

September 23, 2003

## OWL CREEK MASTER PLAN

Final Draft

### Introduction

#### *Owl Creek Overview*

The Owl Creek Valley is a unique high mountain valley situated between Aspen and the Town Of Snowmass Village. The valley floor has primarily been preserved for agricultural purposes as it has been used since the first settlers to the area in the 1800's. The visual rural character still exists for the public from the public road right of way while large residential homes have been developed in well-sited Planned Unit Developments on both sides of the valley floor. The scenic beauty of the area is spectacular in all seasons. The snowcapped mountains are prominent to the southwest as one approaches the Town of Snowmass Village, and the pastoral valley floor is the predominant feature when heading east towards the City of Aspen.

Several Pitkin County *Land Use Policy Guidelines* are embodied in the Owl Creek Valley and support the rural residential character of the area, as follows:

**"Pitkin County seeks to preserve its natural, rural scenery and natural landmarks for the benefit of its residents and the continued viability of its resort economy."**

**"Lands outside the (urban) growth boundaries will be deemed most appropriate for the preservation of agriculture, natural habitat, environmental resources, open space and rural residential uses."**

### Planning Area Boundary

#### *Existing conditions*

A neighborhood caucus for the Owl Creek Valley was established in order to provide a local forum for residents in the Valley. The Caucus typically functions as a referral body that provides comments to the County on land use issues. The Caucus boundary generally follows property boundaries. It includes the Owl Creek Ranch and old Christensen ranch (Glendale Farm) to the north of Owl Creek Road, and the East Owl Creek Subdivision, a portion of the Reservoir at West Buttermilk subdivision, Owl Creek Meadows tracts, Mandalay North, Guber Family Lot Split, the Sinclair and two smaller properties to the south of Owl Creek Road. (See Map Exhibit "2"). The Planning Area boundary for this master plan contains properties within the existing caucus area, private and public lands within the larger watershed (including larger residential lots at the top of West Buttermilk and the Buttermilk Ski Area) whose development may have impacts to the visual, environmental and rural character of the Owl Creek area.

Specifically, the Planning Area goes beyond the Caucus boundary to the south to include the Reservoir at West Buttermilk subdivision in its entirety. The subdivision gains its access from Owl Creek Road, and any development on the property will affect Owl Creek. The planning area boundary continues south to the Willow Creek Ridge, which is the southern extent of the watershed and includes wildlife habitat that is critical to the overall habitat pattern in the Owl Creek Valley.

**Comment [SW1]:** The subdivision was never recorded – right? So maybe refer to as the "Hines" property?

Permitted U.S. Forest Service activities in this southern area may also affect Owl Creek. The ~~Phister Pfister~~ Tracts and the Woods Lot Split at the top of West Buttermilk have been included in the Planning area as they relate physically more to the Owl Creek Valley than to the Highway 82 side, though they gain access from West Buttermilk Road off of Highway 82. To the north of Owl Creek Road, the boundary extends to the ridge that divides the Brush Creek and Owl Creek valleys. The northern boundary incorporates portions of two large undeveloped properties that lie within the Owl Creek Valley. *See Overview Map in Attachment B.*

## Existing Land Use

### Existing Conditions

In Owl Creek, the ~~existing gravel road~~, larger residential lots, undeveloped land, irrigated hay meadows and remnants of old agricultural buildings result in an area that continues to have a rural character, even given its close proximity to more intense development in Snowmass Village and Aspen. The Snowmass Village Land Use Master Plan describes Owl Creek as a “rural buffer” between the City of Aspen and Snowmass Village. The following land uses exist:

**Comment [SW2]:** It's paved now!

~~1. Owl Creek Ranch subdivision contains large lot single family residences on lots ranging in size from 27 to 83 acres, and a common area, which consists of irrigated pasture. Lot 11 – historic residence restored; approved for one additional residence of 5,750 square feet on the lot (not built).~~

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~~2. East Owl Creek subdivision contains clustered single family residences on 3 to 40 acre lots with a common area consisting of irrigated pasture.~~

~~3. There are roughly six affordable housing parcels within the caucus boundary that contain residences; and several caretaker dwelling units.~~

~~4. The 321 acre Hines property (Reservoir at West Buttermilk) is as of yet undeveloped, but has received approval for development of nine lots.~~

~~□ The Mandalay North 35 acre tract has approval for 1 residence.~~

~~□ and □ The Guber Family Lot Split contains two residences, one employee housing unit and two caretaker dwelling units (total).~~

**Comment [SW3]:** Permit issued. Also building barn, equipment building, office, hay storage and greenhouse

~~5. Owl Creek Meadows consists of twelve 35 acre tracts that contain primarily undeveloped land and/or pasture.~~

~~6. A 21 acre property contains one residence.~~

**Comment [SW4]:** This is Stapleton – covered below

~~7. A 43 acre parcel contains one residence.~~

~~8. The old Christensen ranch parcel contains two residences and several historic ranch buildings.~~

**Comment [SW5]:** Sinclair? Approved for 2 TDRs to 10,750 (not built)

~~□ Two-lot Stapleton Subdivision – one lot developed with 15,000 square foot residence; other lot undeveloped.~~

~~9. Both the Owl Creek bike path and nordic trails run on east/west alignments through the caucus area.~~

**Comment [SW6]:** New connection to Sky Mountain Park (Airline Trail) from Owl Creek bike path.

~~10. The portion of Seven Star Ranch located within the Planning area boundary is currently undeveloped.~~

~~11. Approximately 180 acres of the Droste property lie within the Planning area boundary. Currently they are undeveloped 35 acre tracts.~~

**Comment [SW7]:** GIS does not include either Seven Star or Droste (all now Sky Mountain Park) within the Owl Creek Planning Area. Probably worth mentioning that this is now Open Space adjacent to the Owl Creek Planning Area.

