

**RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY VICTOR, COLORADO**  
Resolution No. 97-1

**A RESOLUTION ADOPTING THE 1997 UPDATE OF VICTOR FIVE YEAR MASTER PLAN, AND THE 1997 THREE MILE LAND USE PLAN FOR VICTOR, COLORADO.**

**WHEREAS**, the City of Victor, Colorado, acting through its Planning Commission, is empowered pursuant to C.R.S. §§31-23-201, *et seq.*, to make and adopt a master plan for the physical development of the City, including any areas outside the City's boundaries, subject to the approval of the governmental body having jurisdiction thereof, which in the Planning Commission's judgment bear relation to the planning of Victor; and

**WHEREAS**, the present master plan was adopted by the Planning Commission in 1992; and

**WHEREAS**, the Planning Commission desires to update the present master plan by adopting the 1997 Update of Victor Five Year Master Plan (the "1997 Master Plan Update"); and

**WHEREAS**, the 1997 Master Plan Update is made with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the City of Victor, and its environs which will, in accordance with present and future needs, best promote health, safety, morals, order, convenience, prosperity, and general welfare, as well as efficiency and economy in the process of development; and

**WHEREAS**, the 1997 Master Plan Update will promote adequate provision for traffic, safety from fire, flood waters, and other dangers, adequate provision for light and air, the healthful and convenient distribution of population, good civic design and arrangement, wise and efficient expenditure of public funds, energy conservation, and the adequate provision of public utilities and other public requirements; and

**WHEREAS**, the City of Victor, Colorado, acting through its Planning Commission, is further empowered pursuant to C.R.S. §31-12-105(1)(e) to make and adopt a plan for the area within three (3) miles of the existing City boundaries; and

**WHEREAS**, in conjunction with a request of Teller County, Colorado, the 1997 Three Mile Land Use Plan (the "1997 Three Mile Plan") has been prepared and reviewed by the Planning Commission in accordance and compliance with C.R.S. §31-12-105(1)(e); and

Victor Planning Commission  
1997 Master Plan Update/Three Mile Plan

**WHEREAS**, the 1997 Three Mile Plan is also an integral component of the 1997 Master Plan Update; and

**WHEREAS**, the Planning Commission held a public hearing on the 1997 Master Plan Update and the 1997 Three Mile Plan on AUGUST 12, 1997, notice of the time and place of which was given by publication in a newspaper of general circulation in the City of Victor and in the official newspaper of Teller County, Colorado; and

**WHEREAS**, the Planning Commission believes it in the best interests of the City of Victor that the 1997 Master Plan Update and the 1997 Three Mile Plan be adopted,

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Commission of the City of Victor, Colorado:

1. That the 1997 Update of Victor Five Year Master Plan be and hereby is adopted.
2. That the 1997 Three Mile Land Use Plan be and hereby is adopted.
3. That the 1997 Three Mile Plan be and hereby is declared to be a part of the 1997 Master Plan Update.
4. That the 1997 Master Plan Update and the 1997 Three Mile Plan, as adopted herein, expressly include maps and other matter, intended by the Planning Commission to form the whole of such Plans, all of which materials are either contained or referenced within such plan document itself.
5. That the 1992 Victor Comprehensive Plan be and hereby is amended by the 1997 Master Plan Update and the 1997 Three Mile Plan. Any and all provisions of the 1992 Comprehensive Plan inconsistent with the 1997 Master Plan Update and the 1997 Three Mile Plan are hereby repealed and superseded by such 1997 Plans only to the extent of such inconsistency.
6. That the invalidity of any section, clause, sentence or provision of the 1997 Master Plan Update and/or the 1997 Three Mile Plan shall not affect the validity

Victor Planning Commission  
1997 Master Plan Update/Three Mile Plan

of any other part of such 1997 Plans which can be given effect without such invalid part or parts.

7. That an attested copy of the 1997 Master Plan Update and the 1997 Three Mile Plan shall be and hereby is certified to the City Council of the City of Victor, the City Council of the City of Cripple Creek, the Board of County Commissioners of Teller County, and the County Clerk and Recorder of Teller County.

8. That the Planning Commission hereby determines that the adoption of the 1997 Master Plan Update and the 1997 Three Mile Plan is necessary and in the best interests of the public health, safety and welfare.

**MOVED, SECONDED AND ADOPTED BY THE AFFIRMATIVE VOTES OF NOT LESS THAN TWO-THIRDS OF THE ENTIRE MEMBERSHIP OF THE PLANNING COMMISSION OF THE CITY OF VICTOR, COLORADO, AS FOLLOWS:**

<u>REEBA ANDERSON BECKMAN</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<u>JERRY SHIELDS</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<u>BILL CLARK</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<u>DAVID MCCORMICK</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<u>DON DANIEL</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
_____	Yes <input type="checkbox"/>	No <input type="checkbox"/>

ATTEST:

**PLANNING COMMISSION  
CITY OF VICTOR, COLORADO**

By: Jerry D. Shields  
Secretary to the Planning Commission

By: Donald E. Daniel  
Chair

**CITY OF VICTOR, STATE OF COLORADO**

**1997 UPDATE OF VICTOR  
FIVE YEAR MASTER PLAN  
(Originally Adopted in 1992)**

**1997 THREE MILE LAND USE PLAN**

Adopted by the Victor Planning Commission on August 12, 1997  
Approved by the Victor City Council on August 14, 1997

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Section 32:

NW Quadrant: Includes most of the City of Victor.

Planned Land Use: Governed by Historic Overlay Zone  
established by zoning ordinance:

Single Family Residential

Historic Commercial Business District

Restore natural silhouette and maintain the historic backdrop  
of Battle Mountain and Squaw Mountain.

Protect scenic view corridor to Big Bull Mountain, Brind  
Mountain, Nipple Mountain, Straub Mountain, Little Pisgah  
Peak, and the Sangre de Cristo Mountains.

NE Quadrant: Includes part of Victor; Cunningham and Hollywood Additions;  
North Fork of Wilson Creek.

Planned Land Use: Primarily agricultural, ranching, wildlife  
habitat, single family residential, with provision for multiple  
family residential, commercial, and light industry outside the  
Victor City limits.

Water quality protection is crucial.

Maintain scenic view corridor to Pikes Peak and to Big Bull  
Mountain, Brind Mountain, Nipple Mountain, and Wet  
Mountains.

Restore the natural silhouette and maintain the historic  
backdrop of Battle Mountain and Squaw Mountain.

SE Quadrant: Includes North Fork and South Fork of Wilson Creek and eastern part of Lawrence.

Planned Land Use: Primarily agricultural, ranching, recreational, wildlife habitat (wetlands area of Wilson Creek drainage) with provision for single and multiple family residential.

Water quality protection is crucial.

Maintain scenic view corridor to Big Bull Mountain, Brind Mountain, Nipple Mountain, and Wet Mountains.

Restore the natural silhouette and maintain the historic backdrop of Battle Mountain and Squaw Mountain.

SW Quadrant: Includes western Lawrence and Wilson Creek.

Planned Land Use: Agricultural, ranching, recreational, and wildlife habitat (wetlands area of Wilson Creek drainage) with provision for single family residential.

Water quality protection is crucial.

Maintain scenic view corridor to Straub Mountain, Little Pisgah Peak, and Sangre de Cristo Mountains.

Restore natural silhouette and maintain the historic backdrop of Battle Mountain and Squaw Mountain.

#### Section 31:

NE Quadrant: Includes western Victor, western Lawrence, cemetery road, part of Sunnyside Cemetery.

Planned Land Use: Cemetery, single family residential, agricultural, ranching, recreational, and wildlife habitat.

Protect historic Sunnyside Cemetery (candidate for National Historic Register).

Maintain scenic view corridor to Squaw Mountain, Straub Mountain, Little Pisgah Peak, Sangre de Cristo Mountains, Grouse Mountain, Collegiate Range, and processing mill berm.

SE Quadrant: Includes Lawrence, Wilson Creek, and Sunnyside Cemetery.

Planned Land Use: Primarily agricultural, ranching, recreational, and wildlife habitat with cemetery and provision for single family residential.

Protect historic Sunnyside Cemetery (candidate for National Historic Register).

Water quality protection is crucial.

Maintain scenic view corridor to Squaw Mountain, Straub Mountain, Little Pisgah Peak, Sangre de Cristo Mountains, Grouse Mountain, Collegiate Range, and berm near the Hunter Processing Mill.

SW Quadrant: Includes Sunnyside Cemetery, city landfill, and Wilson Creek.

Planned Land Use: Primarily agricultural, ranching, recreational, and wildlife habitat, with historic cemetery, and city landfill.

Protect historic Sunnyside Cemetery (candidate for National Historic Register).

Water quality protection is crucial.

Maintain scenic view corridor to Squaw Mountain, Straub Mountain, Little Pisgah Peak, Sangre de Cristo Mountains, Grouse Mountain, Collegiate Range, and processing mill berm.

NW Quadrant: Includes some leach pad mining area west of the berm near the Hunter Processing Mill.

Planned Land Use: Agricultural, ranching, recreational, and wildlife habitat east and south of berm near the Hunter Processing Mill; diminution of heap leach mining activities.

Reclamation of mining properties west and north of berm near the Hunter Processing Mill. Restore natural contours, reforest with pine and aspen trees and other vegetation, and restore wildlife habitat.

Maintain scenic view corridor to Collegiate and Sangre de Cristo Mountains.

Section 30:

SE Quadrant: Includes Squaw Mountain and State Highway 67.

Planned Land Use: Wildlife habitat, greenbelt buffer zone, diminution of surface mining activities, underground mining only.

Preserving Squaw Mountain is vital to maintaining the scenic backdrop for the City of Victor.

Restore historic railroad grade and right-of-way for a train run between Cripple Creek and Victor.

SW Quadrant: Includes heap leach pad.

Planned Land Use: Diminution of surface mining activities and reclamation of heap leach pad with particular attention to restoring original contours.

Reforestation with pine trees, aspen, and other vegetation to restore viewsapes from State Highway 67.

Restoration of wildlife habitat.

Drainage into Arequa Gulch must be independently monitored.

NW Quadrant: Includes the Carlton Mill, leach pad, and State Highway 67.

Planned Land Use: Diminution of surface mining activities, reforestation with pine, aspen, and other vegetation to restore viewsapes from State Highway 67.

Restoration of wildlife habitat.

Restore historic railroad grade and right-of-way for a train between Cripple Creek and Victor.

NE Quadrant: Includes State Highway 67, crusher (sizing complex), conveyor system, Cresson open-pit mine.

Planned Land Use: Diminution of surface mining activities, remove crusher (sizing complex) and conveyor system over State Highway 67.

Reforestation with pine trees and other vegetation to restore viewscapes from State Highway 67.

Restoration of wildlife habitat.

Restore historic railroad grade and right-of-way for a train between Cripple Creek and Victor.

Restore historic Town of Elkton, (See "Preserving the Past to Benefit the Future", The Gold Legend Continues, brochure by Cripple Creek and Victor Gold Mining Company, 1997).

Section 29:

SW Quadrant: Includes northwest portion of Victor, Squaw Mountain, Battle Mountain, Ajax Mine Headframe, Portland Mine Headframe, and historic ore dumps from underground mines.

Planned Land Use: Wildlife habitat and green belt buffer zone with provision for single family residential and underground mining that will respect the standing historic mining and residential structures.

NO EXISTING STRUCTURES SHALL BE REMOVED OR DESTROYED PRIOR TO OBTAINING A CERTIFICATE OF APPROPRIATENESS FROM THE VICTOR PLANNING COMMISSION.



Restore historic railroad grade, right-of-way, and terminal for a train between Cripple and Victor.

Restore natural silhouette and maintain the historic backdrop of Battle Mountain and Squaw Mountain.

SE Quadrant:

Includes much of Goldfield, North Fork of Wilson Creek and wetlands, heliport, historic Independence Mine Headframe, county access to Range View Road, Historic Mining Kiosk, entrance to Phantom Canyon Road (Bureau of Land Management Scenic Gold Belt Tour), and County Highway 81.

Planned Land Use: Single family residential, small retail business, agricultural, ranching and wildlife habitat with provision for light industry.

Water quality protection is crucial.

Maintain scenic view corridor to Pikes Peak, the historic mining structures of the Vindicator Valley, the Town of Independence, and to Big Bull Mountain, Brind Mountain, Nipple Mountain, Wet Mountains, and the Sangre de Cristo Mountains.

NO EXISTING STRUCTURES SHALL BE REMOVED OR DESTROYED PRIOR TO OBTAINING A CERTIFICATE OF APPROPRIATENESS FROM THE VICTOR PLANNING COMMISSION.

NE Quadrant:

Includes portions of Goldfield, Last Dollar Mine, Theresa Mine Headframe and National Historic Sign, and County Highway 81.

Planned Land Use: Single family residential, small retail business, agricultural, ranching and wildlife habitat with provision for light industry and underground mining in accordance with the City of Victor's underground mining ordinance.

Maintain scenic view corridor to Pikes Peak, to the historic mining structures and houses of the Vindicator Valley and the Town of Independence, and to Big Bull Mountain, Brind

Mountain, Nipple Mountain, the Wet Mountains, and the Sangre de Cristo Mountains.

NO EXISTING STRUCTURES SHALL BE REMOVED OR DESTROYED PRIOR TO OBTAINING A CERTIFICATE OF APPROPRIATENESS FROM THE VICTOR PLANNING COMMISSION.

NW Quadrant: Includes Battle Mountain heap-leach pad (cyanide mountain), Cresson open-pit mining operation, and remnant of Range View Road.

Planned Land Use: Diminution of surface mining activities, reclamation of heap leach pad and open pit mine with particular attention to restoring original contours.

Reforestation with pine, aspen and other vegetation to restore views from County Highway 81.

Restoration of wildlife habitat.

Reconnect Range View Road between Cripple Creek and Victor.

NO EXISTING STRUCTURES SHALL BE REMOVED OR DESTROYED PRIOR TO OBTAINING A CERTIFICATE OF APPROPRIATENESS FROM THE VICTOR PLANNING COMMISSION.

Section 28:

NW Quadrant: Includes part of Goldfield, County Highway 81, and North Fork of Wilson Creek.

Planned Land Use: Single and multiple family residential, small retail business, recreational, agricultural, ranching and wildlife habitat with provision for commercial uses.

Maintain scenic view corridor to Pikes Peak, to the historic mining structures and houses of the Vindicator Valley and the Town of Independence, and to Big Bull Mountain, Brind

Mountain, Nipple Mountain, the Wet Mountains, and the Sangre de Cristo Mountains.

Water quality protection is crucial.

SW Quadrant: Includes part of Goldfield and Big Bull Mountain.

Planned Land Use: Single and multiple family residential, small retail business, recreational, agricultural, ranching, and wildlife habitat.

Maintain scenic view corridor to Pikes Peak, to the historic mining structures and houses of the Vindicator Valley and the Town of Independence, and to Big Bull Mountain, Nipple Mountain, the Wet Mountains, and the Sangre de Cristo Mountains.

NE and SE Quadrants: Includes Big Bull Mountain.

Planned Land Use: Green belt, recreational, agricultural, ranching, and wildlife habitat.

Section 33: Includes Phantom Canyon Road, road to Skagway, Saddle between Big Bull Mountain and Brind Mountain, and South Fork of Wilson Creek.

Planned Land Use: Ranching, agricultural, wildlife habitat, single family residential.

Protect scenic views along the Phantom Canyon Road and Gold Belt Tour which is a Colorado Scenic and Historic Byway and a BLM National Back Country Byway.

Protection of water quality is vital.

Section 4: Includes Brind Mountain, ponds and intermittent streams that feed into Eightmile Creek.

Planned Land Use: Ranching and agricultural.

Protection of water quality is vital.

- Section 5: Includes old mill tailings between Brind and Straub Mountains.  
Planned Land Use: Ranching, agricultural, and wildlife habitat.  
Long-term goal - stabilize or remove old mill tailings which are carried by the wind into Victor (especially during the winter).
- Section 6: Includes Straub Mountain.  
Planned Land Use: Ranching, agricultural, wildlife habitat, and recreational.
- Section 1: Includes Wilson Creek Drainage.  
Planned Land Use: Ranching, agricultural, wildlife habitat, and recreational.  
Protection of water quality is vital.
- Section 36: Includes Grouse Mountain, Araqua Gulch and intermittent streams draining into Cripple Creek.  
Planned Land Use: Ranching, agricultural, wildlife habitat, and recreational.  
Independent monitoring and protection of water quality from Carlton Mill leach pad runoff is vital -- flows into Fourmile Creek and Arkansas River (water supply for Canon City and Florence).
- Section 25: Includes Beacon Hill, Rosebud Hill, El Paso Mine area, Cripple Creek (creek), Shelf Road, and State Highway 67.  
Planned Land Use: Ranching, agricultural, wildlife habitat, and recreational.  
Protection of scenic views from Shelf Road -- Gold Belt Tour Colorado Scenic and Historic Byway and a BLM National Back Country Byway.

Section 24:

Protection of water shed is vital -- flows into Fourmile Creek and Arkansas River (water supply for Canon City and Florence).

Includes State Highway 67, Shelf Road, Mound City, southern boundary of City of Cripple Creek, and Cripple Creek (creek).

Planned Land Use: Ranching, agricultural, residential, wildlife habitat, and recreational.

Protection of scenic views from Shelf Road -- the Gold Belt Tour, a Colorado Scenic and Historic Byway and a BLM National Back Country Byway.

Protection of water shed is vital -- flows into Fourmile Creek and Arkansas River (water supply for Canon City and Florence).

Section 19:

Includes Joe Dandy Mine, Anaconda, historic railway line from Cripple Creek to Anaconda, State Highway 67, intermittent creeks, and entrance to Shelf Road.

Planned Land Use: Diminution of surface mining activities, underground mining, wildlife habitat, educational and recreational (tourist draw).

Protection and restoration of historic mining and residential structures at Anaconda. NO EXISTING STRUCTURES SHALL BE REMOVED OR DESTROYED PRIOR TO OBTAINING A CERTIFICATE OF APPROPRIATENESS FROM THE VICTOR PLANNING COMMISSION.

Protection of entrance to Shelf Road from Highway 67 including historic structures (ruins of Mound City, Rose Bud and Brodie reduction mills). This entrance to Shelf Road is vital to attracting tourists and historians to Victor (rather than forcing them to go on to Cripple Creek).

Protection of the historic cribbing of the Mary McKinney Mine tailings.

Restore historic railroad grade and right-of-way for a train between Cripple Creek and Victor.

Section 20:

Includes northeast corner of Cresson Mine open pit, Range View Road, scenic observation point, the historic Towns of Midway, Altman, Vindicator, and Independence, historic American Eagles Mine and Overlook County Park, Vindicator Mine, Last Dollar Mine, Golden Cycle Mine, Hull City Placer Headframe and Ore-House, Wild Horse Mine, Deadwood Mine, and County road 831 from Victor Pass to Independence and Range View Road.

Planned Land Use: Diminution of surface mining activities, historic mining park and mining tour, wildlife habitat, recreational, with underground mining only.

Preserve County Road 831 loop from Victor Pass to Independence and Range View Road with access to American Eagles Overlook County Park. This loop allows the public to tour the "Vindicator Valley", which should be restored as a historic mining park.

Within the "Vindicator Valley" lies a remarkable concentration of historic mining ghost towns, including residences, bunk houses, and other buildings in the Towns of Independence, Vindicator, and Altman. Historic mining head frames include those for the Vindicator, American Eagles, Last Dollar, Golden Cycle, Hull City Placer, Wild Horse, and Deadwood. The valley also contains a number of impressive ore houses, dynamite cribs, and other historic mining buildings.

NO EXISTING STRUCTURES SHALL BE REMOVED OR DESTROYED PRIOR TO OBTAINING A CERTIFICATE OF APPROPRIATENESS FROM THE VICTOR PLANNING COMMISSION.

\* \* \* \* \*

The headframe of the Vindicator Mine has been stabilized at the collar by the State of Colorado's Inactive Mine Reclamation Division to preserve this landmark for future generations.

Mining at the Vindicator started before the turn of the century and production continued sporadically until 1959. It was here that Harry Orchard, an organizer for the Western Federation of Miners, set a boobytrap in the mine, resulting in the death of two mine supervisors. ["Historic Mining Tour of Victor, Colorado", brochure prepared by Ed Hunter and printed by the Cripple Creek and Victor Gold Mining Company.]

Many buildings of the historic ghost Town of Independence, which once had a population of 1,500, remain on both sides of County Road 831 loop. During the District's labor wars, it was here that Harry Orchard dynamited the Independence Railroad Station (which can still be identified). Thirteen men were killed as they waited for the train. ["Self-Guided Tour" printed by the Cripple Creek Chamber of Commerce.]

At the peak of the Vindicator Valley is the historic American Eagles Mine. The headframe and surrounding area has been restored and developed as a Scenic Overlook and County Park by the Cripple Creek and Victor Gold Mining Company. Winfield Scott Stratton bought this mine in 1895. Its shaft was the deepest in the district at over 1,540 feet. It was, and still is, the highest mine in the district at 10,570 feet. Visitors can picnic and walk around the site, which includes the mine headframe, blacksmith shop, and two other buildings. From the overlook you can see most of the current CC/V mining operation, the Towns of Goldfield, Independence, and Altman, as well as Pikes Peak and the Sangre de Cristo Mountains. ["American Eagles Scenic Overlook, Victor, Colorado", brochure produced by the Victor Trading Company.]

Near the American Eagles Overlook still stand buildings of the historic Town of Altman, which once had a population of 2,000 in 1897 and was the highest incorporated city in the United States.

The historic ghost towns and mining buildings of the Vindicator Valley, which should be developed as a historic mining park and tour, are potential candidates for the National Historic Register. This area attracts many visitors today and, if preserved and

restored, could become one of the top tourist draws in the State of Colorado.

\*\*\*\*\*

Reclamation of the Cresson mine open pit with particular attention to restoring original contours.

Reforestation with pine, aspen, and other vegetation to restore views from Range View Road (which will once more be made continuous from Cripple Creek to Victor).

Restoration of wildlife habitat.

Section 21:

Includes Victor Pass, County Road 81 from Gillett Flats to Victor, County Road 83 from Victor Pass to State Highway 67 at the Molly Kathleen Mine near Cripple Creek, County Road 831 loop from Victor Pass to Independence and Range View Road (County Road 84), Victor water processing plant and storage tank, historic Victor water tank, historic marshalling railroad yard for the Colorado Springs & Cripple Creek Railroad (Short Line), and intermittent streams and wetlands (headwaters of the North Fork of Wilson Creek).

Planned Land Use: Ranching, wildlife habitat, recreational, entrance to historic mining park (see Section 20), with provision for single and multiple family residential, and commercial and retail business.

Maintain scenic view corridor to Pikes Peak, to the historic mining structures and houses of the Vindicator Valley and the Town of Independence, the historic Town of Goldfield, entrance to Victor, and to Big Bull Mountain, Brind Mountain, Nipple Mountain, the Wet Mountains, and the Sangre de Cristo Mountains.

NO EXISTING STRUCTURES SHALL BE REMOVED OR DESTROYED PRIOR TO OBTAINING A CERTIFICATE OF APPROPRIATENESS FROM THE VICTOR PLANNING COMMISSION.



