



WB I-70 Peak Period Shoulder Lane

LAND USE TECHNICAL REPORT

October 26, 2018

Categorical Exclusion

LAND USE TECHNICAL REPORT
**WESTBOUND I-70
PEAK PERIOD SHOULDER LANE**

Prepared for:



Prepared by:



October 26, 2018



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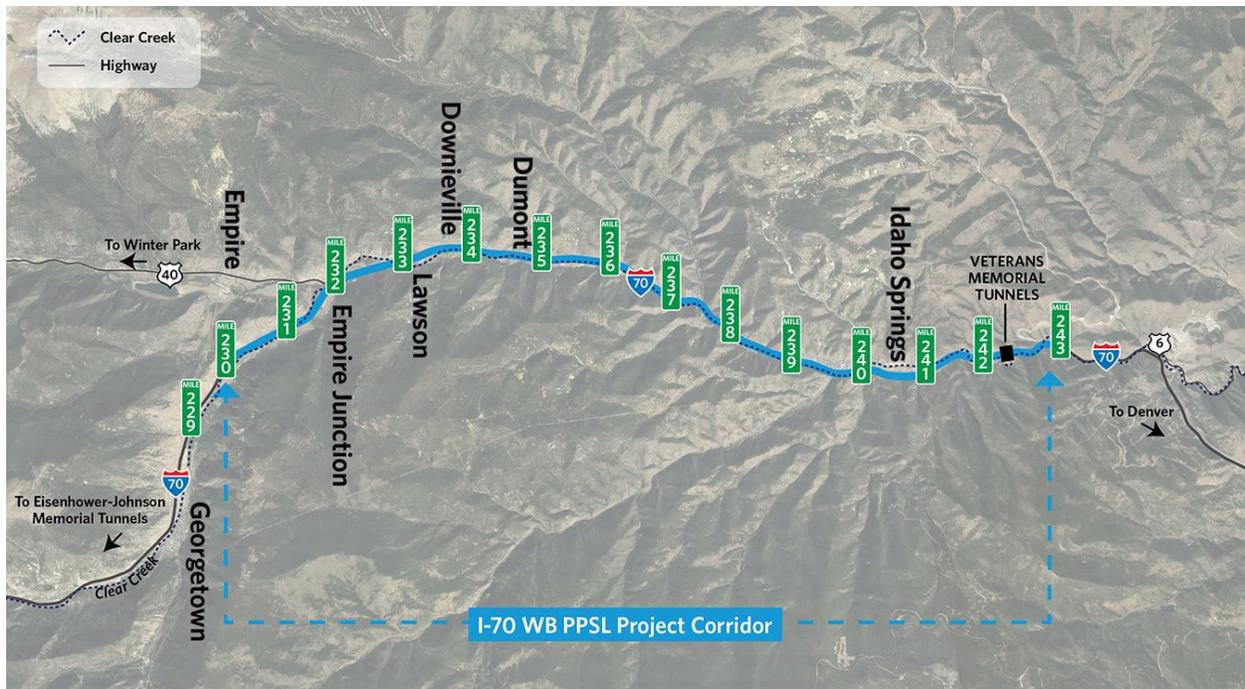
Acronyms and Abbreviations

AGS	Advanced Guideway Systems
CDOT	Colorado Department of Transportation
CR	County Road
CSS	Context Sensitive Solutions
DLD	Downieville/Lawson/Dumont
DRCOG	Denver Regional Council of Governments
EA	Environmental Assessment
EB	Eastbound
FHWA	Federal Highway Administration
I-70	Interstate 70
MP	milepost
NEPA	National Environmental Policy Act
PPSL	Peak Period Shoulder Lane
PEIS	Programmatic Environmental Impact Statement
ROD	Record of Decision
SH	State Highway
US 40	U.S. Highway 40
VMS	variable message sign
WB	Westbound

