

Zoning Resolution Amendment Staff Report

DATE: NOVEMBER 22, 2023

TO: DOUGLAS COUNTY PLANNING COMMISSION

FROM: TREVOR BEDFORD, AICP, SENIOR PLANNER *TB*
CURT WEITKUNAT, AICP, LONG RANGE PLANNING MANAGER *SK for CW*
LAUREN PULVER, PLANNING SUPERVISOR *SK for LP*
KATI CARTER, AICP, ASSISTANT DIRECTOR OF PLANNING RESOURCES *SK for KC*
STEVEN E. KOSTER, AICP, ASSISTANT DIRECTOR OF PLANNING SERVICES *SK*

CC: JILL WELLE, SENIOR WILDFIRE SPECIALIST, BUILDING SERVICES
STEVE DWYER, CHIEF BUILDING OFFICIAL, BUILDING SERVICES

SUBJECT: PROPOSED AMENDMENT TO SECTION 17, WILDFIRE HAZARD OVERLAY DISTRICT, OF THE DOUGLAS COUNTY ZONING RESOLUTION

PROJECT FILE: DR2022-006

PLANNING COMMISSION HEARING:	DECEMBER 4, 2023 @ 6:00 PM
BOARD OF COUNTY COMMISSIONERS HEARING:	DECEMBER 12, 2023 @ 2:30 PM

I. EXECUTIVE SUMMARY

The request is for approval of proposed changes to *Douglas County Zoning Resolution (DCZR)* Section 17, Wildfire Hazard Overlay District.

The amendment proposes revisions to code references along with grammatical and formatting revisions for clarity. The update will also provide a revised map of the Wildfire Hazard Overlay District.

II. REQUEST

A. Request

Approval of an amendment to *DCZR* Section 17, Wildfire Hazard Overlay District.

B. Process

Zoning Resolution amendments are processed pursuant to Section 109 of the *DCZR*. Per Section 109.04, "The Planning Commission shall evaluate the proposed amendment, referral comments, staff report, and public testimony, and make a recommendation to the Board to approve, approve with modifications, table for further study, or deny the proposed amendment."

C. Project Description

The proposed amendment updates and clarifies text within Section 17 of the Zoning Resolution. The amendment primarily updates formatting and references to codes.

A summary of the proposed changes are as follows:

- Updated references to exhibits.
- Clarification of definitions.
- Updates to references of the Douglas County Roadway Design and Construction Standards, International Building Code (IBC), Douglas County Building Code, and Douglas County Wildfire Mitigation Standards.
- Replacement of the Wildfire Hazard Rating system with a Wildfire Hazard Assessment.
- Sections 1705 (Wildfire Hazard Assessment Rating) and 1707 (Application Requirements, Hazard Rating, and Assessments) combined into new Sections 1705 and 1706. General Standards, which were in Section 1706, have moved to Section 1707.

There are also several technical corrections (spelling, punctuation, formatting, etc.) included with the amendment that do not have a material impact on the Zoning Resolution.

D. Background

Staff has identified text in the Wildfire Hazard Overlay District to update and clarify. For example, references to the IBC and the Douglas County Roadway Design and Construction Standards need updating to reference current versions and sections within them. Other text in the section is formatted and edited for clarity.

Following a work session with the Board and the referral agency and public review process on the draft amendments, the Board directed staff to schedule public hearings on the proposal.

III. PUBLIC INPUT

Staff sent the proposed amendment to the County-wide contact and referral agency list, which consists of approximately 500 recipients. All referral agency responses received by staff are attached. Staff received minimal response from referral agencies.

Two fire districts reached out to staff to discuss the proposed changes. South Metro Fire Rescue (SMFR) requested a meeting to understand the project. After the meeting, SMFR provided a response of “no objection.” Castle Rock Fire and Rescue (CRFR) reached out to staff to discuss the process and asked general questions about Section 17. As of the writing of this report, no comments were received from CRFR.

South Suburban Park & Recreation District suggested allowing a Certified Wildland Fire Fighter who is actively participating in wildfire mitigation and defense to perform a wildfire hazard assessment. Staff discussed this suggestion and decided not to make this change as a Certified Wildland Firefighter may not have the necessary educational background in the science and ecological aspects of natural resource management and its relationship to wildfires that a professional forester would have.

Douglas County Engineering Services had comments to clarify the definition of roadway subtypes. The definitions currently show “public” and “private” and has been amended to “public road” and “private road.” Engineering Services also asked for clarifications related to driveway and roadway standards. After discussion between Engineering Services staff and Building Division staff, it was determined that no further changes were required.

Lastly, staff identified that the organization of the document could be improved by combining and reorganizing Sections 1705 (Wildfire Hazard Assessment Rating) and 1707 (Application Requirements, Hazard Rating, and Assessments) into new Sections 1705 and 1706. General Standards, which were in Section 1706, have moved to Section 1707.

Staff conducted a public workshop on June 7, 2023, in the Commissioners’ Hearing Room. One citizen attended, representing the Burning Tree Ranch Homeowner’s Association. After a brief presentation, staff answered questions regarding steps the resident could take as an individual homeowner and as a homeowner’s association to reduce wildfire risk. The Burning Tree Ranch Homeowner’s Association subsequently responded to the referral request stating that it has no issues with the proposed amendment.

A post-referral work session with the Board occurred on September 25, 2023. Staff presented and discussed the referral response related to the Certified Wildland Firefighter. The Board directed staff to proceed with public hearings and requested that staff revisit the potential for a Certified Wildland Firefighter to conduct forest management assessments.

Staff further explored allowing a Certified Wildland Firefighter to conduct assessments. Staff does not recommend making such a change for the following reasons:

- Currently there is not a specific wildland firefighter certification process or program for wildfire assessments. There are levels of wildland firefighting qualifications through the National Wildland Coordinating Group (NWCG). Levels of qualifications are based on training, experience, and successful execution of required tasks in wildland fire response and suppression operations.
- Firefighting is a response and suppression-based measure rather than a preventative measure, like Wildfire Mitigation or Forest Management Planning.

- Professional Foresters that provide forest management assessments are required to have an extensive educational and work resume for wildfire mitigation. A forest management assessment will include a forest inventory. This inventory leads to management strategies encompassing a holistic approach to forestry and natural resources management. Strategies may include forest restoration, reforestation, forest health, product utilization, methods of treatment, and supporting natural resources sciences including, but not limited to wildlife, watershed, soils, and human dimensions. These sciences are the foundation for forest management plans. Fuels management is only one aspect included in a forest management plan.
- Forestry agency-approved forest management plans developed by Professional Foresters create a path for public funding eligibility, while a plan developed by a certified firefighter may not be.
- While some wildland firefighters may possess the training necessary to write a forest management plan, they are not required to pursue education and work experience involving forest health, forest insects and diseases, silviculture, forest ecology, and a suite of natural resources sciences from an accredited university. This education and experience are key qualifications to develop implementable Wildfire Mitigation or Forest Management Plans.

IV. PUBLIC NOTICE

Notice is published in a local newspaper at least 14 days prior to the Planning Commission’s hearing to consider the amendment.

V. STAFF ASSESSMENT

The proposed text amendment updates and clarifies Section 17, Wildfire Hazard Overlay District of the DCZR. In staff’s assessment the proposed amendment will update and clarify the Wildfire Hazard Overlay District requirements and associated processes as well as provide the public with an updated map of the Wildfire Hazard Overlay District.

After evaluating the proposed amendments, referral comments, staff report, and public testimony, the Planning Commission may consider recommending approval of the amendment.