Sections 16, 15, 22, 27, 34, 3, 10, 9, 8, 7, 12, 11, 2, 35, 26, and 23:

Planned Land Use: Ranching, agricultural, wildlife habitat, and green belt buffer zone with limited provision for single family residential.

Independent monitoring and protection of water quality is vital.

Note Section 13:

Includes City of Cripple Creek.

Section 18:

Includes Molly Kathleen Mine, Globe Hill, Hoosier Pass, Cripple Creek and Victor Mining Company Headquarters, Range View Road (County Road 84), State Highway 67 (Tenderfoot Hill), and headwaters of Cripple Creek (creek).

Planned Land Use: Ranching, agricultural, wildlife habitat, diminution of heap leach mining activities, and green belt buffer zone with provision for single and multiple family residential.

Independent monitoring and protection of water quality in Cripple Creek (creek) is vital.

Reclamation of heap leach pad and open pit mine with particular attention to restoring original contours.

Reforestation with pine, aspen, and other vegetation to restore views from State Highway 67.

Restoration of wildlife habitat.

Section 17:

Includes Ironclad (see U.S. Geological Survey Topographical Map), Bull Cliffs, historic Townsite of Cameron, Grassy Creek wetlands area (headwaters of West Beaver Creek), County Road 83 and access to County Road 81, and Victor water supply pump house.

Planned Land Use: Diminution of surface mining activities, underground mining only, agricultural, ranching, wildlife habitat, recreation, scenic byway and bikepath.

Independent monitoring and protection of water quality in Grassy Valley wetlands (headwaters of West Beaver Creek) is vital.

Continued reclamation and removal of the Cameron heap leach pad.

Reforestation with pine, aspen, and other vegetation to restore viewscales from County Road 83.

Restoration of wildlife habitat.

\*\*\*\*\*

### ANNEXATION

Annexation of part or all areas within a "three-mile buffer zone" surrounding the City of Victor may be necessary for:

1. Preserving scenic viewscales from the City.
2. Preserving the HISTORIC MINING DISTRICT; and
3. Obtaining financial support for providing infrastructure and services (water, sewer, streets, drainage) for surrounding areas, as well as within the City of Victor.

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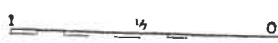
### HISTORIC PRESERVATION TO PROMOTE HERITAGE TOURISM

No existing structures within the Three Mile Land Use Planning Area shall be removed or destroyed prior to obtaining a certificate of appropriateness from the Victor Planning Commission.



CONTOUR VALUES

SCALE 1:50 000





CITY OF VICTOR, COLORADO

COMPREHENSIVE PLAN

AUGUST 1992

Prepared by:

The Pikes Peak Area Council of Governments

The preparation of this report was financed, in part, through a grant provided by the State of Colorado Department of Local Affairs under H.B 1041.

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Cover Photograph Courtesy of BRW Inc., Denver, Colorado



## **SECTION 1 INTRODUCTION**

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### **1.1 PURPOSE**

This City of Victor Comprehensive Plan has been prepared by the Pikes Peak Area Council of Governments, Colorado Springs, Colorado, along with the City of Victor. The Comprehensive Plan is an official public document and a policy guide to assist in making decisions about the physical development of the community for the next 5 to 10 years. The purposes of the plan are to:

- o Identify current conditions, covering community facilities, existing land use, capital improvement programs, historic and environmental resources, transportation, population and housing.
- o Determine impacts of future trends within the community that will be influenced by regional social, economic and physical development.
- o Recommend policies that would function as implementation tools to promote community goals and objectives and minimize the influence of rapid growth and development.

The principle objective of the comprehensive plan is to coordinate plans for all geographical parts and functional elements of the community.

### **1.2 STUDY OBJECTIVES AND CONTENT**

Partly due to related growth generated by gambling and its associated impacts, the City of Victor, accepted a recommendation by the Colorado Division of Local Government in the summer of 1991 to develop a Comprehensive Plan.

The objective of the Comprehensive Plan is to function as a framework and implementation tool in planning for Victor's long range goals. The plan addresses critical needs conditions, for example, waste water treatment, water line replacement, street and sidewalk replacement including future land use, historical preservation, housing and economic analysis. This information will be used to outline land development policies in regulating and accommodating rapid growth development within and adjacent to the City of Victor.

This study includes:

- o Historical description of Victor and the adjacent region (Section 2);
- o Summaries of current conditions (Section 3);
- o Identification of Topic Issues and policies for future physical development (Section 4);
- o Concluding material and recommended actions discussing the Comprehensive Plan (Section 5); and
- o A community implementation and involvement plan (Section 6).

## SECTION 2 HISTORICAL BACKGROUND

### 2.1 LOCATION

Victor is a mining community located in central Colorado within southern Teller County; west-south-west of Pikes Peak; approximately 59 miles west of Colorado Springs and 110 miles south of the Denver metro area.

### 2.2 REGION

The City of Victor is located in the mountainous region of Colorado. Elevations in the area range from 7,600 to 13,000 feet. Public lands administered by the Bureau of Land Management and Pike National Forest are south of Victor. The Pike National Forest lies to the east. West and north is private land mostly owned by mining and ranching interests. See Figure 1.

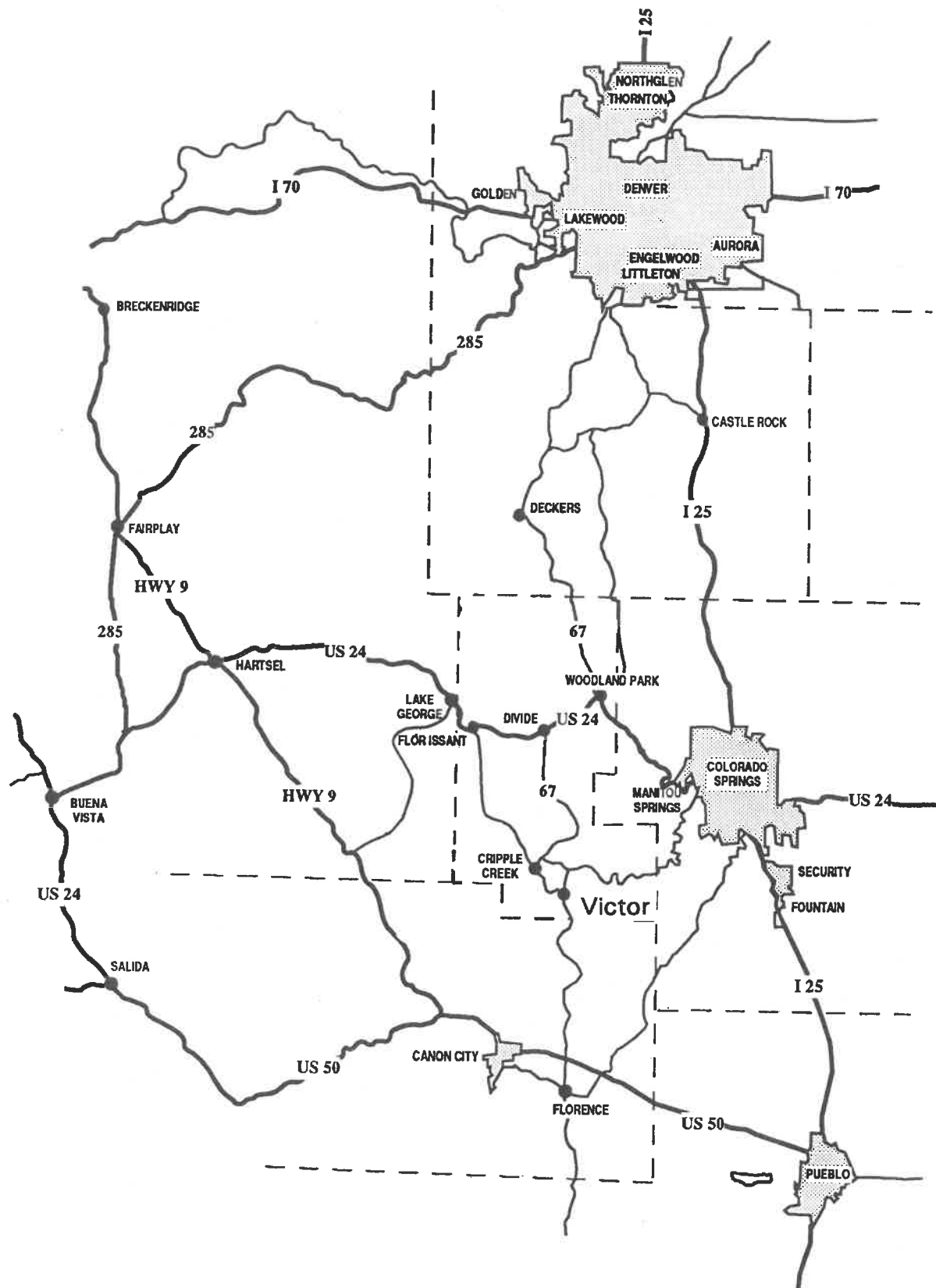
The principal route leading to Victor is State Highway 67, a two lane, paved road extending south from U.S. 24, intersecting at the community of Divide which is 7 miles west of Woodland Park. S.H. 67 continues through Cripple Creek and terminates at Victor. See Figure 2.

Several graded secondary roads also offer access to Victor. Gold Camp Road originates in the foothills west of Colorado Springs at Manitou Springs and intersects with State Highway 67 north of Victor. Phantom Canyon Road begins at the town of Florence from State Highways 115 and 120. It uses the grade of the Florence and Cripple Creek Railroad passing east of Victor downtown Central Business District. Another route to access Victor, Cripple Creek and S.H. 67 is the Shelf Road which begins at Canon City. The Shelf Road was a toll stage route blasted out of the sidewall of Fourmile Canyon. A second southern route to the goldfields, started at Parkdale near Canon City and connects with S.H. 67 west of Victor.

### 2.3 HISTORY

Victor was founded in 1883 as a mining town at the base of Battle Mountain near Lawrence, which was settled earlier. The founders, Frank and Harry Woods named the town after Victor Adams, an early homesteader. The discovery of gold contributed to the importance of Victor becoming a rail and shipping center for the mining district. Three railroads were soon built to carry the ore from Victor. The arrival of the Florence and Cripple Creek Railroad in 1894, was followed the next year by the Midland Terminal Railroad in 1895 and later the Colorado Springs and Cripple Creek District Railroad.

By 1896, Victor's population had increased to nearly 8,000 and was competing with other front range cities for recognition. The refining mills used for gold ore were located close to the mines on and around Battle Mountain which was the richest hill in the mining camp. The mills provided hundreds of jobs further confirming Victor as an important



Source: Teller County Planning Department

No Scale



## Regional Map

Figure 1

mining and milling center.

Victor was a typical mining town. Buildings were false-front pine that faced dirt streets and boardwalks. In 1899, 200 buildings within twelve blocks of Victor were destroyed by fire. More than 3,000 people were left homeless. With the help of Cripple Creek most of the wood buildings in the city were replaced with brick. Victor had become one of the most modern mining towns in the country with a population of 18,000 people.

Victor climbed up Battle Mountain as the mines in the area discovered new veins at greater depths. The streets conformed to the pattern of mine dumps and cribbings. Almost 7 million ounces of gold were mined from the area around Victor. Victor had become a "City of Mines."

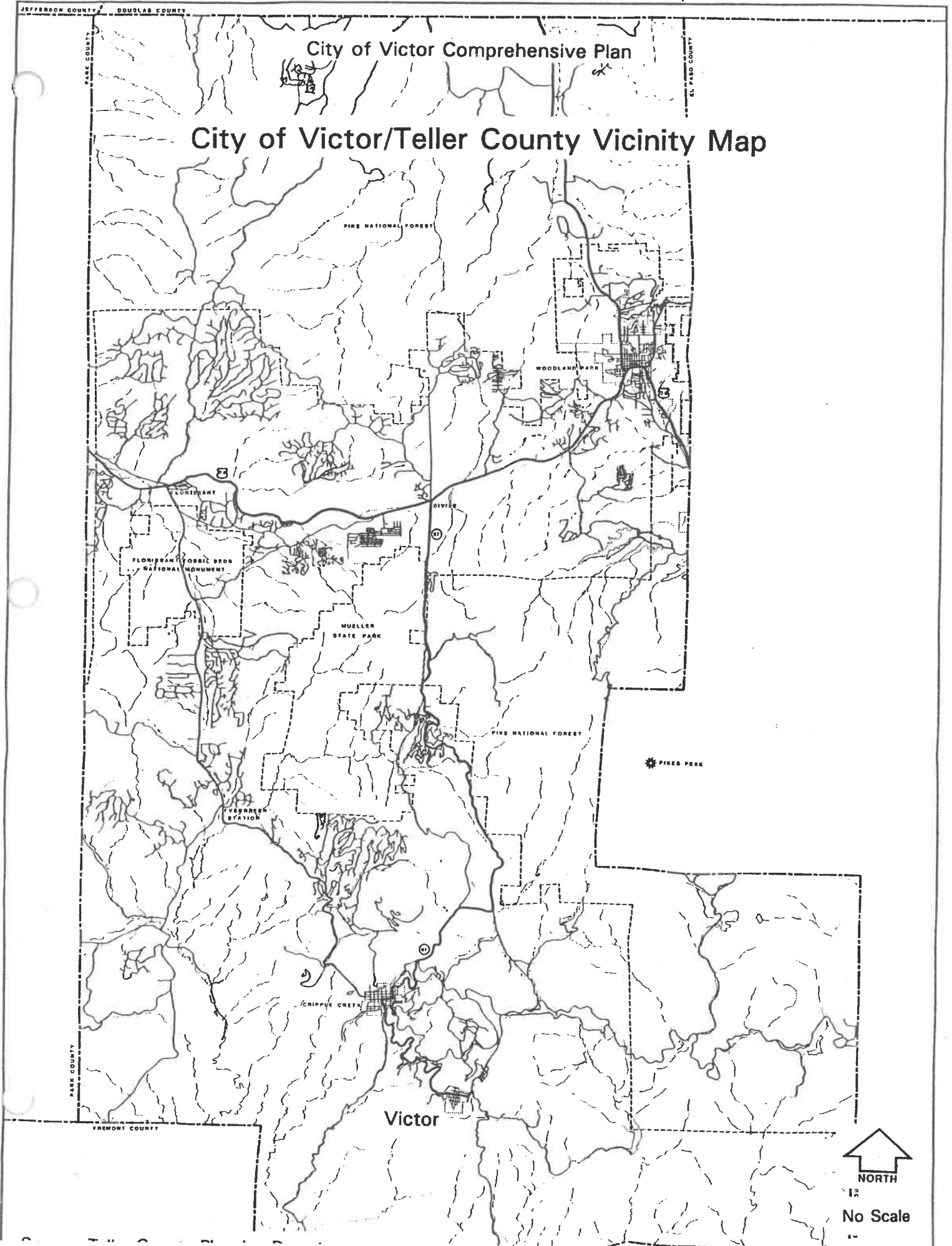
During this growth boom, four predominant mines had located on Battle Mountain. The four mines were responsible for most of Victor's wealth. The Portland Mine produced over half of Battle Mountain's gold. The Ajax Mine had the deepest shaft at 3,500 feet. It continued operations until 1962. The Independence Mine had eighteen miles of tunnels and was third in gold production. The Strong Mine was the best equipped.

Victor was also a city of labor unions, a place where most people knew each other by name and occupation and where income depended on the production of gold.

The mining industry prospered until the 1920's. As the national economy grew and expanded in other industrial and commercial areas, problems with unions, water in the mines and the overall demand for metals gradually declined. The mining sector could not keep pace and was left behind. Because the mining activity declined gradually, the City continued as an active community, preserving its historical and architectural heritage of the early 1900's.

City of Victor Comprehensive Plan

City of Victor/Teller County Vicinity Map



## **SECTION 3      PRESENT CONDITIONS**

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### **3.1      ENVIRONMENT**

The area around Victor is characterized by high relief terrain. Several mountains including Big Bull Mountain (10,832 ele.), Straub Mountain (10,052 ele.), Brind Mountain (10,492 ele.), Squaw Mountain (10,364 ele.) and Little Pisgah Peak (9,808 ele.) and Battle Mountain encircle the town where topography has limited development.

The climate is characterized by comfortable summers and relatively cool winters. Victor has an elevation of 9,794 feet and an annual rainfall of 19 inches and snowfall of 90 inches. The annual mean temperature averages 39 degrees. The mean monthly temperature is 24 degrees in winter and 59 degrees in summer. The extreme temperature ranges from -20 degrees in the winter to +92 degrees in the summer. The average number of sunshine days are 300.

The geology in the area includes bedrock overlain by thin soils ranging from a few inches to a few feet in depth. Vegetation in the vicinity of Victor is light and the natural landscape has been significantly disturbed by past hard rock mining activities. Wilson Creek, lying within the Pikes Peak water shed, is the primary drainage channel of water runoff that originates northeast and around Victor.

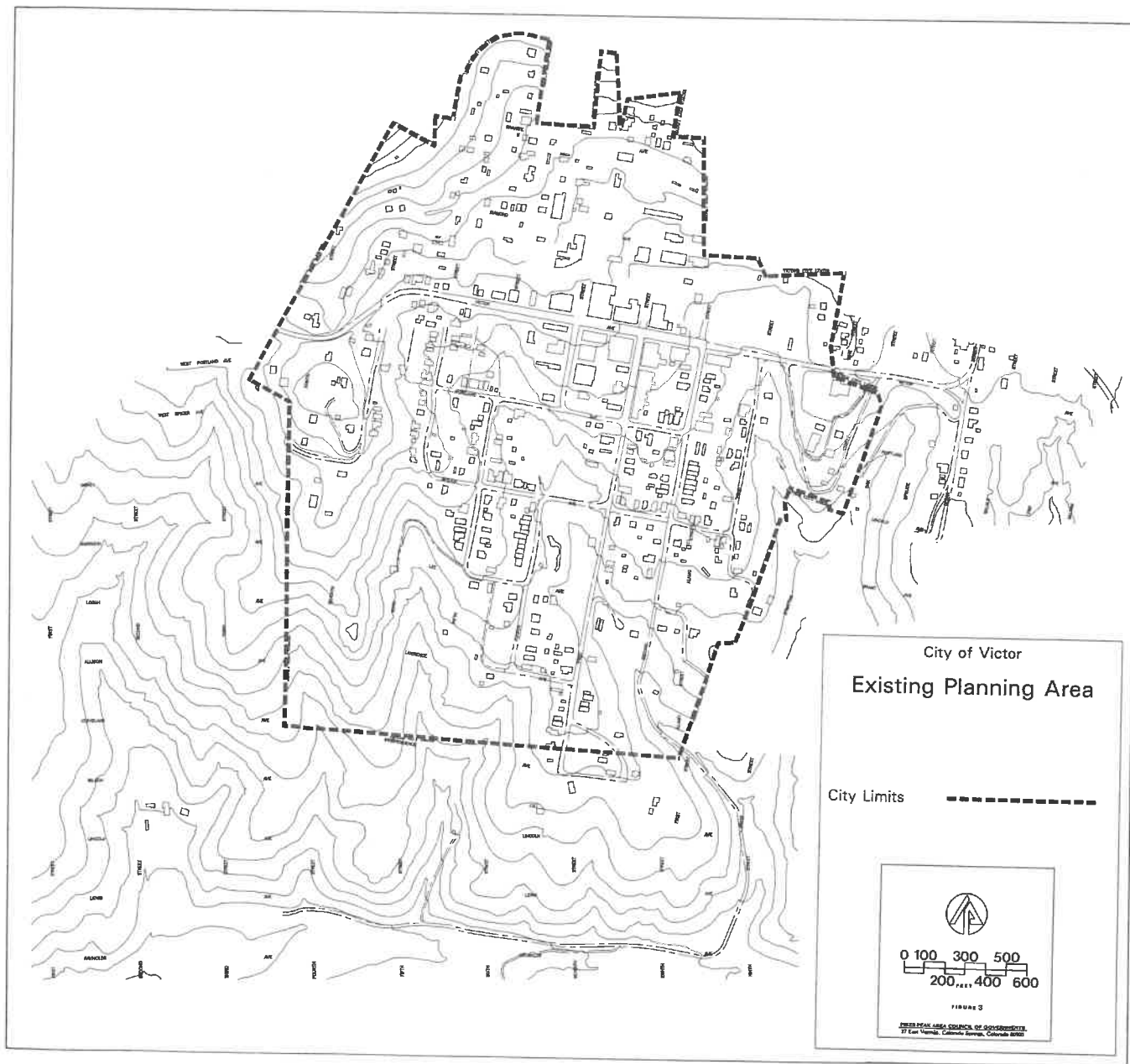
### **3.2      GOVERNMENT**

Victor is a statutory city and one of three incorporated cities in Teller County. It is governed by a mayor and a City Council. There is currently a full time staff person to answer inquiries that come through City Hall. Due to an increase in growth and development in the region, an additional staff person answers specific questions on public works projects, including water, sewer and roads. Currently, there is no Board of Appeals or Planned Development Review. The newly formed Planning Commission addresses development proposals.

The Victor Police Department is served by a full time police chief and one deputy that are on call 24 hours a day, 7 days a week. The Fire Department is all volunteer of which 1 is an Emergency Medical Technician. Victor also provides an all-volunteer ambulance service to the community. Municipal police, fire and medical Service is provided to the county as needed. There is an oral agreement among the cities of Teller County to assist in support of assistance outside of their jurisdiction.

### **3.3      HISTORIC RESOURCES**

The National Register of Historic Places has designated a portion of the Victor downtown as an Historic Preservation District. The district was formed in 1979 and contains approximately 9 city blocks and is bounded





by Granite Avenue on the north, Portland Avenue on the south, Second Street on the east, and fifth Street on the west. Downtown Victor includes several landmarks such as the City Hall built in 1900, The Victor Record, The Lowell Thomas Museum, the Masonic Temple and the Victor Hotel all constructed in the early 1900's. Many of the commercial and residential structures were built shortly after the fire of 1899 which leveled most of the city.

The City of Victor also contains numerous mines which are of historical interest. Battle Mountain on the north side of the City contains the Portland Mines No. 1 and 2, the Ajax, the Independence and the Strong Mine. There are over 475 gold mines and shafts within five miles of Victor. This area holds an historic value as representing a particular time in Colorado and the economy of the United States.

Teller County has adopted a Historic Preservation Zone that includes the City of Victor and Goldfield as well as the City of Cripple Creek. The Historic Preservation Zone equals 22 square miles of Teller County. This historic designation applies only to highly significant items or concentrated historic areas.

### 3.4 HOUSING

The pattern of residential land use has tended toward single-family dwellings with a minimum of multi-family or mobile home dwellings. Approximately 75 percent of the land within the City of Victor is vacant. The amount of vacant land reflects the declining loss of population resulting from reduced activity in gold mining production over the past 30 years. Since there have been relatively few jobs available, there has not been the demand to construct either single-family or multi-family housing. Steep topography and poor drainage also contributes to 20 percent of undevelopable land that prohibits construction at current prices and demand.

According to the 1990 Census, the population of Victor is 258 persons. At the time of the Census, Victor had 318 housing units. Of the total, 115 were occupied and 203 were vacant. Of the total number of units occupied, 86 were owner occupied and 29 were renter occupied. There are 177 units classified as seasonal, recreational or occasional use. The Census counted 292 Single family or detached homes in Victor. Included in the Units in Structure Occupied listing are 16 mobile homes or trailers that are occupied and 7 mobile homes that are vacant.

