

## *Snowmass-Capitol Creek Valleys Master Plan*

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### *◆ Vision Statement ◆*

*The valley area of Snowmass and Capitol Creeks is a place where preservation of the natural environment and the protection of our rural character are highly valued. The unique qualities of our area should be preserved and the existing character should remain substantially unchanged. The valued qualities include the natural watersheds, water quality and quantity in Snowmass and Capitol Creeks and their tributaries, undisturbed expanses of native vegetation and riparian corridors, and wildlife habitat. We experience our valleys through views of open meadow foregrounds framing dramatic peaks, colorful hillsides and sharp ridgelines. Agriculture is recognized as a valued resource and a means to preserve the open space character of our valleys and we support using a range of techniques to ensure its continued presence and viability. In particular, we look to land conservation tools to implement protection of the open space of our area. While recreation opportunities abound within and adjacent to our area, we wish to maintain the primitive nature of these experiences. We support limiting growth in our valleys, consistent with the core values outlined above.*



## *Snowmass-Capitol Creek Valleys Master Plan*

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### *◆ Goals, Objectives & Implementation Measures ◆*

*“A goal statement is a declaration of an intentional result or outcome...it doesn’t tell you how to get there but merely where you want to end up. Goals are reached in stages; piece-by-piece, bit-by-bit. Each step can be thought of as an objective along the way. Simply, you can think of objectives as the work determined as important to reach the goal. Objectives outline the path to your goals. For a more conscious trip, clear and measurable objectives are a necessity.”<sup>1</sup>*

## **INTRODUCTION**

*“Until 1960, Pitkin County was sparsely populated, with just over 2,300 people and over 104,000 acres of agricultural land in private ownership. In that period, the population grew by nearly six times, while agricultural land had decreased to one quarter of its 1960 acreage.”<sup>2</sup>*

This statement explains the urgency felt by many of the residents of the Snowmass-Capitol Creek Valleys, which is among the most pristine and well preserved areas in Pitkin County. In 2001, the Caucus recognized the need to proactively plan for the future of the Snowmass-Capitol Creek Valleys in order to maintain the unspoiled character and rural way of life that is being lost in this region. Residents of the Caucus Area have spent the last two years working on this Master Plan in an effort to establish policies to help preserve this “Crown Jewel” of the upper Roaring Fork Valley.

The process of developing the following goals and objectives began with a thorough understanding of the existing conditions within the Caucus Area as summarized in the Existing Conditions and Survey Report, which is included as Appendix 1 of this Master Plan. Even more critical to this process were the results of the Opinion Survey, which were used as a touchstone to ensure that the recommendations contained in this Master Plan reflect the desires of the residents of the Caucus Area. Where appropriate, excerpts from the Opinion Survey are included among the goals and objectives statements to remind those who will utilize this plan in the future of the source of the policies contained in this Plan.

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<sup>1</sup> *The Universal Traveler, A soft systems guide to creativity, problem solving and the process of reaching goals*, Don Koberg and Jim Bagnall, Copyright William Kaufmann, Inc. (1976)

<sup>2</sup> *Incorporating Ecology into Land Use Planning, The songbird’s case for clustered development*,” Eric A. Odell, David M. Theobald, and Richard L. Knight, APA Journal, Winter 2003, Volume 69, No. 1

The bulk of the work of developing the following goals, objectives and implementation measures was done by the Snowmass-Capitol Creek Master Plan Steering Committee, a group of volunteers appointed by the Caucus Board specifically for the purpose of developing this Master Plan. This committee included several members of the Caucus Board. The names of these dedicated individuals are provided at the beginning of this document along with the names of the Caucus Board members. Assistance in the development of this plan was provided by the Pitkin County Community Development Department, the GIS Department, and the many residents of the Caucus Area who attended many meetings over the course of the preparation of this Master Plan. The Master Plan Steering Committee conducted numerous meetings on the road to developing the goals, objectives and implementation measures contained in this Plan. In addition, two meetings of the general caucus membership were conducted to gather input on the goals and objectives. The Caucus Board also met at various points during the drafting of this document and formally voted to approve the Master Plan and forward it to the County on September 22<sup>nd</sup> of 2003.

