain.

Resource Protection Area: the area that includes the floodway and natural areas with an overall habitat rating of 6 and above, where no development shall occur.

Big Thompson Buffer Area: is within the fringe area and consists of any adjacent natural areas rated 5 and below for overall habitat quality and a 50 foot setback from the Resource Protection Area.

habitat quality in the Natural Areas Study). The City of Loveland defines the floodway as the central part of the floodplain, which must be reserved as open lands to carry floodwater efficiently and without damage to life or property. Restrictions on development already exist within the floodway. The proposed Resource Protection Area expands upon these restrictions by proposing no new development within either the floodway or the identified natural areas with an overall habitat rating of 6 and above.

The second area is the **Big Thompson Buffer Area**, which is land within the flood fringe (the area between the Resource Protection Area and the 100-year floodplain) plus all adjacent natural areas. All proposed new development within the Buffer Area should be located at least 50 feet beyond the Resource Protection Area. This 50-foot buffer is intended to minimize negative impacts on the Resource Protection Area.

Ideally, the entire Buffer Area should remain in as "undisturbed" a state as possible in order to help preserve water quality, provide wildlife habitat, and minimize flood damage and erosion. Any new development within the Buffer Area should include provisions for natural restoration and enhancement within the corridor.

Site specific analysis is needed when a landowner desires to build within the Big Thompson River Corridor, (outside of the floodway), in an area that is identified as containing a significant natural area rated 6 and above. For these areas, the City requests that the owner have a natural area impact assessment prepared by a qualified expert, that is mutually acceptable to the City and the landowner. This study will assist in determining both mitigation measures and development opportunities.

Restoration and Enhancement

The restoration of creeks, streams

and rivers back to a more natural state is an emerging science. Fort Collins hydrologist, Dave Rosgen and others have pioneered river restoration techniques to revive channelized and polluted waterways in California and elsewhere in the West. Within Colorado, Boulder Creek is another formerly degraded waterway that has been returned to environmental health while providing community parks, recreational trails, trout fishing, swimming, and wildlife habitat. The South Platte River through Denver, Fountain Creek in Colorado Springs, and the Arkansas River near Pueblo provide other success stories. Urban waterways can be major rallying points for volunteer efforts that result in new community pride. For example, volunteers have planted thousands of trees along the South Platte. In Pueblo, volunteer rangers help patrol, interpret and maintain the greenway.