### 3.5 TRANSPORTATION

The primary transportation route leading to Victor is State Highway 67, a two lane, paved road connecting with U.S. 24 at the town of Divide. There are also two unpaved roads leading into Victor. These are Gold Camp Road (County Road 4) and Phantom Canyon Road (County Road 44/67). County Road 1 is a partially paved road that intersects at

Florissant and U.S. 24 north of Cripple Creek where S.H. 67 is followed to Victor.

Distance, inconvenience and inaccessibility contribute to almost exclusive use of private vehicles as the primary method of transportation. There is a transportation study currently underway that is looking at a shuttle service that connects Victor with Cripple Creek every half hour.

The paved streets in Victor are primarily along S.H. 67 which is Victor Avenue. The paved collector streets are Third Street, one block north and south of Victor Avenue. The remaining platted streets are either a graded gravel base, rutted, or non-existent. The majority of parking is along the Victor Avenue which is paved streets and is where most of the commercial and retail businesses are located.

### **3.6 UTILITIES**

#### **3.6.1 Water**

The Victor water supply originates on the western slope of the Pikes Peak water shed, and is contained in two reservoirs; Bison Park reservoir and Number Two reservoir. Water is transmitted by a 90 year old system from the Victor #2 reservoir to the Bull Hill tank by gravity through a twelve inch cast iron pipe sealed with lead at the joints. The pipeline from Bison Reservoir is six inch cast iron and intersects the Victor #2 reservoir line.

#### **3.6.2 Sewer**

The existing pipeline system is composed mostly of vitrified clay which was also installed approximately 90 years ago. A small portion of the 3.5 mile system is constructed of PVC plastic pipe in the 1960's. Flow from this system is by gravity to an extended aeration wastewater plant having a capacity of 42,500 gallons per day.

#### **3.6.3 Electricity/Natural Gas**

Power is supplied to Victor by the Centel Corporation and distributed by West Plains Energy through a 15 Kv line. West Plains has recently proposed a higher carrying capacity utility line that will support a population of 5,000 people.

### **3.7 NATURAL RESOURCES**

The elevation of Victor is 9,794 feet and is located 12 miles southwest of Pikes Peak with views of the Sangre de Cristo mountains to the south and the Sahwatch Range 45 miles away. Some landmarks in this landscape are Mount Pisgah, Skagway Reservoir and Dome Rock State Wildlife area. Surrounding the City are large stands of evergreen, Bristlecone Pine, high meadow and aspen forests.

#### **3.7.1 Geology**

Victor lies in the heart of the Rocky Mountain uplift which contain the oldest rocks of the region. These rocks indicate the location of a volcanic core called the Cripple Creek Volcanic Center. The Cripple Creek Volcanic Center is part of an eroded base of a mineral rich Miocene caldera. This geological formation is similar to the eruption and collapse of Crater Lake in Oregon.

### **3.7.2 Hydrology**

Water originating in Teller County adds to two major drainages. The South Platte to the west and north, and the Arkansas to the south. The major creeks flowing to the Arkansas are Fourmile Creek, Eightmile Creek and Beaver Creek. Wilson Creek is a an intermittent stream and a tributary to Fourmile Creek. It runs east to west skirting the southern edge of Victor and is considered a Class 1 stream which is cold water supporting aquatic life.

The dangers to Victor by flooding are minimal. In 1975, the Federal Emergency Management Agency (FEMA) identified three special flood hazard areas within the City, however, the Housing and Urban Development (HUD) and FEMA rescinded the map, declaring that there is not a flood hazard and agency regulations no longer apply.

### **3.7.3 Soils**

On the General Soil Map for Teller County, prepared by the U.S. Department of Agriculture, Soil Conservation Service, the Soil association for Victor is characterized as, well drained soil, varying from gently sloping to steep with rock outcroppings and rock slides on high mountain slopes. Parent material and steepness of slope contribute to most of the soils. Rock accumulation from Pikes Peak granite and stream outwash constitute 85 to 90 percent of the soil material in the area around Victor. The slopes vary from 9 to 25 percent, and bedrock begins 0 to 60 inches below the surface. The soils from this material are extremely gravelly and highly susceptible to gully erosion in disturbed areas even on gentle slopes.

### **3.7.4 Vegetation**

This region is characterized by sparse vegetation on rolling dry landscape. Vegetation in the area of Victor is quite diverse in overall size and species. This is primarily due to the altitude, moisture, slope aspect of north and west facing exposure, and soil conditions. Because of limited water, regeneration is very slow. Some of the popular plants found in the area are perennial wild flowers, Bristlecone and Ponderosa pines, Englemann Spruce, Douglas Fir and Aspen. There are other plants such as Pinon Pine, Junipers and yuccas that are extremely sensitive to disturbance.

An area of special importance is Phantom Canyon, southeast of Victor.

Eightmile Creek cuts through Phantom Canyon in this dry mountain landscape. The vegetation is lush and unlike any outside the steep canyon walls.

### 3.7.5 Wildlife

Within this area are various types of wildlife. Historic development has displaced many native species to National Forest Lands or Division of Wildlife areas such as Mueller State Park. The parks and forest lands have become the habitat for breeding, cattle summer and winter rangelands and migrations. Wildlife species, that use or inhabit these areas include bighorn sheep, peregrine falcon, ptarmigan, bear, pronghorn antelope, mountain lion, bobcat, golden eagles and other species that are sensitive to development and land alteration.

The elk herd distribution ranges within 7 to 8 square miles. A primary area for elk herds has been located ESE of Victor and north of Cripple Creek along the boundaries of the Pike National Forest. An important portion of this district called the Critical Winter Range lies a little over 8 to 17 miles north of Victor along a route taken through the town of Gillett which is 3 to 4 miles NE of Cripple Creek.

In a rural setting, where much of the land is still in a natural state, other wildlife have adapted their habitat to the altered land, such as beavers, prairie dogs, mule deer, Blue Grouse and Black Bears. These animals are frequently sighted in the vicinity of Cripple Creek and Victor.

## 3.8 EDUCATION AND HEALTH

### 3.8.1 Education

The RE-1 school district serves southern Teller County including the unincorporated portions of the county and the communities of Cripple Creek and Victor. According to the report, Pupil Membership and Related Information, published by the Colorado Department of Education, the district had 365 students enrolled in the RE-1 district during the fall of 1990. All students in the district attend school in a single complex in Cripple Creek which has a 400 student capacity.

As discussed in the report titled, Teller County-Cripple Creek-Victor: Regional Plan and Gaming Impacts Study. An Action Agenda by BRW, Inc., of Denver, Colorado, the impacts from gaming will add 80-100 new students to District RE-1 by October 1992. Currently the school has a capacity of 75 additional students. In 1990, the School District began a \$2 million expansion which will add 7 classrooms, a media center and storage facilities. With the new expansion, another 180 to 210 more students can be added to total 255 to 285 students.

### 3.8.2 Health

Victor provides an all-volunteer ambulance service. It owns one 12-year

old ambulance. Most intake emergencies in Victor are accepted by the Hilltop Clinic in Cripple Creek, the only medical service in the Cripple Creek/Victor area. The Hilltop Clinic is a non-profit organization located in the Good Samaritan Nursing Home and is managed by a staff of nurse practitioners. The nursing home was built by the Southwest Teller Hospital District. A medical doctor from Langstaff-Brown Clinic in Woodland Park receives patients weekly. Critical-care patients are either flown by helicopter to St. Francis Hospital in Colorado Springs or Woodland Park.

### **3.9 PUBLIC SAFETY**

#### **3.9.1 Police Department**

Victor is served by one police chief and one deputy on call 24 hours a day, 7 days a week. The City owns two patrol cars, one of which is operational. Until recently, a 15-bed County Jail built in 1901 in Cripple Creek was in use however, the jail is closed and is currently being renovated. Arrests made by the Victor police are transported to Colorado Springs.

#### **3.9.2 Fire Department**

Victor operates an all volunteer fire department that includes two fire trucks; one was built in 1961 and the second was built in 1942. The 1942 truck cannot be used except by a few experienced firemen and replacement parts cannot be obtained. There are over 40 volunteers of which several are Emergency Medical Technicians. There is an oral agreement among the cities of Teller County to support and assist any emergency outside of their jurisdiction.

### **3.10 POPULATION**

Beginning in the 1950's, the population of Victor started to decrease due to the decrease in mining activity. In 1950, the U.S. Census counted 674 persons. In 1960, the population dropped to 434 people or 36 percent. From 1960 to 1970 Victor lost 176 people or 41 percent. Starting in 1970, the population exodus began to slow and steady at 258 people. Population counts from the 1990 U.S. Census indicate the population has continued to remain at 258 persons or 69 families who live in Victor the year around.

In 1978, Community Renewal Associates estimated the number of seasonal General Delivery post office boxes rented was 60. This include 150 summer residents added to the year around population. In 1977, the Pikes Peak Area Council of Governments projected a population for Victor in the year 2000 to be at 610 persons. This number, however, was based on an expected increase of gold-mining activity and did not take into account the impact of regional gaming induced growth originating from Cripple Creek.

### **3.11 AGRICULTURAL, FORESTRY AND MINING**

#### **3.11.1 Agriculture**

The elevation and mild year-round weather conditions lend themselves to ranching operations. In the past, those same conditions have supported sizeable truck farming operations, however, this type of agricultural activity has mostly disappeared and in the last two decades more acreage has been used for residential development. Present agricultural activity in the area around Victor has been confined to rangeland feed for livestock.

#### **3.11.2 Forestry**

Much of the timber in the area of Victor had been harvested during the early mining days of construction and growth. The remaining forested land in the area is within the Pike National Forest, located due east of Victor extending to the north and occupying most of north central and north east area of Teller County. The Pike National Forest is managed by the U.S. Forest Service under the multiple use concept. The forest vegetation is dominated by heavy mixed stands of Douglas fir, Aspen trees, and some Blue Spruce and Ponderosa pine. Timbering activity in the area is limited due to the importance of controlling erosion and maintaining watershed levels. Outside of the National Forest boundaries, few stands of first growth forest remain except on large holdings of private land.

#### **3.11.3 Mining**

A significant use of land around Victor is mining. There are over 3,000 hundred acres of land are currently used for mining in the District. Currently, Cripple Creek and Victor Gold Mining Company, a joint venture between Pikes Peak Mining Co. a subsidiary of Nerco Minerals Company Inc., and Golden Cycle Corporation, Inc., is the predominant mining operation in the area. In the area within five miles of Victor, there are over 475 gold mines and shafts. The size of individual mines varies widely from under an acre to over 9,000+ acres.

### **3.12 RECREATION AND TOURISM**

Until recently, the economy of Victor has depended on recreational resources, tourism and mining. There are vast acreages of Federally owned properties available for use such as camping, hiking, fishing mountain biking, snowmobiling and cross country skiing. Skagway Reservoir lies seven miles from Victor and is used in conjunction with recreational activities in the Pike National Forest. Tourism has become an industry in Victor and many tourists coming to Victor appreciate the lack of commercialism and authentic historic atmosphere in the downtown. With the advent of gambling in Cripple Creek, the market activity may provide an increase in tourism and recreational development in the area.

### 3.13 INDUSTRIAL/COMMERCIAL

Victor has been characterized as a potential location for economic development. However, other than mining and retail in downtown Victor, manufacturing, commercial and industrial development is absent. A significant proportion of the commercial structures are in need of rehabilitation or preservation. The downtown is supported mostly by a strong foundation of small independent enterprises, that sell consumer goods and services. Some of which are conducted as family run businesses. The large number of seasonal visitors who visit Victor provide a market potential during the summer but retail activity drops substantially during the winter months. The majority of retail sales is generated by eating and drinking establishments. At present, there are three bed and breakfast establishments, the newly renovated Victor Hotel and the Gold Coin Club, a new bank, two beauty shops, a bakery and a flower shop.

## SECTION 4 TOPIC ISSUES

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### 4.1 PURPOSE

The purpose of this section is to discuss and identify planning issues that affect the community. The critical problem areas or topic issues must be considered and reviewed in order to provide a planning framework for the decisionmakers to assess and determine the best short, medium and long term development options for the community.

### 4.2 INTRODUCTION

The City of Victor lies within an area that's being influenced by an increase in population, economic activity and new construction. The gaming activity in Cripple Creek has contributed the most to this growth. In order to reach a level of service sufficient to support this development, a critical need for upgrading infrastructure, supporting economic revitalization, begin structural rehabilitation, improve traffic flow, parking and circulation and establishing a future land use inventory including commercial, retail and housing supply is required.

Victor has historically been dependent on a single employing industry. The City has prospered and declined depending on the strength and size of the mining operations. Over the past 20 years, a slow market demand for precious metals has reduced operations production. Consequently, the population and economic base has continued to diminish.

During this time, as the mining industry has slowed production, Victor has shifted to tourism and has become an attraction for summer residents and a hub for recreational activities. However, the efforts for creating an alternative market for tourists and sportsmen has not been enough to generate adequate redevelopment. Consequently, in order to continue maintaining an economic base sufficient to support the City, the following critical development and economic needs issues must be addressed.

### 4.3 SOCIOECONOMIC ANALYSIS

The City of Victor has been characterized by a variety of attributes that make it attractive yet a challenge for promoting and expanding economic development. To build an economic revitalization strategy and marketing plan, preliminary steps must be taken to establish an economic foundation that uses the City's resources.

The following issues are considered important first steps in defining economic and market opportunities. Employment and demographic characteristics indicate population trends and labor market potential for commercial and industrial development. To determine the potential for economic diversity and capacity for developed growth, an inventory of physical characteristics, for example, inventorying land use, listing capital improvement needs, deciding historic preservation issues, assessing housing conditions and analyzing pedestrian and traffic circulation is essential. Economic revitalization can be achieved by



community participation and long term commitment to community goals that allow for improving the existing constraints and utilizing the opportunities within the physical conditions of the municipality.

However, as much as Victor is a unique mix of potential community resources it cannot be isolated from economic considerations in Teller County and the State. Teller County and the municipalities within the County also provide a framework that establishes the direction for economic development activities in the area. The following socioeconomic profiles compare and weigh the trends and assumptions of demographic and economic activity of Victor, other municipalities that are in Teller County and Teller County itself.

#### 4.3.1 Population Profile

Population growth and decline in Victor over the years has closely followed changes in the level of economic activity. Prior to the 1960's the change in population was related to changes in activity in the gold mining industry when gold was the major source of employment.

Since the 1970 U.S. Census, Teller County's population has increased. In 1970 the population grew from 3,316 to 8,124 in 1980. The 1960 Census indicated Teller County population at its lowest with only 2,495 persons. In contrast, the County's population peaked at 30,000 during the mining era at the beginning of this century.

The 1980's was the beginning of a trend that saw an increase in population for Victor and Teller County, specifically around the Woodland Park area. Victor also experienced growth during this time. According to the 1980 U.S. Census, the population in Victor reached 265 persons.

In 1990, the population in Victor was 258 people. It was also a year that voters approved gambling in Cripple Creek. Due to the impact from gaming, the region has experienced an increase in employment and commercial activity. The Pikes Peak Area Council of Governments has recently amended the current population projections to reflect the increased activity for the Victor-Cripple Creek area. The City of Victor and Teller County population projections are presented in the following exhibit.

#### POPULATION PROJECTIONS - INCORPORATED AND UNINCORPORATED TELLER COUNTY

	1980	1990	1995	2000
Teller County				
Woodland Park	4187	4850	4400	5700
Cripple Creek	655	584	1100	2000
Victor	265	258	900	1000
Florissant	61	75	100	150
Divide	38	178	300	600
Non-Service Area	2918	6523	8100	9300

Total	8124	12468	15500	18650
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Source: 1992 PPACG Estimate Projections  
Table 1

Projections of population are presented in Table 1. Population in the County is expected to grow to 18,650 by the year 2000, an increase of 49.5 percent over the 1990 population of 12,468.

**POPULATION PROJECTIONS PERCENTAGE CHANGE - INCORPORATED  
AND UNINCORPORATED TELLER COUNTY**

	1990	2000	% Change
Teller County			
Woodland Park	4850	5700	17.5
Cripple Creek	584	2000	242.4
Victor	258	1000	287.5
Florissant	75	150	100.0
Divide	178	600	237.0
Non-Service Area	6523	9300	42.5
Total	12468	18650	49.5

Source: 1992 PPACG Estimate Projections  
Table 2

According to the population forecasts, the Cripple Creek - Victor and Divide area is anticipating the greatest share of growth in Teller County. Victor's population is expected to increase by 742 people to 1,000 in the year 2000. Not far behind Victor in projected population growth is Cripple Creek and the town of Divide. Cripple Creek's population is expected to increase by 1,416 people to 2,000 by the year 2000. The town of Divide is expected to increase by 422 people to 600 by the year 2000.

#### 4.3.2 Income Characteristics

Data on per capita income is presented in Figure 3. According to the U.S. Census, per capita income in Teller County in 1989 was \$14,003 compared to \$17,504 for the State of Colorado and \$17,592 for the United States. Per capita income in Teller County in 1989 was only 79.9 percent of State per capita income and 79.5 percent of National per capita income.

**PER CAPITA INCOME STATUS - TELLER COUNTY 1989**

Per Capita Income	
Teller County	\$14,003
State of Colorado	\$17,504

United States

\$17,592

Source: 1990 U.S. Bureau of the Census

Table 3

**4.3.3 Labor Profile Characteristics**

Local labor force utilization is measured by labor force participation rates. The number of males 16 years old and over for Victor were 82 in 1990 or 64 percent of the total population. The number of females 16 and over entering the labor market in 1990 was 76 or 58 percent of the total population in Victor. The percentage of the Teller County labor force is slightly lower overall. The figures compare with 68 percent for males and 65 percent for females of the total population in 1990. These rates assume the 16 years and over population category is eligible for participating in the labor force market.

**LABOR FORCE PARTICIPATION FOR VICTOR AND TELLER COUNTY 1990**

	Males	Females	Total
Victor Population	127	131	258
Teller County Population	6137	6331	12468
Victor Population - 16 and Over	82	76	158
Teller County Population - 16 and Over	4185	4153	8338

Source: 1990 U.S. Bureau of the Census

Table 4

**4.3.4 Industry Employment**

Table 5 illustrates an increase in employment by industry sector in Teller County between 1974 and 1990. The largest single employer in Teller County is local government. Local government employment increased 106 percent from 1974; it also comprises over 32 percent of total employment in Teller County. Total overall industry employment increased by 35 percent with biggest gains in the Private Non-Farm category. Ranch and Farm employment decreased by 85 percent. Federal Government reduced their employee payroll by 15 percent from 37 to 32 workers.

**EMPLOYMENT BY INDUSTRY - TELLER COUNTY, 1974-1990**

	1974 Employment	1990 Employment	Percent Change
Total Employment	1,256	1,934	35.0

Number of Establishments	261	309	18.3
Wage and Salary	995	1,625	63.3
Ranch/Farm	26	14	-85.7
Non-Ranch & Farm	969	1,920	98.1
Government	342	661	93.2
Federal	37	32	-15.6
State & Local	305	629	106.2
Private Non-Farm	627	1,431	128.2

Source: 1990 U.S. Department of Commerce, Bureau of Economic Analysis  
Table 5

#### 4.3.5 Personal Income

Personal income is the current income in an area from all sources. It is measured before the deduction of taxes but after the deduction of social security contributions. Personal income includes wages, salaries, the net income of proprietors of unincorporated businesses, dividends, interest, rent, transfer payments (un-employment benefits, social security payments and welfare payments) and other labor income (employer contributions to private pension funds).

Personal income figures for Teller County for 1989 are presented in Figure 7. Total personal income received by residents of Teller County amounted to \$123 million in 1989, up from 86.0 million in 1984, an increase of 43.7 percent. The largest increase in any single component of personal income was in income earned by residents of Teller County who commute to jobs outside the County. Commuter income is an important segment of personal income in the County. This component, called residence adjustment, increased from 49.6 million in 1984 to 76.5 million in 1989, a gain of 54.1 percent.

#### PERSONAL INCOME, TELLER COUNTY

	1984	1989	Percent Change
Population (thousands)	10.5	13.0	23.8
Total Personal Income (Thousands of Dollars)	123,576	182,185	47.4
Earnings by Place of Work	38,386	50,359	31.1
Plus: Adjustment for Residence	49,669	76,551	54.1
Personal Income by Place of Residence	86,011	123,659	43.7

Per Capita Personal Income	11,788	14,003	18.7
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Source: 1990 U.S. Department of Commerce, Bureau Of Economic Analysis

Table 6

#### 4.3.6 Retail Sales

Retail sales in Teller County in 1990 were \$68 million. Gross retail sales in Teller County were \$75 million compared to \$35 million for 1980, this was an 111% increase in sales. Gross Sales for the City of Victor showed a 224 percent increase over 1980 figures. Victor's Gross Sales jumped from \$710 thousand to over \$2 million. Retail Sales for Victor also increased from \$697 thousand to over \$2 million or 211% from 1980. Retail sales in Woodland Park, the largest trade center in the County showed a 92 percent increase. The 1990 Retail Sales for Woodland Park was \$48 million or 70 percent of the total County retail sales. Victor increased total County retail sales from 2 percent in 1980 to 4 percent in 1990.

#### RETAIL SALES - TELLER COUNTY, 1980 (000\$)

	Gross Sales	Retail Sales	Net Sales	% County Retail Tax
Teller County	35,846	33,794	600	100
Cripple Creek/Victor	4,496	4,423	103	13
Woodland Park	26,892	25,085	419	74
Green Mountain Falls	-	-	-	-
Remainder of County	3,748	3,589	66	11

#### RETAIL SALES - TELLER COUNTY, 1990 (000\$)

	Gross Sales	Retail Sales	Net Sales	% County Retail Tax
Teller County	75,843	68,399	1,136	100
Cripple Creek/Victor	8,065	7,228	162	10
Woodland Park	53,195	48,220	807	70
Green Mountain Falls	9	9	1	1
Remainder of County	12,272	10,774	157	15

## RETAIL SALES - TELLER COUNTY, PERCENT CHANGE 1980-1990

	Gross Sales	Retail Sales	Net Sales Tax
Teller County	111%	102%	89%
Cripple Creek	79%	63%	57%
Victor	224%	211%	-25%
Woodland Park	97%	92%	92%
Green Mountain Falls	-	-	-
Remainder of County	227%	200%	137%

Source: Colorado Department of Revenue  
Table 7

#### 4.3.7 Economic Development Goals

Until recently, slow economic activity experienced by Victor and Teller County has resulted in a decline that left a large number of people in the work force unemployed or under-used taking part-time jobs. Several reports written over the past twenty years, have provided strategies that address the need for meeting specific economic development objectives in Victor. Based on these specific courses of action and economic assumptions recommended by the programs, several approaches for improving economic development have been discussed.

In 1977, a report by the Overall Economic Development Program Committee proposed an outline of goals and objectives identifying specific courses of action for local programs and projects to initiate and promote economic development. The report analyzed the current socioeconomic profile of the communities within Teller County using statistics gathered from local, State and Federal sources.

A report titled, The Teller County Growth Management Plan, was approved in April 1990 and prepared by The Teller County Planning Department and The City of Woodland Park Planning Department. The Plan proposed enhancing employment opportunities for Victor and other communities in Teller County. The Plan identifies strengths and potential problems, and provides guidance to develop management techniques through land use policies and capital improvement programs that would encourage local regions to assess local conditions and develop plans that can be coordinated with long range strategies for accommodating all aspects of growth.