The Goals, Objectives and Implementation Measures that follow represent the heart of this Master Plan and should be used in conjunction with the Future Land Use Map to evaluate future development proposals. Where preexisting agreements regarding development within the Caucus area have been entered into with the County, those agreements may supercede certain of the goals, objectives and implementation measures of this Master Plan only to the extent of the specific contents of the agreement. However, development pursuant to such preexisting agreements should be required to comply with all other applicable goals, objectives and implementation measures contained in this Plan. In addition, the goals, objectives and implementation measures will provide the County with valuable guidance for infrastructure improvements and maintenance within the Caucus Area.

## SECTION 1: LAND USE

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### 1.1 RURAL AND AGRICULTURAL HERITAGE GOAL

**It is the principal goal of this master plan, endorsed by the overwhelming majority of caucus members, that the dominant agricultural and rural residential character of the Snowmass/Capitol Creek valleys be enhanced and preserved.**

**Relevant Opinion Survey Results:**

Question #2 (Section A, Overview of Growth and Zoning) – “*The overall character of the Snowmass and Capitol Creek Valleys, which is primarily agriculture and rural residential, should remain substantially unchanged.*” Approximately 92 percent of respondents gave a supportive response to this question.

**OBJECTIVES AND IMPLEMENTATION MEASURES:**

1.1.1 Ensure that zoning promotes and protects the agricultural and rural residential character of the area, providing incentives for the preservation of open, agricultural and other natural resource lands and allowing for very low density development of sensitively sited single-family homes and disallowing additional multi-family homes, townhouses, apartments or condominiums.

Implementation Measures:

a. Establish a procedure with Pitkin County, to be incorporated into the Land Use Code, requiring that any amendment to an existing land use approval be referred to the Caucus for review and comment.

1.1.2 Preserve agricultural lands consistent with the Future Land Use Map through the use of a palette of methods including conservation easements, conservation tax credits, open space acquisition, limited development regulations, and the use of the transferable development rights (TDR’s).

The Caucus supports the following concepts regarding the use of TDR’s and recommends that these ideas be considered for incorporation into the appropriate provisions of the Land Use Code when the County conducts its analysis for the planned revisions to the County-wide growth management system and TDR program:

- TDR’s should be used to transfer density from rural areas to urban areas (within or close to the Urban Growth Boundary identified in the Aspen Area Community Plan);
- Transfer of TDR’s from outside the Caucus Area should be prohibited.
- Where TDR’s are to be used on a receiver site within the Caucus Area they should come from another property within the Caucus Area. In the event that the transfer of TDR’s to a receiver site within the Caucus Area occurs, such transfers should be allowed only where it can be demonstrated that the proposed development will have

minimal impacts on the surrounding area (see recommendation for strengthening regulations governing the approval of TDR receiver sites, Implementation Measure “c” below), where the existing rural character will not be altered and where the proposed development is consistent with the Goals and Objectives of the Snowmass Capitol Creek Valleys Master Plan. Such transfers should be limited to one additional TDR per lot or parcel when the development right is being used to add square footage to an existing or proposed house and where the subject property meets the criteria described in this Master Plan for receiver sites.

Note: In light of the fact that there are pending revisions to the County-wide TDR program, it is understood that the wishes of the Caucus related to the use of TDR’s, as expressed in the paragraph above and in Section 1.2.1 and 3.2 of this Master Plan, are not necessarily supported by the Planning Commission and may or may not be included in the ultimate revisions to the TDR program.

Implementation Measures:

- a. Recommend that the County study use of TDR’s for uses other than residential.
- b. Recommend that the County study establishing a limit on the ultimate square footage of agricultural structure(s) that could be used on any one property.

Ordinance Nos. 011-2011 and 031-2013 provide floor area exemptions for agricultural buildings, including barns, hay storage buildings, loafing sheds, agricultural equipment storage buildings and greenhouses. The BOCC found that these amendments were consistent with the goal of the Comprehensive Plan to sustain the existing rural character of the County. Properties of more than 160 acres get unlimited square footage for agricultural buildings, except greenhouses.