~~12. The 128 acre Aspen Lake property is currently undeveloped.~~

~~13. Three of the five 35+ acre Phister-Pfister Tracts are developed with residences.~~

~~14. One of the two Woods Lot Split lots is developed with a residence.~~

15.9 There is no potential for residential development within the Buttermilk Ski Area.

## Zoning

### Existing Conditions

With the exception of two Five small affordable housing parcels are zoned “AH,” (affordable housing). Owl Creek Meadows, Mandalay North Parcel, and the Guber Family Trust Lot Split are zoned LIR-35 (Low Impact Residential). The remainder of the Caucus area is zoned ~~AFR-10~~ AR-10, allowing a maximum of one dwelling unit per 10 acres of land. (See existing Zoning Map in Attachment B.)

Comment [SW8]: BOCC Ord 2-2004

Comment [SW9]: Also SKI-REC

### The LIR-35 (Lot Impact Residential) zone district,

*"is intended to allow low density, low intensity residential development. The principal land use in this zone district is residential, with typically associated accessory uses. The zone district seeks to limit the intensity of development to moderate sized buildings and structures, thereby minimizing the impacts of construction, servicing and occupation of the residences to preserve the rural character of the land, protect onsite natural resources, minimize employment generation associated with more intense development, and otherwise limit the demand for public services. Lands appropriate for this zone district are properties that are rural in character with environmental or agricultural resources, or environmental hazards or properties otherwise sensitive to intensive development."*

The ~~AFR-10~~ AR-10 (Agricultural/Forestry/Residential) zone district,

*"is intended to accommodate small scale agricultural activities and large-lot residential development that maintains the rural character and appearance of the land. Because few agricultural activities can be accomplished on a lot of ten (10) acres, the majority of such land will be used for residential uses. Residential development should be clustered and/or grouped at the edges of valleys or wooded areas in order to minimize the visual disruption of the natural landforms and to avoid the appearance of unrelated homes spread randomly across the land, to maintain the rural character of lands proximate to development centers and State highways by preserving agricultural operations, wildlife habitat and scenic quality while permitting low density, single family dwelling units and customary accessory uses."*

The following table summarizes buildout scenarios on properties within Owl Creek.

BUILDOUT TABLE	Acres	Existing Lots	Existing 35 acre tracts	Existing units	Established development rights	Remaining buildout based on alternative 35 acre zoning or 35 acre state land division	Remaining buildout based on RS-30 zoning	Remaining buildout based on current AFR-10 zoning
Owl Creek Meadows	573 ac.		14	0	0	16	19	57 if the property were subdivided into 10 acre lots
Mandalay North	35 ac.		1	0	1	1	1	3 if the property were subdivided into 10

Comment [SW10]: Need to update with LIR-35 zoning

Comment [SW11]: This includes the 2 lots in Guber Lot Split

								acre lots
Guber Family Lot Split	86 ac.	2	0	2	2	0 Property is deed restricted against further subdivision	0 Property is deed restricted against further subdivision	0 - Property is deed restricted against further subdivision
East Owl Creek	166 ac. (outside of common area) 260 ac. total	19	0	19	19	0	0	0
Owl Creek Ranch	644 ac. (outside of common area) 810 ac. total	11	0	9	11	9 in addition to the 9 built, if the property were divided into 35 acre tracts	12 in addition to the 9 built, if the property were divided into 30 acre tracts	55 in addition to the 9 built, if the property were subdivided into 10 acre lots
Reservoir at West Buttermilk	334 ac.	9	0	2	9	7 in addition to the 2 already built	9 in addition to the 2 already built	31 in addition to the 2 built, if the property were divided into 10 ac. lots
Stapleton	21 ac.	2		1	1	0	0	1
Christensen Ranch	9ac.	1	0	2	2	0	0	0
Sinclair	43 ac.	1	0	1	1	0	0	3 in addition to the 1 built, if the property were subdivided into 10 acre lots
Aspen Lake	128 ac.	0	0	0	0	3	4	12
	<b>Acreage</b>	<b>Existing Lots</b>	<b>Existing 35 acre tracts</b>	<b>Existing units</b>	<b>Established development rights</b>	<b>Remaining buildout based on alternative 35 acre zoning or 35 acre state land division</b>	<b>Remaining buildout based on RS-30 zoning</b>	<b>Remaining buildout based on current AFR-10 zoning</b>
Seven Star	30 ac.	0	1	0	0	1	1	3
Droste	(6) 35 ac. Tracts (only 180 ac. are contained within the Owl Plan boundary)	0	6	0	0	6	6	18
Phister-Pfister Tracts	248 ac.	0	5	3	5	3	3	22
Woods Lot Split	96 ac.	2	0	1	2	1	2	8
<b>TOTAL</b>	<b>2,853 ac.</b>	<b>47</b>	<b>27</b>	<b>40</b>	<b>53</b>	<b>47</b>	<b>57</b>	<b>213</b>