More recently, in anticipation of gaming related growth, The Teller County-Cripple Creek-Victor Regional Plan and Gaming Impacts Study, An Action Agenda, was developed to assess and identify critical gaming related issues in Teller County and affected municipalities. The Plan

provides an agenda of implementation strategies encouraging the gaming community, and local, county and State agencies to solve growth and development issues associated with gaming in Cripple Creek.

The Victor, Colorado Comprehensive Plan, was the first comprehensive plan written for Victor in 1978. In order to encourage development, the Plan recommended strong citizen participation to correct and improve basic problem areas identified as economic activity, Capital Improvement Needs and Structural Rehabilitation of existing buildings.

Another study titled, Building on the Past: Economic Revitalization Strategies for Victor, Colorado, was undertaken in 1985 specifically addressing renewing economic activity by exploring several strategic marketing options offering the best short, medium and long term prospects for community redevelopment. As stated in the previous Comprehensive Plan, citizen participation and community involvement are recommended as preliminary steps toward capturing market opportunities if redevelopment is to succeed. The report suggested undertaking some preliminary steps before these marketing options would be initiated. For example, cleanup and beautification measures, land use planning and zoning and studying the feasibility of existing buildings for alternative uses.

The previous socioeconomic statistics, reports and planning studies produced for Teller County and Victor over the past years have recommended and encouraged community participation to achieve economic revitalization and community redevelopment. Statistics such as population demographics can produce an economic profile as a foundation for projecting future growth trends. However, assessing community support with numbers and percentage changes do not entirely reflect a community's social and cultural needs, views or solutions to economic redevelopment issues.

The physical characteristics of Victor have become a symbol that identifies existing conditions representative of issues that need to be addressed. For example, a significant proportion of housing and commercial structures are in need of rehabilitation and or preservation. There is a shortage of available rental and single family housing. The present sewer treatment plant does not meet State guidelines for treating wastewater and the water system is in need of repair. These issues comprise a framework of basic components that contribute toward defining economic and market opportunities identified in this section.

The following planning issues identify the most significant of the existing conditions in Victor. The key issues are land use, capital improvement needs, historic preservation issues, housing conditions and pedestrian and traffic circulation. The physical characteristics of the community can contribute to a potential for developed growth and economic diversity. The current economy has not, however, generated sufficient revenue to cover the cost of many of the improvements needed in the past.

#### 4.4 LAND USE SUPPLY

Examination of the pattern of land uses reveals the trend of development in Victor. (See Figure 4) The commercial structures are centered on Victor Avenue and primarily extend along Third and Fourth Streets with some commercial uses on Diamond Avenue and Fifth Street. The public/quasi-public land uses include City government facilities on Victor Avenue, a Lutheran church on Fourth Street, the Elks Club at Diamond Avenue and Third Street and other buildings scattered along Second Street. The cemetery is located outside the City approximately two miles to the west. The industrial land uses are related to mining operations as well as storage for equipment. The communications and utilities land uses are located along Diamond Avenue and on the outskirts of the City along Cedar Street. Many structures cannot be identified. These structures are scattered along Third Street, Fourth Street, Second Street off First Street and near Highway 67 on the eastern edge of the City. Public recreation consists of three restored parks along Second Street. New sod was laid at Wallace Park, The Gold Bowl was renovated and the Children's Park was improved.

The amount of vacant land partially reflects the gradual loss in population since 1962 when gold mining declined. Approximately 75 percent of the land is vacant. However, 20 percent of the vacant land cannot be developed due to the topography. Single-Family is the next highest use at 14 percent. Commercial is at 3 percent and Recreation and Public or Quasi-Public land use categories are at 2 percent of the land used within the City.

As the availability of adequate housing and related services becomes stretched due to the growth from gaming in Cripple Creek, construction on land now vacant will become economically feasible.

#### 4.5 CAPITAL IMPROVEMENTS

One measure of the City's well-being is the quality and extent of services provided by its public works. Water supply and sanitation facilities help determine the quality of public health. Highway and transportation facilities influence social, political and economic integration.

Of all public services, infrastructure may be the easiest to take for granted. When it functions best, it is noticed least. By the time the public focus attention on the infrastructure (usually in response to system failure), real damage has already been done. See Figure 4.

##### 4.5.1 Wastewater Treatment

Approximately 60 percent (two thirds of the population and the entire business district) of the City is served with a central wastewater collection system and package-activated sludge plant. The existing collection system was not constructed to today's standards. There are problems that exist



such as infrequent records being kept and an accurate sewer system map not available.

The existing treatment facilities also have numerous problems which prevent compliance with secondary treatment standards. These include a lack of sludge handling capability, freezing problems in uncovered clarifiers and a general lack of process control features. Effluent from the City's existing wastewater plant is discharged to Wilson Creek, a tributary to Fourmile Creek and eventually to the Arkansas River. Wilson Creek is classified for Class 1 cold water, aquatic life.

The need for improved wastewater collection and treatment has been well documented. A sanitary sewer survey was conducted that identified several individual sewage disposal systems in the unsewered area which have failed. The most pressing capital improvement project will concern the sewer treatment plant and the entire sewer system.

#### **4.5.2 Victor Water System**

Much of the Victor water system is known to have been installed 70 to 80 years ago. The pipe is sand-cast, cast-iron with lead-oakum joints. The pipe is of irregular thickness and probably leaks at many weak spots and along many joints.

The water system lines are laid in blast-cut rock trenches. In many areas, new pipe should replace the cast-iron. The size of the pipe is also too small to supply proper fire flow requirements in some areas.

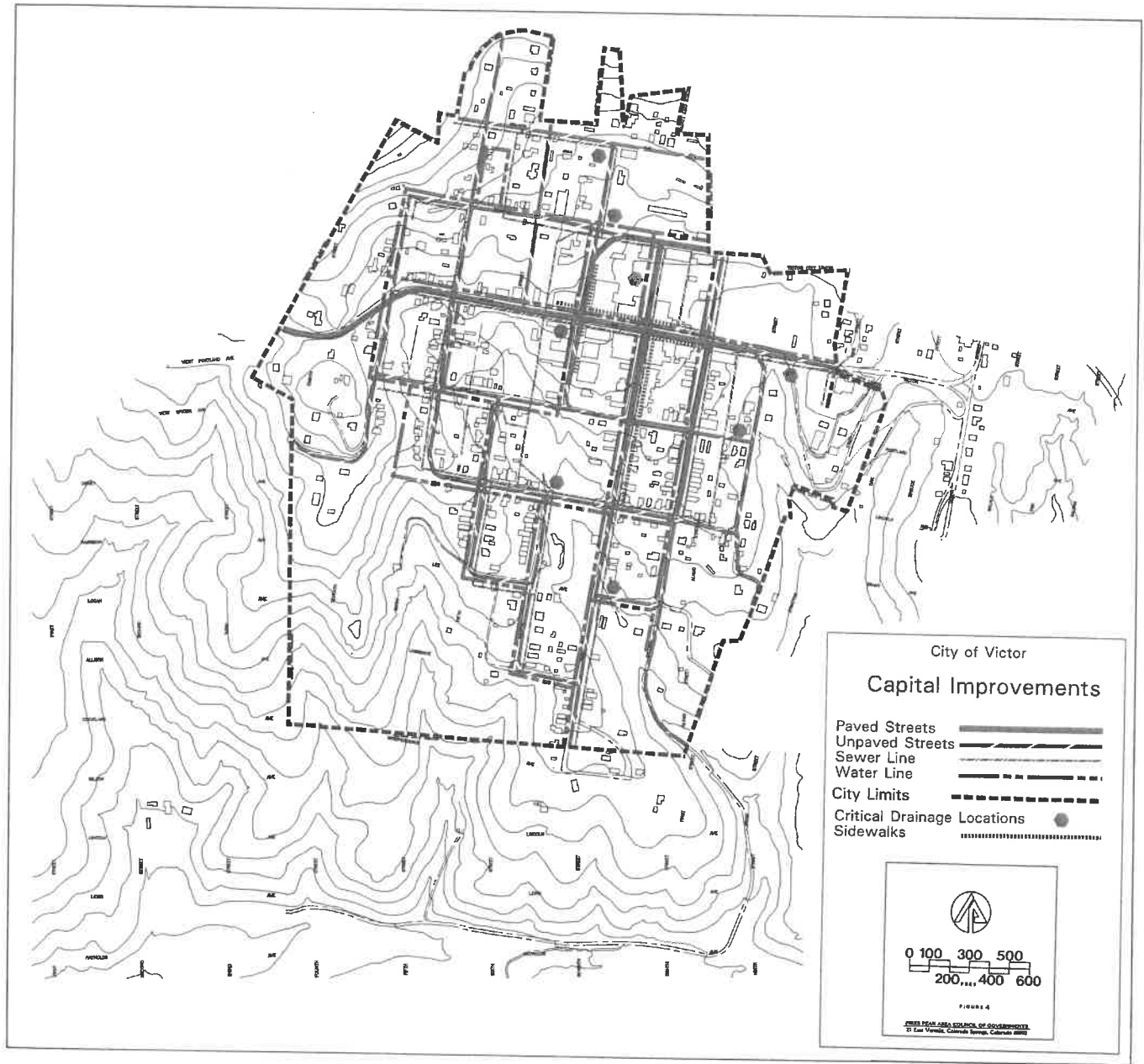
Water is transmitted from the Victor #2 reservoir to the Bull Hill tank by gravity, a distance of about 20,500 feet, through a twelve (12) inch cast iron pipe, sealed with lead at the joints. The pipeline from Bison Reservoir is six (6) inch cast iron, and runs about 4,000 feet to intercept the 12 inch line. The pipelines run through a bog below Bison Reservoir, where pipe joints have repeatedly failed when the pipe has shifted in the soft ground.

An analysis prepared by Parker and Associates in 1975 reviewed the existing water facilities and determined that the existing facilities in the City have either outlived their usefulness or do not currently conform to required State Health Standards.

#### **4.5.3 Street Improvements**

Street improvements include street lights, paved and unpaved streets and sidewalks. The street lights are mercury vapor along Victor Avenue between Second and Seventh Streets. The remaining less intense streets lights are located throughout the City primarily at one corner on most intersections. (Please see Figure 6-Capital Improvements Map).

Paved streets include Victor Avenue to first Street, Third, and Fourth Streets off Victor Avenue, and Diamond Avenue heading east of the City. The unpaved streets are compacted with a base course material and



periodically graded for runoff and ruts. Several streets that are platted have become, from disuse, non-existent. These streets lie primarily south and north of the downtown.

Sandstone sidewalks in various conditions exist along portions of Victor Avenue between Second and fifth Streets and along Third and Fourth Streets off Victor Avenue. Public access regulations enforced by the City assesses the property owner who is responsible in maintaining the sidewalk along their property. Consequently, many sidewalks have not been repaired, are not uniform in appearance and may not conform to 1890 City standards.

While infrastructure is used as a tool to promote growth, these other economic policies are also significant. Fiscal policy determines how much is spent on public works, while tax and monetary policies help determine the cost of raising capital for public works construction.

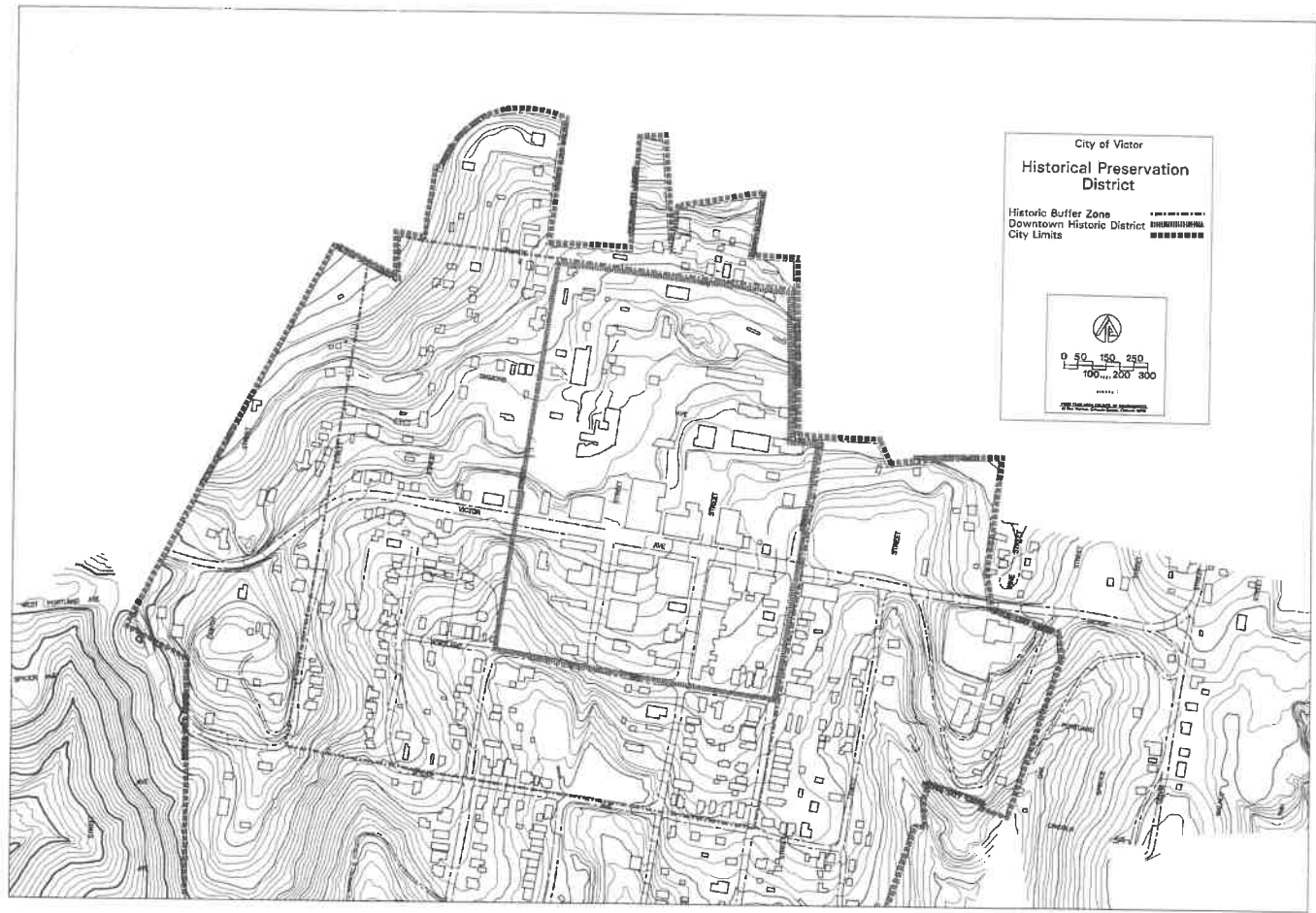
Economic development depends on the advantages a location offers; firms seek areas offering greater opportunities for profit. In this context, public works investments are best thought of as production factors for private firms paid for indirectly through taxes, or directly through user fees. Thus, public capital can increase a firms productivity either by complementing private investment, or by directly contributing to production.

#### 4.6 HISTORIC PRESERVATION

The Victor Downtown Historic District consists of 66 buildings which compose the commercial core of the City. The majority of the commercial buildings retain 19th century characteristics of one and two stories with single or double store fronts. Because the character of the area is of one period, and of similar scale, there is a cohesiveness and unity in the design and material used.

Due to its isolation and an unpredictable economy reflected by reductions in mining operations and economic development in the past, Victor has not been able to restore and maintain many buildings that are of historic value, consequently, many structures are vacant, contributing to a feeling of abandonment to the community. However, on the other hand, because of this lack of development, little alteration of structures has occurred and large number of street fronts remain unaltered.

In 1978, Community Renewal Associates conducted a survey to examine the general exterior condition of the existing structures in Victor. Their findings concluded that 35 percent of the structures in Victor appear to have little or no exterior weaknesses. By contrast, almost 19 percent of the structures have severe structural maintenance deficiencies. The remaining 50 percent of the structures have varying degrees of maintenance and or structural problems. Of the total number of structures in Victor, approximately 18 percent appear to be abandoned.



City of Victor  
Historical Preservation  
District

Historic Buffer Zone  
Downtown Historic District  
City Limits

0 50 100 150 200 250 300  
100' 200' 300'

THE CITY OF VICTOR, IDAHO

Architecturally, the City has been preserved in time. With few exceptions, it is unique and valuable resource as an unspoiled example of early 20th century mining town. Among the more important buildings of historic note included are the following:

The Gold Coin Club was built in 1899 by the Woods Brothers, founders of Victor. The club is significant as a rare example of a social club built exclusively for the miners by the mine owners. Patterned after the New York Athletic Club, the Gold Club was the pride of Victor.

The Pikes Peak Power Station was also owned by the Woods Brothers. It was a substation of the Skagway Hydro Plant.

The First Baptist Church was donated by the Woods Brothers to the Baptist community in the mining district.

The Midland Terminal officially opened in 1895 and was one of the last evidences of the Midland Terminal Railroad which served the Cripple Creek district from 1895 to 1949.

The Victor Playhouse. In 1900 this building housed the Victor Miners Union. A labor dispute broke out in 1904 and played a big part in the downfall of the Woods Brothers financial empire. It is believed during the miners strike, bullet holes penetrated into the original brick facade.

The Victor Hotel is listed in the National Register of Historic Places.

The Victor Record was one of seven newspapers published in Victor at the turn of the Century. During the mining strikes of 1903 and 1904, the Victor Record was outspoken in its pro-union editorials. The editor and four employees were arrested and the office was bombed.

The Victor Power and Light Company was also owned and operated by the Woods Brothers.

#### 4.7 HOUSING

The pattern of residential land use has tended toward single-family dwellings with a minimum of multi-family or mobile home dwellings. A high proportion of current housing is in need of rehabilitation and/or preservation. There is currently, a shortage of available housing which is presenting problems. As the gaming industry in Cripple Creek grows, pressures on the limited existing supply of housing has increased and in turn increased rental rates.

The 1990 U.S. Census lists 318 Housing units in Victor. Of the 318 units, 115 are occupied and 203 units are classified vacant. There were 86 housing units occupied by the owner. The remaining 29 occupied housing units were rentals. Under the U.S. Census category, Vacancy Status, 177 housing units out of 203 were declared seasonal and used primarily during

the summer months. The remaining 26 housing units were either for rent, for sale, or other vacant. The number of detached housing units or single family homes totaled 292. The number of housing units attached totaled 8. The number of mobile homes or trailers in Victor totaled 16.

The current supply of rental housing has become a premium. Competition for available housing is primarily between construction workers, mining and gaming employees. The current increase of construction workers is creating crowded market conditions.

Although Victor has recently established zoning regulations to assist in guiding development and/or redevelopment, immediate housing needs will continue to be tight. Projections by BRW Incorporated, have forecasted a 263% increase or 281 housing units for the Cripple Creek-Victor Mining District by Spring 1993.

#### 4.8 CIRCULATION ANALYSIS

The principal route leading to Victor through Cripple Creek is State Highway 67, a two lane, paved road that intersects with the community of Divide 15 miles west of Woodland Park at U.S. 24.

In 1991, the Colorado State Highway Department measured traffic counts along State Highway 67 starting at the intersection of U.S. 24. from January through August. The monthly counts indicate a slow but steady increase in traffic until late spring. Beginning in June the traffic volume rises dramatically. The following daily traffic counts at that intersection illustrate this rise which accounts for mostly summer and construction traffic to Cripple Creek.

January	1002
February	1191
March	1267
April	1339
May	1998
June	3033
July	3586
August	3719

Several graded secondary roads also offer access to Victor. Gold Camp Road originates in the foothills west of Colorado Springs at Colorado Springs and intersects with State Highway 67 north of Victor. Phantom Canyon Road begins at the town of Florence from State Highways 115 and 120. It uses the grade of the Florence and Cripple Creek Railroad passing east of Victor downtown Central Business District. Another route to access Victor, Cripple Creek and S.H. 67 is the Shelf Road which begins at Canon City, and High Park Road. The Shelf Road was a toll stage route blasted out of the sidewall of Fourmile Canyon. A second southern route to the goldfields, started at Parkdale near Canon City and connects with S.H. 67 west of Victor.

The Colorado State Highway Department also counted traffic at two intersections in Victor in 1991. The traffic count totals were for a 24 hour period at each intersection. The first intersection was at State Highway 67 and 7th Street on June 24th. The count was 782 vehicles. The second location was at the intersection of State Highway 67 and 4th Street. The count was 972 vehicles within a 24 hour period.

As previously mentioned, paved streets in Victor include Victor Avenue to first Street, portions of Second, Third, and Fourth Streets off Victor Avenue, and Diamond Avenue heading east of the City. The unpaved streets are compacted with a base course material and periodically graded for runoff and ruts. Several streets that are platted have become, from disuse, non-existent. These streets lie primarily south and north of the downtown.

All traffic circulating through Victor follows State Highway 67 which is the main route east and west along Victor Avenue. State Highway 67 driving west from Cripple Creek follows Victor Avenue turning north on 4th Street then proceeding east along Diamond Avenue to Gold Camp Road. North and south secondary streets dead-end within blocks after intersecting with Victor Avenue. Retail and commercial parking along Victor Avenue is limited. Pedestrian and Bicycle pathways are also limited to the secondary streets and main street sidewalks.

#### **4.9 DRAINAGE**

Victor has historically been subject to intense rainstorms which have resulted in flooding and storm drainage problems from rainfall which cannot be absorbed into the ground. The North Fork and the South Fork of Wilson Creek are the major floodplains in the Victor Area. The City of Victor lies in the headwaters portion of the Wilson Creek drainage basin.

Consequently, due to severe storm drainage problems within Victor, the Department of Natural Resources has identified six sites causing the most damage. The six sites were initially identified by the residents of Victor and then reviewed by an engineering company and the Department of Natural Resources. The problems were identified as erosion, ponding, sedimentation, and sheet flow. These problems result from deficiencies such as the lack of a discernible flow path, the lack of adequate velocity controls to slow water down and the lack of adequate erosion protection for channel bottoms and or channel banks.

## SECTION 5 RECOMMENDED ACTIONS

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Victor is included in an area of rapid growth, economic activity, and construction that is shared with Cripple Creek, Divide, and Woodland Park. An important aspect of this growth is the precipitation of gambling in Cripple Creek and to some extent, an increase in gold mining exploration and processing operations. Based on the potential growth impacts associated with these activities, the historic rate of development occurring over several years may be compressed into one year. Due to the urgency of the situation, a comprehensive plan for Victor was developed to serve as an outline and a framework for how the city should develop in the coming five to ten years.

The previous sections of the Victor Comprehensive Plan have discussed the historical growth of the community, current conditions, geography, population, land use, regional context, community objectives and needs. The following recommendations describe the actions that may be needed to bring the plan to life and the roles of the various public agencies, developers, investors, and corporate and community leaders may take.

### 5.1 LAND USE SUPPLY

An inventory and analysis of existing land use provides insight into development patterns and trends. The historical grid pattern developed during Victor's initial platting has determined the current land use within the City. See Figure 6.

#### 5.1.1 Residential

Residential areas within the City reflect a small lot, high density character. The pattern has tended toward single-family homes with few multi-family or mobile homes.