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Referral Agency Response Report

Project Name: Douglas County Zoning Resolution Amendment, Section 17

Project File #: DR2022-006

Date Sent: 05/17/2023

Date Due: 06/16/2023

Agency	Date Received	Agency Response	Response Resolution
Addressing Analyst	06/02/2023	No Comment:	No Response Required
Arapahoe County PWD/ Planning	05/17/2023	No Comment:	No Response Required
Assessor	05/25/2023	No Comment:	No Response Required
Aurora	06/16/2023	Received: Aurora Water - No Comment	No Response Required
Building Services	06/15/2023	No Comment:	No Response Required
Burning Tree Ranch HOA	06/16/2023	Received: BTR HOA has no issues with this referral.	No Response Required
Centennial Water and Sanitation District	06/15/2023	No Comment:	No Response Required
Cherry Creek Basin Water Quality Authority	05/23/2023	Received: The Cherry Creek Basin Water Quality Authority (Authority) acknowledges notification from Douglas County that the proposed development plans for Project number DR2022-006 have been or will be reviewed by Douglas County for compliance with the applicable Regulation 72 construction and post-construction requirements. Based on the Authority's current policy, the Authority will no longer routinely conduct a technical review and instead the Authority will defer to Douglas County's review and ultimate determination that the proposed development plans comply with Regulation 72. If a technical review of the proposed development plan is needed, please contact LandUseReferral@ccbwwqa.org. The review may include consultation with the Authority's Technical Manager to address specific questions or to conduct a more detailed Land Use Review, if warranted.	No Response Required
City of Centennial	06/20/2023	No Comment:	No Response Required
Colorado Department of Transportation CDOT-Region # 1	05/17/2023	No Comment:	No Response Required

Referral Agency Response Report

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Project File #: DR2022-006

Date Sent: 05/17/2023

Date Due: 06/16/2023

Agency	Date Received	Agency Response	Response Resolution
Colorado Geological Survey	05/22/2023	No Comment:	No Response Required
Colorado Parks and Wildlife	05/25/2023	Received: Thank you for including Colorado Parks and Wildlife in the referral request process for the proposed updates to the Douglas County Zoning Resolution under Project Number DR2022-006. I have reviewed the documents and referral request, and I wanted to inform you that CPW has no concerns with this project as it pertains to any wildlife issues. If you have any further questions or need more information, do not hesitate to let me know	No Response Required
CORE Electric Cooperative	05/23/2023	No Comment:	No Response Required
Douglas County Health Department	06/02/2023	Received: No Comment	No Response Required
Douglas County Historic Preservation	06/13/2023	No Comment:	No Response Required
Douglas County Parks and Trails	06/07/2023	No Comment:	No Response Required
Engineering Services	06/29/2023	Received: See attached redline for comments	Discussed comments with Engineering Services. Definitions clarified. No further changes were necessary.
Highlands Ranch Community Association	05/23/2023	Received: The Highlands Ranch Community Association (HRCA) appreciates the opportunity to review and opine on this Application. Our Backcountry Wilderness Area Team have reviewed the proposed Amendments, since the entirety of the Backcountry Wilderness Area is within the Wildfire Hazard District Overlay, and TAKE NO EXCEPTIONS to the Amendments proposed.	No Response Required
Highlands Ranch Metro District	06/15/2023	No Comment:	No Response Required
Larkspur FD	05/30/2023	No Comment:	No Response Required
Louviers Conservation Partnership	05/17/2023	No Comment:	No Response Required

Referral Agency Response Report

Project Name: Douglas County Zoning Resolution Amendment, Section 17

Project File #: DR2022-006

Date Sent: 05/17/2023

Date Due: 06/16/2023

Agency	Date Received	Agency Response	Response Resolution
Meridian DCC, Meridian Village Metro District, Meridian Metro Districts	06/13/2023	No Comment:	No Response Required
Open Space and Natural Resources	06/16/2023	Received: Douglas County Open Space and Natural Resources supports the recommended changes as proposed.	No Response Required
Parker Water & Sanitation District	05/23/2023	No Comment:	No Response Required
Plum Creek Water Reclamation Authority	05/17/2023	No Comment:	No Response Required
Sheriff's Office	05/22/2023	No Comment:	No Response Required
South Metro Fire Rescue	06/01/2023	Received: Refer to Letter - South Metro Fire Rescue (SMFR) has reviewed the provided documents and has no objection to the proposed amendments to the zoning resolution.	No Response Required
South Platte Renew	06/15/2023	Received: South Platte Renew (SPR) has reviewed DR2022-006. There are no concerns with the proposed changes. Any questions, contact SPR at wwtppretreatment@englewoodco.gov	No Response Required
South Suburban Park & Recreation District	06/14/2023	Received: Refer to Letter - South Suburban suggests including a Certified Wildland Fire Fighter, who is actively participating in wildfire mitigation and defense, as an option for assessments. This can be beneficial when assessing the wildfire potential of grasslands and areas predominantly consisting of open space, grasses, and shrubs.	Staff believes that a Certified Wildland Fire Fighter may not have the necessary education requirements that a professional forester would have.
Town of Castle Rock	05/26/2023	Received: Refer to Letter - Please refer to External Referral memo	No Response Required
Town of Parker Development Review	06/01/2023	No Comment:	No Response Required
Town of Parker Public Works	05/22/2023	No Comment:	No Response Required

Referral Agency Response Report

Project Name: Douglas County Zoning Resolution Amendment, Section 17

Project File #: DR2022-006

Date Sent: 05/17/2023

Date Due: 06/16/2023

Agency	Date Received	Agency Response	Response Resolution
West Douglas County FD	05/25/2023	No Comment:	No Response Required

SOUTH METRO FIRE RESCUE

FIRE MARSHAL'S OFFICE



Trevor Bedford, AICP, Project Planner
Douglas County Department of Community Development, Planning Services
100 Third St
Castle Rock Co 80104
303.660.7460
303.660.9550 Fax

Project Name: Amendments to Section 17 of the Douglas County Zoning Resolution
Project File #: **DR2022-006**
S Metro Review # REFOTH23-00102

Review date:

Plan reviewer: Aaron Miller
720.989.2246
aaron.miller@southmetro.org

Project Summary: Douglas County is proposing an update to the Wildfire Hazard Overlay District to clarify and update references to certain codes, such as the International Building Code and the Douglas County Roadway Design and Construction Standards. The Wildfire Hazard Rating has been replaced with a Wildfire Hazard Assessment. This update also proposes text changes to typographical errors. Douglas County additionally proposes to update the Wildfire Hazard Overlay District Map.

Code Reference: Douglas County Fire Code, 2018 International Fire Code, and 2018 International Building Code with amendments as adopted by Douglas County.

South Metro Fire Rescue (SMFR) has reviewed the provided documents and has no objection to the proposed amendments to the zoning resolution.

4810 East County Line Road
Littleton, CO 80126
303.483.7026

June 14, 2023

Trevor Bedford, AICP, Project Planner
Douglas County, Department of Community Development, Planning Services
100 Third St
Castle Rock, CO 80104

Re: Referral Response – DR2022-006 - Douglas County Zoning Resolution Amendment, Section 17

Dear Trevor,

South Suburban staff reviewed the referral for the DR2022-006 - Douglas County Zoning Resolution Amendment, Section 17 and have the following comments.

- South Suburban suggests including a Certified Wildland Fire Fighter, who is actively participating in wildfire mitigation and defense, as an option for assessments. This can be beneficial when assessing the wildfire potential of grasslands and areas predominantly consisting of open space, grasses, and shrubs.

Thank you for the opportunity to comment on the DR2022-006 - Douglas County Zoning Resolution Amendment, Section 17.

Sincerely,

Melissa Reese-Thacker
Planning Manager



External Referral Comments

TO: Trevor Bedford, Douglas County Planning

FROM: Pam Hall, Planner I Development Services Department

DATE: June 7, 2023

SUBJECT: COU23-0014, Project No. DR2023-006

Thank you for the opportunity to review and respond to proposed updates to Zoning Resolution Section 17 Wildfire Hazard Overlay. The application was reviewed by various Town Departments with no concerns from the Town reviewers. The Fire Department will review and respond on their own once the Fire Marshal reviews documents. Please keep us informed of any changes to the proposal. Thank you.

DEVELOPMENT SERVICES
100 North Wilcox Street, Castle Rock, CO 80104. P: 720.733.2205 F: 720.733.2217 E: phall@crgov.com

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Section 17

Wildfire Hazard ~~Overlay District~~

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SECTION 17 WILDFIRE HAZARD ~~OVERLAY DISTRICT~~

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1701 Intent (Amended 10/31/07)

To identify Wildfire Hazard Areas and to protect the health, safety, and welfare of residents by minimizing the potential for the loss of life and property by the ignition and spread of wildfires in the Wildland/Urban Interface and the Wildland/Urban Intermix.

Douglas County is very diverse in character with ~~land~~ areas ranging from grasslands and shrublands, to steep, forested Slopes. These areas are often viewed as highly desirable development sites due to their unique scenic qualities. By identifying potential hazard areas, and requiring mitigation measures as part of the land planning and development process, the current and future risk of wildfires can be reduced.

Specific purposes are as follows:

- To develop and maintain a map of Douglas County that allows for preliminary identification of Wildfire Hazard Areas.
- To identify the process for assessing and mitigating the Wildfire Hazard concurrent with the land planning process.
- To identify specific types of development to be subject to wildfire mitigation measures and the provisions of the Douglas County Wildfire Mitigation Standards.
- To identify the standards with which development proposed in Wildfire Hazard Areas must comply.
- To set forth the procedures for identifying, describing, and mitigating wildfire risk during the land development process.
- To design wildfire mitigation prescriptions which facilitate overall stewardship by the landowner or other appropriate entity.

1702 Definitions (Amended 10/31/07)

The following definitions pertain to the Wildfire Hazard –Overlay District. Additional definitions relating to wildfire mitigation are found in the provisions of the Douglas County Wildfire Mitigation Standards. In the case of conflict, the Director of Community Development, or a designee, shall determine the appropriate definition.