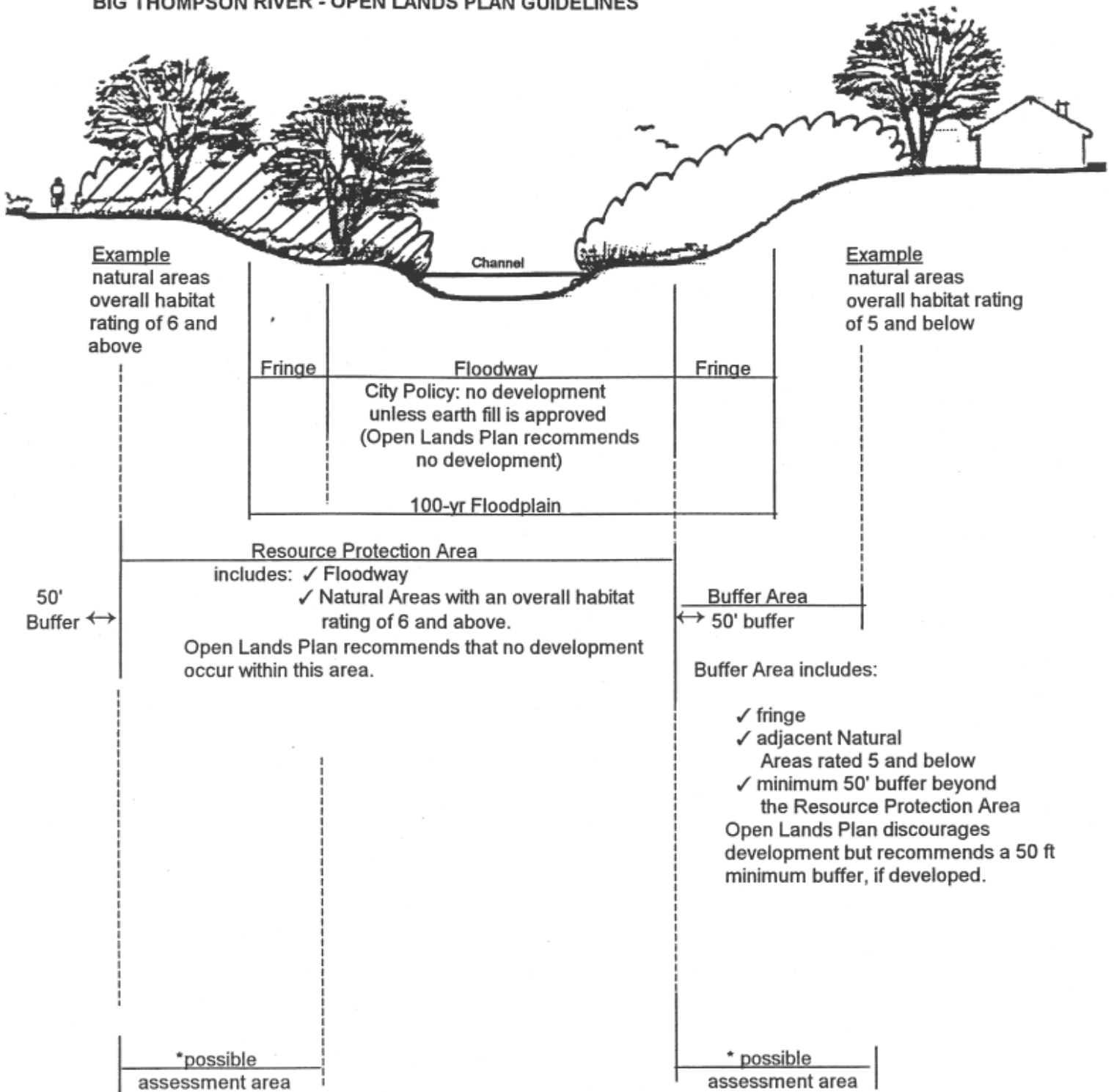
General Recommendations

This section of the plan focuses on strategies for restoring the Big Thompson and recommends both general and specific actions throughout the Big Thompson River Corridor.

These apply to the entire river corridor and include:

- ◆ Work to restore the natural hydrologic processes of the river (which may include some channel migration where the river moves back and forth over time).
- ◆ At the time that a specific parcel is being evaluated (for development or protection) it is necessary to acquire precise mapping of the floodway location.
- ◆ Where possible, trails should be built upland and kept out of sensitive riparian areas and forest.
- ◆ Combine structural and non-structural bank stabilization methods. Cover concrete and stone rip-rap with topsoil and plant with native cuttings (such as

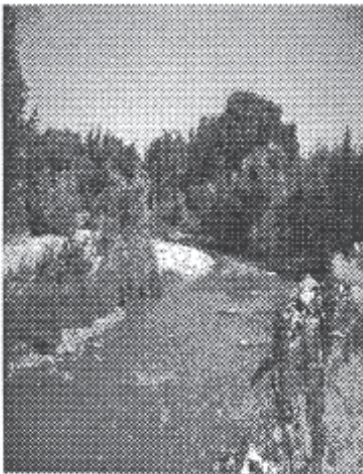
BIG THOMPSON RIVER - OPEN LANDS PLAN GUIDELINES



* includes the completion of a natural areas impact assessment study

Improving the Corridor

- Community Participation in Corridor-wide Clean-up
- Expand Trail System and Connect to Existing Neighborhoods
- Add Interpretive Signs to Trail System for Environmental Education
- Provide Incentives to Landowners to Create or Enhance Wildlife Habitat



willow, cottonwood, alder, and birch).