Section 1. Purpose of the Report

The Federal Highway Administration (FHWA), in cooperation with the Colorado Department of Transportation (CDOT), is preparing a Categorical Exclusion for proposed changes to the westbound (WB) lanes of Interstate 70 (I-70) between approximately milepost (MP) 230 and MP 243, in Clear Creek County, Colorado (Proposed Action; Figure 1). The Proposed Action includes the addition of a 12-mile tolled Peak Period Shoulder Lane (PPSL) between east Idaho Springs and the U.S. Highway 40 (US 40)/I-70 interchange in the WB direction and improvements to the State Highway (SH) 103 interchange. The Proposed Action improves operations and travel time reliability in the WB direction of I-70 in the study area. Additionally, the improvements are consistent with the *I-70 Mountain Corridor Programmatic Environmental Impact Statement* (PEIS; CDOT 2011), PEIS Record of Decision (ROD; FHWA 2011), Context Sensitive Solutions (CSS) on the I-70 Mountain Corridor (CDOT 2009) process, and other commitments of the PEIS and ROD. The Proposed Action fits within the definition of “expanded use of existing transportation infrastructure in and adjacent to the corridor” included in the “Non-Infrastructure Related Components” element within the Preferred Alternative’s Minimum Program of Improvements.

Figure 1. Project Corridor



Source: HDR 2018.

This document discusses the regulatory setting and describes the affected environment and the impacts of the Proposed Action on land use within the study area. This document also identifies zoning and compatibility with future land use plans, as well as mitigation measures, including applicable measures identified in the I-70 Mountain Corridor PEIS, which reduce impacts during construction and operation.



Section 2. Summary of Land Use from Previous National Environmental Policy Act (NEPA) Analyses

2.1 How is Land Use Treated in the I-70 Mountain Corridor PEIS and ROD (Tier 1)?

The I-70 PEIS and ROD discuss compatibility of the Preferred Alternative with numerous comprehensive and master planning documents. The PEIS describes right-of-way acquisition needs and indirect land use impacts in the form of induced growth. The PEIS and ROD commit to conducting specific additional analysis and coordination regarding land use impacts during Tier 2 projects. The following commitments from the I-70 PEIS and ROD are applicable to this project:

- CDOT will conduct further analysis of changes that affect the functionality of parcels of land near the I-70 highway, such as changes in access, visibility, and noise levels.

The analysis will include coordination with individual communities and agencies to determine impacts on businesses, homeowners, and other property owners, and to determine appropriate mitigation.

- CDOT will consider approaches to effectively coordinate projects with local communities and their land use plans, including providing communities with possible alignments as early as possible to allow them to make timely land use decisions.

2.2 How is Land Use Treated in the Twin Tunnels Expansion Projects (Tier 2)?

The Twin Tunnels Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) provided a review of existing land use and zoning conditions in the study area (CDOT 2012a). Future land use was identified through local and regional municipality planning documents. CDOT prepared a Categorical Exclusion for the Twin Tunnels for the WB lanes of I-70 which is the same study area as the Twin Tunnels EA and FONSI (EB). Findings from this study were similar to the findings from Twin Tunnels EA and FONSI completed for the EB direction

Impacts of the Proposed Action included right-of-way effects to one parcel (0.87 acre), support for planned land development in the area, compatibility with future land use plans and compatibility with zoning.

Primary mitigation strategies to avoid or reduce direct effects to adjacent properties included design refinements, particularly at interchanges, and physical measures such as the use of retaining walls or elevated structures.

2.3 How is Land Use Treated in the Eastbound (EB) I-70 PPSL Categorical Exclusion (Tier 2)?

The EB I-70 PPSL Categorical Exclusion (CDOT 2014) provided a brief overview of existing and future land use resources in the study area.

The Proposed Action was consistent with future land use plans and zoning and no right-of-way was needed. No mitigation was identified.

Section 3. What Process was Followed to Analyze Land Use?

3.1 Methodology

The project team evaluated existing land uses in the study area and study area by reviewing aerial photography, reviewing Google Street View images and by visiting the areas. The project team also reviewed adopted land use and zoning plans. Information about future development projects in Idaho Springs and Clear Creek County was obtained from members of the Project Leadership Team and Technical Team.