1702.01 Access Route – Principal vehicular ingress and egress to a structure or through a development, crossing more than one parcel, including public and private roads, streets, and lanes that extend to and intersect with a publicly maintained road, street, or lane.

1702.02 Aspect – Direction toward which the Slope faces.

1702.03 Brush – Shrubs and scrub vegetation or other vegetative growth heavier than grass but not full tree size.

1702.04 Combustible – Any material that, in the form in which it occurs or is used, and under the conditions anticipated, will ignite and burn.

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- 1702.05 Defensible Space – A natural or man-made area, where vegetation capable of carrying a fire has been sufficiently treated, modified, or removed to slow the rate of spread and reduce the intensity of a fire; provide a safe area for fire suppression operations; and slow or prevent a fire from traveling – in either direction – between a structure and the vegetation.
- 1702.06 Douglas County Wildfire Mitigation Standards – [Exhibit B Appendix Chapter 58](#) of the International Building Code (IBC) as adopted by Douglas County. These standards are based on the National Fire Protection Association’s (NFPA) standards for protection of life and property from wildfire [and Colorado State Forest Service Standards](#).
- 1702.07 Fire Break – An area, usually a long strip of undetermined width, wherein all flammable fuels have been removed to the mineral soil layer for the purpose of stopping a fire’s spread.
- 1702.08 Emergency Access Route — A maintained vehicular Roadway for ingress and egress designed to allow for access and/or evacuation of residents and visitors only during crisis situations. The route may cross more than one parcel, including private roads, streets, and lanes.
- 1702.09 Forest Management Plan – A plan prepared by a Professional Forester that describes the current condition of the subject site and the proposed management activities to be conducted by the applicant. The plan shall describe how these activities improve forest health and reduce Wildfire Hazards. The plan shall address all components of site vegetation, as identified by the Douglas County Professional Foresters. Elements of the plan may include, but are not limited to, insect and disease, wildlife values, aesthetics, and other multiple resource objectives.
- 1702.10 Forester, Professional – An individual with a bachelor's degree or equivalent in forestry or a closely related field from a college or university accredited by the Society of American Foresters (SAF), eligible for professional membership with SAF, and, for purposes of this Chapter, two years' experience with representative fuel types of the Rocky Mountain Region. The term Douglas County Professional Forester shall refer to a Professional Forester employed by Douglas County.
- 1702.11 Fuel Break – An area, usually a long strip strategically located, wherein vegetative fuels are reduced in volume and maintained to cause a reduction of fire intensity if ignited by a Wildland fire.
- 1702.12 Fuel Loading – The volume of fuel in a given area, generally expressed in tons per acre.

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- 1702.13 Fuel Modification – The removal of Fuels, increase in spacing of individual plants, or reduction of Fuel Loading.
- 1702.14 Fuel – All Combustible materials within the Wildland/Urban Interface or Wildland/Urban Intermix, including vegetation and structures.
- 1702.15 Roadway – Any surface improved, designed, or ordinarily used for vehicular travel.
- Public Road – A Roadway dedicated for public use and improved to the standards required by Douglas County in accordance with the Roadway Design and Construction Standards ~~Manual, as amended.~~ ~~(current edition).~~
- Private Road – A Roadway intended for limited use and constructed to the standards approved by the Douglas County Public Works Department and the provisions of the Douglas County Wildfire Mitigation Standards.
- 1702.16 Slope – Upward or downward incline or slant, usually calculated as a percent of slope (rise or fall per 100 feet of horizontal distances).
- 1702.17 IBC – The International Building Code as currently amended and adopted by Douglas County. *(Amended 6/14/06)*
- 1702.18 Wildland – An undeveloped area in its natural state containing vegetation characteristic of the region and undisturbed topographical conditions.
- 1702.19 Wildland/Urban Interface – An area where development and Wildland Fuels meet at a clearly defined boundary.
- 1702.20 Wildland/Urban Intermix – An area where development and Wildland Fuels meet with no clearly defined boundary.
- 1702.21 Wildfire – An unplanned and unwanted fire requiring suppressive action; an uncontrolled fire, usually spreading through vegetative Fuels but often threatening structures.
- 1702.22 Wildfire Hazard – The condition of the natural and built environment creating a Wildfire opportunity that is so adverse to past, current, or foreseeable construction or land use as to constitute a significant hazard to public health, safety, or property. The term incorporates the combined effects of Slope, Aspect, topography, climatic conditions, weather, Wildfire behavior, existing vegetation, and state of the vegetation; and may also incorporate additional factors such as evacuation conditions, density of

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structures, history of fire occurrence, and local emergency service availability.

1702.23 Wildfire Hazard Assessment - An examination and analysis of factors that may influence the spread of fire across the landscape, including the built environment. Factors may include vegetation, type, density, condition, slope, aspect, fuel model, condition class, prevailing winds.

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1702.243 Wildfire Hazard Area – An area containing or directly affected by a Wildfire Hazard as shown on the Wildfire Hazard –Overlay District Map and as determined by Douglas County.

1702.254 Wildfire Mitigation Plan – A plan prepared by a Professional Forester that describes the current condition of the subject site and the proposed management activities to be conducted by the applicant. The plan shall describe how these activities reduce Wildfire Hazard levels. The plan shall address all components of site vegetation, as identified by the Douglas County Professional Foresters. While elements of the plan may address insect and disease, wildlife values, aesthetics, and other multiple resource objectives, the primary objective of the plan is hazardous Fuel reduction and how it meets the goal of a reduction in Wildfire risk levels.

1703 Applicability *(Amended 10/31/07)*

Upon the adoption of the Wildfire Hazard –Overlay District, the regulations contained in this Section shall apply to all land-unincorporated areas identified on the Douglas County Wildfire Hazard –Overlay District Map and any land-areas field-verified as potential hazard areas.

~~1703.01 Any area assigned a hazard rating of 16 or higher in accordance with the hazard rating system adopted by Douglas County shall be subject to the provisions of this Overlay District. (See Section 1705)~~

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1703.012 The land-use activities subject to the provisions of the Wildfire Hazard - Overlay District are as follows:

1703.012.1 Building permits (for all residential and non-residential structures)

1703.012.2 Exemptions (including Rural Site Plans and eClustered 35-acre splitsPlans)

1703.012.3 Rezoning

1703.012.4 Site Improvement Plans

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1703.0~~12~~.5 Subdivision

1703.0~~12~~.6 35-~~acre~~ ~~or~~and larger ~~–Acre Development~~developments

1703.0~~12~~.7 Use by Special Review

1703.0~~23~~ The provisions of this Overlay District shall apply in addition to the applicable requirements of the underlying zoning district.

1703.0~~34~~ The provisions of this Overlay District shall supersede otherwise applicable requirements of the underlying zoning district where those requirements are inconsistent with the provisions herein.

1704 Wildfire Hazard –Overlay District Map (Amended 10/31/07)

The Douglas County Wildfire Hazard –Overlay District Map is hereby incorporated by reference and shall be deemed an overlay on any zoning district now or hereafter enacted to regulate the use of land in Douglas County.

~~1704.01 –The Wildfire Hazard –Overlay District Map shall be maintained by the Department of Public WorksCommunity Development Department, Building Division.~~

~~1704.02 –The Wildfire Hazard –Overlay District Map is intended to serve as a guide to identify lands-areas potentially at risk for Wildfire. All land-areas in the Overlay District shall be subject to field investigation to confirm actual level of risk. The degree of mitigation required will depend on the results of the field investigation.~~

1705 Wildfire Hazard AssessmentRating Inspection (Amended 10/31/07)

Land Sites proposed for development shall be subject to on-site assessment inspection by the Douglas County Professional Foresters for the purpose of performing aevaluatingdetermining a Wildfire Hazard rating assessment in accordance with Section 1707.

1705.01 If ~~a~~ the Douglas County Professional Forester is not available to perform the assessment ~~and/or rating~~ in a timely manner, Douglas County may require that the applicant contract with a Professional Forester for the on-site assessment inspection to evaluatedetermine the Wildfire Hazard rating. In this instance, the applicant is responsible for the costs associated with such inspection.

1705.02 In the event of a conflict pertaining to the outcome of the assessment ~~and the subsequent rating~~ prepared by the Douglas County Professional Foresters, Douglas County reserves the right to contract with a

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Professional Forester ~~as defined~~ to assist with the review of the ~~rating and~~ assessment submitted on behalf of the applicant. The cost of this ~~additional~~ review shall be paid by the applicant.