- ◆ Regrade steep river banks to create riverbank "terraces," which present a more natural means to control erosion. Moreover, the occasional flooding of terraces nourishes cottonwood seedlings, ensuring the continuance of groves.
- ◆ Regrade pond and lake shoreline slopes to create undulations for wetland habitat and wading birds.
- ◆ Remove non-native weedy trees such as Russian olive and salt cedar.
- ◆ Restore wetlands, and replant with native wetland vegetation.
- ◆ Include the Big Thompson in the area-wide trail connection plan.
- ◆ Require that a restoration and enhancement plan be prepared for the river corridor as part of any proposed development plans.
- ◆ Require tree protection measures during construction such as protective fencing around the drip line of existing trees.
- ◆ Protect viewsheds and other resources in the corridor.
- ◆ Discourage the placement of earth fill within the floodplain.

Site-Specific Recommendations

The plan addresses and makes recommendations for seven areas of the Big Thompson (see Exhibits 3 & 4). These seven areas were chosen because they represent relatively distinct areas (locations) along the Big Thompson. Each has location specific management and action recommendations.

Area A is the westernmost section of the Big Thompson, and includes the highly ranked natural area sites 69 and 137, both are rated a 9 for overall habitat quality (see Exhibit 3). These natural areas consist of unusually large stands of mature cottonwoods and willows. In addition to providing a natural and dramatic western gateway to

Loveland, this area also protects the Big Thompson's water quality by acting as a natural filtering system.

Recommendation:

- ◆ Protect this area through conservation easements, negotiated management agreements and land acquisition.

Area B is located in the center of the river corridor next to the Mariana Butte Golf Course. The neighboring cottonwood forest provides good habitat for songbirds. The site complements the open quality of the golf course and provides possible trail connections to Devils Backbone.

Recommendation:

- ◆ Protection techniques should be studied for this area.

Area C includes the gravel mine and ponds near Namaqua Avenue. Portions of this area are still being actively mined and other portions include reclaimed ponds.

Recommendation:

- ◆ Plan for the long-term (8 years). Work with the landowner to restore and protect this site through easement or installment purchase.

Area D includes the river corridor west of Taft and east of Wilson. This area includes quality wildlife habitat and an unusually clear and natural view of the Front Range.

Recommendations:

- ◆ Protection techniques should be studied for this area of key parcels west of the Macy Subdivision parcel.
- ◆ An open, rural feel of adjacent lands should be encouraged and, where possible, ensured through the purchase or donation of conservation easements.

Area E consists of large ponds including those owned by Hewlett Packard. The area contains scenic views to the foothills and wildlife habitat.

Recommendations:

- ◆ Protection techniques should be studied for this area with private landowners and the County.
- ◆ Work with landowners to regrade banks of ponds to prevent erosion and create nesting habitat for waterfowl.

Area F directly east of Hwy 287 and north of Hwy 402, includes a development which incorporates high density residential along an identified Resource Protection Area without harming the integrity of the river corridor, creating a positive amenity to this area.

Recommendations:

- ◆ Regrade riverbanks to create terraces for natural erosion control, replace rip-rap containing exposed rebar, and other dangerous objects or hazardous situations. Remove weedy, non-native vegetation.
- ◆ Negotiate with the owner of the land (private or public) to achieve these restoration and enhancement measures.

Area G the eastern section of the Big Thompson corridor winds east of Area F into the plains beyond I-25. Relatively undisturbed in comparison with the western section, and primarily surrounded by agricultural lands, this section includes 19 natural areas, 10 of which have an overall rating of 6 and above. Additionally, native vegetation should be used for any plantings within this buffer zone and access should be minimized or prohibited.

Recommendations:

- ◆ Obtain precise floodway mapping of this area.
- ◆ Encourage conservation

easements in order to maintain the open, rural feel of adjacent lands.