- c. Recommend that the County strengthen the regulations regarding TDR receiver sites so that there will be greater assurance that a site is truly appropriate to receive. Criteria that should be considered in the evaluation of receiver sites within the Caucus Area should include but not be limited to the following: visual impacts; impacts on surrounding land uses and rural character; potential for light, air and water pollution; traffic impacts; and the potential for undermining year-round resident occupancy and the preservation of vital neighborhoods that foster community. Consider an approach where final approval of the special review for receiver sites should be in the authority of the Board of County Commissioners pursuant to the two-step procedure identified in the Land Use Code. The review process should be based on a hierarchical system of applying the criteria. The first step in the review of a TDR receiver site should be whether the characteristics of the proposed site can accommodate the proposed structure with minimal impacts, especially visual impacts from public roads and adjacent properties. If the objective of minimizing visual and other impacts cannot be accomplished through siting, then the property should be considered inappropriate for receiving TDR’s, except where an applicant is willing to limit the use of the TDR for below grade space only and this can be shown to mitigate the visual impacts of a proposed structure. Landscaping should be considered as a way to further minimize visual impacts not as the primary solution for screening.

- d. Upon adoption of this plan, the County shall conduct an analysis regarding the zoning in the upper Snowmass and Capitol Creek Valleys in order to determine if other zoning approaches, including the conservation techniques recommended in this plan, will more effectively achieve the conservation goals of the plan.

- 1.1.3 Recommend that Pitkin County offer qualified large-tract landowners eligibility for significant technical assistance, both staff time and funding for outside expertise, in order to create and pursue family-specific and parcel-specific land preservation strategies.

Implementation Measures:

- a. Recommend that the County Community Development Department establish an easily accessible central resource for information regarding consultants, available funds for consultant services, land trusts, land use codes and policies, tax information and other information pertinent to the land preservation process.
  - b. Recommend that the County Community Development Department assign a staff person to assist large tract landowners with questions and other planning process assistance on an a by-appointment basis. This person should be thoroughly trained in all aspects of land use codes and policies and any programs available both locally and on a statewide basis for large-tract conservation planning. This person should also have access to and thorough knowledge of the central information resource described above.
  - c. Encourage landowners of parcels 70 acres or larger to meet with the Pitkin County Open Space Board or Director, at no cost to the land owner, to ensure that such landowners are informed about all voluntary options, programs, and resources available for conserving land. Recommend that such landowners contact appropriate land trusts and preservation consultants for the same educational purposes.
- 1.1.4 Consider amendments which reward landowners who permanently conserve over 90% of the total acreage of their property and preserve a vast majority of open space, historically irrigated lands, and all wetlands, critical habitat and other environmentally sensitive lands. Those well conceived applications which would contain realistic plans for the preservation of large tracts of land and which demonstrate compliance with the goals and objectives of this Master Plan should receive rewards which could include, but need not be limited to, a streamlined and accelerated land use approval process (including priority attention from the Community Development Department, Planning Commission and Board of County Commissioners), eliminated or reduced processing fees, longer vesting and other tangible acknowledgments of the public benefits conferred by voluntary conservation actions.

(See Implementation Measure for Objective 1.1.2 above)

Land Use Code has various Conservation Development tools, including Conservation Development PUD (CD-PUD), Limited Development Conservation Parcel TDRs, Open Space Master Plan, and Constrained and Visually Constrained Site TDRs. These Conservation Development tools incorporate many of these concepts – preservation of

large tracts of land, protection of environmentally sensitive lands, streamlined review process, longer vesting.

- 1.1.5 Consider the development of code amendments which allow appropriate, alternative, small-scale commercial uses on properties with agricultural and other open lands of 70 acres or larger where the proposed commercial use is determined to be fully compatible with the historic use of the property and the surrounding rural residential land uses. For this purpose, develop a list of uses by special review and prohibited uses. A set of performance standards should also be developed to ensure that allowed and special review uses are developed and operated in manner that minimizes their impacts on the surrounding area, the region and the natural environment. All special review uses should be measured against the performance standards. Special review uses should be allowed only if the scale is fully compatible with the surrounding land uses and the special review procedures, including regular reporting and periodic monitoring. Performance standards should evaluate whether the proposed use reflects a sensitivity to the natural and built rural character of Caucus area and is sustainable with respect to the physical carrying capacity of the parcel and associated roads, utilities, etc. Performance standards should also address, but need not be limited to, noise impacts, air pollution, light pollution, wildlife impacts, and impacts to surface and ground water. Off-site impacts shall be given considerable weight in the review process. The benchmark of compatibility of a proposed use will ultimately be whether it meets the goals and objectives of the Snowmass/Capitol Creek Master Plan.