1706 General Standards (Amended 10/31/07)

Development determined to be subject to the provisions of the Wildfire Hazard –Overlay District shall be required to mitigate identified hazards through compliance with and utilization of the Douglas County Wildfire Mitigation ~~Standards, and Standards and~~ may require the implementation of a Wildfire Mitigation or Forest Management Plan. Additional measures aimed at reducing the risk of Wildfire may be imposed at the discretion of the Chief Building Official. The types of mitigation measures required are as follows:

1706.01 Wildfire Mitigation and Forest Management

Identification of Fuel Modification and vegetation management measures may be required in order to reduce the threat of Wildfire. If Fuel Modification, vegetation management, or other Forest Management practices are determined to be necessary, a plan shall be prepared by a Professional Forester, as defined herein. Required elements shall be specified by the Douglas County Professional Foresters and shall include, but are not limited to the following:

- 1706.01.1 Identification of fuel type, condition, and loading, in conjunction with an assessment of Slope and Aspect, to determine the ability for a Wildfire to spread.
- 1706.01.2 Reduction of Fuel Loading, modification of fuel types to reduce the risk to structures or adjacent vegetation, and resource values on and around the project including the creation of Fuel Breaks and Fire Breaks.
- 1706.01.3 Identification of current forest conditions at the time of application such as species composition, the presence of insect and disease, stocking levels, significant numbers of standing dead and/or down trees, and any other conditions that may affect current or future forest health or sustainability. The Wildfire Mitigation or Forest Management Plan shall contain a prescription that will decrease the rate of spread or intensity of Wildfire and improve forest health. Any short-term or temporary conditions affecting the existing vegetation shall be noted in the mitigation or management plan with an explanation of its relative importance and how, or if, it changes the prescription.

Douglas County Public Works Engineering Referral Comments

1706.02 Road and Street Design

All Roadways in a Wildfire Hazard Area shall be required to comply with the Douglas County Roadway Design and Construction Standards [and Chapter 4 of the Douglas County Wildfire Mitigation Standards manual or Chapter 4 of the Douglas County Wildfire Mitigation Standards](#). Public and private roads, streets, and ways shall allow for safe access for emergency fire equipment and civilian evacuation during an emergency. Requirements may include, but are not limited to, the following:

Commented [BJ1]: What is this meaning to say?

1706.02.1 Two separate and distinct points of access; an Emergency Access Route and/or evacuation route may qualify as a second access. Entries divided by a median shall not qualify as two separate access points.

Commented [BJ2]: Engineering does allow a median to serve as a second access point.

1706.02.2 Roads, shoulders and easements of sufficient width, grade, and surface composition to support emergency vehicles.

1706.02.3 Dead end roads limited in length shall provide cul-de-sac or hammerhead "T" turnaround area.

Commented [BJ3]: The Engineering Roadway manual does not have a "T" turnaround

1706.03 Driveway Design

All driveways located in Wildfire Hazard Areas shall comply with the applicable provisions of the Douglas County Wildfire Mitigation Standards, as determined by the Chief Building Official.

1706.04 Road, Street, and Building Signage

Changes in signage may be necessary for development proposed in Wildfire Hazard Areas in order to facilitate locating a fire and avoiding response delays. Road, street, and building signage shall comply with [Chapter 5 of the Douglas County Roadway Design and Construction](#) ~~Wildfire Mitigation Standards~~, and the Manual on Uniform Traffic Control Devices, as amended. Design requirements shall include, but are not limited to, the following:

1706.04.1 Road and street signs of a sufficient height, size, and location to allow for adequate visibility in the event of a Wildfire.

1706.04.2 Building signage and addresses of sufficient size and reflectivity to be clearly visible from the road.

1706.04.3 Emergency Access Routes may require specific signage and use restrictions.

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1706.05 Emergency Water Supply

An emergency water supply shall be required ~~to be identified~~ as a condition for development in a Wildfire Hazard Area. Emergency water supplies shall comply with ~~the Douglas County Wildfire Mitigation Standards and Exhibit B Chapter 6 and Exhibit C Chapter 6~~ of the ~~Douglas County Building Code~~ Douglas County Wildfire Mitigation Standards. The Chief Building Official shall conduct any evaluation required to determine emergency water supply needs. Additional requirements may include, but are not limited to, the following:

- 1706.05.1 Demonstrated compliance with ~~Exhibit B Chapter 6 and Exhibit C Appendix 59~~: Standard for Water Supplies for Rural Fire Fighting, ~~of the International Building Code~~, as amended and adopted by Douglas County. **(Amended 6/14/06)**
- 1706.05.2 Demonstrated compliance with the Water Supply - Overlay District contained in Section 18A of this Resolution.

1706.06 Structural Design

Buildings, structures, and other forms of development in or adjacent to Wildfire Hazard Areas shall be located, designed, and constructed in a manner to minimize the possibility of ignition from a Wildfire and the spread of a structural fire to the Wildland.

All buildings and structures allowed to be located in a Wildfire Hazard Area shall be required to comply with the design standards specified in the Douglas County Wildfire Mitigation Standards.

1707 Application Requirements, Hazard ~~Rating, and~~ Assessments **(Amended 10/31/07)**

- 1707.01 Prior to the processing of any application for a land use activity referenced in Subsection 1703.02~~12~~, a Wildfire Hazard ~~Assessment~~ rating shall be obtained from the Douglas County Professional Foresters, and where required, a Wildfire Mitigation or Forest Management Plan shall be prepared and submitted to the Douglas County Professional Foresters for review and approval.
- 1707.02 The Douglas County Professional Foresters may assist the applicant at the pre-submittal stage to determine the field inspection requirements necessary to obtain a Wildfire Hazard ~~Assessment~~ Inspection ~~rating~~ in accordance with the provisions of Section 1705.
- 1707.03 ~~If~~ the Wildfire Hazard ~~Rating is 16 or greater, an A~~ rating is 16 or greater, an A assessment shall be prepared by the Douglas County Professional Foresters assessing

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relevant factors. If Douglas County requires that the applicant contract with a Professional Forester for a Wildfire Hazard ~~Assessment~~rating Inspection determination, the individual ~~responsible for the determination~~ shall ~~also~~ be responsible for preparing the ~~rating and~~ assessment ~~for County Foresters to review and approve~~. The ~~rating and~~ assessment shall, at a minimum, include the following:

- 1707.03.1 A description of the existing site characteristics including vegetative, topographical, and other pertinent environmental conditions.
- 1707.03.2 A determination as to whether the site characteristics constitute a hazard.
- 1707.03.3 An assessment of the severity of the hazard and its implications relative to the protection of life-safety and resource protection for future development.
- 1707.03.4 An analysis of the intensity and character of existing and proposed development and its effect on the hazard.
- 1707.03.5 An analysis of the relationship between the development and the hazard, both inside and outside the proposed development.
- 1707.03.6 Recommendations pertaining to the form, type, and extent of the required mitigation measures as outlined in the Douglas County Wildfire Mitigation Standards and the provisions of this Overlay District.

1707.04 The assessment shall be evaluated in conjunction with the land use application to determine if a Wildfire Mitigation or Forest Management Plan is required prior to approval.

1708 Review Procedures *(Amended 10/31/07)*

- 1708.01 The review procedure for the provisions of this Section ~~will~~shall coincide with the review procedure established by Douglas County for the type of development or use proposed and the requirements of the underlying zoning district.
- 1708.02 In deciding whether to approve a land-use activity, the Board of County Commissioners shall consider the evidence and information required by this Section. Based on this evidence and information the Board may approve, approve with conditions, or deny the requested development activity. Additional conditions ~~for~~of approval may include, but are not limited to, the following:

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- 1708.02.1 Alteration of the physical characteristics of the land
- 1708.02.2 Alteration to the vegetative features of the land
- 1708.02.3 Construction standards ~~required for~~ structures ~~proposed~~
- 1707.02.4 Construction standards ~~of for~~ roads ~~intended to serve~~ proposed ~~development~~ development
- 1708.02.5 Design and density within the ~~area~~ ~~proposed for~~ development
- 1708.02.6 Location of structures, uses, or other improvements within the ~~area~~ ~~proposed for~~ development

SECTION 17 WILDFIRE HAZARD -OVERLAY DISTRICT

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1701 Intent ~~(Amended 10/31/07)~~

To identify Wildfire Hazard Areas and to protect the health, safety, and welfare of residents by minimizing the potential for the loss of life and property by the ignition and spread of wildfires in the Wildland-Urban Interface and the Wildland-Urban Intermix.

Douglas County is very diverse in character with ~~land~~ areas ranging from grasslands and shrublands, to steep, forested Slopes. These areas are often viewed as highly desirable development sites due to their unique scenic qualities. By identifying potential hazard areas, and requiring mitigation measures as part of the land planning and development process, the current and future risk of wildfires can be reduced.