- ◆ Provide incentives to private extraction companies to plan for and implement the restoration and enhancement of the river corridor.
- ◆ Work with adjacent landowners to voluntarily control erosion by maintaining vegetated buffer strips along the riparian corridor.

Techniques to Protect the Big Thompson Buffer Area

The range of techniques that can be applied to protecting the Big Thompson Buffer Area include the following:

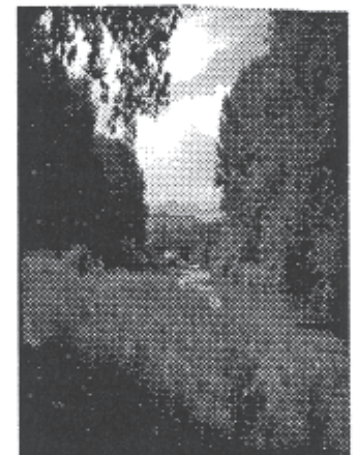
- ◆ Include a setback requirement as part of existing open space, natural area, or park dedication requirements. This would include the land that falls within the 100-year floodplain.
- ◆ A landowner could grant an easement to the City or to a qualified land trust with the potential for tax benefits of the donation.
- ◆ The City could utilize its open lands funds to acquire an open space easement on the setback and thereby compensate landowners for the incremental loss of value. That value would need to be determined by an independent appraisal. (It should be recognized that in some cases the easement may actually increase the value of the development.)
- ◆ The City could negotiate an increase in density on the development parcel in return for the easement on the buffer area.
- ◆ The City could negotiate a transfer of density within the parcel or to other parcels in return for establishing the buffer area.
- ◆ The City or County may be interested in purchasing a fee interest in the setback area from landowners.



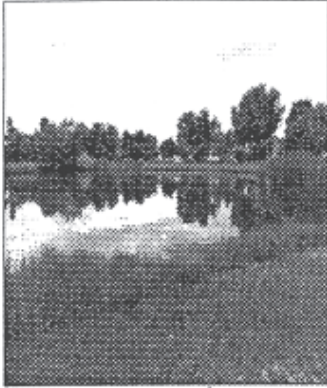
View of Area A



View of Area B



View of Area D



6.2 LAKE EDGES AND DITCHES

Loveland is fortunate to have so many lakes and ditches in and around the community. Although these waterways are man-made, some of the most significant natural areas can be found on the edges of lakes and along some of the ditches. At the lake edges and along the ditches, there are two main open lands objectives:

- ◆ protect natural areas from the impacts of development, especially wildlife habitat and
- ◆ where appropriate, provide public access to lakes and along ditches.

This plan recommends several kinds of buffers to protect edges from development impacts. These are illustrated in the sections below. Development includes structures, roads, parking areas and all impervious surfaces. Development impacts of concern include: water contamination from pollutants like fertilizers, run-off from parking areas, and pesticides and other chemicals; increased erosion and siltation and loss of wildlife habitat caused by the removal of vegetation. Nearly all lakes and reservoirs identified in the Open Lands Plan are artificial or enhanced lakes created to store, control and distribute irrigation