Comment [SW12]: Not in Owl Creek Planning Area

### Objective

1. Zoning in the Owl Creek area should be in keeping with residential development that exists in the Owl Creek area and should maintain the rural character of the corridor between Aspen and Snowmass. The current Owl Creek land use pattern is larger lot and PUD development in combination with open rural lands. Zoning in the area should further county policy guidelines regarding new development in that:

***"New development should be compatible with and not fundamentally change the character of any neighborhood or area"***

2. Re-subdivision of existing County-approved subdivisions is contrary to objectives of the Owl Creek Caucus and this Master Plan
3. Zoning should reflect existing conditions that are not in conflict with appropriate development for this rural area.

**Action Items**

1. With the exception of properties zoned “AH,” “AF-SKI,” and properties within the East Owl Creek Subdivision, (which is fully developed), rezone the private land within the Owl Creek Caucus area to large lot zoning (Large Lot Conservation Zone and/or Large Lot Low Density Zone) with a minimum lot size of 35 acres or greater. Develop incentives to keep larger tracts of land open. Larger than 35 acre lots may be appropriate for properties with more intensive use and 35 acre parcels may be appropriate for less intensive use.
2. Establish a new zone district (Forest/Natural Resource) for public lands zoned AFR-10 within the Caucus area (and throughout the County) to preclude residential development and reflect the resource conservation uses that currently exist on the Forest.

Comment [SW13]: Now SKI-REC

Comment [SW14]: Rezoned to LIR-35, and created incentives in LIR-35 to develop at 1 unit/80 acres rather than 1/35.

Comment [SW15]: 2006 LUC includes the RS-G (Resource – Government) zone district, but no public lands have been rezoned to RS-G.

**Growth Management/House Size**

**Existing Conditions**

In Pitkin County, growth management deals with the rate of growth, the location of growth and the quality and quantity of growth. The *location* of growth is typically determined on a site-specific basis at the time of land use review.

Rate and quantity of growth are determined through zoning allowances, annual competition for a specific amount of square footage allowed via the Growth Management Quota system (GMQS), and through growth management exemptions.

In 1998, house size within the Owl Creek Caucus area ranged from 1,119 to 22,455 square feet, with an average house size of 6,033 square feet. In January 2000, new growth management regulations were adopted in Pitkin County. As a result, house size restrictions were adopted. The Owl Creek Caucus area lies within the *rural* growth management portion of the County. Consequently, new homes are limited to an initial size cap of 5,750 square feet, which may be exceeded subject to purchase of a transferable development right(s) as a growth management exemption or competition in growth management. Five homes were built in the Owl Creek Caucus area between 1998 and 2002, for an average annual growth rate of 2.7%. This is higher than the overall County growth rate of 1.6% for this period.

**Objectives**

1. Maintain the rural character of the Owl Creek Valley by encouraging lower density, conservation oriented and planned unit development, but acknowledge that larger lots and larger homes are already established in this particular area and are therefore, part of it's character.

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**Action Items**

1. Eliminate the growth management exemption that allows transferable development rights to be used for an initial development right (the first 5,750 sq. ft. of floor area) in the Owl Creek Caucus area, *except* under the following circumstances:
  - Where a development right is transferred to a receiving site within the same "fathering" parcel that the preservation site is located and
  - The resulting development is conservation-oriented with a clear conservation benefit relative to wildlife and/or agricultural resources.
2. Continue to allow the Owl Creek Caucus area to be a receiving site for transferable development rights that may be used to exceed the residential floor area limitation of 5,750 sq. ft. up to a maximum of 15,000 sq. ft. (as floor area is calculated today)

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**Comment [SW16]:** 2006 LUC eliminated option to use TDR(s) as initial development right in Rural Area. If utilize the "cluster option" in LIR-35 and develop at 1/80 acres, then get 8,250 sf exempt from GM; could use TDRs or compete in GM to exceed 8,250 and up to 15,000 sf.

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NOTE: Action items number 1 and 2 potentially have a countywide impact on the existing TDR program. The Planning Commission defers a decision on the "TDR" aspect of this Plan (action items #1 and #2) until such time as all of the County master plans in process have been submitted and reviewed. At that time, all of the recommendations regarding TDRs may be considered in the context of an overall review of the current TDR regulations. Such a review is currently scheduled on the Community Development Department's work schedule for 2003/2004. Action items 1 and 2 may be considered after adoption of the Plan at such time as the TDR program is reviewed countywide.

**Water/Sewer**

**A. Drainages**

**Existing Conditions**

Spring Creek and Owl Creek are the two existing drainages in the area. Both flow generally from south and west to north and east. The Owl Creek Ditch also provides irrigation water to the area.

**B. Water Service**

**Existing Conditions**

In 2000, the County approved the Buttermilk Metro District to address road improvements and water service within a service area, which includes the Owl Creek Ranch and East Owl Creek subdivisions. The intent of the district is to provide potable water for domestic use and for fire protection for subdivisions which are already approved by the County and partially or fully built-out. The special district service area, as approved, may not be expanded without County approval.