Specific purposes are as follows:

- To develop and maintain a map of Douglas County that allows for preliminary identification of Wildfire Hazard Areas.
- To identify the process for assessing and mitigating the Wildfire Hazard concurrent with the land planning process.
- To identify specific types of development to be subject to wildfire mitigation measures and the provisions of the Douglas County Wildfire Mitigation Standards.
- To identify the standards with which development proposed in Wildfire Hazard Areas must comply.
- To set forth the procedures for identifying, describing, and mitigating wildfire risk during the land development process.
- To design wildfire mitigation prescriptions which facilitate overall stewardship by the landowner or other appropriate entity.

1702 Definitions ~~(Amended 10/31/07)~~

The following definitions pertain to the Wildfire Hazard -Overlay District. Additional definitions relating to wildfire mitigation are found in the provisions of the Douglas County Wildfire Mitigation Standards. In the case of conflict, the Director of Community Development, or a designee, shall determine the appropriate definition.

1702.01 Access Route – Principal vehicular ingress and egress to a structure or through a development, crossing more than one parcel, including public and private roads, streets, and lanes that extend to and intersect with a publicly maintained road, street, or lane.

1702.02 Aspect – Direction toward which the Slope faces.

1702.03 Brush – Shrubs and scrub vegetation or other vegetative growth heavier than grass but not full tree size.

1702.04 Combustible – Any material that, in the form in which it occurs or is used, and under the conditions anticipated, will ignite and burn.

- 1702.05 Defensible Space – A natural or man-made area, where vegetation capable of carrying a fire has been sufficiently treated, modified, or removed to slow the rate of spread and reduce the intensity of a fire; provide a safe area for fire suppression operations; and slow or prevent a fire from traveling – in either direction – between a structure and the vegetation.
- 1702.06 Douglas County Wildfire Mitigation Standards – Exhibit B Appendix Chapter 58 of the International Building Code (IBC) as adopted by Douglas County. These standards are based on the National Fire Protection Association’s (NFPA) standards for protection of life and property from wildfire and Colorado State Forest Service Standards.
- 1702.07 Fire Break – An area, usually a long strip of undetermined width, wherein all flammable fuels have been removed to the mineral soil layer for the purpose of stopping a fire’s spread.
- 1702.08 Emergency Access Route – A maintained vehicular Roadway for ingress and egress designed to allow for access and/or evacuation of residents and visitors only during crisis situations. The route may cross more than one parcel, including private roads, streets, and lanes.
- 1702.09 Forest Management Plan – A plan prepared by a Professional Forester that describes the current condition of the subject site and the proposed management activities to be conducted by the applicant. The plan shall describe how these activities improve forest health and reduce Wildfire Hazards. The plan shall address all components of site vegetation, as identified by the Douglas County Professional Foresters. Elements of the plan may include, but are not limited to, insect and disease, wildlife values, aesthetics, and other multiple resource objectives.
- 1702.10 Forester, Professional – An individual with a bachelor's degree or equivalent in forestry or a closely related field from a college or university accredited by the Society of American Foresters (SAF), eligible for professional membership with SAF, and, for purposes of this Chapter, two years’ experience with representative fuel types of the Rocky Mountain Region. The term Douglas County Professional Forester shall refer to a Professional Forester employed by Douglas County.
- 1702.11 Fuel Break – An area, usually a long strip strategically located, wherein vegetative fuels are reduced in volume and maintained to cause a reduction of fire intensity if ignited by a Wildland fire.
- 1702.12 Fuel Loading – The volume of fuel in a given area, generally expressed in tons per acre.

- 1702.13 Fuel Modification – The removal of Fuels, increase in spacing of individual plants, or reduction of Fuel Loading.
- 1702.14 Fuel – All Combustible materials within the Wildland ~~/~~Urban Interface or Wildland ~~/~~Urban Intermix, including vegetation and structures.
- 1702.15 Roadway – Any surface improved, designed, or ordinarily used for vehicular travel.
- Public Road – A Roadway dedicated for public use and improved to the standards required by Douglas County in accordance with the Roadway Design and Construction Standards ~~Manual, as amended. (current edition).~~
- Private Road – A Roadway intended for limited use and constructed to the standards approved by the Douglas County Public Works Department and the provisions of the Douglas County Wildfire Mitigation Standards.
- 1702.16 Slope – Upward or downward incline or slant, usually calculated as a percent of slope (rise or fall per 100 feet of horizontal distances).
- 1702.17 IBC – The International Building Code as currently amended and adopted by Douglas County. ~~(Amended 6/14/06)~~
- 1702.18 Wildland – An undeveloped area in its natural state containing vegetation characteristic of the region and undisturbed topographical conditions.
- 1702.19 Wildland ~~/~~Urban Interface – An area where development and Wildland Fuels meet at a clearly defined boundary.
- 1702.20 Wildland ~~/~~Urban Intermix – An area where development and Wildland Fuels meet with no clearly defined boundary.
- 1702.21 Wildfire – An unplanned and unwanted fire requiring suppressive action; an uncontrolled fire, usually spreading through vegetative Fuels but often threatening structures.
- 1702.22 Wildfire Hazard – The condition of the natural and built environment creating a Wildfire opportunity that is so adverse to past, current, or foreseeable construction or land use as to constitute a significant hazard to public health, safety, or property. The term incorporates the combined effects of Slope, Aspect, topography, climatic conditions, weather, Wildfire behavior, existing vegetation, and state of the vegetation; and may also incorporate additional factors such as evacuation conditions, density of

structures, history of fire occurrence, and local emergency service availability.

1702.23 Wildfire Hazard Assessment - An examination and analysis of factors that may influence the spread of fire across the landscape, including the built environment. Factors may include vegetation, type, density, condition, slope, aspect, fuel model, condition class, prevailing winds.

1702.2~~43~~ Wildfire Hazard Area – An area containing or directly affected by a Wildfire Hazard as shown on the Wildfire Hazard –Overlay District Map and as determined by Douglas County.

1702.2~~54~~ Wildfire Mitigation Plan – A plan prepared by a Professional Forester that describes the current condition of the subject site and the proposed management activities to be conducted by the applicant. The plan shall describe how these activities reduce Wildfire Hazard levels. The plan shall address all components of site vegetation, as identified by the Douglas County Professional Foresters. While elements of the plan may address insect and disease, wildlife values, aesthetics, and other multiple resource objectives, the primary objective of the plan is hazardous Fuel reduction and how it meets the goal of a reduction in Wildfire risk levels.

1703 Applicability ~~(Amended 10/31/07)~~

Upon the adoption of the Wildfire Hazard –Overlay District, the regulations contained in this Section shall apply to all land-unincorporated areas identified on the Douglas County Wildfire Hazard –Overlay District Map and any ~~land~~-areas field-verified as potential hazard areas.

~~1703.01 — Any area assigned a hazard rating of 16 or higher in accordance with the hazard rating system adopted by Douglas County shall be subject to the provisions of this Overlay District. (See Section 1705)~~

1703.0~~12~~ The land-use activities subject to the provisions of the Wildfire Hazard - Overlay District are as follows:

1703.0~~12~~.1 Building permits (for all residential and non-residential structures)

1703.0~~12~~.2 Exemptions (including Rural Site Plans and Cluster 35 Plans~~-rural site plans and clustered 35 - acre splits~~)

1703.0~~12~~.3 Rezoning

1703.0~~12~~.4 Site Improvement Plans

1703.0~~12~~.5 Subdivision

1703.0~~12~~.6 ~~35-acre and larger developments 35 or larger~~—Acre Development

1703.0~~12~~.7 Use by Special Review

1703.0~~23~~ The provisions of this Overlay District shall apply in addition to the applicable requirements of the underlying zoning district.

1703.0~~34~~ The provisions of this Overlay District shall supersede otherwise applicable requirements of the underlying zoning district where those requirements are inconsistent with the provisions herein.

1704 Wildfire Hazard -Overlay District Map ~~(Amended 10/31/07)~~

The Douglas County Wildfire Hazard -Overlay District Map is hereby incorporated by reference and shall be deemed an overlay on any zoning district now or hereafter enacted to regulate the use of land in Douglas County.

~~1704.01 The Wildfire Hazard -Overlay Map shall be maintained by the Community Development Department, Building Division.~~

~~1704.02~~—The Wildfire Hazard -Overlay District Map is intended to serve as a guide to identify ~~lands~~ areas potentially at risk for Wildfire. All ~~land~~ areas in the Overlay District shall be subject to field investigation to confirm actual level of risk. The degree of mitigation required will depend on the results of the field investigation.

1705 Wildfire Hazard Assessment Process

Prior to the processing of any application for a land use activity referenced in 1703.01, a Wildfire Hazard Assessment shall be obtained.