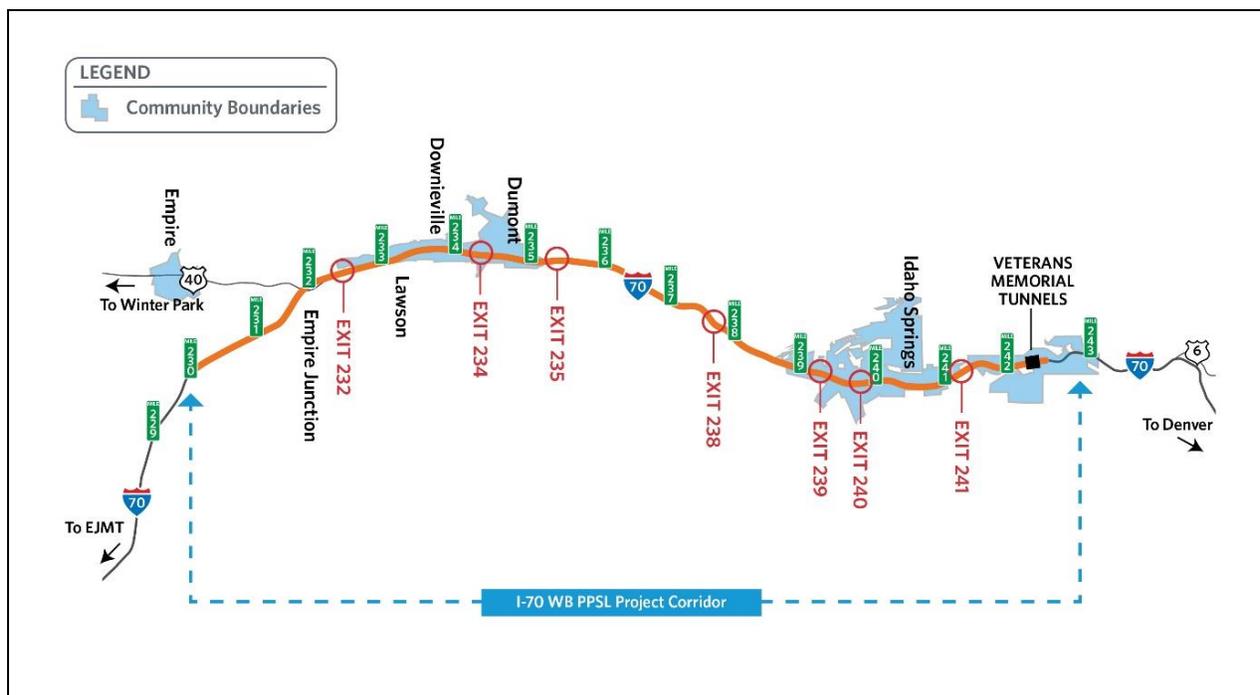
3.2 Study Area

The study area for the WB PPSL project encompasses CDOT right-of-way along I-70 in both directions from MP 243 to MP 230 and areas immediately adjacent to the right-of-way. This study area was used to evaluate the **direct** effects of the Proposed Action.

For transportation and socioeconomic impacts, the study area for **indirect** effects includes Clear Creek County and the communities of Idaho Springs, Downieville-Lawson-Dumont, and the town of Empire. This area is broadly defined and includes the communities and other areas that would be **indirectly** affected by the Proposed Action. The indirect effects study area includes the communities shown in Figure 2.

For the remaining resources, the study area for **indirect** effects generally includes a 0.25-mile buffer around the study area. This area encompasses the communities and other areas that would be indirectly affected by the Proposed Action.

Figure 2. Study Area Communities





3.3 Regulations

The only regulation related to land use that is relevant to the Proposed Action is the 1041 State Land Use Regulation (Colorado General Assembly 1974). This allows local governments to designate 1041 areas and grants them the ability to approve or deny projects within these areas through a public hearing process. In 2006 the City of Idaho Springs designated the city as a 1041 Area and approved regulations regarding the process for any statewide interest and activities within this area. Clear Creek County has also designated the county as a 1041 Area and regulates in this same manner. CDOT intends to fully comply with permitting procedures required by the 1041 State Land Use Regulation.