**Objectives/Actions**

1. In the event that water district expansion is requested, ensure that such expansion does not result in, or encourage suburban or urban densities or development to the extent that the rural character of the Owl Creek Valley is compromised.
2. For properties not included within the district, encourage shared water systems for new development; and require a hydro geologic analysis as part of subdivision or development review to prove that an adequate, reliable water source exists for the development proposed.
3. The Buttermilk Metro District is encouraged to develop and implement water conservation measures for the Owl Creek Valley.
4. To the extent possible, ensure that water rights for irrigation on historically irrigated properties be dedicated for irrigation purposes.

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**C. Water Quality**

***Existing Conditions***

Historically, run-off from Owl Creek road has contained gravel and magnesium chloride which has at a minimum, impacted wetlands along Owl Creek. It is unknown whether irrigation associated with hayfields and pasture has had any impact on water quality in the area. If the planned paving of Owl Creek Road is completed, (see "Roads" section) water quality impacts related to gravel and magnesium chloride should be lessened or eliminated.

**Objective**

Monitor wetlands and wells to determine the extent to which (if any) water quality has been impacted by road runoff and/or agricultural practices. Modify run-off and/or erosion control regulations to the extent necessary to ensure that water quality meets state and local standards for health/safety and environmental quality.

**D. Sewage Disposal**

***Existing Conditions***

Properties within the Owl Creek Caucus are on individual septic systems. The County is currently assessing the impacts of septic systems on water supply within the Roaring Fork Valley. Given the relatively new age of septic systems within the Caucus boundary, septic system failure may not be an issue.

***Objective***

Monitor water quality to determine the potential for sewage effluent impacts to water supply. Implement modifications to the *Individual Sewage Disposal System Code* as necessary to ensure that water quality in streams and wells meets applicable health/safety and environmental quality standards

**Roads**

**A. Service level and classification**

**Comment [SW17]:** Need GR update

***Existing Conditions***

Owl Creek Road is currently a *moderate service area* road <sup>1</sup>, per the County 2001 Asset Management Plan. It is 3.7 miles long. It carries 1000-5000 vehicles per day; and is classified as a *local access* <sup>2</sup>road. (See Road Map in Attachment B). County traffic counts for Owl Creek Road are summarized in the following table:

Owl Creek Road counts	# vehicles per day, winter	# vehicles per day, summer	average# vehicles per day, winter	average# vehicles per day, summer
At Sinclair Divide	1,217-2,094 (Feb.2000-Jan. 2003)	1,358-4,249* (Aug. 1999 – May 2002)	1,609	2,390
At intersection of Owl Creek and Highway 82	1,392-2,378 (Jan. 1990 – Jan. 2003)	1,346-5,243* (Aug. 1993- May 2002)	1,863	2,538

\* An unusually high count of 4,249 vehicles at Sinclair Divide and 5,243 vehicles at the Owl Creek/Highway 82 intersection in August 1999 is an anomaly, and attributable to Highway 82 construction at Shale Bluffs. Nonetheless, it is perhaps a good indication of traffic patterns and volumes that may result during construction and at buildout of Base Village and the Town Center in Snowmass Village.

**B. Voluntary Road Closure** There is currently a voluntary road closure along Owl Creek Road during the peak of wildlife migration. Drivers are asked to use another route during these times, if possible.

**C. Planned improvements for 2003** The 2003 Asset Management Plan calls for paving, widening, and placing drainage improvements along the entire stretch of Owl Creek road from Highway 82 to Snowmass Village. The road is currently being paved, according to schedule. Traffic “tables” (speed bumps) will be added in the straightaway.

Improvements will result in an upgrade to a *high service area*<sup>3</sup> road. The lower portion of Owl Creek road that runs along the airport boundary will be classified as a *Class 2A Collector*<sup>4</sup> and the remainder of the Road will be classified as a *2B Collector*<sup>5</sup>. Improvements will eliminate the need for dust control with magnesium chloride, and will also eliminate the impacts of sedimentation related to road gravel in wetland areas. Speed bumps are intended to address the speed of cars, which will most certainly increase with paving of the road.

<sup>1</sup> Moderate service area roads receive winter plowing; are graded routinely; treated for dust control and are typically a dirt, gravel or chip seal surface.

<sup>2</sup> Local access roads have a suggested speed of 35 miles per hour and have a design capacity for 700-1000 vehicles per day.

<sup>3</sup> High service area roads are plowed, graded routinely; controlled for dust, with a preferred surface type of chip seal or asphalt.

<sup>4</sup> A Class 2A collector has a suggested speed of 45 miles per hour and a design capacity for 2,500 to 5000 vehicles per day.

<sup>5</sup> A Class 2B Collector has a suggested speed of 40 miles per hour and a design capacity for 1000-2500 vehicles per day.

The following County Policy Guideline exists regarding unpaved roads:

**"Where practical, the county seeks to retain existing unpaved roads as a reflection of our rural character"**

The County Commissioners have determined that it is no longer practical to retain Owl Creek as an unpaved road; Paving is intended to result in the following benefits:

- water and air quality issues will be addressed;
- health, safety and welfare benefits in general will accrue, and
- the cost to the public of maintaining the gravel road surface will be reduced.