1705.01 An on-site Wildfire Hazard Assessment shall be performed by the Douglas County Professional Forester.

1705.02 The Douglas County Professional Forester may assist the applicant at the presubmittal stage of a land use application to discuss the requirements necessary to prepare a Wildfire Hazard Assessment.

1705.03 If the Douglas County Professional Forester is not available to perform the assessment in a timely manner, the applicant shall contract with a Professional Forester for the on-site assessment.

1705.03.1 The applicant is responsible for the costs associated with a contracted assessment.

1705.03.2 The Douglas County Professional Foresters shall review and approve the contracted Wildfire Hazard Assessment.

1705.04 In the event of a conflict pertaining to the outcome of the assessment prepared by the Douglas County Professional Forester, Douglas County reserves the right to contract with a third-party Professional Forester to review the assessment. The cost of this review shall be paid by the applicant.

1706 Wildfire Hazard Assessment Requirements

The Wildfire Hazard Assessment shall be prepared by the Douglas County Professional Forester or applicant contracted Professional Forester for a Wildfire Hazard Assessment. The assessment shall, at a minimum, include the following:

1706.01 A description of the existing site characteristics including vegetative, topographical, and other pertinent environmental conditions.

1706.02 A determination as to whether the site characteristics constitute a hazard.

1706.03 An assessment of the severity of the hazard and its implications relative to the protection of life-safety and resource protection for future development.

1706.04 An analysis of the intensity and character of existing and proposed development and its effect on the hazard.

1706.05 An analysis of the relationship between the development and the hazard, both inside and outside the proposed development.

1706.06 Recommendations pertaining to the form, type, and extent of the required mitigation measures as outlined in the Douglas County Wildfire Mitigation Standards and the provisions of this Overlay District.

1706.07 The assessment shall be evaluated in conjunction with the proposed land use plan to determine if a Wildfire Mitigation or Forest Management Plan is required prior to approval.

1706.08 Where required, a Wildfire Mitigation or Forest Management Plan shall be prepared and submitted to the Douglas County Professional Forester for review and approval.

~~1705 Wildfire Hazard Rating Inspection (Amended 10/31/07)~~

~~Land proposed for development shall be subject to on-site inspection by the Douglas County Professional Foresters for the purpose of determining a Wildfire Hazard rating in accordance with Section 1707.~~

~~1705.01— If a Douglas County Professional Forester is not available to perform the assessment and/or rating in a timely manner, Douglas County may require that the applicant contract with a Professional Forester for the on-site inspection to determine the Wildfire Hazard rating. In this instance, the applicant is responsible for the costs associated with such inspection.~~

~~1705.02— In the event of a conflict pertaining to the outcome of the assessment and the subsequent rating prepared by Douglas County Professional Foresters, Douglas County reserves the right to contract with a Professional Forester as defined to assist with the review of the rating and assessment submitted on behalf of the applicant. The cost of this additional review shall be paid by the applicant.~~

17076 General Standards *(Amended 10/31/07)*

Development determined to be subject to the provisions of the Wildfire Hazard -Overlay District shall be required to mitigate identified hazards through compliance with and utilization of the Douglas County Wildfire Mitigation Standards, and may require the implementation of a Wildfire Mitigation or Forest Management Plan. Additional measures aimed at reducing the risk of Wildfire may be imposed at the discretion of the Chief Building Official. The types of mitigation measures required are as follows:

17076.01 Wildfire Mitigation and Forest Management

Identification of Fuel Modification and vegetation management measures may be required in order to reduce the threat of Wildfire. If Fuel Modification, vegetation management, or other Forest Management practices are determined to be necessary, a plan shall be prepared by a Professional Forester, as defined herein. Required elements shall be specified by the Douglas County Professional Foresters and shall include, but are not limited to the following:

17076.01.1 Identification of fuel type, condition, and loading, in conjunction with an assessment of Slope and Aspect, to determine the ability for a Wildfire to spread.

17076.01.2 Reduction of Fuel Loading, modification of fuel types to reduce the risk to structures or adjacent vegetation, and resource values on and around the project including the creation of Fuel Breaks and Fire Breaks.

17076.01.3 Identification of current forest conditions at the time of application such as species composition, the presence of insect and disease, stocking levels, significant numbers of standing dead and/or down trees, and any other conditions that may affect current or future forest health or sustainability. The Wildfire Mitigation or Forest Management Plan shall contain a prescription ~~that will to~~ decrease the rate of spread or intensity of Wildfire and improve forest health. Any short-term or temporary conditions affecting the existing vegetation shall be noted in the mitigation or management plan with an explanation of its relative importance and how, or if, it changes the prescription.

17076.02 Road and Street Design

All Roadways in a Wildfire Hazard Area shall be required to comply with the Douglas County Roadway Design and Construction Standards ~~and~~ Chapter 4 of the Douglas County Wildfire Mitigation Standards. Public and private roads, streets, and ways shall allow for safe access for emergency fire equipment and civilian evacuation during an emergency. Requirements may include, but are not limited to, the following:

17076.02.1 Two separate and distinct points of access; an Emergency Access Route and/or evacuation route may qualify as a second access. Entries divided by a median shall not qualify as two separate access points.

17076.02.2 Roads, shoulders and easements of sufficient width, grade, and surface composition to support emergency vehicles.

17076.02.3 Dead end roads limited in length shall provide cul-de-sac or hammerhead "T" turnaround area.

17076.03 Driveway Design

All driveways located in Wildfire Hazard Areas shall comply with the applicable provisions of the Douglas County Wildfire Mitigation Standards, as determined by the Chief Building Official.

17076.04 Road, Street, and Building Signage

Changes in signage may be necessary for development proposed in Wildfire Hazard Areas in order to facilitate locating a fire and avoiding response delays. Road, street, and building signage shall comply with ~~Chapter 5 of~~ the Douglas County Roadway Design and Construction ~~Wildfire Mitigation~~ Standards, and the Manual on Uniform

Traffic Control Devices, as amended. Design requirements shall include, but are not limited to, the following:

17076.04.1 Road and street signs of a sufficient height, size, and location to allow for adequate visibility in the event of a Wildfire.

17076.04.2 Building signage and addresses of sufficient size and reflectivity to be clearly visible from the road.

17076.04.3 Emergency Access Routes may require specific signage and use restrictions.

17076.05 Emergency Water Supply

An emergency water supply shall be required ~~to be identified~~ as a condition for development in a Wildfire Hazard Area. Emergency water supplies shall comply with the Douglas County Wildfire Mitigation Standards and Exhibit C of the Douglas County Building Code Chapter 6 of the Douglas County Wildfire Mitigation Standards. The Chief Building Official shall conduct any evaluation required to determine emergency water supply needs. Additional requirements may include, but are not limited to, the following:

17076.05.1 Demonstrated compliance with Exhibit C Appendix 59: Standard for Water Supplies for Rural Fire Fighting, of the International Building Code, as amended and adopted by Douglas County. ~~(Amended 6/14/06)~~

17076.05.2 Demonstrated compliance with the Water Supply - Overlay District contained in Section 18A of this Resolution.

17076.06 Structural Design

Buildings, structures, and other forms of development in or adjacent to Wildfire Hazard Areas shall be located, designed, and constructed in a manner to minimize the possibility of ignition from a Wildfire and the spread of a structural fire to the Wildland.

All buildings and structures allowed to be located in a Wildfire Hazard Area shall be required to comply with the design standards specified in the Douglas County Wildfire Mitigation Standards.

~~1707 Application Requirements, Hazard Rating, and Assessments (Amended 10/31/07)~~

~~1707.01 Prior to the processing of any application for a land use activity referenced in Subsection 1703.02, a Wildfire Hazard rating shall be obtained from the Douglas County Professional Foresters, and where required, a Wildfire~~

~~Mitigation or Forest Management Plan shall be prepared and submitted to the Douglas County Professional Foresters for review and approval.~~

~~1707.02 Douglas County Professional Foresters may assist the applicant at the pre-submittal stage to determine the field inspection requirements necessary to obtain a Wildfire Hazard rating in accordance with the provisions of Section 1705.~~

~~1707.03 If the Wildfire Hazard rating is 16 or greater, an assessment shall be prepared by the Douglas County Professional Foresters assessing relevant factors. If Douglas County requires that the applicant contract with a Professional Forester for a Wildfire Hazard rating determination, the individual responsible for the determination shall also be responsible for preparing the rating and assessment. The rating and assessment shall, at a minimum, include the following:~~

~~1707.03.1A description of the existing site characteristics including vegetative, topographical, and other pertinent environmental conditions~~

~~1707.03.2A determination as to whether the site characteristics constitute a hazard~~

~~1707.03.3An assessment of the severity of the hazard and its implications relative to the protection of life safety and resource protection for future development~~

~~1707.03.4An analysis of the intensity and character of existing and proposed development and its effect on the hazard~~

~~1707.03.5An analysis of the relationship between the development and the hazard, both inside and outside the proposed development~~

~~1707.03.6Recommendations pertaining to the form, type and extent of the required mitigation measures as outlined in the Douglas County Wildfire Mitigation Standards and the provisions of this Overlay District~~

~~1707.04 The assessment shall be evaluated in conjunction with the land use application to determine if a Wildfire Mitigation or Forest Management Plan is required prior to approval.~~

1708 Review Procedures *(Amended 10/31/07)*

1708.01 The review procedure for the provisions of this Section ~~will~~ shall coincide with the land use review procedures established by Douglas County for the type of development or use proposed and the requirements of the underlying zoning district.