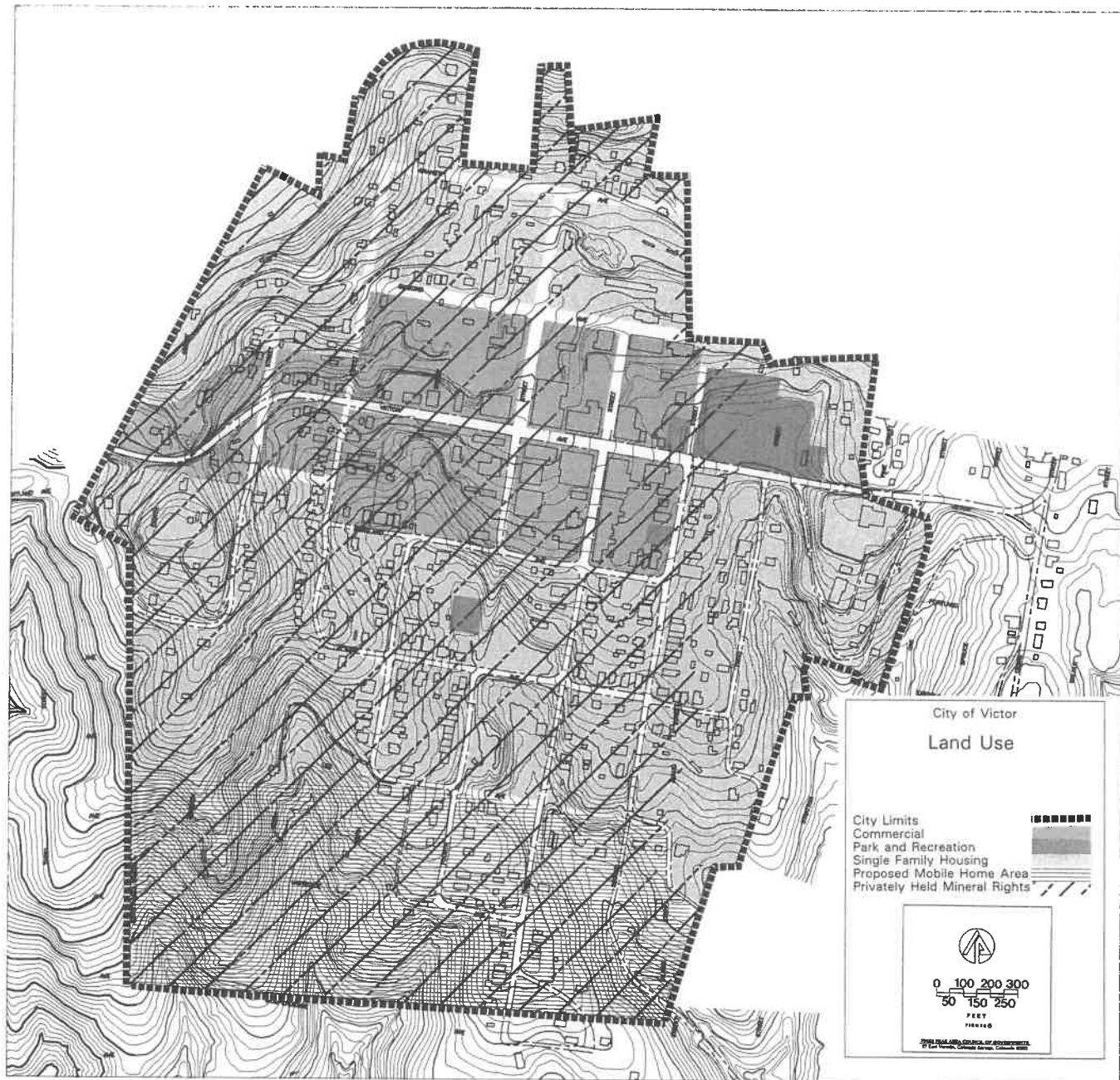
There are approximately 2880 platted lots. The majority of the lots, particularly closer to the center of town are less than 3,500 square feet with 25 foot frontages.

#### 5.1.2 Commercial

Commercial development is located along Victor Avenue; extending out on Third and Fourth Streets with some commercial uses on Diamond Avenue and Fifth Street. The Elks Club at Diamond Avenue and Third Street and other buildings are scattered along Second Street.

There are many unidentified and vacant structures scattered on Cleveland Avenue, third Street, Fourth Street, Second Street off of First Street and near Highway 67. Public recreation consists of three parks along Second Street. The undeveloped land uses equal approximately 75 percent of the area within the City.





### 5.1.3 Zoning

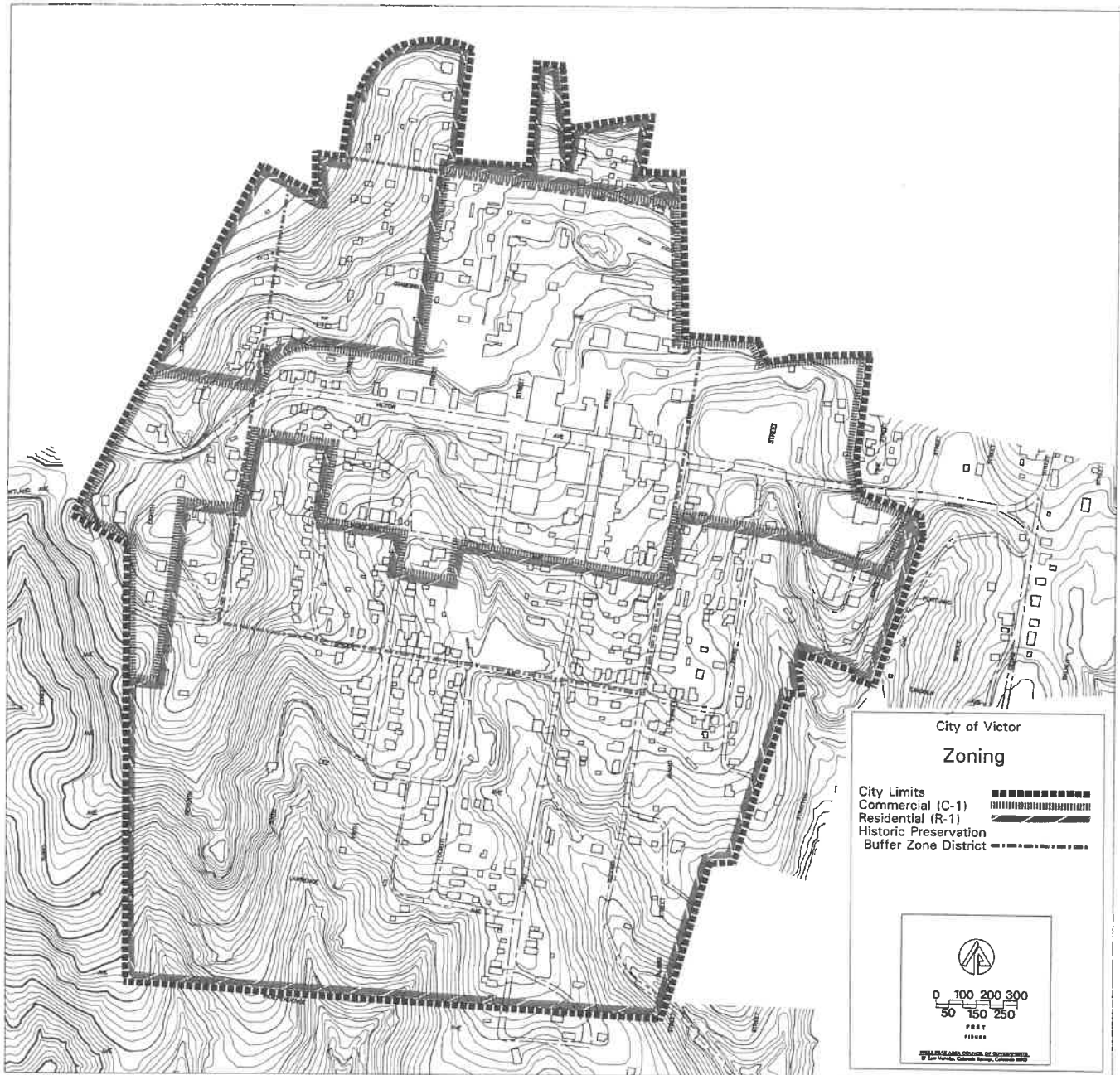
There are primarily two zoning districts in Victor. The Commercial zone encompasses the downtown approximately one to two blocks either side of Victor Avenue. See Figure 8. The Residential zone includes the remaining area of the City. Within the Commercial and Residential zones is a nine block area that is the Federally recognized Victor Downtown Historic District. Encompassing the Downtown Historic District is a 23 block Historic District Buffer zone. See Figure 7.

### 5.1.4 Development Potential

By using the existing acreage per existing zone classification, (55 acres-Commercial; 127 acres-Residential) projections can be made to determine the approximate maximum development potential. Using a general design standard of 1.17 acres commercial/1,000 population, the existing buildable (minus 25% of total for public rights-of-way), commercially zoned property in Victor has the potential to support a maximum population of 49,140. The projected buildout population (3,705) was determined by the net buildable acreage (95 acres) per the residential zone which was multiplied by the maximum required building units per acre (15) which then was multiplied by the average persons per household (2.6).

### 5.1.5 Recommendations

- o Development of comprehensive annexation guidelines
- o Provide a Generalized Development Plan
- o Consider Land Development Regulations
- o An analysis of the City's existing zoning map
- o Specifically define and reclassify present zoning districts to include:
  - R-1 Single Family Residential
  - R-2 Multi-Family Residential
  - R-3 Multi-Family, Residential and Mobile Homes
  - H-B Historic Buffer Zone
  - C-1 Commercial
  - I-1 Industrial
- o Incorporate performance standards with zoning and a land use plan including:
  - minimum land use regulations requiring acceptable standards to setbacks, heights, parking, environmental systems and utilities.
  - Land Use Design
  - Street Scape
  - Transportation
  - Lighting
  - Utilities



- Parking
  - Open Space
  - Visual Resources
  - Drainageways
- o Propose a Downtown Design Plan to emphasize the center of convenience activities, commercial potential, and a strong community environment.

## 5.2 CAPITAL IMPROVEMENTS

The intent of these planning and design recommendations is to provide possible solution to problems and deficiencies identified in Section Four. The areas addressed in this section are water and sewer facilities; the street system, and drainage.

### 5.2.1 Water

Much of the Victor water system is composed of sand cast, cast iron pipe with lead joints that was installed at the turn of the century. Due the age and incomplete records, the exact location of many trunk lines has not been determined. The pipe is of irregular and there are leaks and breaks from pipe failure in many areas of town. excessive water loss is the primary problem of the old distribution system. Apart from the condition of the pipe, the diameter and carrying capacity varies depends on the location. In some areas the pipe is too small to supply proper fire flow requirements and in other areas there are high pressure blowouts. Other problems that exist are difficult or impossible to operate valves, plus exposure and movement of the pipe has been evident.

#### Recommendations

- o Replacement of the water system is ongoing. All cast iron and galvanized pipe, is to be replaced with PVC pipe.
- o Flow capacity should be increased to distribution system to accommodate emergency fire fighting needs.
- o Evaluate the need for future water expansion and institute a program for financing the expansion.
- o Encourage new development to provide for the necessary extension of water to serve the development.
- o Develop guidelines for the extension of water service contracts to development in unincorporated areas and ensure that sufficient capacity is still available to serve infill development.
- o Develop a phased construction schedule that will estimate future service needs along with replacement of old lines.

### 5.2.2 Sewer

A little over 60% of Victor is served with a central wastewater collection system with an activated sludge treatment plant. The existing wastewater system was constructed of vitrified clay pipe over 90 years ago. A small portion of the 3.5 mile system has been replaced with PVC pipe. In addition, many individual sewage disposal systems discharge to unknown points or partially treat wastewater to abandoned mineshafts. The exact location of many of the sewer lines in town are unknown. Effluent from the City's existing wastewater plant is discharged to Wilson Creek, a tributary to Fourmile Creek and eventually to the Arkansas River. Wilson Creek has been classified by the State of Colorado as a Class 1-cold water, aquatic life stream.

#### Recommendations

- o Inventory and map the existing sewer system.
- o Upgrading the treatment capability to meet effluent standards for the sewered population is currently being conducted.
- o Additional plant capacity must be provided for the unsewered in-City population.
- o Collection system service must be expanded in the south-east and northwest and west area of the City.
- o Additional treatment capacity and collection system capability to serve Goldfield and Cunningham Addition should be provided.
- o Continue seeking funding from EPA Construction Grants Program, the Colorado Community Development Block Grant Program, and the State Sewer Construction Fund to complete the proposed wastewater treatment plant.

### 5.2.3 Streets

The existing grid street system exhibits a variety of problems as a result of little planning or foresight during the early stages of physical development. For example, the majority of street problems are a result of a substandard surface drainage system, road surface deterioration, and poorly designed intersections. The principal street problem involves drainage, specifically the design of roadside drainage swales and culverts. The combination of steep grades, inadequate drainage and shortage of proper drainage structures and detention devices causes excessive erosion alongside roads and on road surfaces. As a result the velocity, volume, and direction and stormwater is essentially uncontrolled, resulting in soil erosion and siltation problems.

In general, Victor Avenue, which is also Highway 67, is in the best

condition. The secondary streets either side of Victor Avenue are the most problematic with the exception of First Street, portions of Second, Third, and Fourth Streets off Victor Avenue and Diamond Avenue heading east of the City. The majority of quality parking spaces are also along the paved portion Victor Avenue. The remainder of the City's streets are unpaved and without sidewalks.

#### Recommendations

- o Coordinate in phases the planning, financing and construction of an integrated road and pedestrian trail system
- o Secondary roadway surfaces should remain gravel as long as volumes are low. The surfaces however should be graded and treated to minimize dust and increase road life.
- o Inventory and address problem drainage areas at intersections and streets.
- o Develop and install attractive and functional signage systems to direct traffic along and through downtown. upgrade signage so drivers are cognizant of which street to take.
- o Extend sidewalks along Victor Avenue from Fourth Street west to Seventh Street and in the Victor Historical District.
- o The existing spot shortages of short-term parking, particularly near the City Hall and stores along Victor Avenue would be alleviated by restricting or eliminating long-term use of the spaces with alternative sites behind the commercial area reserved for employees.
- o Traffic circulation within the downtown area is very good and is expected to remain so in the foreseeable future. A two-way circulation loop around the core would provide good access to the Victor Historical District, mining attractions, and tourist parking.

### 5.3 HOUSING

Due to the impact of gambling and mining activity, available housing is currently in short supply. As pressure mounts for rental housing, inflated real estate values push rates to unaffordable levels. Many single family detached homes are occupied and room and board and bed and breakfast establishments have been rented. A significant proportion of the housing available in Victor are in need of rehabilitation. Approximately 75 percent of the land within Victor is undeveloped. Out of that percentage, 20 percent cannot be built due to topography, drainage, or lack of services.

As housing becomes more scarce, construction of single-family houses will become constrained. The labor market (mining workers) and the service industry (gaming employee) may not be able to afford new housing and it

is also unlikely that the residents will be able to construct new housing. This need could be met by existing units which could be converted, become vacant (for sale or rent), or rehabilitated from substandard units. The alternative to new single family detached housing, however, will be construction of affordable housing that will include multifamily rental units to meet the demand for that market area.

#### Recommendations

- o Inventory existing supply of housing units by type, and location for potential additional units.
- o Explore the potential of employee housing units in the Victor High School, Elks Lodge and vacant buildings in the Victor Historical District.
- o Examine the potential for mobile homes, manufactured or modular homes, and evaluate available land, potential developer, changes to land use regulations and approval processes.
- o Examine financing techniques which are available for low income housing and employee housing projects, such as tax credits and project activity bonds.
- o Discuss funding options and ways to finance projects (Municipal bonds, development fees, incentive and subsidies).
- o Explore areas currently outside the City limits in Cunningham, Goldfield, Lawrence, Sunnyside, Hollywood, and Victor West subdivisions for planning future developments.
- o Prepare an addendum to the zoning ordinance, to cover subdivision regulations, planned unit developments, and a sign code for multifamily housing areas, mobile home parks, and apartments in the residential zone.
- o Enforce Uniform Building Code and health codes to prevent occupation of sub-standard, abandoned dwellings and abuse of standards established for acceptable housing.
- o Evaluate service area coverage, extension policies and system capacities to accommodate new residential development.
- o Coordinate work with potential developers, builders, lenders and realtors to create housing project opportunities.
- o Examine adopting development and permitting fees, construction taxes, and water/sewer connection fees.

## 5.4 HISTORIC PRESERVATION

The Victor Downtown Historic District consists of a majority of 19th century commercial buildings which compose the commercial core of the City. Because the character of the area is of one period, and of similar scale, there is a cohesiveness and unity in the design and material used. However, due to its isolation and an unpredictable economy, Victor has not been able to restore and maintain many buildings that are of historic value, consequently, many structures are vacant, contributing to a feeling of abandonment to the community. Because of this, little alteration of structures has occurred and large number of streetfronts remain unaltered.

### Recommendations

- o Develop a loan fund program to support historic preservation in the community
- o Develop a preservation plan with incentives for rehabilitation and renovation of historic buildings to protect historic resources.
- o Create design guidelines for public works projects.
- o Enforce the Historic District Ordinance by creating an Historic Preservation Commission.
- o Work with the mining companies to promote the open air museum with interest in historic mine structures and equipment.
- o Identify the desirable infill locations and encourage redevelopment and new buildings which will fit with the context of the historical district.
- o Update inventory of historical buildings and develop a plan to protect the historic resources of the community.
- o Incorporate the protection of historic resources into the regulations of development.

## 5.5 DRAINAGE

Victor lies high within the headwaters portion of the Wilson Creek drainage basin. Although being so high up the basin, it is still subject to flood hazards. In conjunction with the historic areawide flooding problems, storm drainage problems are more localized. Problems with storm Drainage in Victor is the result of extreme rainfall or snowmelt. The problems that occur in the City include erosion, ponding, sedimentation, and sheet flow. These problems resulted from deficiencies such as the lack of a discernible flow path, inadequate velocity controls to slow water down, and inadequate erosion protection for channel bottoms and/or channel banks. A significant reason for these problems is the



steepness of the terrain in and around Victor. Any solutions to these problems will meet to recognize the steep grades.

#### Recommendations

- o Victor should make a formal commitment to the identification and regulation of its flooding and stormwater problem areas.
- o The specific drainage problems areas should be identified.
- o Victor along with the State of Colorado Department of Natural Resources should develop a floodplain and drainage master plan for addressing the identified problems.
- o As the problem is identified on the drainage master plan, Victor should regulate the areas by restricting development or including it in an improvement program.
- o As financial conditions allow and development in the area increases, Victor should implement the drainage master plan.

## SECTION 6 IMPLEMENTATION

The implementation strategies presented in this section set forth a guide for the City Council, Planning Commissioners, Historical Preservation Board, and the Victor-Goldfield Improvement and Citizens Council Inc. (VICCI) to ensure that plan recommendations and proposals are transformed into specific policy statements and development regulations.

The implementation section is advisory in nature and the recommendations are subject to evaluation and change by the City. The Comprehensive Plan is required to periodic updating to keep it viable, and so will the Implementation Program to ensure it will continue to represent Victor's policies and priorities.

### 6.1 LAND USE

Once Victor adopts the Comprehensive Plan, it is essential to revise the current zoning and include subdivision regulations. This revision is not only necessary for implementing the Plan, it is necessary for assuring the City's regulatory devices are effective for managing the use of land.

#### 1st Year

- o Map and inventory zoned commercial, residential and vacant land use including Cunningham, Goldfield, Lawrence, Sunnyside, Hollywood, and Victor West subdivisions.
- o Initiate and develop a comprehensive annexation policy.
- o Include a budget for or request a building inspector/code enforcement officer.
- o Enforce the Historic Preservation Ordinance with the Historic Preservation Commission.

#### 2nd - 5th Year

- o Modify zoning ordinance to include performance standards and site plan review, for instance, setback requirements, distance requirements, and zero-lot line techniques.
- o Adopt zoning ordinance to better represent Victor's residential density and specific uses commercial uses.
- o Expand the historic district to include all of Victor with more comprehensive guidelines for rehabilitation and new construction of commercial and residential buildings.
- o Provide support to the efforts of the Victor-Goldfield Improvement and Citizens Council Inc. (VICCI) and the Colorado Rural

Revitalization goals for the community and downtown Victor.

- o Propose Traditional Neighborhood Development (TDR) as an alternative to Planned Unit Development.

## 6.2 CAPITAL IMPROVEMENTS

Capital Improvements in Victor have been identified as water serviceability, wastewater treatment, storm water drainage, and road improvements.

### 1st Year

- o Continue project funding from Environmental Protection Agency (EPA) and Community Development Block Grant and State Sewer Construction Fund for Constructing wastewater treatment facility, expansion of in-city collection system, and sewer.
- o Complete State and Federal environmental requirements for approving the proposed wastewater treatment facility.
- o Begin construction of wastewater treatment facility.

### 2nd -5th Year

- o Continue inspection and replacing broken and deteriorated water lines.
- o Research funding for water infrastructure replacement
- o Propose a financing program with fee schedules for road improvements including a phasing program for upgrading streets, eliminating drainage problems, traffic management and parking requirements.

## 6.3 HOUSING

Currently, no Housing Authority exists in Teller County. The closest Housing Authority, located in Canon City, provides for 15 Section 8 Certificates in assisted housing benefits. Consequently, as pressure mounts for acquiring permanent single family housing and rental housing, real estate values may push rental rates to unaffordable levels. Although some public assistance programs are available for housing subsidy, it cannot be relied on to meet future needs in providing affordable housing for service-sector employees and mining workers. Plus, any affordable housing financed by the private sector, may not reach the needs of low to moderate income households.

### 1st Year

- o The City should establish a clearinghouse for development

providing for new development regarding local regulation, financing, special funds and grants, purchasing of permits and fee payment, as well as research information regarding the local housing industry, should be available through this entity.

- o Utilize the VICCI Task Force to contact non-profit organizations and the type of projects they may be willing to undertake.
- o Work cooperatively with the State Division of Housing and the Pikes Peak Council of Governments to take advantage of housing programs.
- o Inventory existing supply of housing by type and location.

#### 2nd - 5th Year

- o The clearinghouse should work closely with VICCI to make information available regarding financing programs available for new housing. Allowances may also be increased by participation in the development process with low cost construction funding, a local land bank, and developer incentives for target areas.
- o Continue to pursue funding sources and programs that address affordable housing such as Colorado Housing and Finance Administration, the State Division of Housing, U.S. Department of Housing and Urban Development, The Community Development Block Grant program and the Farmer's Home Administration.
- o Look at some financing techniques for affordable housing such as tax credits and project activity bonds.
- o Exercise cooperation between public-private entities to develop housing where the public sector can contribute land, obtain tax exempt bond financing.
- o Pursue programs with the potential to finance downtown housing are Multi-family revenue bonds, Community Development Block Grants, Section 108 Loan Guarantees, Single Family Mortgage Revenue Bonds.

The following methods are mechanisms that identify the policy alternatives by weighing the strengths of each; comparisons should include the intergovernmental implication of each approach as well as its immediate purpose.