The list of special review and prohibited uses such as the following should be considered:

SPECIAL REVIEW

PROHIBITED

- Nordic Skiing
- Small Lodge or B & B
- Guest Ranch
- Equestrian Activities, Horse Boarding, Training
- Arts and Crafts
- Children’s Camp

- Commercial Snowmobiling
- Commercial Motorcycling & ATVs

In addition to these uses, commercial uses, which legally existed on the date this Master Plan was adopted, should be considered grandfathered uses provided they continue to be operated in manner consistent with the performance standards and the goals and objectives of this plan and the Pitkin County Land Use Code.

- 1.1.6 Increase vesting time significantly, and in proportion to the approved application’s achievement of preservation and conservation objectives and conformity to the Master Plan, in order to give added incentives to large landholders to resist sale or development in favor of preserving family lands.

Implementation Measures:

- a. Recommend that the County consider amending Section 4-140 of the Land Use Code to allow a vesting period longer than three years and to clearly define the circumstances under which longer vesting terms would be granted.

A longer vesting period is granted with CD-PUD and Open Space Master Plan approvals.

- 1.1.7 Recommend that the County establish legislation to enable landowners to voluntarily exchange a renewable non-development agreement with the County for preservation of the regulatory status quo. Such legislation should be crafted to encourage and facilitate continued preservation of open lands; careful and unhurried exploration of the techniques, strategies and resources for the preservation of and/or conservation planning for such lands.
- 1.1.8 **Statement about Marijuana: The Snowmass/Capitol Creek Valleys Caucus has voted to prohibit Marijuana grow operations and retail sales within the caucus area for one year.**

## 1.2 RESIDENTIAL DEVELOPMENT GOAL

**It is the goal of this master plan, in keeping with the Caucus opinion survey, that all future residential development in Snowmass/Capitol Creek Valleys be consistent with and complimentary to the rural character of the area. The natural environment should dominate a person’s experience of the valleys. To this end, we strongly recommend extremely low density, single-family residential housing of moderate size and bulk.**

### Relevant Opinion Survey Results:

Question #8 (Section B, Residential Development) – *“ To maintain rural character, multi-family housing development (e.g. apartment or townhouse complexes, duplexes, etc.) should be prohibited.”* Approximately 88 percent of respondents gave a supportive response to this question.

Question #9 (Section B, Residential Development) – *“ The Snowmass and Capitol Creek Valleys are suitable receiving areas for large-scale multi-unit affordable housing projects to accommodate a fair share of the valley work force.”* Approximately 90 percent of respondents indicated that they opposed this statement.

Question #13 (Section B, Residential Development) – *“ Future residential development should be limited to single-family dwellings.”* Approximately 85 percent of respondents indicated that they supported this statement

### OBJECTIVES AND IMPLEMENTATION MEASURES:

- 1.2.1 There shall be no multi-family, condominium, apartments, or townhouses allowed, except for on-site employee housing approved by special review.
- 1.2.2 The Caucus strongly supports the existing house size (floor area) limitation of 5,750 square feet (as “floor area” is defined in the Land Use Code). Under exceptional circumstances, house size can be increased to a maximum of 8,250 square feet of floor area through the growth management competition process or through the use of TDR’s. The determination of whether “exceptional circumstances” exist should include substantial compliance with the goals and objectives of this Master Plan, especially, compliance with Implementation Measure (c.) under Objective 1.1.2 of this Plan.

The Caucus supports the following concepts related to the application of the TDR program within the Snowmass-Capitol Creek Caucus area and recommends that the County consider incorporating these ideas into the appropriate provisions of the Land Use Code when the County conducts its analysis for the planned revisions to the County-wide growth management system and TDR program:

- The use of TDR’s for increasing house size within the Snowmass/Capitol Creek Caucus Area should be limited to not more than one TDR on any parcel.
- In order to be eligible as a receiver site for TDR’s it must be shown that the parcel meets the criteria for “receiver sites” as described in this Master Plan.
- The Caucus would strongly oppose any proposed amendment to increase the current house size limitation or to liberalize the Code provisions regulating house size and/or the use of TDR’s for increasing house size.
- The review for establishing a receiver site for TDR’s should be subject to the review and criteria described in Implementation Measure (d) under Objective 1.1.2 of this Master Plan.