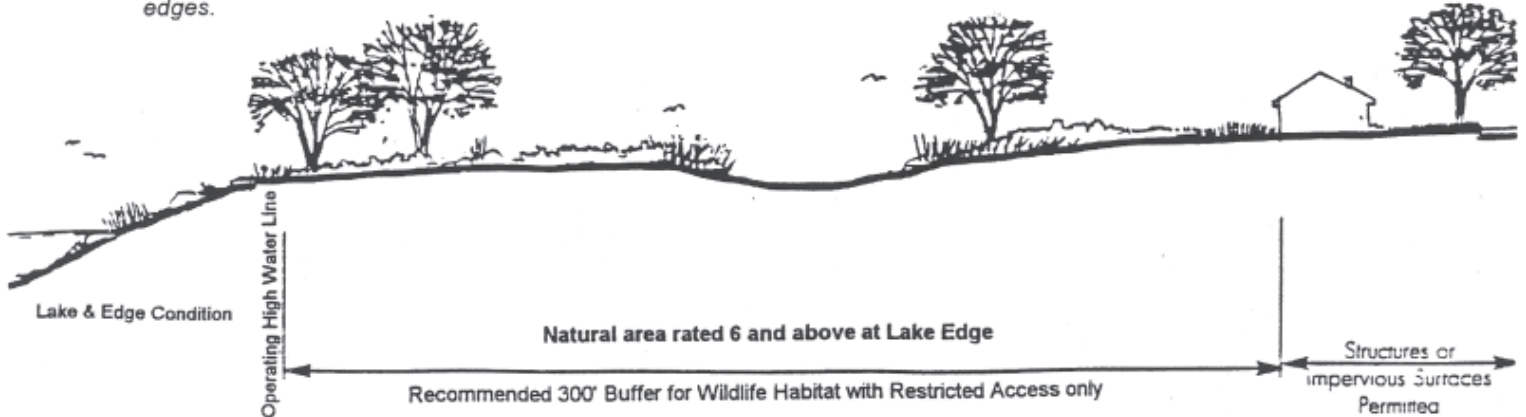
water. In the majority of instances, the lakes are privately owned and operated, with most surrounding land in private ownership. Many of these lakes have more than one high water level depending on the purpose to be served. Additionally, a high water level may be adjusted up or down as a result of changes dictated by operational requirements of the lake owner, modifications to the reservoir, or regulatory agencies of the state or federal government.

In most instances, the operating high water line can be defined as the statistical average over a 5 year period. This is defined as that elevation which is arrived at by taking the sum of the high water elevation in the months of May and June for the last 5 years and dividing by 10. However, every lake and its surrounding area are unique and actual lake shore configurations will need to be adapted to fit individual circumstance. The cross sections illustrated on page 25 and 26 are illustrative of typical conditions existing for lakes shore edges.

Buffers

Establishing buffers along lake edges protects both water quality and wildlife habitat. The determination of appropriate buffer

***Cross-sections showing the recommended 300 foot buffer for natural areas with an overall habitat rating of 6 and above, along lake edges.*



widths is dependent upon several conditions. For lakes that have natural areas along the shoreline, the Natural Areas Study must be consulted to determine the rating value for the overall habitat quality, assigned to the particular site. Numeric quality ratings were given to 14 attributes. The ratings ranged from 1 (low) to 10 (high). These ratings were based on professional judgement, rather than solely on quantitative field data.

In areas that have natural areas rated 6 or above along lake edges, a buffer width of 300 feet is recommended. This translates to a development setback from the operating high water line of 300 feet. The 300 foot dimension is based on extensive research and is the recommended standard for the City of Fort Collins lake edges in their natural resource areas. (Natural Areas Design Guidelines and Mitigation Manual, City of Fort Collins, July 1993).

****A decrease in the minimum buffer width may be justifiable on the basis of site-specific conditions. The Plan recommends that reductions in the buffer width may be considered after site-specific research has been conducted. This can be accomplished by an independent consultant with appropriate credentials and mutually agreed upon by the City of Loveland and the private interest seeking changes to the recommended buffer width.**

It is the intent of the City to work with landowners fairly and work on a site by site basis.

For lake edges that have natural areas rated 5 and below, development should be setback 75 feet in order to protect water quality by minimizing the impacts of sediment input. A naturally vegetated buffer zone of this width can usually catch and retain sediment containing metals and toxic substances which have been carried over land from developed areas. Native vegetation should be used for plantings in this buffer zone, with invasive and non-native species prohibited.

In the case of lake edges without the 6+ rated natural areas (where a 75 foot setback is recommended), reduced buffers may be considered if adjacent developed areas have appropriately designed, constructed, and maintained storm water control systems.

Public Access Along Lakes

Public access along lakes and ditches was a stated goal by Loveland citizens at many of the public meetings conducted for this plan. In areas where habitat protection is not the primary objective, public access may be appropriate.