## A SIMPLIFIED GUIDE TO THE POLICY IMPLEMENTATION METHODS

<u>Method</u>	<u>Major Purpose</u>	<u>Governmental Implications</u>
Categorical Grants	Stimulation of specific innovation and increased activity in narrowly defined fields	High administrative effort; lack of flexibility; matching fund requirements
Block Grants	General support of a broad government activity. Methods are left to the discretion of grant recipients	Low administrative effort; great flexibility; may not require matching funds
General revenue sharing	General fiscal support of recipient governments	Minimum administrative effort and minimum or no programmatic requirements or limitation on recipient discretion; no matching
Cooperative agreements	Stimulation of innovation in joint programs for which clear division of responsibility is not easily pre-specified	Joint project administration with considerable flexibility
Contracts	City purchase of a specific product or service	Local discretion applied
Direct federal loan	Same as a categorical grant	Same as a categorical grant; must be repaid
Loan guarantee	Loans made to localities by the private capital market at more favorable interest rates;	Less administrative burden on government for loan processing than direct federal loans; must be repaid
Tax policy	Influences the financial role of the private capital market	Greater local independence; cost will vary depending on the policy
Regulation	Achieves a city purpose, regardless of finance	May be unnecessarily intrusive; may be financially burdensome on the regulated party; often quite rigid

Source: National Council on Public Works, February 1988

## CONCLUSION

There have been many factors contributing to Victor being unable to meet the requirements for financing capital improvements and community development programs. Among the reasons are a small population, a weak tax base, lack of incentives for business enterprises, and an incomplete community planning process and program for development options.

There is need for full community involvement. Many articles and reports written over the years have discussed the various factors that have contributed to Victor's limited economic long term growth. Along with these factors, have been strong recommendations on solving them. However, just recommendations and alternative scenarios alone calling for community redevelopment have not provided the necessary catalyst to create a cohesive residential and business community. Economic revitalization requires administrative dynamics. this process includes the proactive planning leadership and support from the City Council and the Planning Commission.

A committee initiated by the Colorado Rural Revitalization program called the Victor-Goldfield Improvement and Citizens Council Inc., (VICCI) may provide an interim avenue for encouraging investment and capital into the community by offering a positive environment and resource for funding area projects, and providing focus for marketing the City of Victor. It may also assist in developing collaborative solutions to diminish the negative impacts from limited stakes gambling.

**APPENDIX A**  
**RESOURCE AUDIT**

## **APPENDIX A**

### **RESOURCE AUDIT**

#### **Sales Tax**

Increasing the municipal sales tax to its maximum allowable rate is one of the best techniques to charge the visitor for the costs of providing police, fire, paramedics, and road improvement services. All full-service resort communities in Colorado impose a 4 percent sales tax rate.

If Victor attained home rule status, then they would have an opportunity to impose a lodging tax at a rate higher than the sale tax rate.

#### **Use Tax**

Recommendations to impose a use tax equal to the sales tax is another technique to transfer the burden of financing improvements onto real estate developers constructing new projects and on device fees.

#### **Impact Fees**

Should Victor consider the imposition of impact fees on new development, the impact fees would be calculated to finance the new development of the City's capital improvements.

#### **Infrastructure Extension and Annexation fees and Policies**

Equally important is the adoption of a set of policies that insure that new development pays for the costs of extending water, sewer, road, and drainage improvements and the costs associated with traffic caused by the development.

#### **Multifamily Revenue Bonds**

Victor and a City or County Housing Finance Authority receive allocations of private activity bonds which, among other uses, are available to finance multifamily housing. At least 20% of the units must be occupied by households earning less than 50% of the median income or 40% of the units must be occupied by households earning less than 60% of the median income for the qualified project period. These private activity bonds are tax exempt and the interest rate is less than the conventional rate.

#### **Commercial Loans**

Loans from private lending sources are available to any person or firm with a sound financial background and a realistic business plan. Since the loans are not guaranteed by a public agency, the interest charges are at market rates, including some risk premium.



## **SBA Government Guaranteed Loan Program**

The Small Business Administration program is to provide loans to small business owners to stimulate the economy with financial and professional support. The two loan programs used most are:

### **SBA 7(a) Loans**

These are similar to commercial loans which may be used for purchase, expansion or conversion of buildings, purchase of equipment, supplies or for working capital. Loans are financed by local private lending institutions are guaranteed by the SBA.

### **SBA 504/Certified Development Corporation (CDC) Loans**

Under this program, a local lending institution provides 50 percent of the total amount of required funds. Banks charge their normal rate for the loans, guaranteed by the SBA. A state CDC supplies 40% of the amount needed by selling debentures to the Federal Financing Bank. These debentures are guaranteed by the SBA.

### **Community Development Block Grant (CDBG) Program**

This can be an excellent source for community development. The City receives its CDBG funds in the form of a letter of credit. Many City funded projects are selected early on, but may not be initiated for a few months to a few years. This is a potential source of construction financing. the interest rate is negotiable but is typically around 6%. It can be used to meet the 10 percent local funding requirement for the SBA/504/CDC program, generating seed money for the revolving loan fund. This is a direct grant and need not be paid back.

### **Section 108 Loan Guarantees**

These loans are available at a Federal borrowing rate this is approximately 8.25% today. The City pledges its future CDBG entitlement as a guarantee. The maximum term is 6-20 years. The availability of these funds is subject to congressional appropriation and the funds must be used for CDBG eligible activities.

### **Single Family Mortgage Revenue Bonds**

CHAFIA periodically issues tax-exempt bonds which are used to make 30-year fixed rate mortgages typically at 1.5% less than the market rate. The loans have to be FHA insured or VA guaranteed. A building would typically have to 1/75% to reserve an allocation to cover some of the up-front costs of the bond issue. There are income limitations on the borrowers beginning at \$38,000 and buyers must be purchasing their first home unless the house is in a target area.

### **The Community Development Corporation**

A potential funding mechanism for renovation and construction of affordable-housing. A complicated process that starts with the Local Initiatives Services

Corporation, an alternative funding source created by the Ford Foundation to help CDC's.

### **Farmers Home Administration Programs**

Several programs are available. The first of these is the Business and Industrial Loan Program, is designed to increase income and employment by promoting business in rural depressed areas. The second is the Facility Loan Program, might be a source of funding for infrastructure improvements.

### **Renewal Assistance Administration**

The Department of Housing and Urban Development makes grants to local public agencies to help finance blight elimination through surveys, planning, land acquisition and clearing, rehabilitation of existing structures, new building construction, and the installation of public improvements.

### **Annual Appropriation**

This method is dependent upon the levy of taxes to maintain and operate local government. This method is not recommended as a method to provide funds in sufficient amounts to provide financing of capital improvements. It would need several years of saving funds to provide the amounts necessary for the extensive capital improvement costs.

### **Special Assessments**

This method may be applied to selected projects which are of primary benefit to a specific district, area, or group of people. Such projects would be levied upon adjacent property on the basis of front footage.

### **Revenue Bonds**

Revenue bonds are often used to provide public facilities which pay their own way and are self-supporting.

### **General Obligation Bonds**

These bonds are the more commonly used method of providing funds for capital improvements. Funds are allocated for specific purposes and are retired by tax levy.

### **Business Improvement District**

Only "commercial property" within the district subject to tax. Issue G.O. bonds subject to election. May establish special improvement district. Issue revenue bonds (i.e. parking structure). Important purpose is to maintain, promote and market commercial area. Builds and maintains public infrastructure, such as pedestrian malls, landscape, fountains, bike paths.

## **Colorado Economic Development Fund**

Limited funding. Commission established terms and conditions of grants or loans. Grants or loans of state funds to public and private persons and entities to develop and implement programs for the promotion of economic development in Colorado.

## **Community Development Block Grants**

Limited funding and total of each grant. Elaborate application, record keeping and compliance requirements.

## **Enhanced Sales Tax Incentives**

Public improvements without public expenditures up front. Limited to home rule cities. Risk is with private developer. Private sector installs public improvements for credit on subsequent municipal sales tax generated by project of developer.

## **Enterprise Zone**

Limited application to certain areas based on population and urban/rural characteristics. Affords income tax incentives or credits for new employees, capital investments, building rehab and sales and use tax credits. Incentives for private enterprise to expand and encourage location of new business, with specific application to maintenance of economic viability of central business district.

## **General Improvement District (GID)**

Funded by property taxes on all property in district and service charges. G.O. bonds issued, pledging full faith and credit of city subject to election. Easy to form and dissolve after debt is paid. Used to acquire, install or construct public improvements such as downtown parking. Cannot be used for electric light or gas systems or plants.

## **General Obligation Bonds (GO)**

City wide vote required. Pledge full faith and credit of city to pay bonds. Assess ad valorem property tax on all property in city as revenue to retire debt. Twenty-five year debt retirement limit. Provides a wide variety of public improvements with general public use, such as streets, water, sewer, library and recreational facilities.

## **Lease/Purchase Agreement**

Used to acquire new city halls, public convention facilities and other public amenities. Developed or constructed by public sector for public purposes. Provides land, buildings, equipment and other property for governmental or proprietary purposes.

### **Loan Interest Rebate Program**

Provides financial incentives for property owners to perform improvements. Must be applied with specific standards. Requires contract with each private user and bank. Potential income tax questions of rebating interest payments. Encourages exterior improvements to deteriorated or blighted commercial or residential structures. Work with financial institutions to rebate some of the costs to property owners to fix up structures.

### **Local Economic Development Fund**

Serves as a credit enhancement for banks to loan funds for improvements and redevelopment. Requires close staff monitoring. Risk of loss of public funds. Encouraged by state laws related to Colorado Economic Development Fund and Enterprise Zone. Requires contract with each person or business and bank. Needs specific standards for use of funds. Provides a form of security to bank to serve as S.B.A. type credit enhancement for private improvements. Funds are drawn down only if debtor can't make debt service to bank for improvement loan.

### **Municipal Economic Incentive Program**

Many forms of incentives, ie. waiver or reduction of utility fees, hook-up fees, permit fees, use taxes, sales taxes, and development fees. Must be carefully applied to avoid legal problems. Incentives or subsidies for development, redevelopment, expansion of businesses.

### **Owner Participation Agreements or Joint Venture Agreements**

Good method to lessen negative impact of urban renewal projects. Authority can propose building facade improvements and help with design. Encouraged by urban renewal and downtown redevelopment laws. Promotes private support of public redevelopment programs. Authority may acquire, without cost, easements or rights-of-way for public improvements, ie. streetscapes. Public/private partnership or agreements to improve private property per covenants or controls in consideration of public improvements or incentives.

### **Public Mall Act**

Elaborate notice and public hearing requirements to establish. Limited to streets within the city. May finance improvements by special improvements district or general improvements district. Property owners along mall area may file for damages similar to condemnation. Establish pedestrian malls in downtown retail shopping areas. Create specialty type areas in the community. Combine with urban renewal or downtown development projects. May construct or install any public improvement to convert street to pedestrian way (ie. benches, fountains, pavers, landscaping)

### **Sales Tax Revenue Bonds**

May require pledge of full faith and credit of city (G.O.) if sales tax is not sufficient to meet debt service. May not require city wide vote per home rule charter. Provides a wide variety of public improvements. May also be sued as revenue source to support urban renewal or downtown development authority projects, or as credit enhancement for tax increment bonds.

#### **Special Improvement District (SID)**

Easy to organize and provide public amenities for newly constructed or redeveloped properties. Special assessments against property specifically benefited by lineal foot, zone. Relatively easy to finance with special liens on properties. Construction of certain public improvements, usually streets, bridges, water, sewer, and drainage.

#### **Special Metro District**

Subject to service plan approval by city council. Complex to form. Separate entity from city. Can issue G.O. and revenue bonds. G.O. Debt subject to election. Condemnation powers. May be difficult to finance with various existing districts in default. Provide municipal type services such as streets, water, sewer, parks, and recreation, and fire protection.

#### **Tax Increment Financing**

Separate entities from the city. It operates in areas designated by the City Council in accordance with specific statutory criteria. Difficult to market in Colorado without guarantee or security. Dependent upon strength of private redevelopers and nature of project. Financing of debt incurred by such public entities. To construct improvements and or finance public participation in urban renewal and downtown development projects.

**APPENDIX B**

**SAMPLE AGENDA PREPARATION**

## APPENDIX B

### SAMPLE AGENDA PREPARATION

#### Introduction

The agenda process serves three primary purposes: communication, control, and decision-making. As a *communication system*, the agenda informs the City staff, the general public and the press. As a *control system* the agenda process provides a formal review of the City's business. Finally, the agenda process is a *decision-making system* which regularly brings City business to the attention of the Mayor, City Council, Planning Commission, and City staff. In view of this importance of this process to the operations of the City, it is intended to be a helpful guide in the preparation of agenda items with the expectation that more complete familiarity with the agenda schedule and procedural requirements will result in a more effective and efficient system for the City of Victor.

#### I. The Agenda Process and Schedule

The agenda schedule is structured to provide the City Council, Planning Commission, Historical Preservation Committee and other Board members with copies of the agenda on Friday prior to its monthly Tuesday meeting. On the second Tuesday of the month, the meeting begins at 7:00 p.m.

##### The Process

Detailed on the following pages are the steps required in processing the typical agenda item.

##### The Schedule

Items requiring resolutions or legal review must be submitted to the Attorney's Office not later than Monday prior to the following Tuesday's City Council Meeting. The preparation of contracts requires the submission of full documentation 14 days in advance of desired Council action. The City Attorney's Office prepares or reviews the resolution and returns it to the City for processing.

#### II. Preparing the City Council/Planning Commission/Board Report

##### The Format

**Recommendation:** The recommendation is stated first so that the Council/Commission member will quickly understand the significance of the agenda item.

Informational reports carry no specific recommendation and the report should state, "This report is for information only."

Include any recommended action pertaining to transfer of monies from one account or fund to another.

Include any recommended action pertaining to exemptions from competitive bidding or

affirmative action ordinance.

**Summary:** This format is intended to provide an "executive summary" which immediately gives the reader the critical information. This format should also assist the author in insuring that the information presented is orderly and complete.

**Background:** This section of the report the writer will build the case to support the recommendation. If the Council/Commission has considered issue in the recent past, it is helpful to include this fact in the background section of the report. Indicate the date and action taken which relates to this item.

**Fiscal Impact:** In matters where the Council is requested to approve an expenditure or budgetary revision, it is important to state whether monies have been appropriated in the budget for this specific purpose. If monies are budgeted, the account number and name should be stated.

Other relevant information which may appropriate to the include in this section follows:

**General Fund Unappropriated Reserve** - Identify the balance of remaining General Fund Unappropriated Reserve.

**Future Impact** - A new program may be funded out of salary savings this year, but the Council should be reminded that it will represent a new addition to following year's budget. Include the annualized cost.

**Revenue Impact** - Are there short and long-term revenues associated with is proposal? If so, what are the estimated amounts?

**Impact on Capital Improvement Program** - Will the adoption of the proposal require additional infrastructure investment or new City facilities.

**Other Operational Impacts** - Does this proposal result in an increase in personnel or operational costs: If so, how much?



# Required Council Action Quick Reference Guide

<u>Item</u>	<u>Resolution</u>	<u>Insurance</u>	<u>Affirmative Action</u>
Contracts w/governmental agencies	X		
Contracts for professional services		X	X
Subdivision tract maps	X	X	X
Grant Applications	X		
Adopting budgets	X		
Positions on legislation	Discretionary		
Accepting grants and deeds of Easements	X		
Vacating public right-of-ways	X		
Establishing or amending fees	X		
Council policy statements	X		
Annual Work projects in Capital Improvement Program	X		
Competitive Bidding Award	X	X	
License Agreements	X	X	

**SAMPLE REPORT FORMAT**

TO: City Council

Date:

FROM: City Clerk

SUBJECT:

RECOMMENDATION:

No more than one paragraph

SUMMARY:

No more than two paragraphs

BACKGROUND:

This is the general discussion and necessary back-up information to support the recommendation.

FISCAL IMPACT:

All fiscal implications should be discussed. If there is no fiscal impact, this section should state:

"There is no impact on the General Fund."

Respectfully submitted,

\_\_\_\_\_  
City Clerk

Prepared by:

Reviewed by:

\_\_\_\_\_  
NAME  
Title

\_\_\_\_\_  
NAME  
Title

Approved:

\_\_\_\_\_  
NAME  
Title

\_\_\_\_\_  
NAME  
City Attorney

### III. ITEMS REQUIRING RESOLUTIONS

Detailed below is a partial check list of typical municipal business which requires a resolution for action by the City Council.

#### Check list of Items Requiring Resolutions:

- o Approving some but not all contracts or license agreements
- o Approving a subdivision tract map
- o Authorizing preparation of a grant application
- o Approving intergovernmental agreements
- o Adopting the Operating and Capital Budgets (Appropriation Resolution)
- o Approving a salary resolution
- o Approving and accepting grants and deeds of easement
- o Vacating public right-of-way
- o Establishing a service fee or amending the fee schedule
- o Approving Council policy statements

This is a partial check list of items to be voted on by the City Council. If there is a question as to whether a particular item requires a resolution, check with the Contracted Attorney's Office.

### CONTRACTS

Documentation for the preparation of a contract, including professional services, should be submitted to the Contracted Attorney's Office 14 days in advance of the City Council Meeting.

### RECOMMENDED WORKING FOR NON-RESOLUTION ITEMS

#### 1. Authorization of Specifications

It is recommended that the City Council authorize the (title of person to prepare) specifications for (describe nature of work or item being procured) and authorize the Mayor or City Administrator to call for bids after the specifications have been approved as to form by the City Attorney.

#### 2. Award of Contracts to Bidder

##### a. Single Item Bid

It is recommended that the City Council accept the bid dated (bid date) submitted by (bidder's name) in response to specifications for (describe nature of work being

procured), reject all other bids, and authorize the Mayor or City Administrator to enter into such contract as is required.

b. Multiple Item Bid

It is recommended that the City Council accept the bid dated (bid date) submitted by (bidder's name) in response to specifications for (describe nature of work being procured), as to Item I, accept the bid dated (bid Date) submitted by (bidder's name) as to Items II and III, reject all other bids and authorize the Mayor or City Administrator to enter into such contracts as are required.

c. Only Bid Submitted/Only Responsive Bid Submitted

It is recommended that the City Council accept the bid dated (bid date) submitted by (bidder's name) in response to specifications for (describe nature of work being procured), and authorize the Mayor or City Administrator to enter into such contract as is required. (If only one responsive bid was submitted, add work "responsive" between "only" and "bid".)

3. Rejecting Bids/New Call for Bids

a. Rejecting all or only bids/new call

It is recommended that the Mayor or City Administrator reject ("all" or "the only") bid received in response to specifications for (describe nature of work or item being procured). (If new call for bids is desired, add "and authorize the Mayor or City Administrator to issue a new call for bids".)

b. New Call for Bids Where No Bids Received

It is recommended that the Mayor or City Administrator issue a new call for bids for (describe nature of work or item being procured) because no bids were submitted response to the notice inviting bids therefore dated (date of notice).

4. Award of Contract/Purchase Order Without Bidding

a. Contract Award

It is recommended that the Mayor or City Administrator enter into a contract without competitive bidding pursuant to (name of contractor) for (describe nature of work or item being procured)

b. Purchase Order Award

It is recommended that the Mayor or City Administrator issue a purchase order in an amount not to exceed (\$), without competitive bidding to (name of contractor) for (describe nature of work or item being procured).

5. Approval of Contract/Contract Amendment/Agreements

It is recommended that the Mayor or City Administrator approve a (contract, contract

amendment, agreement) between the City of Victor and (name of other party), (for, pertaining to, in connection with --general purpose of contract) and authorize the Mayor or City Administrator to execute the same.

6. Authorization of Purchase Order

It is recommended that the Mayor or City Administrator issue a purchase order in an amount not to exceed (\$) to (name of contractor) for (describe nature of work or item being procured) in accordance with (letter proposal)

**ORDINANCE FACT SHEET**

TO: CITY COUNCIL

FROM: CITY ADMINISTRATOR

TITLE OF PROPOSED ORDINANCE:

PURPOSE OF ORDINANCE:

No more than two paragraphs.

REASONS WHY LEGISLATION IS NEEDED:

No more than three paragraphs.

FISCAL IMPLICATIONS:

Indicate the likely costs or revenues projected as a consequence of implementation.

POLICY CHANGES:

Respectfully submitted,

\_\_\_\_\_  
City Administrator

Prepared by:

\_\_\_\_\_  
NAME  
City Attorney

**APPENDIX C**

**HISTORIC PRESERVATION/ARCHITECTURAL BOARD OF REVIEW GUIDELINES**

## APPENDIX C

### HISTORIC PRESERVATION/ARCHITECTURAL BOARD OF REVIEW GUIDELINES

The City of Victor Historic Preservation Committee was established by ordinance on May 14, 1985 and met for six years. In February 1992, the Victor Planning Commission was established and assumed review jurisdiction responsibilities and the Historic Preservation Committee which was dissolved.

The Historical Preservation/Architectural Review Board (HP/ARB) is guided by a set of general goals which define the major concerns and objectives of its review process. These goals are:

1. to protect the historic and architectural qualities of Victor's building stock;
2. to promote development and building consistent with the policies of the Comprehensive Plan;
3. to promote a consistent standard in architectural design and the construction of aesthetically pleasing structures;
4. to improve the general quality of the environment and promote conservation of natural and manmade resources of the City;
5. to encourage land uses which are orderly, functionally efficient, healthful, convenient to the public, and aesthetically pleasing;
6. to encourage development of safe and attractive residential areas that are compatible within and outside the Historical District in a variety of housing styles.
7. to encourage the construction of safe, convenient and attractive commercial facilities and residences;
8. to promote neighborhood integrity by congruity in architecture and cohesiveness in style;
9. to encourage the preservation of pre-1910 and Victorian styles of architecture;
10. to promote visual relief throughout the community by preservation of mountain vistas, creation of open space and variation of styles of architecture, unique location or singular physical characteristics;

There are two areas of policy in which the HP/ARB directs its review. The guidelines for each of these policy areas are intended to provide general direction to an applicant coming before the Board. The policies are:

1. Building Design and Function
  - a. **Building Design:** Buildings should demonstrate compatibility in materials and consistency in style throughout all exterior elevations. Building



components such as windows, doors, arches and parapets should have proportions appropriate to the architecture of the structure.

- b. **Additions:** All additions should relate to the existing building in design, details, colors, and material.
- c. **Energy Efficiency:** Buildings should be designed and oriented to maximize energy efficiency and conservation.
- d. **Color:** Building color should complement architectural details and blend with surrounding buildings or dominant structures should be appropriate to the architectural style proposed.
- e. **Historical Significance:** Plans should show consideration for historical elements if any of significance exist on the site. For buildings located in the Historical District, the site, structure, object or area that has character, interest or value as part of the development, heritage or cultural characteristics of the City.

2. Site and Neighborhood Compatibility

- a. **Relation to Site:** Buildings should be designed to relate to the existing landforms and the contours of the site and present an integrated appearance.
- b. **Neighborhood Compatibility:** Buildings should have a harmonious relationship with the surrounding neighborhood. Significant factors in establishing this relationship are a sense of scale, roof lines, colors, and materials.
- c. **Proximity to the designated National Historic District:** When a building is proposed that is within close proximity to the Historic District, the architecture will be reviewed with special consideration to the districts' guidelines.