3.4 Public Involvement

Individuals from local jurisdictions, communities, state and federal agencies, and special interest groups were a part of an 18-member Project Leadership Team and a 48-member Technical Team. Many suggestions and concerns have been identified during the 2016 to 2017 Concept Development Process completed in July 2017 (CDOT 2017) and the NEPA process, including neighborhood and business concerns (from Idaho Springs, Downieville/Lawson/Dumont (DLD) neighborhoods; businesses throughout the corridor, and others).

Comments received specific to land use include:

- Using real estate for highest and best use. Consider all opportunities for land use.
- More parking in Idaho Springs.
- On the 2000 block of Miner Street in Idaho Springs, the concern is the footprint behind the houses and what kind of impact or treatment will be provided.
- On the 400 block in Idaho Springs, there was a previous agreement with the property owner to not impact any additional property. How will this be dealt with?

3.5 Agency Coordination Conducted

Coordination with agencies that have responsibility for land use, such as Idaho Springs, Clear Creek County, and the U.S. Forest Service, has been conducted through the Project Leadership Team and Technical Team members.

Section 4. Description of the Proposed Action

The WB PPSL project adds an approximate 12-mile tolled PPSL on WB I-70 between the Veterans Memorial Tunnels (just west of MP 243) and the US 40/I-70 interchange (MP 232). The lane entrance begins approximately 500 feet east of the Veterans Memorial Tunnels portal. The WB PPSL maximizes the use of the existing alignment and infrastructure in order to minimize any new impacts within the study area. The 11-foot lane is open for use only during peak periods, and otherwise serves as the shoulder of the interstate. Use of the WB PPSL is prohibited for trucks, buses, or any vehicle over 25 feet long. Overhead signs showing the lane status and toll rate are located throughout the corridor and at the entrance point.

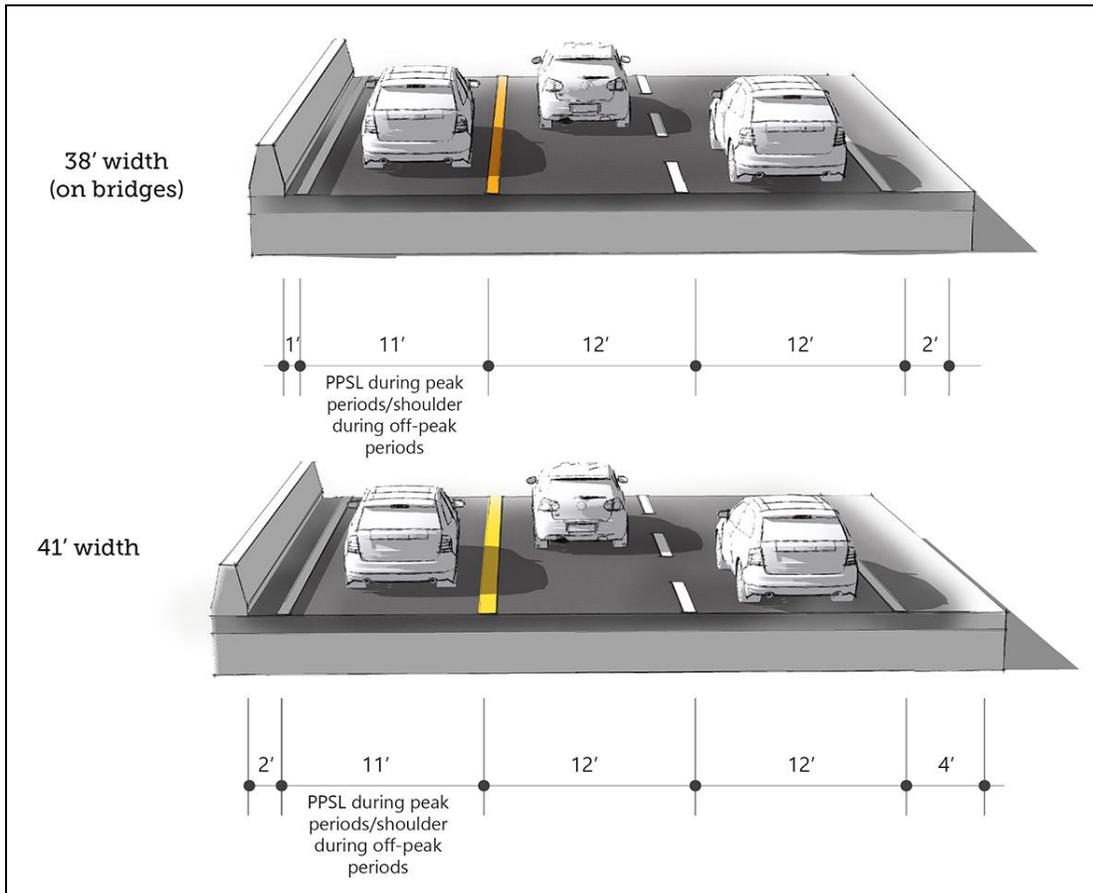
An ingress/entrance point for traffic coming onto WB I-70 from Idaho Springs is provided approximately 2,500 feet west of Exit 239. An egress point for traffic exiting to Downieville is provided about 4,400 feet