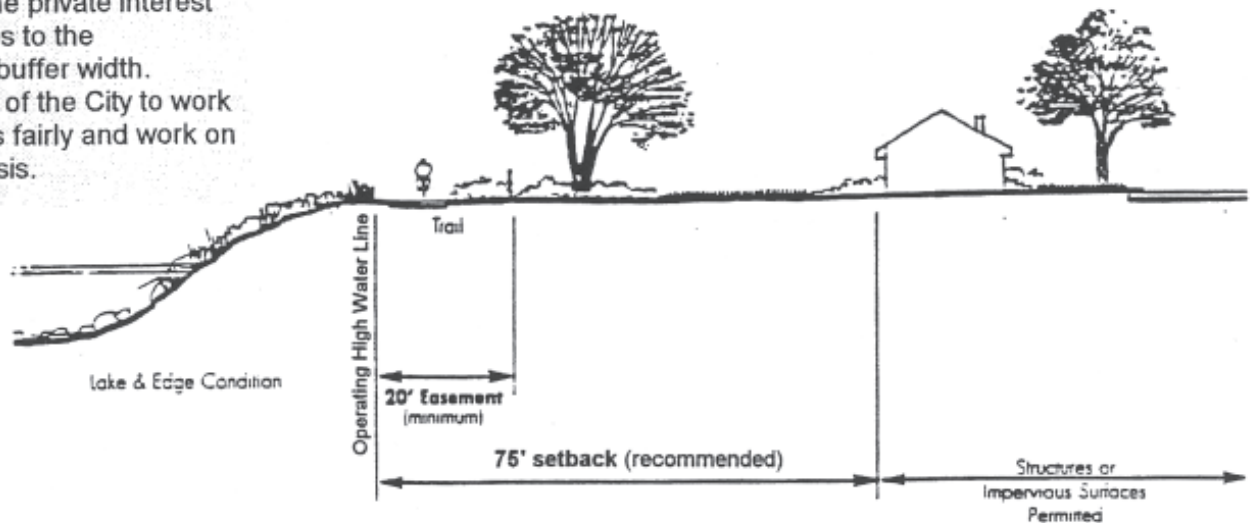
Within the 75 foot setback for development as described above, easements for trails should be considered. These trails should provide a link between neighborhoods, parks, and other trails. Where a shoreline trail is not appropriate, but public access to the lake edge is still desired, the use of spur trails or other pedestrian access points can provide public access.

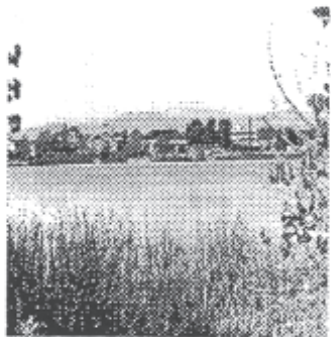
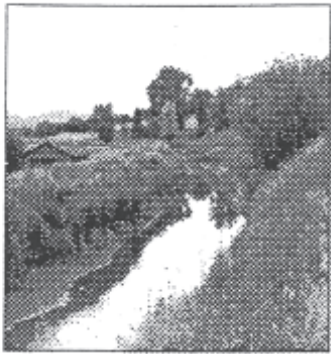
Public Access Along Ditches

Ditches and their accompanying access roads criss-cross the Loveland community. These ditches are often used by small species of wildlife as both habitat areas and movement corridors. They provide wildlife linkages amidst an increasingly urbanized area.

They also provide an excellent opportunity for off-street trail connections that can link neighborhoods to parks, schools, and other trails.