Note: In light of the fact that there are pending revisions to the County-wide TDR program, it is understood that the wishes of the Caucus related to the use of TDR’s, as expressed in the paragraph above and in Section 1.1.2 and 3.2 of this Master Plan, are not necessarily supported by the Planning Commission and may or may not be included in the ultimate revisions to the TDR program.

BOCC established 8,250 square foot floor area cap in Sno/Cap when the 2006 Code was adopted. Pre-existing lots/parcels are exempt from growth management up to 5,750 square feet of floor area, and floor area can only be increased to a maximum of 8,250 square feet through use of one TDR or through growth management competition.

The Special Review standards require a demonstration of consistency with the Master Plan and other criteria similar to those referenced above.

- 1.2.3 Develop methods for reducing the impacts of larger houses including visual impacts, energy consumption, materials consumption, light pollution, and traffic. Encourage people to build homes under the current 5,750 square foot limitation.

Implementation Measures:

- a. Recommend that the County study the impacts of large homes as part of an effort to establish a set of controls and performance standards for reducing the impacts of large homes in rural residential areas. This study should include analysis of local conditions as well as the results of research done elsewhere in the Country. Issues to examine in the study include, but should not be limited to, traffic generation and road impacts, material and resource consumption, visual impacts, job creation and other economic forces, water use and wastewater treatment, and energy consumption.
- b. Recommend that the County study the feasibility and benefits of establishing a fractional TDR bank that would allow people to sell unused square footage to a central holding entity where it could be accumulated with other partial rights and be resold for GMQS exemption for development rights or additional square footage.

- 1.2.4 Encourage year round occupancy of homes to help preserve neighborhoods that are vital and foster community.

Implementation Measures:

- a. Recommend that the County study the concept of utilizing Resident Occupied (RO) housing restrictions broadly to encourage a broad base of ownership within the Caucus area and strong neighborhood involvement. One mechanism that the County might consider in its analysis is the creation of an RO Overlay District. This district could have the following characteristics:
  - 1. Use of the district would be voluntary and incentive based.
  - 2. The district could provide growth management exemption for units that would be deed restricted for resident occupancy as currently required under the current Affordable Housing Guidelines. However, this provision must not be used to create any increase in permitted density on any property. Rather, the intent is to ensure greater year-round occupancy of homes constructed with the Caucus Area.
  - 3. The allowed uses, density, floor area and other area and bulk requirements would continue to be controlled by underlying zoning.
- b. Recommend that the County study the concept of creating a buy-down program for resident occupied units. The program would provide a fund for compensating owners of existing homes if they deed restrict the home to RO use only.

### **1.3 COMMERCIAL GOAL**

**Existing retail commercial development in the vicinity of the Snowmass Conoco and Post Office is sufficient to meet the needs of local residents, and zoning should disallow additional retail development except appropriate alternative, small-scale commercial uses of agricultural and other open lands which are fully compatible with the surrounding rural residential land uses, the other goals and objectives of this master plan subject to approval and monitoring through the special review process (see Agriculture and Rural Heritage goal addressing this issue).**

**OBJECTIVES AND IMPLEMENTATION MEASURES:**

1.3.1 Consider the clarification and possible expansion of Home Occupation definitions and regulations, as proposed in the Crystal River Master Plan Report, in order to facilitate remunerative activities fully compatible with these rural valleys that reduce commuting impacts (traffic, energy, lights, noise). Such activities could be both traditional (e.g., eggs, organic foods, etc.) and non-traditional (e.g., pottery, quilting, therapy, tele-commuting, etc.).

Implementation Measures:

- a. **Recommend** that the County establish criteria for reviewing home occupations and cottage industries to ensure minimal impacts from traffic, signs, and other impacts associated with business use in residential areas.

**1.4 INSTITUTIONAL USES GOAL**

**Endorse and support existing institutional uses within the Caucus area including their development or redevelopment so long as any proposed development or redevelopment is (a) consistent with prior land use approvals and the Goals and Objectives of this Master Plan and (b) continues to preserve any lands currently protected and preserved.**

**OBJECTIVES AND IMPLEMENTATION MEASURES:**

1.4.1 Review the County’s special review criteria and other applicable regulations to make sure they adequately address the impacts of the existing institutional uses and possible future changes.

**Relevant Opinion Survey Result:**

Question #10: (Section B, Residential Development) - *“To house people employed and working within the Snowmass and Capitol Creek Valleys, small-scale affordable-housing units should be allowed as long as consistent with the rural character of the valleys.”* Approximately 52% of respondents gave a supportive response to this statement.