east of Exit 235, and an egress point for traffic exiting to US 40 is provided approximately 4,400 feet east of Exit 232.

The WB PPSL ends approximately 1/2 mile west of Exit 232. Figure 3 illustrates the typical cross sections of the Proposed Action.

Figure 3. WB PPSL Proposed Action Typical Cross Sections



Source: HDR 2018.

Improvements include:

I-70 Modifications. The general purpose lanes and shoulder of WB I-70 are resurfaced and widened in select locations on the existing alignment between approximately MP 241.5 and MP 232 to accommodate a lane on the shoulder during peak travel periods. Drainage enhancements include a storm system for minor and major storm events and water quality facilities. At SH 103, I-70 is slightly realigned to enhance safety and improve drainage.

SH 103 Interchange Improvements. Ramp improvements address sight distance problems. The pedestrian sidewalk is improved by adding lighting and a decorative paving buffer adjacent to the existing sidewalk on the SH 103 bridge over I-70. This sidewalk connects to a new sidewalk buffered from 13th Avenue between the interchange ramp and Idaho Street in Idaho Springs.



Safety Pull-Outs. A total of seven new safety pull-outs are built—five along WB I-70 and two along EB I-70. One existing safety pull-out on EB I-70 is improved. The intention of these is to provide a space for vehicles to use if they experience a break down and for law enforcement to use.

Rockfall Mitigation. Rockfall mitigation measures are added at five locations to reduce the chance of rocks or other debris from falling on travel lanes or shoulders and reduce the potential for crashes and travel disruptions. Rockfall mitigation measures are included in the WB direction at MP 239, MP 238.4, MP 237.1, and MP 236.4, and in the EB direction at MP 240.3.

Active Traffic Management. Dynamic signage informs drivers so the WB PPSL is appropriately used to reduce congestion. This innovative design improves mobility.

Fiber Optic Upgrades. Fiber optics are designed to accommodate future emerging technologies for autonomous and connected vehicles, improving driver information and emergency response capabilities.

Dumont Port-of-Entry Interchange. Merge area improvements to the Dumont interchange acceleration lane includes restriping of I-70 to reduce merge conflicts between truck traffic and the general-purpose lane traffic.



Dynamic signage

Section 5. What are the Land Use Resources in the Study Area?

5.1 Current Conditions

Current and proposed land use and zoning are primarily regulated by the City of Idaho Springs' comprehensive plan *Envision Idaho Springs 2017* and the 2017 *Clear Creek County 2017 Community Master Plan*. These and other adopted plans and policies that influence land use and zoning in the study area are shown in Table 1.

Current land use in the study area includes public undeveloped lands (e.g., parks, open space, recreation, public lands), mixed use, rural residential, commercial, light industrial, and mining/historic mining uses. Land use in the eastern portion of the study area, primarily Idaho Springs, is predominantly mixed use, residential, and parks, open space, and recreation. The land use in the western part of the study area is less developed than the eastern part of the study area and includes historic mining, parks, open space public lands, and some commercial and residential use.