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### **Objective**

1. To the extent possible, maintain the rural character of the area and safety for those living along and traveling on Owl Creek Road.
2. Ensure to the extent possible that any road improvements will have minimum impacts to the Owl Creek wildlife migration corridor.
3. Ensure that Owl Creek does not become the primary access to the Town of Snowmass.

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### **Action Items**

1. Ensure that the County will coordinate with the Owl Creek Caucus with respect to the following concerns relative to the paving of Owl Creek Road:
  - a. the design, number, location and size of speed bumps and/or dips;
  - b. weight restrictions;
  - c. implementation and enforcement of a 30 mile per hour speed limit;
  - d. consideration of a round-about(s) to facilitate speed control at such time as it may be feasible.

**Comment [SW18]:** Interesting that the stretch of Owl Creek Road by the airport is NOT within the Owl Creek planning area!

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## **Transit**

### **Existing Conditions**

In past years, Owl Creek Road has been considered for use as a potential "Bus-way," the intent being to improve transit service between Aspen and Snowmass Village and to alleviate traffic pressures on Highway 82 and Brush Creek Road. However, from a cost and engineering standpoint elected officials have not been able to justify road improvements necessary to safely accommodate buses. Furthermore, residents in the area have been strongly opposed to the accommodation of buses on Owl Creek Road. Even given the potential for significant new development in Snowmass and resulting traffic, the Roaring Fork Transit Agency does not currently anticipate use of Owl Creek as a bus way.

Past discussions between the Aspen Skiing Company, elected officials and the Forest Service that may re-occur, relate to gondola access between the Buttermilk and Snowmass ski areas. While such an alignment would generally be located on Forest Service lands to the south of the Caucus area, this is an issue that may ultimately have impacts on Owl Creek.

### **Objectives**

1. Maintain Brush Creek Road as a transit corridor. Use of Owl Creek Road as a busway should be discouraged. Consideration of a busway should only be considered under one of two circumstances:
  - a. In the event that mass transit for Owl Creek is proposed as part of the larger RFTA system; and the level, duration and type of mass transit use is evaluated by the County with input from the Caucus; and is found by the County to be appropriate in a rural residential area relative to impacts such as noise and smell.
  - b. In the event that Brush Creek Road is congested due to unforeseen circumstances such as traffic accidents, Owl Creek Road may be used temporarily for transit.
2. The Caucus wishes to be involved in discussions with the U.S. Forest Service, Aspen Skiing Company, Pitkin County and the Town of Snowmass Village in the event that a Buttermilk to Snowmass gondola connection is proposed. The Caucus is specifically concerned about potential impacts to the rural character of the area and to wildlife.

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## Natural Environment

### A. **Wildlife** (See *Elk and Deer Habitat Maps in Attachment B.*)

#### ***Existing Conditions***

Open space in the Owl Creek Valley contributes to the scenic value and rural character of the area. Fortunately, the irrigated pastures associated with the Owl Creek Ranch and East Owl Creek subdivisions are protected as common areas and will not be further developed. The most significant open space value remaining in the Owl Creek corridor is the wildlife habitat to the south of Owl Creek Road. The breeding and calving habitat, the migration corridor and the critical winter range are key pieces to the wildlife patterns of use in the broader area.

*Migratory Corridor* Mule deer use the western-most portion of the Planning area as a migratory corridor to move between summer and winter range. They migrate from their summer ranges on Burnt Mountain, north through Owl Creek, over the divide between Owl Creek and Brush Creek into Wildcat Ranch.

The Maroon Bells Snowmass elk herd (approximately 300 animals) summers across a large area throughout the northern third of the Maroon/Snowmass Wilderness area. Movement north toward winter range begins around the 4<sup>th</sup> week of September with most migration occurring in late October and early November. It is the southeast facing shale slopes to the north of owl creek road that provide winter range, severe winter range, winter concentration areas and critical habitat for some of the elk that don't continue on to winter range further north. While elk use the entire owl creek area to migrate, the primary migration corridor coincides with that used by deer in the western portion of the owl creek area. Owl creek remains as one of the major undisturbed migration corridors for deer and elk populations.

*Breeding and Calving* Specific north-facing slopes south of owl creek road contain aspen groves that function as critical habitat, breeding and calving areas for elk. This area also supports a diversity of bird species and small mammals.

**Transition Range** Hayfields and pastures are used by deer and elk as transition range during summer and fall until snow makes forage inaccessible.

**Wetlands and Riparian areas** Wetlands and riparian areas exist throughout the area, but are not mapped. Gravel and silt from roads and irrigated hayfields is having an adverse impact on at least one wetland on Owl Creek Ranch.

### **Objective**

Preserve the wildlife habitat remaining in the Owl Creek corridor, as the breeding and calving habitat, the critical winter range and the migration corridor are key pieces to the wildlife patterns of use in the broader area.

### **Action Items**

1. With the exception of parcels within the East Owl Creek Subdivision, and those within the AH, and ~~AF-SKI~~**SKI-REC** zone districts, rezone the planning area from AFR-10 to a large-lot resource preservation-oriented zone district (Large Lot Conservation Zone and/or Large Lot/Low Density Zone) with a minimum lot size of at least 35 acres. This change in zoning will more accurately reflect the current land use pattern and average density in the area and may help to preserve the remaining diverse wildlife habitat by keeping larger tracts of land open.
2. Develop and provide incentives for use of rural clustering guidelines in order to preserve larger tracts of critical wildlife impact and to limit the area of influence of homes on habitat. Ask members of caucuses to help review guidelines as they are developed.
3. Pitkin County and/or a land trust are encouraged to seek to obtain additional conservation easements in the area to maintain and provide continuity between habitat in the Willow Creek area and wildlife corridors and critical winter habitat in the Owl, Brush Creek, Wildcat and Williams Hill areas.

