

**REPORT AND RECOMMENDATIONS OF THE HIGHLANDS RANCH
DELEGATE BACKCOUNTRY STUDY GROUP
EXECUTIVE SUMMARY
August 18, 2015**

Tasks

As charged by the Delegate Body on April 15, 2014, the Study Group was to:

1. Review all known documents governing development within the Backcountry to determine what land uses are allowed both within and without the Planning Areas.
2. Identify how and where land uses currently allowed to be developed may conflict with the results of the 2012 Highlands Ranch Community Association (“HRCA”) Community Survey.
3. Identify those steps that may need to be taken to update and amend the governing documents so as to have them reflect what the Highlands Ranch Community wants to see and not see developed within the Backcountry as demonstrated through the 2012 survey.
4. Report to the Delegate Body on how the results of the 2012 Highlands Ranch Community Survey may be implemented and incorporated into the Backcountry’s governing documents.

Steps Taken

Consistent with its mandate, the Study Group undertook the following activities:

1. Identified, gathered and reviewed all known documents governing land uses and development within the Backcountry. (See appendix.)
2. Identified the total geographical area and parcels currently comprising the Backcountry and had an annotated map prepared by the Douglas County Geographic Information Services (“GIS”) Department illustrating parcel locations, boundaries, sizes and ownership based upon property records maintained by the county (total end product cost \$242.40).
3. Identified uses allowed to be developed by right and by special review on Backcountry parcels owned by the HRCA under existing documents.
4. Reviewed the survey data, report and results of the 2012 HRCA Community Survey prepared and provided to the HRCA by the National Research Center, the survey’s designer and administrator.
5. Consulted Douglas County regulations and Community Development Department staff to identify those county processes and/or regulations that may apply to effectuating proposed amendments to the Backcountry documents governing land uses and development.

6. Prepared recommendations and a report for presentation to the HRCA delegates.

Findings

1. Based on Douglas County records and mapping performed by the County's GIS Department, the Backcountry is currently comprised of 31 separate parcels totaling 8,268 acres, more or less. The HRCA owns 18 of the parcels totaling 7,235 acres.

2. Those areas within the Backcountry with the most development exposure (the "Planning Areas") total approximately 1,441 acres (+/-). There are no set boundaries or acreage allotments for the various Planning Areas, and of some of them have already been developed (in whole or in part). The HRCA owns approximately 580 of 1,441 acres.

3. The areas owned by the HRCA have yet to be developed beyond the installation of trails and minimally intrusive facilities (often seasonal) utilized to support HRCA recreational programming and livestock grazing.

4. There are a multitude of documents that govern and/or influence the land uses and development that may occur within the Backcountry generally, and those parcels owned by the HRCA specifically. The most important are the 1980 Conservation Easement (originally granted by Mission Viejo Company to Douglas County), 1988 Open Space Conservation Agreement (the "OSCA Agreement"), and the 2000 Open Space Conservation Area Plan (the "OSCA Plan"). Any proposed amendments to OSCA Agreement and OSCA Plan documents will require the cooperation and consent of the HRCA, Shea Homes and Douglas County. In addition, proposed amendments would likely be subject to Douglas County land use review processes.

5. Although anticipated and encouraged within certain of the governing documents, and aside from the two community surveys and the work of the current delegate committee, no comprehensive revisiting of the allowed uses in the Backcountry has been undertaken by the HRCA since 2002. Nothing came of the recommendations resulting from the 2002 review.

6. There are numerous uses currently allowed in the Backcountry that fundamentally conflict with the desires of the Highlands Ranch Community as expressed in the results of both the 2012 and 2002 community surveys, including by way of example only: private sports facilities, cemeteries, college/universities, churches/retreat facilities, equestrian arenas/facilities and golf courses.

7. Based on the survey results, the majority of Highlands Ranch residents prefer, and have consistently preferred, that the Backcountry remain as natural open space with minimal development restricted to passive uses, such as trails. If this community preference is to be protected in the short term and fully realized in the long run, the conflicting uses currently allowed within the Backcountry need to be foreclosed through amendments to the governing documents.

8. The HRCA delegates are charged with overseeing the operations and management of those areas of the Backcountry owned by the HRCA. The delegates may propose and, if

necessary, compel the adoption of rules and regulations governing the Backcountry, including operational rules and the installation of improvements.

9. It will likely take some effort, time and expense to obtain the amendments to the governing documents necessary to insure the future of the Backcountry against inappropriate development. It will also require the same kind of flexibility and cooperation recently exhibited by the HRCA, Shea Homes and Douglas County in securing for Shea the amendments it requested and obtained to facilitate its continuing development of the Backcountry Subdivision.

Recommendations

1. That the Delegates review, discuss and thereafter accept the report and recommendations of the Study Group.

2. That the Delegates vote to direct the HRCA Board of Directors to promptly initiate and timely complete those steps necessary to amend the appropriate governing documents so as to eliminate those uses listed in the Delegate Study Group's report from potential development on any and all land owned by the HRCA in the Backcountry.

3. That the Delegates reauthorize and direct the Delegate Study Group to undertake such further tasks as the Delegates may determine necessary or desirable.

4. That the Delegates request the HRCA Board of Directors to authorize monetary reimbursement to the Study Group in the amount of \$242.40 to cover the expenses incurred by the Group in carrying out its work.

End