Current zoning in the study area is similar to the described land use. Zoning is a mix of mining, residential, commercial, light industrial, and planned developments along with public undeveloped land (Clear Creek County 2011b). Within the City of Idaho Springs, adjacent to I-70 on the north side, zoning is primarily commercial and residential, with a large swath of park and recreation land. Zoning to the south is comprised of park and recreation land and residential (City of Idaho Springs 2014).



Table 1. Plans and Policies in Study Area

Agency	Plans
City of Idaho Springs	<ul style="list-style-type: none"> ▪ City of Idaho Springs Comprehensive Plan (2005a) ▪ Envision Idaho Springs 2017, (2017a) ▪ 3 Mile Area Plan (2008) ▪ Article 21 (Zoning) of the City Municipal Code (2005b) ▪ Idaho Springs Zoning Map (2014) ▪ East End Overlay District (2017b) ▪ East End Action Plan (2017c) ▪ Highest and Best Use Economic Feasibility Study for the Interstate 70 Economic Hub at Exit 240 (2016) ▪ Downtown Assessment for the Colorado Community of Idaho Springs (a.k.a. Downtown Idaho Springs Technical Assistance Program; 2012)
Clear Creek County	<ul style="list-style-type: none"> ▪ Clear Creek County Community Master Plan (2017) ▪ Open Space Plan (2005a) ▪ Floyd Hill Gateway Sub-Regional Master Plan (2009) ▪ Clear Creek County Zoning Regulations (2011a) ▪ Clear Creek Greenway Plan (2005b) ▪ Clear Creek County Vision for the I-70 Mountain Corridor (2014)
Denver Regional Council of Governments (DRCOG)	2040 Metro Vision Plan (DRCOG 2011)

5.2 Future Conditions

The *Clear Creek County 2017 Community Master Plan* establishes a generalized approach for future land use planning and “seeks to establish the important land use strategies that eventually can inform rezoning of land.” The plan emphasizes the importance of economic development. Relative to transportation, the plan has several pertinent goals: reduce County dependence on motor vehicles, create multimodal options, create carpooling and transit options, advocate for all future I-70 projects to make sure they are completed with sensitivity to the communities along the corridor, and maintain the county road system to ensure adequate and safe circulation and access.

The 2014 *Clear Creek County Vision for the I-70 Mountain Corridor* identifies a desired future for the I-70 Mountain Corridor, a process for implementation, an evaluation system user’s guide, an assets and opportunities evaluation matrix and assets and opportunities maps for DLD, Empire Junction, East Clear Creek County, and Idaho Springs. Shared values include protecting small town communities and rural mountain settings, enhancing the vibrant local economy, preserving the natural, healthy environment and identifying and protecting local and nationally recognized historic assets. Future desired conditions include keeping the historic small town sense of place, improving local residents’ living conditions, increasing the desirability of local communities for future residents and businesses and exploring mass transportation options. In the DLD area, redevelopment opportunities exist at the Port of Entry area, at Empire Junction and just west of the Port of Entry. In the Idaho Springs and East Clear Creek County areas, redevelopment opportunities are noted at Exit 240.

The City of Idaho Springs in its *Envision Idaho Springs 2017* comprehensive plan identified its key assets as its proximity to the Denver metropolitan area, Clear Creek, recreational opportunities in the mountains, Indian Hot Springs, Mt Evans Scenic Byway, historical heritage and proximity to Central City and



Georgetown. The plan states that tourism and tourism-supported industries are the mainstay of the local economy. The transportation element of the plan discusses the PEIS and its recommendations, the Colorado Boulevard reconstruction project, the lack of parking, transit issues, and the Clear Creek Greenway. The transportation objectives specific to I-70 include remaining active in NEPA and CSS processes for I-70, mitigate construction effects, recognize four values of mobility, healthy town, environmental and sustainability goals, promote the Vision Recommendations listed in Table 2 of the plan and investigate road ownership vs. CDOT right-of-way for Water Street, Miner Street, and Edwards Street.