## Rules and Meeting Procedures

### A. General Procedures:

1. Roberts Rules of Order: The Board has adopted Robert's Rules of Order for the formal conduct of meetings.
2. Meeting Dates: The Board meets every *Monday*. If a holiday falls on that *Monday*, the meeting will be held on the following Tuesday. The application deadline for the Tuesday meeting will be the Friday, or 3 working days prior to the meeting.

### B. Election of Officers: As soon as practicable following the first day of *July* of every year, the Historic Preservation/Architectural Board of Review (HP/ARB) shall elect a chairperson and Vice Chairperson.

### C. Organization of Agenda:

1. Time Extensions
2. Appeals
3. Final Review (Continued items, than new items)
4. Preliminary Review (Continued items then new items)
5. Concept Review (Continued items then new items)

### D. Levels of Review:

1. *Concept Review:*
  - a. Informal review process which requires no action.
  - b. Concept review should occur before any other reviews (such as Planning Commission, etc.
2. *Preliminary Review:*
  - a. Formal review of application.
  - b. All requests for changes in any facet of the architectural appearance landscaping and site/building orientation must be made at this level of review. All conditions must be made clear and accurate.
3. *Final Review:*
  - a. Formal review of application
  - b. The final plans must reflect the preliminary approval.

- o a written explanation of work to be accomplished, including architectural style, arrangement, texture and construction material or the existing and proposed improvements and their relation to other structures in the area;
  - o the condition of the existing structure and whether or not it is a hazard to public health or safety.
  - o a site plan;
  - o a recent photograph of the existing structure;
  - o a rendering of the proposed structure that notes:
  - o any exterior or site changes;
  - o any exterior paint/color which replaces existing or approved colors and any changes thereof;
  - o any door and window changes in existing facades if changes match the existing building;
  - o addition of parking spaces;
  - o any landscaping to the existing site or minor changes to proposed landscaping of the project;
1. *Review after Final Approval:* If the HP/ARB, approves the application as submitted, the Certificate of Appropriateness shall be issued within three working days by the City Clerk per plans submitted and approved or modified by the Board. After the Final approval occurs and this is a proposed change to a project, the new plans submitted should include all pages which reflect the proposed changes.
  2. *In progress Working Review:* In Progress Working Review occurs after preliminary approval. If the Board has expressed concern about a specific item such as architectural details, colors, etc., the applicant is requested to submit "In Progress" drawings so that the Board is assured the drawings are proceeding in the proper direction.

E. If Applicant is Absent

1. Item is automatically moved to the end of the regular agenda.
2. If the applicant is not present by the end of the meeting, the item will be continued to the following meeting.
3. If after fifteen (15) days the applicant has not requested a continuance or withdrawn the application, the Chairperson will request a motion to delete the item from the agenda. If the motion fails, action must be taken or the item will be deemed approved as submitted.

F. Findings

1. In reviewing all proposed plans, the Board is required by Ordinance #307, Downtown Historic Preservation Ordinance, and Ordinance #334, Zoning, to consider and be guided by the protection, safety, and preservation as nearly as is practicable the restoration and enhancement of the area in which the City is located and the historical style, qualities and characteristics of the buildings, structures and architectural features associated with and established by its long, illustrious and distinguished past.
2. In order to disapprove or deny a project, the Historical Preservation/Architectural Review Board (HP/ARB) shall make findings relating to the projects inconsistency with one of the Goals and Policies of the HP/ARB as adopted by the City Council.

G. Action, Appeals and Expiration of Approval

1. *Action by HP/ARB* The HP/ARB is required to take action (approval, conditional approval, or denial) on an application no later than fifteen (15) days from the date of the meeting at which the application first appeared on the agenda. Application may be continued at the request of the applicant or by action of the HP/ARB. The Board may continue an application if it is necessary to receive reports from other agencies or departments which pertain to the project.
2. *Expiration of Approval:* HP/ARB preliminary approval is valid for one year from the date of the approval unless a time extension has been granted. final approval is also valid for one year from the date of final action unless a time extension has been granted or a Building permit has been issued.
3. *Time Extensions:* Time extensions must be requested by the applicant prior to the expiration of the previous Preliminary or final approval. A maximum of one (1) year extension may be granted for both the Preliminary and Final approvals.
4. *Appeal of HP/ARB Decision:* If the HP/ARB recommends that the Certificate of Appropriateness not be granted, it will advise the applicant in writing within three working days of any changes which would secure the approval of the Council. Any action or decision of the HP/ARB may be appealed to the City Council. The letter of appeal must be filed with the City Clerk within ten (10) days of the contested action. A public hearing before City Council will be held within twenty-one (21) days of filing the appeal. The City Council will withhold denial of the Certificated not to exceed thirty days in order that the applicant may accept such recommended changes.
5. *Refiling Denied Project:* When an application is denied by the HP/ARB, the same application cannot be refiled with the HP/ARB for one year

unless the application is substantially changed from the original. Those changes must be mitigating the reason for denial. Upon acceptance by the Applicant of the recommended changes, the Council shall issue the Certificate with the conditions of approval noted on the Certificate.

6. *Board of Appeals:* The HP/ARB also acts as the Board of Appeals. Any appeal must be filed with the City Clerk within ten (10) days of the contested action with written evidence of the decision being appealed. A fee of \$25.00 is required.

G. Plan Check and Building Permit:

Following final HP/ARB approval, for new construction, the Certificate of Appropriateness shall note that approval is conditioned upon a Building Permit to be secured by the applicant from the Teller County Building Inspector and shall require that all reports and records of the Building Inspector be forwarded to the City Clerk.

H. Fees:

A fee of \$25.00 for new construction, \$15.00 for demolition, and \$10.00 for alternations/renovation shall be required to be paid by the applicant upon submittal of the application for a Certificate of Appropriateness to the City Clerk. Applicants proposing demolition shall be required to post a bond, the amount of which shall be set by the City Council, prior to the issuance of the Certificate of Appropriateness, in order to ensure complete removal of debris left by said demolition.

I. Violation and Penalty:

By the provisions set forth in Ordinance #307, the performance of any act not approved and required by the HP/ARB, Planning Commission or City Council is prohibited. A failure to comply with the approved procedures shall constitute a violation of the Ordinance and the following penalties shall apply:

1. *Offense:* Any person who violates any of the provisions of this Ordinance, shall be fined not to exceed \$300.00 for each offense. Each day that such a violation continues to exist, shall be deemed a separate offense.
2. *Actions:* The erection, movement, demolition, reconstruction, renovation or alteration of any building or structure contrary to any provision of this Ordinance is unlawful. The City of Victor may institute injunction, abatement, or any other appropriate action to prevent, enjoin, abate or remove this violation. Such action may also be maintained and instituted by any property owner who is damaged by a violation of this Ordinance.

## CHECKLIST FOR DESIGN REVIEW

\_\_\_\_\_ Application

\_\_\_\_\_ Submittal Fee

\_\_\_\_\_ One set of plans with the following information

### SITE PLAN

\_\_\_\_\_ Vicinity Map

\_\_\_\_\_ North Arrow

\_\_\_\_\_ Scale

\_\_\_\_\_ Property Line Dimensions

\_\_\_\_\_ Adjacent Streets Indicated

\_\_\_\_\_ Building Location: Existing, proposed and proposed removal

\_\_\_\_\_ Footprints of Structures on Adjacent Properties

\_\_\_\_\_ Driveway Width Dimension, Existing and Proposed Curb Cuts and Parking Spaces

\_\_\_\_\_ Existing, Proposed Removed or Relocated Landscaping

\_\_\_\_\_ Project Tabulations:

#### Non-Residential:

Total site area in square footage

Number of buildings on site and total square footage for each and percent covered

Number of stories of each building

Parking spaces: existing and proposed

Landscaping: total area in square footage and percent of total site

#### Multiple Family Residential:

Total site area in square footage

Number of buildings and units to be removed

Number of buildings and stories proposed on site

Square footage of each unit and number of bedrooms

Building coverage in square footage and percent of total site

Parking spaces proposed

Landscaping: materials used and total area in square footage and percent of total site

#### Architectural Plans:

\_\_\_\_\_ Scale: Drawn to a commonly accepted scale suitable to the size of project

\_\_\_\_\_ Elevations adequate to describe concept

\_\_\_\_\_ Major materials indicated

#### Applicant informed to bring to meeting:

\_\_\_\_\_ Quality photos of site, surrounding areas, structures and streetscape of neighborhood, appropriately labeled

\_\_\_\_\_ A total of three sets of plans are needed at the meeting (One in the file and the applicant brings two sets of plans to the meeting)

**APPENDIX D**

**STANDARD AND ALTERNATIVE TECHNIQUES FOR FINANCING**

## APPENDIX D

### STANDARD AND ALTERNATIVE TECHNIQUES FOR FINANCING

#### Introduction

Forced by fiscal austerity to find new sources of funds, communities like Victor, are employing techniques that suit their particular economic and social circumstances. Appendix D provides information on current trends in financing infrastructure and illustrates the range of alternatives that can be employed. Unit costs of many public facilities have increased as standards have been raised to meet the expectations of the citizens. Many public facilities can be improved but at a cost that may outweigh any benefit received. Therefore, as expenditures for public works have been decreasing, needs have been increasing. The widening gap helps to account for the crumbling infrastructure that is apparent in many communities.

The bottom issue is who pays for what and on what terms. The answer is likely to be different in almost every area of infrastructure needs. The goal should be to provide needed public facilities while minimizing adverse effects on the public at large, homebuyers and tenants, and developers. This requires an equitable balancing of costs and benefits, and recognition that investment in infrastructure is an investment in the economy and well-being of the entire community.

A recent study funded by the Urban Land Institute, Financing Infrastructure to Support Community Growth, describes 13 communities and one state that have responded to needs for improving their infrastructure. The following three examples use development fees as the primary mechanism of financing

#### 1. Development Fees

- a. **Fort Collins Development Fee:** The general criterion for the fee is that developers are responsible for construction of all local facilities and pay fees for construction of larger facilities like arterial streets and trunk sewers. A developer constructing a collector or arterial street is reimbursed for the out-size facility from fees collected from the developers benefited by the facility. The following development fees are imposed:
  - o a processing fee of \$50.00 for all applicants, limited to this amount because it is considered a service to the community rather than to the developer;
  - o tap fees for water and sewer line, ranging from \$300.00 to \$3,000.00, set on the basis of recovering actual cost from connecting lines to individual properties;
  - o a plant investment fee to recoup the cost of water and sewage treatment plants and trunk lines, calculated annually from projections of growth and facility expansions and currently set at \$250.00 to \$1,600.00 per residential unit, depending on unit size and density and from \$1,600.00 to \$42,000.00 for commercial and industrial development, depending on calculations of need;



- o a street oversizing fee for collector and arterial streets, to recover the cost above that for a local street and currently set at \$215.00 per residential unit, \$3,500.00 per gross acre for commercial development, and \$500.00 per acre for industrial development;
- o a park land fee of \$550.00 per residential unit to purchase neighborhood park land from developers at market value (in lieu of the developer's dedicating land), not including land for community and regional parks that is paid for through bond issues;
- o storm drainage fees, depending on the particular drainage basin the property is located in, currently ranging from \$93.00 to \$313.00 per unit;

All fees are collected when the building permit is issued, rather than when subdivision plans are approved, because the city operates by the principle that services and facilities are needed only after development begins, not before.

b. **Broward County, Florida: Impact Fees:** Impact fees are levied for roads, parks and schools.

- o Road fees are paid by the developer to share in the costs required to construct road improvements, however, the developer is not required to pay for existing deficiencies in the network. Impact fees for residential developments have ranged from \$40.00 per unit to \$832.00 per unit. For commercial development, Impact fees have ranged from \$5,000.00 to \$25,000 per acre, and fees for industrial development have ranged from \$400.00 to \$2,000.00 per acre.
- o Park impact fees are assessed for local parks and regional park: they are based on a standard of three acres per 1,000 residents.
- o School impact fees are based on the type of residential unit, such as single-family or multifamily and number of bedrooms. Land or its cash equivalent may be donated instead.
- o All fees are paid into separate funds marked for the type of facility involved and service area to be benefited, however, many developers prefer to construct the needed facilities themselves.

c. **Boulder, Colorado: Impact Fees**

- o In contrast to the fee-setting process in Broward County, Florida, road impact fees do not take into account use by existing residents or by new residents outside the immediate area.
- o Schedule of fees:

<u>Facility</u>	<u>Funding</u>	<u>Fee</u>
Water		

Plant	impact fee	\$800-1 bath; \$1,350-2 bath
Network	developer pays	\$20 per front foot

*Sewer*

Plant	impact fee	\$800-1 bath; \$1,350-2 bath
Network	developer pays	depends on extension

<i>Drainage</i>	developer pays	none
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<i>Roads</i>	added to building permit fees	\$500-\$700 per unit
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<i>Parks</i>	impact fee	\$550 per unit
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d. **Cripple Creek, Colorado: Permit, Development, and Impact fees**

- o The City of Cripple Creek does not use impact fees or special financing districts to pay for infrastructure improvements. Development fees are directly charged through water and sewer taps. The developer pays the following fees:

- o Schedule of fees:

<i>Single Family</i>	<i>Multifamily</i>	<i>Commercial</i>
Water	Sewer	Water Sewer

\$3,000	\$3,000	\$3,400 per unit	\$6,000 per line
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*Historic Preservation fees*

Minimum fee

\$300 for first 2500 square feet of facade

added

Demolition	\$.15 per square foot
New Construction	\$.15 per square foot
Preservation	\$.5 per square foot
Reconstruction	\$.10 per square foot
Rehabilitation	\$.5 per square foot
Restoration	\$.5 per square foot

e. **Building Permit Fees**

o Total valuation

\$1.00 - \$500 = \$30.00 fee

\$501 - \$2,000 = \$45.00 fee

\$2,001 - \$25,000 = \$70.00 fee for first \$2,000 + \$9.00 for each additional \$1,000 including \$25,000

\$25,001 - \$50,000 = \$252.00 fee for first \$25,000 + \$6.50 for each additional \$1,000 including \$50,000

\$50,001 - \$100,000 = \$414.00 fee for first \$50,000 + \$4.50 for each additional \$1,000 including \$100,000

\$100,001 - \$500,000 = \$639.00 fee for first \$100,000 + \$3.50 for each additional \$100,000

\$500,001 - \$1,000,000 = \$2039 for first \$500,000 + \$3.00 for each additional \$1,000 including \$1,000,000

\$1,000,000 and up = \$3539.50 for the first \$1,000,000 + \$2.00 for each additional \$1,000

f. **Alternative Techniques for Financing**

- o *Assessment Districts:* Often called public improvement districts, assessment districts are established to permit a special tax levy on property owners who benefit from specific public improvements within the district. Assessment districts are used primarily to finance basic infrastructure in many communities, provided the beneficiaries are located for the most part in the district. An assessment district can be initiated by a public body, by a group of property owners, or by a community association, but it must be approved by a majority of property owners.
- o *Special Districts:* Special districts may be dependent (created and controlled by a city or county) or independent (meaning that bond issues are exempt from statutory limits on local government debt). There are classified as enterprise districts if they collect user fees and service charges or non-enterprise districts if they levy taxes. The special taxing district provides a mechanism for building and operating water and sewer, drainage control systems, and street lighting for the developing community.
- o *Tax Increment Financing:* This approach increases tax revenues that are realized as a result of new development in a specified area that are marked for financing public improvements or services in that area. Improvements within the area are financed from public funds or bonds, then repaid from increasing tax revenues generated by

the new development. Tax increments financing can be used to provide funds for infrastructure in areas where development is desired by funding for public facilities is not otherwise available when needed.

- o *User Charges:* A traditional means of obtaining revenues to support public infrastructure is through user charges. Such charges can be pledged to repay revenue bonds issues to finance new infrastructure as well as to pay for operating and maintenance expenses. Water and sewer facilities and services are often financed in this way.
- o *Development Exactions:* An excepted device used by the municipality that expects the developer to provide for water, sewer, drainage, parks, school sites, improvements in arterial roads, even fire stations and libraries. For the community, this method is that none of the costs for these improvements come from the public treasury. A secondary benefit is that such improvements may result in development that is more expensive and therefore may create a higher tax base. However, when the developer finances improvements with private loans at current interest rates, he passes the costs to the new owners and tenants in higher prices and rents.
- o *Development Fees:* In place of direct exactions, development fees require payments of impact fees to compensate the community for extra costs for public facilities that the development will cause. The fee is normally paid when a building permit is issued, with the proceeds placed in a fund designated for construction of certain facilities. Such fees are two edged: they provide a painless method for the community to obtain revenues for infrastructure but often at the expense of homebuyers who will be repaying debt principal and interest at market rates for private rather than public debt.

**APPENDIX E**

**ALTERNATIVE PERFORMANCE ZONING**

## APPENDIX E

### ALTERNATIVE PERFORMANCE ZONING CODE

#### Introduction

Victor is a traditional city with a multi-functional core that combines the elements of commercial and residential living, shopping, and working. The City's present zoning ordinance is comprised of an R-1 Zone, Historical Buffer Zone, C-1 Zone, and a Mobile Home Zone (MHZ). The zoning has been designed to encourage the most appropriate use of land throughout the City, insure a logical growth of the various physical elements of the City, protect property values, and preserve the neighborhood.

An alternative to planned unit development (PUD) is a proto-typical zoning ordinance developed by the architectural firm of Duany and Plater-Zyberk. The Traditional Neighborhood Development (TND) code is a one-page policy document that is designed as an overlay that works within the conventional zoning code approach. The TND matrix is formatted for ease of implementation and informs builders exactly what to do and in what dimensions. Under seven headings - Intent; Land Use; Land Allocation; Lots, Buildings; Streets, Alleys; Parking and Definitions - short statements describe what can and can't be done in various building type categories. For example, under the Land Allocation category, the standards require that in large developments at least five percent of a projects's land area be dedicated to civic lots. Parking lots must be at the side or rear, and alleys are required. It calls for retaining alleys and emphasizing main streets, tree-lined sidewalks and public squares.

The horizontal and vertical headings of the one page TND code matrix, may be changed to conform to the specific land use that is appropriate to the city. Headings such as Multifamily, Service Station or Commercial Garage would be used. The title headings at the top of the matrix are; Intent; Land Use; Land Allocation; Lots, Buildings; Streets, Alleys; Parking and Definitions. The vertical headings of the matrix are: General; Public; Civic; Commercial; Multifamily; Single-family; and Industrial. An outline of the matrix is summarized in the following short statements. For example, under the top heading *Intent* and side heading *Civic* are:

Civic Intentions: Traditional neighborhoods achieve certain social objectives:

- o By providing a full range of housing types and workplaces, age and economic class are integrated and the bonds of an authentic community are formed...
- o By promoting suitable civic building, democratic initiatives are encouraged and the organic evolution of the society is secured...

Under the top horizontal heading *Land Allocation* and side vertical heading *Civic Buildings* are:

- o A minimum of 5 percent of the land area of a TND shall be dedicated to Civic Lots...
- o The Developer shall covenant to construct a Neighborhood Hall on a Civic Lot upon the Sale of 75 percent of the lots...
- o For each increment of 50 dwellings, there shall be a Civic Lot of 5,000 square

feet reserved for day-care or public use and dedicated to public ownership.

Under the top horizontal heading *Streets and Alleys* and side vertical heading *Residential House* the matrix suggests:

- o House lots shall front on tracts containing streets consisting of two ten foot travel lanes and parallel parking on one side. Sidewalks shall be no less than four feet wide and the Curb Radius shall not exceed 25 feet.
- o House lots shall have their rear lot line coinciding with an alley track ten feet wide containing a pedestrian pavements width of four feet.

Under the top horizontal heading *Definitions* and side vertical heading *Public* the definition of Greenbelt is:

- o Greenbelt: An open area surrounding the built-up area of a TND along 75 percent of its perimeter; being no less than 50 percent of the total area of the TND and no less than 200 feet wide at any place. The area shall be preserved in perpetuity in its natural condition, or used for farming, animal husbandry, golf courses, or subdivided into house lots no smaller than five acres.

The TND is an overlay code that replaces the suburban PUD overlay ordinance which is now a feature of most zoning codes. In Victor's instance, the present zoning would be retained with specific guidelines overlaying the zone. Outside the present zone or annexed land, the TND would be used in place of a Planned Unit Development ordinance. The TND represents an approach to urban development that uses traditional town planning principles. It is prescriptive and functions rather as a building code, dictating materials, roof pitch, window types, roof overhangs; with requirements such as porches and picket fences as an example. In the instance of adapting the model code to an existing zoning code, the TND code may be modified to accommodate specific engineering and architectural design standards acceptable to the community needs. The TND is one example that incorporates current commercial and residential zoning practices with more flexibility and responsiveness to change where the building design is part of the site plan.

**APPENDIX F**

**INTERIM HISTORIC PRESERVATION GUIDELINES**



## **APPENDIX F**

### **INTERIM HISTORIC PRESERVATION GUIDELINES**

#### **Introduction**

The purpose of this appendix is to provide general guidelines for designers and architects involved in the design of renovated historic buildings or new construction within the Victor Historic District.

In 1985, the City passed the Downtown Historic Preservation Ordinance to:

1. protect the City's aesthetic and cultural heritage as reflected in its architecture;
2. foster civic pride in the distinctive history of the city;
3. promote the use of historic buildings and areas for the education, pleasure, and welfare of the citizens of Victor; and
4. the protection and enhancement of the historic character of the downtown area in order to promote the economic viability of the city through beneficial economic development activities.

However, there have been no guidelines written other than general criteria inserted in the ordinance to inform developers of expected requirements by the City before obtaining a Certificate of Appropriateness. Due to the impact of gaming and the economic growth in the Cripple Creek area, it is important that specific details be included in setting design standards of typical building style, appropriate materials, and design. New construction, renovation, rehabilitation or any modification to old buildings cannot be generalized without losing the historic integrity that contribute to the overall character and nature of the City. It is also important when informing potential developers the expected standards for new construction that are designed to ensure that new buildings will be compatible with the existing buildings and contribute to the historical character of Victor rather than detract from it.

#### **Important Historical Elements**

The buildings along Victor Avenue illustrate the architectural style for renovation and new construction. Though there are variations, the existing buildings form a unity that continues from Second Street to Fourth Street along Victor Avenue. Most of the buildings are in a four block area, from Diamond Avenue north of Victor Avenue south along Second Street, west on Portland to Fourth Street. Other historical buildings are scattered throughout the City. Most of the commercial buildings have these elements in common.

1. They are built on a 25 foot wide lots, in 25 foot increments for larger buildings;
2. The lower levels are mostly glass;
3. The upper levels repeat a rhythm of window openings in a brick wall;

4. The buildings are all built to the front property line, with no setback or indentation except at the entryway;
5. The buildings are of a similar height, depending on the number of stories, and they have a parapet above the top floor;
6. The buildings all have "flat" roofs that gradually slope toward the rear;
7. The buildings are constructed mostly of commercial brick, with applied details and brick detailing.

The traditional commercial facade in Victor has two basic parts: the ground level storefront and the upper face of one or more floors.

The *storefront* is a largely transparent window display. It is framed or contained by masonry or iron piers on both sides, and by an iron beam, called a lintel, above. The lintel separates the facade into its two parts and helps add human scale by defining the pedestrian zone at the street level. The entries are typically recessed.

The *upper face*, in contrast, is essentially a flat masonry wall with windows cut into it at regular intervals. Decorative masonry and a cornice are generally applied.