1708.02 In deciding whether to approve a ~~land-use activity~~, the Board of County Commissioners shall consider the evidence and information required by

this Section. Based on this evidence and information the Board may approve, approve with conditions, or deny the requested development activity. Additional conditions ~~for~~of approval may include, but are not limited to, the following:

1708.02.1 Alteration of the physical characteristics of the land

1708.02.2 Alteration to the vegetative features of the land

1708.02.3 Construction standards ~~required~~of structures~~proposed~~

1707.02.4 Construction standards ~~of~~for roads ~~intended to serve~~serving the proposed development

1708.02.5 Design and density ~~within~~of the ~~area~~proposed ~~for~~ development

1708.02.6 Location of structures, uses, or other improvements within the ~~area~~ proposed~~for~~ development

SECTION 17 WILDFIRE HAZARD OVERLAY DISTRICT

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1701 Intent

To identify Wildfire Hazard Areas and to protect the health, safety, and welfare of residents by minimizing the potential for the loss of life and property by the ignition and spread of wildfires in the Wildland Urban Interface and the Wildland Urban Intermix.

Douglas County is very diverse in character with areas ranging from grasslands and shrublands to steep, forested Slopes. These areas are often viewed as highly desirable development sites due to their unique scenic qualities. By identifying potential hazard areas and requiring mitigation measures as part of the land planning and development process, the current and future risk of wildfires can be reduced.

Specific purposes are as follows:

- To develop and maintain a map of Douglas County that allows for preliminary identification of Wildfire Hazard Areas.
- To identify the process for assessing and mitigating the Wildfire Hazard concurrent with the land planning process.
- To identify specific types of development to be subject to wildfire mitigation measures and the provisions of the Douglas County Wildfire Mitigation Standards.
- To identify the standards with which development proposed in Wildfire Hazard Areas must comply.
- To set forth the procedures for identifying, describing, and mitigating wildfire risk during the land development process.
- To design wildfire mitigation prescriptions which facilitate overall stewardship by the landowner or other appropriate entity.

1702 Definitions

The following definitions pertain to the Wildfire Hazard Overlay District. Additional definitions relating to wildfire mitigation are found in the provisions of the Douglas County Wildfire Mitigation Standards. In the case of conflict, the Director of Community Development, or a designee, shall determine the appropriate definition.

1702.01 Access Route – Principal vehicular ingress and egress to a structure or through a development, crossing more than one parcel, including public and private roads, streets, and lanes that extend to and intersect with a publicly maintained road, street, or lane.

1702.02 Aspect – Direction toward which the Slope faces.

1702.03 Brush – Shrubs and scrub vegetation or other vegetative growth heavier than grass but not full tree size.

1702.04 Combustible – Any material that, in the form in which it occurs or is used, and under the conditions anticipated, will ignite and burn.

- 1702.05 Defensible Space – A natural or man-made area, where vegetation capable of carrying a fire has been sufficiently treated, modified, or removed to slow the rate of spread and reduce the intensity of a fire; provide a safe area for fire suppression operations; and slow or prevent a fire from traveling – in either direction – between a structure and the vegetation.
- 1702.06 Douglas County Wildfire Mitigation Standards – Exhibit B of the International Building Code (IBC) as adopted by Douglas County. These standards are based on the National Fire Protection Association’s (NFPA) standards for protection of life and property from wildfire and Colorado State Forest Service Standards.
- 1702.07 Fire Break – An area, usually a long strip of undetermined width, wherein all flammable fuels have been removed to the mineral soil layer for the purpose of stopping a fire’s spread.
- 1702.08 Emergency Access Route – A maintained vehicular Roadway for ingress and egress designed to allow for access and/or evacuation of residents and visitors only during crisis situations. The route may cross more than one parcel, including private roads, streets, and lanes.
- 1702.09 Forest Management Plan – A plan prepared by a Professional Forester that describes the current condition of the subject site and the proposed management activities to be conducted by the applicant. The plan shall describe how these activities improve forest health and reduce Wildfire Hazards. The plan shall address all components of site vegetation, as identified by the Douglas County Professional Forester. Elements of the plan may include, but are not limited to, insect and disease, wildlife values, aesthetics, and other multiple resource objectives.
- 1702.10 Forester, Professional – An individual with a bachelor's degree or equivalent in forestry or a closely related field from a college or university accredited by the Society of American Foresters (SAF), eligible for professional membership with SAF, and, for purposes of this Chapter, two years’ experience with representative fuel types of the Rocky Mountain Region. The term Douglas County Professional Forester shall refer to a Professional Forester employed by Douglas County.
- 1702.11 Fuel Break – An area, usually a long strip strategically located, wherein vegetative fuels are reduced in volume and maintained to cause a reduction of fire intensity if ignited by a Wildland fire.
- 1702.12 Fuel Loading – The volume of fuel in a given area, generally expressed in tons per acre.

- 1702.13 Fuel Modification – The removal of Fuels, increase in spacing of individual plants, or reduction of Fuel Loading.
- 1702.14 Fuel – All Combustible materials within the Wildland Urban Interface or Wildland Urban Intermix, including vegetation and structures.
- 1702.15 Roadway – Any surface improved, designed, or ordinarily used for vehicular travel.
- Public Road – A Roadway dedicated for public use and improved to the standards required by Douglas County in accordance with the Roadway Design and Construction Standards, as amended.
- Private Road – A Roadway intended for limited use and constructed to the standards approved by the Douglas County Public Works Department and the provisions of the Douglas County Wildfire Mitigation Standards.
- 1702.16 Slope – Upward or downward incline or slant, usually calculated as a percent of slope (rise or fall per 100 feet of horizontal distances).
- 1702.17 IBC – The International Building Code as currently amended and adopted by Douglas County.
- 1702.18 Wildland – An undeveloped area in its natural state containing vegetation characteristic of the region and undisturbed topographical conditions.
- 1702.19 Wildland Urban Interface – An area where development and Wildland Fuels meet at a clearly defined boundary.
- 1702.20 Wildland Urban Intermix – An area where development and Wildland Fuels meet with no clearly defined boundary.
- 1702.21 Wildfire – An unplanned and unwanted fire requiring suppressive action; an uncontrolled fire, usually spreading through vegetative Fuels but often threatening structures.
- 1702.22 Wildfire Hazard – The condition of the natural and built environment creating a Wildfire opportunity that is so adverse to past, current, or foreseeable construction or land use as to constitute a significant hazard to public health, safety, or property. The term incorporates the combined effects of Slope, Aspect, topography, climatic conditions, weather, Wildfire behavior, existing vegetation, and state of the vegetation; and may also incorporate additional factors such as evacuation conditions, density of

structures, history of fire occurrence, and local emergency service availability.

- 1702.23 Wildfire Hazard Assessment - An examination and analysis of factors that may influence the spread of fire across the landscape, including the built environment. Factors may include vegetation, type, density, condition, slope, aspect, fuel model, condition class, prevailing winds.
- 1702.24 Wildfire Hazard Area – An area containing or directly affected by a Wildfire Hazard as shown on the Wildfire Hazard Overlay District Map and as determined by Douglas County.
- 1702.25 Wildfire Mitigation Plan – A plan prepared by a Professional Forester that describes the current condition of the subject site and the proposed management activities to be conducted by the applicant. The plan shall describe how these activities reduce Wildfire Hazard levels. The plan shall address all components of site vegetation, as identified by the Douglas County Professional Forester. While elements of the plan may address insect and disease, wildlife values, aesthetics, and other multiple resource objectives, the primary objective of the plan is hazardous Fuel reduction and how it meets the goal of a reduction in Wildfire risk levels.

1703 Applicability

Upon the adoption of the Wildfire Hazard Overlay District, the regulations contained in this Section shall apply to all unincorporated areas identified on the Douglas County Wildfire Hazard Overlay District Map and any areas field-verified as potential hazard areas.