Table 2. Summary of Resolutions and Vision Recommendations

Resolution	Description	Summary	Specific Considerations related to Land Use
Resolution R 17-16	Resolution adopting Clear Creek County I-70 Mountain Corridor Vision for Fall River Road access	Requires investigating the feasibility of constructing a full-width bridge to provide motorized and non-motorized access connecting Stanley Road and Fall River Road.	<ul style="list-style-type: none"> ▪ No specific considerations beyond that described in Summary column.
Resolution R-16-14	Resolution adopting Clear Creek County I-70 Mountain Corridor Visioning Task Force recommendations for westbound improvements from the west end of the City of Idaho Springs to Empire Junction	Contains a series of recommendations for future projects along the I-70 corridor between the west end of the City of Idaho Springs to Empire Junction	<ul style="list-style-type: none"> ▪ Connect Fall River Road to the frontage road with bridge and keep bicycles off the interstate. ▪ Include the Greenway bicycle connection between Idaho Springs and DLD connecting to Fall River Road. ▪ Investigate traffic, ice, and meteorological effects of any planned curve modification at Fall River Road. ▪ Incorporate the DLD Neighborhood Plan and the <i>Clear Creek Greenway Plan</i>. ▪ Consider economic impacts of the Port-of-Entry including the possibility of removing the Port to free area for economic development.
Resolution No. 23, Series 2016	Resolution adopting the recommendations of the Interstate 70 Visioning Task Force for the City of Idaho Springs	Contains a set of recommendations for municipal planning actions and a resolution to provide guidance to CDOT and future City of Idaho Springs	<ul style="list-style-type: none"> ▪ Develop a citywide signage plan to identify city gateways at all exits. ▪ Develop a citywide pedestrian and recreational pathway plan incorporating the



Table 2. Summary of Resolutions and Vision Recommendations

Resolution	Description	Summary	Specific Considerations related to Land Use
		leaders on proposed highway projects	<p>Greenway to connect all areas of the city.</p> <ul style="list-style-type: none"> Find alternative locations for the school bus lot to facilitate use of the area for a multi-modal transit center and parking. Landscape natural areas adjacent to the highway. Construct a parking structure at Exit 240. Install new sound wall from the west end of football field to the west end of town. Consider a stop sign at the end of the westbound 239 exit ramp. Expand rafting staging area at Exit 239.
Memorandum of Understanding	Memorandum of Understanding among Clear Creek County, City of Idaho Springs, and the Colorado Department of Transportation, January 16, 2014	Outlines a mutually acceptable basis for proceeding with specific improvements on I-70 within Clear Creek County	<ul style="list-style-type: none"> Implement a WB PPSL project from Twin Tunnels to Empire Junction approximately 3 or more years after the MOU was signed; with peak period toll operations similar to EB PPSL and not exceeding the scope of the EB PPSL.

The *Envision Idaho Springs 2017* comprehensive plan identifies seven character areas within the city with the intention of strengthening, guiding, or protecting them. All seven character areas are encompassed within the WB PPSL study area.

- West End.** The West End includes the area to the west of the Idaho Springs Historic Commercial District and to the end of the developed portion of the city. The City of Idaho Springs considers the intersection of Colorado Boulevard and Stanley Road to be the western gateway into the city and identifies goals such as “decorative features in the Colorado Boulevard/Stanley Road ‘island,’ limits on lighting, enhanced signage, berming and screening along Stanley Road, especially on the southern side, and better management of outdoor storage.”
- Exit 240 Gateway Area.** The City of Idaho Springs performed the *Highest and Best Use Economic Feasibility Study for the Interstate 70 Economic Hub at Exit 240* study in 2016. According to the study, there is potential for significant changes in land use and development character at this interchange. Mixed use, hotel, multi-family residential, office, transit-oriented, and recreational development is recommended.