**Comment [SW19]:** Rezoned to LIR-35 zone district by Ord 2-2004.

**Comment [SW20]:** Included in the LIR-35 zone district, created by Ord 2-2004.

**Comment [SW21]:** Pitkin County purchased the Droste property in 2010.

### **B. Wildfire** (See *Wildfire Map in Attachment B*)

#### **Existing Conditions**

Wildfire hazard must be determined on a site-specific basis, but the area is generally mapped as containing high wildfire hazard on the southeast-facing shrub covered shale slopes in the northwestern portion of Owl Creek. Few other areas contain mapped wildfire hazards.

### **C. Slope** (See *Slope Map in Attachment B*)

#### **Existing Conditions**

Owl Creek is generally characterized by irrigated meadows and pasturelands and rolling hills. Slopes steeper than 30% in grade exist, but primarily along swales as they climb in elevation to the southwest.

## **Open Space/Trails/Recreation/Tourism**

### **A. Existing Open Space Easement** (See *Open Space/Trails Map in Attachment B*)

### **Existing Conditions**

The County obtained a significant open space easement as part of the Reservoir at West Buttermilk Subdivision. However, conveyance of the easement is tied to recording of the subdivision plat. If the property owner does not intend to develop lots in the near future, there is no impetus for him to record a plat, or to convey the easement. It's conceivable that this easement may not be conveyed for some time. Theoretically, as long as the property remains undeveloped, and is not sold or further subdivided, the calving habitat in this area will remain undisturbed.

Comment [SW22]: If ever...

## **B. Existing Trails**

### **Existing Conditions**

The Owl Creek Nordic trail runs generally to the south of Owl Creek Road, up to Sinclair Divide and on west towards Snowmass Village. In the area where the trail crosses the Oak-Owl Creek Meadows property, its use is subject to a revocable license, rather than an easement. Similarly, a short stretch of the existing paved bike path along the north side of Owl Creek Road crosses the Oak-Owl Creek Meadows property at the Sinclair Divide. A license for use of this section exists.

### **Objective**

Ensure the continued public use of the Owl Creek nordic trail and bike trail.

### **Action Item**

1. Where temporary licenses exist for public use of the Owl Creek Nordic trail and the Owl Creek bike trail, obtain secure easements for public use.

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## **C. Buttermilk Ski Area**

The County adopted ~~the a new~~ Buttermilk Ski Area Master Plan in ~~1986~~2012. This document defines the uses which are allowed by right, by special review, and those which are prohibited within the ski area boundary. Uses allowed within the ~~AF-SKI-SKI-REC~~ zone district and the Ski Area Master Plan accommodate recreational rather than residential development. The base area of Buttermilk Mountain is located within the Urban Growth boundary area as defined by the Aspen Area Community Plan; and as such, does not come under the purview of the Owl Creek Plan. The following County policy guideline applies to ski area ~~s-development~~:

~~*"Pitkin County favors the expansion of uses within existing permitted ski area boundaries, with a focus on expanding uses during non-peak periods, but does not support new alpine ski area proposals. Coordination with the Forest Service and ski area proponents regarding ski area development will consider both on and off-site impacts such as affordable housing, transportation, waterways, air quality and adjacent neighborhoods." Pitkin County favors upper mountain expansion of existing permitted ski areas, with a focus on expanding uses during non-peak periods, but does not support new ski area proposals. Coordination with the Forest Service and ski area proponents regarding ski area development will consider both on and off-site impacts such as affordable housing, transportation, waterways, air quality and adjacent neighborhoods.*"~~

### **Action Item**

1. In the event that requests are made for changes to the status quo at the Buttermilk Ski Area, use the ski area master plan process to support the following direction:

- a. Coordination with the Forest Service and ski area proponents regarding ski area development should consider both on and off-site impacts such as affordable housing, transportation, waterways, air quality and adjacent neighborhoods.
- b. Preclude development of new ski areas (as opposed to expansion of terrain at existing ski areas.)

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**Comment [SW23]:** The new Buttermilk Master Plan does not include any expansion of terrain. The Plan primarily addresses construction of a new Children's Ski School building, consolidation of "day-lodge" facilities in a new building, and a limited expansion of Bumps.

## Agriculture

### Existing Conditions

Irrigated meadows and pasture exist within the common areas of Owl and East Owl Creek subdivisions and within the Oak Creek Meadows property to the south of Owl Creek Road. County Policy Guidelines state the following regarding agriculture **Agricultural Preservation:**

"Productive agricultural land is a limited resource of environmental, cultural, open space, visual and economic value that should be conserved and preserved."

"All new development in areas surrounding or incorporated within existing agricultural properties should be designed to minimize impacts on-to agricultural operations."

"The fragmentation of large agricultural lands is discouraged and the assemblage of smaller parcels into larger, more manageable and agriculturally productive tracts is encouraged."

"Preservation and utilization of water for agricultural lands within the County is encouraged."