#### Guidelines for new construction

New construction should suggest the spirit of early buildings without being gaudy or with excessive applied trim. The rhythm, scale, and materials are the most important elements to be considered in new construction.

Each new building should relate to its immediate neighbors. The context of the site is important. The design should strongly relate to its immediately adjacent buildings, where they exist.

The following guidelines should be used for new construction:

1. The buildings should be built to the front property line;
2. There should be a clear distinction between the ground floor and upper floors;
3. The rhythm, pattern and shape of upper floor windows should be respected;
4. The lower level should be essentially transparent (glass), with recessed entries;
5. Traditional materials should be used (brick, stone, painted wood and glass);
6. The vertical location of moldings and cornices should relate to existing adjacent buildings;
7. The building height should be appropriate for the number of floors:
  - A. A single story building should be 15-18 feet high.
  - B. A two story building should be 24-28 feet high.

C. A three story building should be 32-36 feet high.

8. The twenty-five foot pattern of buildings must be maintained.

*The following general standards apply to all treatment undertaken on historic properties listed in the National Register:*

1. Every reasonable effort shall be made to provide a compatible use for property that requires minimal alteration of the building structure, or site and its environment, or to use a property for its originally intended purpose.
2. The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
3. All buildings, structures, and sites shall be recognized as products of their own time. Alterations which have no historical basis and which seem to create an earlier appearance shall be discouraged.
4. Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
5. Distinctive stylistic features or example of skilled craftsmanship which characterize a building, structure, or site, shall be treated with sensitivity.
6. Deteriorated architectural features shall be repaired rather than replace, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural design or the availability of different architectural elements from other buildings or structures.
7. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.
8. Every reasonable effort shall be made to protect and preserve archeological resources affected by or adjacent to, any acquisition, protection, stabilization, preservation, rehabilitation, restoration, or reconstruction project.

The following step by step procedure lists the sequence that is chronological in establishing design guidelines for Victor.

Initiating the design guideline process

1. Establish a core group.
2. Appoint a project administrator.
3. Set goals of project.
4. Get assistance from professionals.
5. Seek funding.

Developing the Guidelines

1. Adopt a common vocabulary.
2. Define visual characteristics.
3. Evaluate characteristics.
4. Write the guidelines.

Implementing the Guidelines

1. Ratify the guidelines.
2. Publish the guidelines.
3. Apply the Guidelines.
4. Monitor the results.

**APPENDIX G**

**ANNEXATION GUIDELINES FRAMEWORK**

## **APPENDIX G**

### **ANNEXATION GUIDELINES FRAMEWORK**

#### **SECTION 1 INTRODUCTION**

##### **1.1 PURPOSE**

The City of Victor is required by Colorado Revised Statutes (C.R.S.) Section 31-12-105(1)(e) to adopt a plan prior to completing any annexation within an area which extends three (3) miles in any direction from any point of the municipal boundary. The Three Mile Plan must generally describe the proposed location, character and extent of land use, public facilities and public utilities within the three-mile area. This plan must be updated at least once annually. (See Figure 1)

The purpose of Annexation Plan is to satisfy the State of Colorado annexation requirements and meet the needs to applicants seeking annexation by the City as well as the general public needing assistance in understanding the annexation procedures.

The Annexation Plan is divided into four major parts: (1) Historical Background (2) A Land Use Classification index; (3) Annexation Criteria Elements; and (4) an Annexation Reference Guide.

##### **1.2 ADOPTION AND IMPLEMENTATION**

The Annexation Plan is to be adopted and updated as necessary upon recommendation of approval from the City Planning Commission and by formal Resolution of City Council.

The Annexation Plan is an official public document that reflects the growth and annexation policies of the City Council and implements the statutory planning requirements of S.B. 45.

The Annexation Plan as approved by the City of Victor is not extended beyond three miles in any direction from any point in any one year in accordance to Section 31-12-105 (1) (e) of C.R.S.

##### **1.3 STUDY AREA**

The Annexation Plan study area includes the Potential Urban Growth Area proposed by the City of Victor and the three mile wide S.B. 45 planning jurisdiction surrounding Victor.

## **SECTION 2 HISTORY**

## **SECTION 3 LAND USE CLASSIFICATIONS**

### **3.1 PURPOSE**

The Land Use Classification list generally describes the proposed location, character and extent of land use within the three mile planning jurisdiction as required by Senate Bill 45 and illustrated by the Three Mile Boundary Map. The Land Use Classification categories are broad in designation and intended to provide Victor with a planning guideline where significant natural resources should be conserved and protected and potential areas of development currently outside the City Limits may be annexed.

### **3.2 LAND CLASSIFICATIONS**

The Land Classification overlays consist of four general land categories: Urban, Non-Urban, Conservation and Potential Urban Growth Area. (See Figure 3).

#### **3.2.1 Urban**

The purpose of the Urban overlay is to represent the urban development and redevelopment of lands within the municipal boundaries of Victor. Urban development is characterized as concentrated commercial, office, industrial or high density residential which supports 15 dwelling units per acre and is serviced by public utilities including municipal water, sewer, police and fire protection.

#### **3.2.2 Non-Urban**

The purpose of the Non-Urban overlay is to represent the development of low intensity land uses, such as agriculture, forest management, mineral extraction and low density residential, commercial and industrial development on land located outside the City.

#### **3.2.3 Conservation**

The purpose of the Conservation overlay is to represent the potential for limiting development within the specific area and managing irreplaceable natural resources for future use. Land classifications included in the Conservation overlay are generally least desirable for development because they are too fragile and sensitive to be compatible with development or have severe or hazardous limitations to development.

Included in the Conservation areas are parks and environmental goals and policies of the City's Comprehensive Plan. If development is proposed it must protect significant natural features within the Conservation overlay area including:

Major Regional and Community Parks and Trails are shown on Figure 3.

Regional Parks:

Regional Trails:

Community Parks:

#### **3.2.4 Potential Urban Growth Areas**

The purpose of the Potential Urban Growth Areas overlay is to represent future urban development on land located outside the municipal boundaries of Victor. The Potential Urban Growth Areas are identified as areas that will anticipate an increase in development and growth as proposed by the City of Victor.

The limits to the City of Victor Potential Urban Growth Areas include the boundaries of The Pike National Forest.

Future growth of Victor is expected to occur within the Potential Urban Growth Areas. Any development proposed for annexation would conform with the goals and policies of the City's Comprehensive Plan.

#### **3.2.5 Annexation Policies**

As a pre-requisite to expanding municipal boundaries through the annexation of land, the City of Victor must comply with the following Annexation policies as required by The Colorado Municipal Annexation Act. The Annexation policies are intended to plan for suitability of the proposed development, provision of City services, compatibility of City standards and present land use within the City's boundary.

- o The area to be annexed is contiguous to and consistent with the City's boundary.
- o The area to be annexed be included under a development plan that is consistent with the Comprehensive Plan, Zoning Ordinance, Comprehensive Drainage Study and other adopted policies related to Annexation and submitted for the City's approval.
- o The phasing of development and the basic level of City services in the area to be annexed shall be established by an annexation agreement between the City and property owners requesting either annexation or City services.
- o The Annexation Agreement shall establish the developers share of infrastructure costs that are essential for public improvements.
- o There is adequate water availability to accommodate the areas at the time annexation is requested and the projected water and wastewater facilities of the City are expected to be sufficient to serve all present and future users.

### **SECTION 4 ANNEXATION CRITERIA ELEMENTS**

As a pre-requisite to annexation the Colorado Revised Statutes requires



municipalities to have a plan that addresses all unincorporated lands within a three mile area adjacent to the City of Victor.

#### **4.1**

#### **COMPONENTS OF ANNEXATION PLAN IN PLACE**

The Annexation Plan must include:

- o Maps which describe present and proposed municipal boundaries.
- o Utility lines and streets in the vicinity of the proposed annexation.
- o Existing and proposed land uses.
- o Proposed location character and extent of:

Streets	playgrounds
Subways	squares
Bridges	parks
Waterways	aviation fields
Waterfronts	other public ways
Parkways	grounds
open space	public utilities
terminals for water, light, sanitation, transportation and power to be provide by the municipalities.	

Within this three mile zone lies the Pike National Forest, Teller County The Annexation Plan does not apply to these areas.

The Three Mile Study Area illustrates the maximum extent of the municipal boundary which would be permitted in 1992. The limit is modified by existing municipal boundaries of neighboring jurisdictions, National Forest land and County owned open space.

- 4.1.1 Transportation Corridors/Streets/Roads**
- 4.1.2 Subways**
- 4.1.3 Bridges**
- 4.1.4 Waterways**
- 4.1.5 Waterfronts**
- 4.1.6 Parkways, playgrounds, squares, parks and open spaces**
- 4.1.7 Aviation Fields**
- 4.1.8 Other Public Ways**
- 4.1.9 Grounds**
- 4.1.10 Public Utilities**
- 4.1.11 Other Districts**

#### **4.1.12 Existing and Proposed Land Uses**

The Existing land uses organized for annexation purposes are categorized as follows and illustrated in Figure 8.

- o Low Density Residential
- o Composite Residential
- o Commercial
- o Downtown
- o Open space

### **SECTION 5 ANNEXATION REFERENCE GUIDE**

#### **5.1 PURPOSE**

The Annexation Reference Guide provides a comprehensive outline and reference guide to the appropriate official City and County plans, maps and technical reports which best describe, plan and document land use, public facility and utility services and systems within the Victor area.

The Annexation Reference Guide documents the annexation criteria elements within the three mile planning jurisdiction as required by Senate Bill 45 and the three mile Boundary Map.

The Annexation Reference Guide is divided into six categories: Municipal Land Use; County and Regional Plans; Parks and Recreation; Transportation; Drainage; and, Public Utilities. Within each category, are specific plans, maps and reports which pertain to the subject listed and organized according to the jurisdictional application.

#### **5.2 MUNICIPAL LAND USE**

##### **5.2.1 Victor Comprehensive Plan:**

#### **5.3 COUNTY AND REGIONAL PLANS**

#### **5.4 PARKS AND RECREATION**

#### **5.5 TRANSPORTATION**

#### **5.6 DRAINAGE**

##### **5.6.1 Flood Insurance Rate Maps and Flood Hazard Boundary Maps:**

##### **5.6.2 Comprehensive Drainage Study for Victor:**

DRAFT

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION RELATED TO THE ANNEXATION  
IMPACT REPORT AS REQUIRED  
BY SENATE BILL NO. 45

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VICTOR, COLORADO:

The City Council of the City of Victor finds that the Chief Administrator Officer, or his designated representative shall be responsible for preparing the Annexation Impacts Report as required by the Municipal Annexation Act of 1965, Section 31-12-108.5(1) C.R.S. (1987 Cum. Suppl.) and that the annexation petitioner shall be responsible for submitting all the necessary information that the Chief Administrator Officer, or his designee shall need to prepare the impact report as required by Section 31-12-108.5 (1) C.R.S. (1987 Cum Suppl.).

BE IT FURTHER RESOLVED:

That the Chief Administrator Officer, or his designated representative shall have all the authority necessary to determine if the Annexation Impact Report as required by Section 31-12-108.5 (1) C.R.S. (1987 Cum Suppl.). may be waived. If the Chief Administrator Officer, or his designee agrees the impact report may be wived, it is the annexation petitioner's responsibility to obtain a letter or resolution from the Teller County Board of County Commissioners stating that the impact report can be waived in accordance to Section 31-12-108.5 (1) C.R.S. (1987 Cum Suppl.).

RESOLVED AND PASSED THIS \_\_\_\_\_ day of \_\_\_\_\_, 1992

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

## DRAFT

### ANNEXATION AGREEMENT

This annexation Agreement ("Agreement") is made by and between the City of Victor, Colorado, ("City), and \_\_\_\_\_ ("Developer")

#### Recitals

Developer is owner of certain lands contiguous to the City and more particularly described on Exhibit A attached hereto and incorporated herein the (the "Property").

Developer desires to have the Property annexed to the City on the terms and conditions set forth herein and the City desires to annex the Property.

Under Colorado law, the City may not annex the Property without the consent of the Developer.

Developer has petitioned the City to annex the Property, abut only under the terms and conditions set forth in this Agreement.

#### Agreement

Therefore, in consideration of the premises and mutual covenants contained in this Agreement, the legal sufficiency of which are hereby expressly acknowledged, City and Developer agree as follows:

1. **Annexation.** Developer agrees to annex, and the City agrees that it will annex the Property only in accordance with the terms and conditions of this Agreement and City and Developer agree to be bound by such terms and conditions. any time prior to the adoption of an ordinance annexing the Property, Developer may withdraw its petition for annexation if the City is unwilling or unable to abide by the terms and conditions of this Agreement.
2. **Zoning. Development Guide and Subdivision.** The City agrees that the ordinance annexing the Property will also zone the Property (Commercial) (Residential) etc., adopt the Development Guide, dated \_\_\_\_\_, 1992, a copy of which is attached hereto as Exhibit \_\_\_\_\_ and incorporated herein ("Development Guide") and approve subdivision of the Property thereby creating a one lot subdivision. If the City is unwilling or unable to simultaneously zone and approve the subdivision of the property, the City agrees that it will not annex the Property. The City agrees that such zoning classification, Development Guide and subdivision will not be materially modified without the consent of Developer. The City further agrees that resubdivision of the Property may occur in accordance with the City's Subdivision Regulations.
3. **Services.** The City agrees to provide the Property with all services currently provided on a municipal wide basis and under terms and conditions that are not less favorable than the terms and conditions on with such services are provided to other property within the City.

4. **Special Districts.** The City agrees that Developer may create one or more special districts if in Developer's sole discretion such district or districts are necessary to construct and/or maintain improvements on the Property.
5. **Road Improvement.** Developer agrees to approve of and participate in a special improvement district or such a similar district formed for the purpose of improving that portion of road or roads that abut the Property. The improvements will be built to City standards and specifications. All on-site roads will be constructed and dedicated at the time of resubdivision.
6. **Dedication of Park Space.** Developer agrees to dedicate and donate to the City free and clear of all encumbrances (except easements, rights-of-way and reservations now of record, known to the City or otherwise created with the approval of the City). The City agrees that the dedication and donation shall fully satisfy any and all open space requirements, including land dedication requirements, contained in the City's zoning ordinance, subdivision regulations or other similar document. Upon the acceptance of the dedication of the park and open space areas, the City shall immediately be solely responsible for the maintenance of such areas and Developer shall have no obligation to maintain or improve the dedicated land .
7. **Hike/Bike Trails.** Developer agrees to dedicate and donate land for use as hike/bike trails on the Property in a manner that will permit such trails to connect to the proposed and existing hike/bike trails of the City. Developer shall not be required to dedicate the donate land for hike/bike trails for any portion of the Property until a site plan for that portion is filed with the City. The City agrees to indemnify, defend and hold Developer harmless from any and all losses due to injury, including death, to person(s) or property relating to the hike/bike trails or use of the park space where injury is due to the gross negligence or willful misconduct of Developer.
8. **Development Fees.** The City agrees that Developer shall be exempt regarding development fees and any other ordinance, resolution or regulation that requires the dedication of land to the City or the payment of cash in lieu of dedication to the City or imposes any other development fee or exaction upon the subdivision or development of property within the City, it being agreed that Developer's obligations under this Agreement are sufficient to satisfy all such requirements. The City's obligations under this section shall be recited in the ordinance annexing the Property.
9. **Future Annexation.** The City agrees that it shall not annex any property , other than the Property, owned by Developer without the consent of Developer, which may be withheld in Developer's sole discretion even though the City may be entitled by Colorado law to annex such property unilaterally or by an election of property owners.
10. **Improvements.** Except for those improvements specifically provided for in this Agreement all subdivision improvement requirements, including but not limited to streets and roads, curbs and gutter, sidewalks, street lighting, storm drainage, water and sewer lines and fire hydrants shall be imposed as and when resubdivision occurs and such requirements shall only be those reasonably required by the resubdivision. The City's Subdivision Regulation shall control the construction, warranting, guarantee of completion and dedication of all improvement requirements.
11. **Miscellaneous.** This Agreement is the product of the cooperative effort of the City and

Developer and shall not be construed or interpreted against either party solely on the basis that the party drafted the Agreement.

12. **Remedies.** If the City is in default under this Agreement and does not cure the default within thirty (30) days following written notice from Developer, Developer will be entitled to the following remedies which shall be cumulative: (i) injunctive relief; (ii) actual damages; (iii) disconnection from the City, the City expressly agreeing that breach of this Agreement constitutes a failure to serve the Property; the parties further expressly agreeing that disconnection may occur by the unilateral act of Developer and without any need to comply with the requirements of Colo. Rev. Stat. 31-12-119. In addition, the City's rights under the easement conveyed for park space and hike/bike trails shall terminate notwithstanding any other description of the duration of those easements. If Developer is in default under this Agreement and does not cure same within thirty (30) days following written notice from the City, the City will be entitled to the following remedies which shall be cumulative: (i) injunctive relief; (ii) actual damages. If a petition of initiative or referendum is filed at any time which seeks to amend or alter this Agreement and/or the terms of the ordinance annexing the Property, Developer shall immediately be entitled to disconnect the Property in the manner described in this section and the City shall not object to such disconnection.
13. **Benefit.** The rights and obligations created by this Agreement shall insure to the benefit of and bind successors and assigns of Developer and the City, the parties expressly agreeing that a "successor" includes, but is not limited to, any person or party who acquires a portion of the Property from Developer in fee simple for purposes of development. Such successor's or assign's obligations shall extend only to the lot or parcel acquired by that successor or assign and shall not extend to any lot or parcel not acquired by that successor or assign. Developer's obligations shall not bind the property or any end user.
14. **Contingency.** All of Developer's obligations under this Agreement are expressly contingent upon and will not arise until this Agreement is adopted and ratified by the City by a resolution adopted by the City's governing body and an ordinance zoning the Property.
15. **Representations.** The City represents and warrants that upon adoption and ratification of this Agreement it shall have authority and be lawfully entitled to perform each and every one of its obligations under the Agreement. A corporate resolution authorizing the appropriate officers of Developer to execute this Agreement and perform Developer's obligations under this Agreement.
16. **Severability.** If any term, condition or provision of this Agreement is held by a court of competent jurisdiction to be invalid and unenforceable, the remainder of this Agreement shall continue in full force and effect as if the offending term, condition or provision were never a part of this Agreement; except that if in the sole judgement of Developer, the invalid and unenforceable term, condition or provision is a material part of this Agreement, Developer may seek and obtain disconnection in the manner described in Section 12 and the City's rights under the easements described in Section 6 and 7 shall be terminated.
17. **Future Acts.** Following the execution of this Agreement, the City and Developer agree to do all acts, including the execution of appropriate documents, when requested by the

other, where such acts are reasonable required to fulfill the performing party's obligation under this Agreement.

18. **Notice.** Any notice required or permitted under this Agreement will be deemed to be received when delivered personally in writing or five (5) days after notice has been deposited with the U.S. Postal Service, postage prepaid, certified and return receipt requested, and addressed as follows:

if to the Developer:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

if to the City

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Either party may change the address to which notice is to be sent by providing notice in the manner set forth in this section (18).

AGREED to this \_\_\_\_\_ day of \_\_\_\_\_ 1992 by

"Developer"

By \_\_\_\_\_ (seal)  
Its \_\_\_\_\_

City

Victor

Attest: \_\_\_\_\_

By \_\_\_\_\_  
Its \_\_\_\_\_

**APPENDIX H**

**SOURCES/BIBLIOGRAPHY**



## APPENDIX H

### SOURCES/BIBLIOGRAPHY

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**APPENDIX I**

**PERSONS/OFFICES CONTACTED**

## **APPENDIX I**

### **PERSONS/OFFICES CONTACTED**

#### **NAME**

#### **OFFICE/POSITION**

#### **Center for Community Development, University of Colorado, Denver**

Dan Schler	UCD - Rural Development Coordinator
Sue Edelmenn	UCD - Director
Nana Lea	UCD - Rural Development Coordinator
Frank Ford	UCD - Urban Planner
Lisa Holewinski	UCD - Landscape Architect

#### **Cooperative Extension, Colorado State University, Fort Collins**

Sheila Knop	Colorado Rural Revitalization Coordinator
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#### **Teller County Cooperative Extension, Cripple Creek**

Jim Carey	Teller County Extension Director
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#### **City of Victor**

Shawn Frizzell	Planning Commission: Chairperson
Judy McDonald	Planning Commission
Dave McCormick	Planning Commission
Jim Munzert	Planning Commission
Tish Allen	Planning Commission
Barry Petrie	Planning Commission: Vice Chairperson
Izana Davidison	Planning Commission
Bill McNeely	Planning Commission
Shirley Beach	City Clerk
Roberta Prickett	
Lou Stitzel	Victor Colorado Rural Revitalization Coordinator

#### **City of Cripple Creek**

David Barber	President, David Barber Architecture and Planning
Cathy Hern	City Clerk
Chip Huffman	Utility Department

#### **Teller County**

Kip Peterson	Director, Teller County Planning
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#### **Colorado Department of Local Affairs**

Jack Kirtland	Regional Manager, State of Colorado, Department of Local Affairs
KSue Anderson	Director, Program Development and Research
Kerry Ann Dwyer	Program Development Coordinator
Charles Unseld	Planning Program Manager

#### **Colorado Department of Local Government**

Debbie Downs	Projects Coordinator
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**Environmental Protection Agency**

Brian Friel                      Environmental Engineer

**Colorado Department of Health, Water Quality Control**

Donna Wessel                      Administration Officer II  
Gary Soldano                      District Engineer

**Teller County Social Services**

Steve Clifton                      Director of Social Services

**El Paso County Housing Authority**

Richard Sullivan                      Director of Housing

**El Paso County Planning Department**

Ken Roberg                      Director  
Carl Schuler                      Assistant Director

**Teller County Economic Development Agency**

Brad Howes                      Vice President

**Teller County Real Estate Representative**

Reed Grainger                      Broker - Gold Country in Cripple Creek

**Transportation-Transit for Teller County**

Liz Hook                      Assistant Director

**Mining Activities****Pikes Peak Mining Co.**

Terry Simcoe                      Senior Landman  
Ed Hunter                      Manager Permits & Cultural Resources  
Virginia Reilly                      Permits Coordinator

**Attorney for the City of Victor**

P.J. Anderson                      President, P.J. Anderson Law Offices

**State Historical Society**

Lane Ittelson                      Director

**Colorado Water Conservation Board**

Brian Hyde                      Environmental Engineer

**Engineering for Victor**

Gerard Verkiak                      President, G. Verkiak and Associates  
PKM Engineers  
John McGinn                      Civil Engineer  
GMS Inc.  
Roger Sams                      Civil Engineer

**Town of Woodland Park**

Larry Larson                      Planning Director

**U.S. Soil Conservation Service**

Leon Kot	Cripple Creek District Representative
John Hudson	Colorado Springs District Representative
Jim Thorton	Denver - River Basin/Water Shed Planning Coordinator

**Teller County Assessor**

Mark Rucker	Senior GIS Coordinator
Connie Joiner	Teller County Clerk and Recorder

**BRW Inc.**

Bill Burns	Vice President, BRW Inc.
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**Community Services Collaborative**

Jim Urbonas	President, Community Services Collaborative
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**Nakata Planning Group Inc.**

Robert Preston	Project Manager, Partner, NPGI
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**University of Colorado at Colorado Springs**

Bill Leon Ph.D.,	Director, Center for Community Development Design
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