****Cross-section showing the recommended 75 foot wide buffer with an easement for a trail.**





The primary function of ditches is agricultural in nature, supplying irrigation water to the farms surrounding Loveland and further east on the plains. This function must first and foremost be protected. This plan also recommends that some of the ditches serve as recreation/trail linkages and that a complete study be undertaken to determine which connections are most feasible and desirable as additions to Loveland's trail system. Similar to the Big Thompson River Corridor, any development proposals submitted to the City that involve lake edges or ditches should include a restoration and enhancement plan. As part of the City's review process, it is recommended that the Division of Wildlife be given the opportunity to review and comment on any proposed development in identified significant natural areas. Staff of the DOW have extensive experience and in many cases, are very familiar with existing wildlife conditions in specific areas.

open lands, natural area, or park dedication requirements. Landowners could meet these guidelines by counting that portion of the land that was included in the setback. This would include the land from the operating high water line to the 300 foot setback mark.

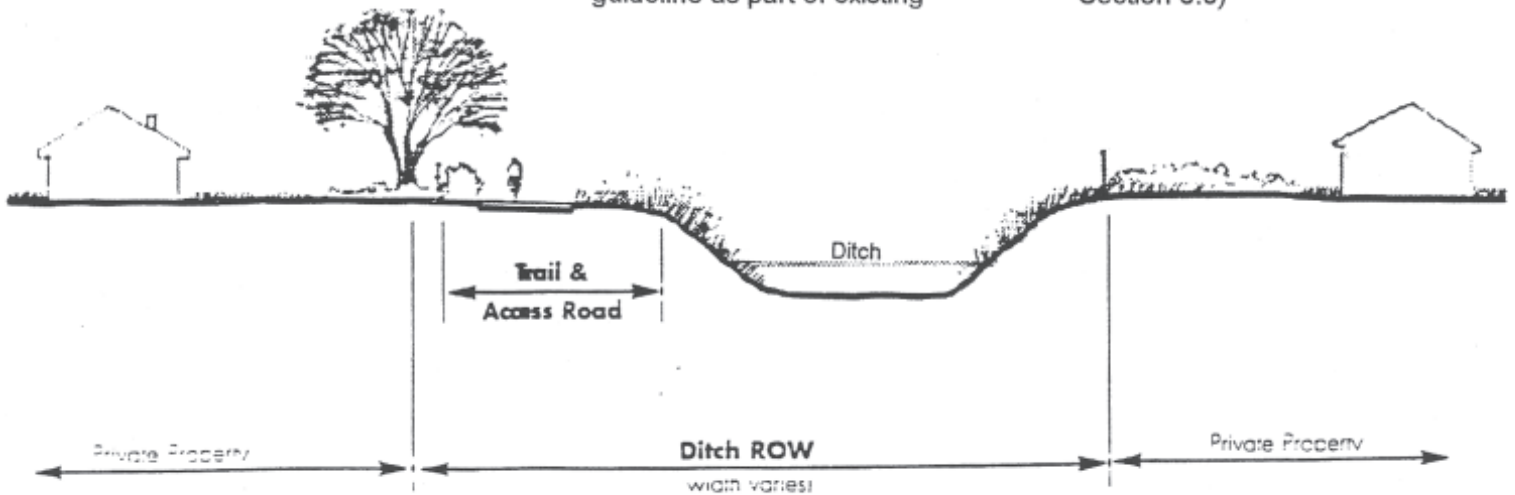
- ◆ The City could utilize its open lands funds to acquire an open lands easement on the setback land thereby compensating landowners for the incremental loss of value. That value would need to be determined by an independent appraisal. (It should be recognized that in some cases the easement may actually increase the value of the development.)
- ◆ The City could negotiate a transfer of density within the parcel or to other parcels of land in return for establishing the lakeshore setback area.
- ◆ The City, County, and State Parks may be interested in purchasing a fee interest in the setback area from landowners. In such instances, the purchase price would be negotiated and landowners would be encouraged to consider the (twenty) Land Protection Options when selling these lands. (See Section 5.0)

Techniques to Protect Lakeshore Setbacks

The range of techniques that can be applied to protecting the lake shore setback zone include the following:

- ◆ Include the lake shore setback guideline as part of existing

Cross-section showing a trail along a ditch.





CITY OF LOVELAND

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