"Pitkin County supports "right-to-farm" legislation."

"Pitkin County promotes the viability of agricultural lands and operations within Pitkin County and supports preservation of large tracts of land now committed to or capable of agricultural uses."

### Objectives

- 1. Give property owners incentives to cluster development and/or to place conservation easements over agricultural preservation areas within the Owl Creek Caucus area.
- 2. As part of land use reviews on specific properties, revise the Land Use Code to ensure that water rights have been secured in order to maintain the agricultural use of the valley floor or at a minimum, to keep it as green open space and wildlife habitat.

**Comment [SW24]:** Ord 2-2004.

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## Scenic Quality

**Existing Conditions**

One of the qualities that is intrinsic to the “rural character” of Owl Creek is the quantity of open landscape containing irrigated pastures, meadows, mountain views, and remnants of agricultural buildings. ~~The ridgeline to the north of the Caucus area boundary is mapped under the County’s ridgeline review regulations. As a result, development on that ridgeline may be subject to County review. However, no other portions of Owl Creek are currently mapped for scenic or ridgeline considerations. The majority of the Owl Creek planning area is within the mapped Scenic View Protection Area, and, therefore, is subject to review.~~ (See Scenic Map in Attachment B)

Comment [SW25]: New map

There are few mechanisms (such as an easement) in place at the moment to protect the irrigated meadows/pasture on the ~~Oak-Owl~~ Creek Meadows property from development. Pitkin County Policy guidelines state the following relative to scenic quality:

“It is the policy of the County that its natural, rural scenery be preserved for the benefit of its residents and the continued viability of its resort economy. Undergrounding of utility lines is supported where and when appropriate to minimize visual impact.”

“To the extent possible, the county seeks to protect scenic corridors along highways , county roadways and mountain road systems.”

“-Appropriate buffer strips should be preserved along federal, state, and local roadways to protect public views, minimize safety concerns and environmental impacts, and to preserve corridors for future transportation facilities.”

“It is the policy of the County ~~that development not impede the ability of citizens to view to ensure that~~ the night sky ~~can be viewed by citizens~~ without the interference of ~~unnecessary~~ artificial light ~~from growth, urbanization and highway development.~~”

**Objective**

Protect the visual aspect of “rural character” in Owl Creek as it is defined by the open landscape containing irrigated pastures, meadows, mountain views, and remnants of agricultural buildings.

**Action Items**

1. Work with the Caucus to identify areas within the Planning area that are not currently, but should be mapped for scenic review. Develop scenic/visual guidelines as part of development review in the Planning area in order to preserve the existing open valley floor. Revise the Land Use Code to reflect changes.
2. Enforce Pitkin County Lighting regulations.

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Comment [SW26]: New Scenic View Protection Area maps were adopted with 2006 LUC, and majority of Owl Creek planning area is included in the SVPA.

**Affordable Housing**

Comment [SW27]: SVPA includes “Rural Character Guidelines for Building Location”, which encourage preservation of open meadows and pastures.

**Existing Conditions**

Four affordable housing lots and a ranch managers unit exist as part of the East Owl Creek subdivision. That portion of the subdivision is zoned “AH,” (Affordable Housing). Owl Creek Ranch was originally approved to allow affordable housing units to be built on each lot, but the approval has since been amended to allow owners to pay cash in lieu of building affordable housing, and to build caretaker dwelling units instead if they wish. A ranch manager’s unit also

exists on Owl Creek Ranch. One caretaker dwelling unit exists on the Reservoir at West Buttermilk property and one caretaker unit is attached to a barn on the Mandalay Ranch property. In addition, the Guber Lot Split allows for two caretaker dwelling units to be built in association with the two approved free-market homes.

**Comment [SW28]:** Not sure how to determine if additional CDUs have been approved/built.

The Pitkin County Land Use Policy Guidelines note the following regarding citizen housing:

~~*"Affordable housing of urban or suburban densities is not encouraged outside the Urban Growth Boundaries if it promotes sprawl or other development inconsistent with this or other policies or regulations of the County. Affordable housing outside Urban Growth Boundaries may be acceptable if it is: (i) Employee Dwelling Units (EDU) and Caretaker Dwelling Units (CDU); (ii) job related on-site housing; (iii) conversion of existing locally serving housing; (iv) on-site required mitigation housing; or (v) replacement of existing affordable housing. Citizen housing outside of the urban growth boundaries is only acceptable where the densities are appropriate for the surrounding area, and where such development is containable. Caretaker or employee dwelling units may be acceptable uses in a rural environment."*~~

The policy guidelines are currently reflected in the land use patterns of Owl Creek in that existing affordable housing is dispersed to reflect the densities in the area.

**Objective**

To the extent possible, develop affordable housing within the urban growth boundary areas in the County. Allow citizen housing to be considered in the Owl Creek area only under circumstances where densities are appropriate for the surrounding area, and where such development is containable. Caretaker or employee dwelling units may be acceptable uses within the caucus boundary.

**Comment [SW29]:** Code doesn't use this language any more...

**Comment [SW30]:** Need to be consistent with references to "caucus area" or "planning area". Seems like the MP is for the "planning area" so that is what should be used?