- 1703.01 The land use activities subject to the provisions of the Wildfire Hazard Overlay District are as follows:
- 1703.01.1 Building permits (for all residential and non-residential structures)
 - 1703.01.2 Exemptions (including Rural Site Plans and Cluster 35 Plans)
 - 1703.01.3 Rezoning
 - 1703.01.4 Site Improvement Plans
 - 1703.01.5 Subdivision
 - 1703.01.6 35-acre and larger developments
 - 1703.01.7 Use by Special Review

1703.02 The provisions of this Overlay District shall apply in addition to the applicable requirements of the underlying zoning district.

1703.03 The provisions of this Overlay District shall supersede otherwise applicable requirements of the underlying zoning district where those requirements are inconsistent with the provisions herein.

1704 Wildfire Hazard Overlay District Map

The Douglas County Wildfire Hazard Overlay District Map is hereby incorporated by reference and shall be deemed an overlay on any zoning district now or hereafter enacted to regulate the use of land in Douglas County.

The Wildfire Hazard Overlay District Map is intended to serve as a guide to identify areas potentially at risk for Wildfire. All areas in the Overlay District shall be subject to field investigation to confirm actual level of risk. The degree of mitigation required will depend on the results of the field investigation.

1705 Wildfire Hazard Assessment Process

Prior to the processing of any application for a land use activity referenced in 1703.01, a Wildfire Hazard Assessment shall be obtained.

1705.01 An on-site Wildfire Hazard Assessment shall be performed by the Douglas County Professional Forester.

1705.02 The Douglas County Professional Forester may assist the applicant at the presubmittal stage of a land use application to discuss the requirements necessary to prepare a Wildfire Hazard Assessment.

1705.03 If the Douglas County Professional Forester is not available to perform the assessment in a timely manner, the applicant shall contract with a Professional Forester for the on-site assessment.

1705.03.1 The applicant is responsible for the costs associated with a contracted assessment.

1705.03.2 The Douglas County Professional Forester shall review and approve the contracted Wildfire Hazard Assessment.

1705.04 In the event of a conflict pertaining to the outcome of the assessment prepared by the Douglas County Professional Forester, Douglas County reserves the right to contract with a third-party Professional Forester to review the assessment. The cost of this review shall be paid by the applicant.

1706 Wildfire Hazard Assessment Requirements

The Wildfire Hazard Assessment shall be prepared by the Douglas County Professional Forester or applicant contracted Professional Forester for a Wildfire Hazard Assessment. The assessment shall, at a minimum, include the following:

- 1706.01 A description of the existing site characteristics including vegetative, topographical, and other pertinent environmental conditions.
- 1706.02 A determination as to whether the site characteristics constitute a hazard.
- 1706.03 An assessment of the severity of the hazard and its implications relative to the protection of life-safety and resource protection for future development.
- 1706.04 An analysis of the intensity and character of existing and proposed development and its effect on the hazard.
- 1706.05 An analysis of the relationship between the development and the hazard, both inside and outside the proposed development.
- 1706.06 Recommendations pertaining to the form, type, and extent of the required mitigation measures as outlined in the Douglas County Wildfire Mitigation Standards and the provisions of this Overlay District.
- 1706.07 The assessment shall be evaluated in conjunction with the proposed land use plan to determine if a Wildfire Mitigation or Forest Management Plan is required prior to approval.
- 1706.08 Where required, a Wildfire Mitigation or Forest Management Plan shall be prepared and submitted to the Douglas County Professional Forester for review and approval.

1707 General Standards

Development determined to be subject to the provisions of the Wildfire Hazard Overlay District shall be required to mitigate identified hazards through compliance with and utilization of the Douglas County Wildfire Mitigation Standards and may require the implementation of a Wildfire Mitigation or Forest Management Plan. Additional measures aimed at reducing the risk of Wildfire may be imposed at the discretion of the Chief Building Official. The types of mitigation measures required are as follows:

1707.01 Wildfire Mitigation and Forest Management

Identification of Fuel Modification and vegetation management measures may be required in order to reduce the threat of Wildfire. If Fuel Modification, vegetation management, or other Forest Management practices are determined to be necessary, a plan shall be prepared by a Professional Forester, as defined herein. Required elements shall be

specified by the Douglas County Professional Forester and shall include, but are not limited to the following:

- 1707.01.1 Identification of fuel type, condition, and loading, in conjunction with an assessment of Slope and Aspect, to determine the ability for a Wildfire to spread.
- 1707.01.2 Reduction of Fuel Loading, modification of fuel types to reduce the risk to structures or adjacent vegetation, and resource values on and around the project including the creation of Fuel Breaks and Fire Breaks.
- 1707.01.3 Identification of current forest conditions at the time of application such as species composition, the presence of insect and disease, stocking levels, significant numbers of standing dead and/or down trees, and any other conditions that may affect current or future forest health or sustainability. The Wildfire Mitigation or Forest Management Plan shall contain a prescription to decrease the rate of spread or intensity of Wildfire and improve forest health. Any short-term or temporary conditions affecting the existing vegetation shall be noted in the mitigation or management plan with an explanation of its relative importance and how, or if, it changes the prescription.

1707.02 Road and Street Design

All Roadways in a Wildfire Hazard Area shall be required to comply with the Douglas County Roadway Design and Construction Standards and Chapter 4 of the Douglas County Wildfire Mitigation Standards. Public and private roads, streets, and ways shall allow for safe access for emergency fire equipment and civilian evacuation during an emergency. Requirements may include, but are not limited to, the following:

- 1707.02.1 Two separate and distinct points of access; an Emergency Access Route and/or evacuation route may qualify as a second access. Entries divided by a median shall not qualify as two separate access points.
- 1707.02.2 Roads, shoulders and easements of sufficient width, grade, and surface composition to support emergency vehicles.
- 1707.02.3 Dead end roads limited in length shall provide cul-de-sac or hammerhead "T" turnaround area.

1707.03 Driveway Design

All driveways located in Wildfire Hazard Areas shall comply with the applicable provisions of the Douglas County Wildfire Mitigation Standards, as determined by the Chief Building Official.

1707.04 Road, Street, and Building Signage

Changes in signage may be necessary for development proposed in Wildfire Hazard Areas in order to facilitate locating a fire and avoiding response delays. Road, street, and building signage shall comply with the Douglas County Roadway Design and Construction Standards and the Manual on Uniform Traffic Control Devices, as amended. Design requirements shall include, but are not limited to, the following:

- 1707.04.1 Road and street signs of a sufficient height, size, and location to allow for adequate visibility in the event of a Wildfire.
- 1707.04.2 Building signage and addresses of sufficient size and reflectivity to be clearly visible from the road.
- 1707.04.3 Emergency Access Routes may require specific signage and use restrictions.

1707.05 Emergency Water Supply

An emergency water supply shall be required as a condition for development in a Wildfire Hazard Area. Emergency water supplies shall comply with the Douglas County Wildfire Mitigation Standards and Exhibit C of the Douglas County Building Code. The Chief Building Official shall conduct any evaluation required to determine emergency water supply needs. Additional requirements may include, but are not limited to, the following:

- 1707.05.1 Demonstrated compliance with Exhibit C: Standard for Water Supplies for Rural Fire Fighting, as amended and adopted by Douglas County.
- 1707.05.2 Demonstrated compliance with the Water Supply - Overlay District contained in Section 18A of this Resolution.

1707.06 Structural Design

Buildings, structures, and other forms of development in or adjacent to Wildfire Hazard Areas shall be located, designed, and constructed in a manner to minimize the possibility of ignition from a Wildfire and the spread of a structural fire to the Wildland.

All buildings and structures allowed to be located in a Wildfire Hazard Area shall be required to comply with the design standards specified in the Douglas County Wildfire Mitigation Standards.

1708 Review Procedures

- 1708.01 The review procedure for the provisions of this Section shall coincide with the land use review procedures established by Douglas County for the type of development or use proposed and the requirements of the underlying zoning district.
- 1708.02 In deciding whether to approve a land use, the Board of County Commissioners shall consider the evidence and information required by this Section. Based on this evidence and information the Board may approve, approve with conditions, or deny the requested development activity. Additional conditions of approval may include, but are not limited to, the following:
- 1708.02.1 Alteration of the physical characteristics of the land
 - 1708.02.2 Alteration to the vegetative features of the land
 - 1708.02.3 Construction standards for structures
 - 1707.02.4 Construction standards for roads serving the proposed development
 - 1708.02.5 Design and density of the proposed development
 - 1708.02.6 Location of structures, uses, or other improvements within the proposed development

WILDFIRE HAZARD OVERLAY DISTRICT

Douglas County, Colorado

Legend

- Included in Wildfire Hazard Overlay District - Wildfire Hazard Assessment required before development - See DCZR Section 17
- Excluded from Wildfire Hazard Overlay District
- Incorporated area. Check with local jurisdiction for zoning information



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