- **Chicago-Soda Creek Area.** This area is south of I-70 and east of SH 103. Guidance indicates that “connectivity from this area under I-70 and to Miner Street should be enhanced in the Gateway Area” of the Soda Creek character area, including “street and road improvements, better walkability, informational signage, creekside sitting areas, and pedestrian (bollard type) lighting to draw pedestrians between the two destinations.”
- **Sunnyside-Northside Neighborhoods.** Located north of Colorado Boulevard, this area is an established residential area. Land use changes are not anticipated.
- **Downtown District.** This area includes the Idaho Springs Historic Commercial District, with single family homes, public and civic buildings, shops and restaurants. Some of its challenges include current zoning that allows incompatible uses, a deficiency in parking, and appearance from I-70 (of the backs of buildings, parking lots and trash cans.)
- **The East End.** The East End is located west of Hidden Valley/Veterans Memorial Tunnels and south of Riverside Drive. It includes the Argo Mine and Mill which is being redeveloped. The 2017 *East End Action Plan* identifies land use recommendations, recommended road templates, steps for implementation and an overlay district to implement the plan.
- **Hidden Valley and Twin Tunnels (now called Veterans Memorial Tunnels).** Land use recommendations for this area include industrial uses west of the Veterans Memorial Tunnels (south of I-70) with mixed residential density along CR 314 east of the Tunnels to Hidden Valley. North of I-70 the recommendation is for parks and open space.

Clear Creek County and Idaho Springs have adopted a series of resolutions and vision recommendations relative to future improvements along the I-70 corridor. These resolutions are summarized in Table 2.

Section 6. What are the Environmental Consequences?

6.1 How Does the Proposed Action Affect Land Use Resources?

6.1.1 What Direct Effects are Anticipated?

The Proposed Action is consistent with existing land use, zoning and local land use plans for Idaho Springs and Clear Creek County. The Proposed Action is also consistent with the PEIS and ROD, I-70 Mountain Corridor Context Sensitive Solutions process, and other commitments of the PEIS.

The Proposed Action is consistent with several of the goals and strategies identified in the *Clear Creek County 2017 Community Master Plan*, including:

- Advocating for the County’s interests for all future I-70 Corridor projects by ensuring they are completed with sensitivity to the communities along the corridor by conducting the CSS process, by involving economic development interests, by minimizing right-of-way needs and by mitigating visual impacts through implementation of the I-70 Mountain Corridor Design Criteria and Aesthetic Guidance (CDOT 2015).

The Proposed Action is consistent with the objectives and strategies identified in the *Envision Idaho Springs 2017* comprehensive plan:



- Communication with the public during construction is a commitment in the mitigation plan below.
- Enhancement of sound attenuation structures is provided through placement of concrete barriers adjacent to the I-70 pavement in Idaho Springs that provide incidental noise reduction benefits.
- Ensure that Idaho Springs remains visible from I-70. The Proposed Action does not include tall walls or other impediments to the view.

The Proposed Action is also consistent with the DRCOG Metro Vision 2040 Plan and the *Clear Creek Greenway Plan*.

6.2 What Indirect Effects Are Anticipated?

The Proposed Action does not change historical land use and growth trends since no new highway capacity is added. The PPSL alleviates traffic congestion on I-70 and the frontage roads during peak travel periods but is not a highway capacity addition. The Proposed Action accommodates future land uses and land use plans in the study area.

6.3 What Effects Occur During Construction?

During construction, temporary effects to trails, residents and those accessing area businesses include detours, potentially slower emergency responses, an increase in roadway congestion in and around the area, the presence of large equipment, temporary signage and lighting, dust from construction, and general temporary disruption to the surrounding area.

6.4 Would there be Cumulative Effects?

The Proposed Action, when combined with other reasonably foreseeable future projects (such as the completion of Colorado Boulevard, the three-lane widening of westbound I-70 in the 6 mile Floyd Hill area, redevelopment of the Argo Mine and Mill, Clear Creek Greenway, and the new parking garage in Idaho Springs) is expected to enhance the conditions for future land use and development in Idaho Springs and Clear Creek County. Because both entities lost population during the Great Recession and are looking to maintenance and growth of tourism for their primary economic development driver, these transportation improvements are consistent with their land use goals.

Section 7. What Mitigation Is Needed?

7.1 Mitigation

No mitigation is needed for land use.

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