**Commercial Development**

**Existing Conditions**

With the exception of the Buttermilk Ski Area, there are currently no commercial uses within the Owl Creek area and no new commercial development is anticipated outside of the Ski area. The Pitkin County Land Use Policy Guidelines note the following regarding new commercial development:

~~**"New commercial development should be located within established Urban Growth Boundaries unless it is of a scale and capacity deemed to be appropriate within identified boundaries."**~~

**Comment [SW31]:** This is what the code says...but seems awkward. Should it be "within the Rural Area"??

**Objective**

Preclude commercial uses (with the exception of uses established within the Buttermilk Ski Area Master Plan) that would change the rural residential character of the area and or add non-residential traffic to Owl Creek Road.

**Comment [SW32]:** Again, the lower portion of Owl Creek Road by the airport is not within the planning area, BUT the airport changes will definitely add non-residential traffic to the road!

**Action Item**

With the exception of the ~~AF-SKISKI-REC~~ zoning at Buttermilk, modify zoning if necessary to prohibit commercial uses (other than home occupations as defined in the Pitkin County Land Use Code and agriculture-related commercial uses such as horse boarding and hay sales) within the Owl Creek Caucus area.

**Comment [SW33]:** Only change in zoning is the LIR-35 zone, which does not permit commercial uses

**Mineral Extraction**

**Existing Conditions**

In recent years, mineral extraction has not been actively pursued in the Owl Creek Planning area.

**Objective**

In the event that mineral extraction is practiced in the Owl Creek area, such practice should be done in an environmentally sound manner, subject to Pitkin County Land Use Code regulations.

**Historic Resource**

**Existing Conditions**

Two properties in Owl Creek have been included in an historic inventory completed by Pitkin County. No new historic preservation regulations have been adopted by the County relative to the inventory. Regulations may be considered in the future.

- The Stapleton House was designated to the Pitkin County Historic Register in 2012, property has been determined to be eligible for the State Register of Historic Places because of its association with the history of agriculture in Pitkin County. William Stapleton came to the area in 1881, became a Pitkin County rancher and built a house which is still standing, in about 1912. The house is representative of early twentieth century dwelling construction in Pitkin County. The exterior of the house has been rehabilitated. The BOCC approved the construction of an additional residence of up to 5,750 square feet as an incentive for the historic designation; the additional residence has not yet been constructed.
- The Glendale Stock Farm/Christiansen Ranch, particularly the ranch house, barn and another fourteen-sided structure is significant because of its association with the history of ranching in Pitkin County. The land was originally homesteaded in 1882. The Christiansens bought the ranch which contained 600+ acres in 1924, and raised cattle and Belgian horses; oats, hay and potatoes. The Glendale Stock Farm was considered to be one of the more successful ranches in the County. All but roughly 10 acres of the ranch are now developed as the Owl Creek Ranch Subdivision.

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**Objective**

Provide incentives to property owners to protect historic resources on their property(s) that are pertinent to the history of Pitkin County

**Action Item**

Revise the Pitkin County Land Use Code to include incentives for protection of historic resources on properties that are pertinent to the history of the County.

**Comment [SW34]:** The 2006 LUC includes incentives for historic preservation.

**Plans Affecting Owl Creek**

The following County and municipal land use and management plans potentially influence the Owl Creek Caucus area:

- Pitkin County Asset Management Plan (~~2003~~2008)  
*This Plan anticipates the improvement of Owl Creek Road from a gravel to a paved surface.*
- Pitkin County Airport Master Plan (2012)  
*This Plan is currently being updated. With the exception of the northeastern most portion of Owl Creek Ranch, the majority of the Owl Creek Caucus area is separated physically from the airport by a ridge. Nonetheless, the Caucus may want to monitor the progress of the Plan to determine whether any proposed changes to the existing airport configuration or operations may impact the area relative to noise or use of Owl Creek Road.*
- Down Valley Comprehensive Plan (1987)  
*The Down Valley Comprehensive Plan does not directly influence the Owl Creek Valley. The southern boundary of the Plan appears to coincide with the ridge between the Owl and Brush Creek valleys.*
- Aspen Area Community Plan (~~2000~~2012)  
*The AACP establishes an urban growth area boundary for the City of Aspen which is intended to generally define the boundaries of urban annexation and development. The boundary abuts a portion of the eastern Owl Creek Caucus boundary.*
- Snowmass Village Master Plan  
*The Owl Creek Caucus area all lies within the Snowmass Village—"influence area" as delineated on that Plan's Future Land Use Map. Owl Creek Road is noted as an alternative access to Snowmass; and the valley's rural character is noted as providing an important separation between Snowmass Village and Aspen. Future land use categories are identified as larger lot estate and single family residential, with house size ranging from 1,500 to 8,500 square feet. While annexation is not ruled out for this area, the Plan indicates that there appears to be no public benefit to annexation in the short-term. The Plan's goal is to establish a cooperative process with the County for review of future land uses within the influence areas.*
- Buttermilk Metro District Plan  
*See section on "Water Service," page 6 of the Owl Creek Master Plan*
- Buttermilk Ski Area Master Plan (~~1986~~2012)  
*The ski area master plan defines the uses and activities allowed within the ski area boundaries. The ski area has minimal impact on the Owl Creek Valley, but is included within this Planning area boundary so that it does not become an isolated parcel.*

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**Comment [SW35]:** GR update

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**Comment [SW36]:** Needs updating!

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