1.4.2 Ensure that any proposal for a new institutional use or expansion of an existing use beyond its current approvals is referred to the Caucus for review and recommendation as part of the County’s land use review process . The following criteria would be used by the Caucus to evaluate and make recommendations to the County regarding proposals for

new and expanded institutional uses and should be considered by the County in its review:

- i. Whether the proposed use is small in scale and fully compatible with the surrounding rural-residential or other land uses;
- ii. Whether the proposed use reduces the impacts of commuting (traffic, energy use, lights, noise) by allowing live/work or other home occupation situations;
- iii. Whether the proposed use meets all of the criteria for “special review uses” in the Pitkin County Land Use Code;
- iv. Whether or not the proposed use is not-for-profit and in the public interest.

1.4.3 Any new institutional use proposed in the Caucus area would only receive endorsement from the Caucus if it preserved a large tract of unprotected open space (similar to Windstar). Such preservation alone would not guarantee Caucus endorsement but would be considered a key element by the Caucus.

Implementation Measures:

- a. Recommend that the Pitkin County Land Use Code be amended to incorporate a provision requiring the preservation of open space in association with institutional uses in rural areas or through the purchase of TDR’s.
- b. Recommend that the County study issues associated with institutional uses that would be subordinate to a principal ranch use, such as a school or camp and establish land use provisions to address these issues.

1.4.4 Any proposed change in institutional use by any current or future owner, whether the proposed change is in the nature or the scope of proposed activities, should be referred to the Caucus for review and recommendation regarding how each application complies with the Goals and Objectives of this Master Plan.

## ***SECTION 2: ENVIRONMENT***

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### **2.1 GENERAL GOAL**

**Because of the unique and abundant natural resources of these valleys (e.g. wildlife habitat, riparian corridors, air quality, and intact ecosystems), this Master Plan recommends preserving this natural environment to the maximum extent possible.**

#### **OBJECTIVES AND IMPLEMENTATION MEASURES:**

- 2.1.1 Only allow development that does no harm to water quality or quantity and that actively promotes the protection of environmental and natural resources.
- 2.1.2 Support actively the land preservation efforts of the Pitkin County Open Space and Trails Program and the land preservation programs and activities of other conservation groups in order to foster, encourage and facilitate the continued acquisition of conservation easements and similar techniques promoting land conservation.
- 2.1.3 Support a County initiative or referendum providing sufficient funding for the purchase of conservation easements on the “Crown Jewel” parcels within the Caucus area and throughout Pitkin County.
- 2.1.4 Establish the strongest possible lighting regulations in order to enhance and preserve the sanctity of night skies.

#### **Implementation Measures:**

- a. Modify the GMQS scoring system to place greater emphasis on minimizing light pollution.
  - b. Encourage the County to establish a budget and procedure for the enforcement of lighting regulations.
  - c. Recommend that the County consider amendments to the Lighting Regulations to further minimize the impacts of outdoor lighting as new information and technology is made available.
- 2.1.5 Recommend that Pitkin County design and distribute pamphlets to educate citizens about the need of all residents to take simple and thoughtful steps to encourage tolerance of agricultural practices and to protect: abundant wildlife through habitat preservation and restrictions on dogs, noise and lighting; night skies through lighting regulations; and superior water quality through stream set backs and other requirements that minimize degradation and sedimentation.

County created the Guide to Rural Living in Pitkin County in 2006.

2.1.6 Aggressively pursue the control of noxious weeds within the Caucus Area.

Implementation Measures:

- a. Support the County’s existing policies and programs related to weed management and its role as the administrator of the Colorado Noxious Weed Control Act at the local level, but encourage more aggressive enforcement of noxious weed control.

2.1.7 Preserve quietude by working to minimize excessive noise created by motorcycles, aircraft, construction, special events (w/amplified music), etc.

**Relevant Opinion Survey Results:**

Question #15 (Section B, Residential Development) – *“Aircraft noise abatement regulations should be strengthened and enforced.”* Approximately 92 percent of respondents gave a supportive response to this question.

Implementation Measures:

- a. Recommend that the County make no physical or operational change to the Aspen/Pitkin County Airport that will increase noise within the Caucus Area.
- b. Recommend that the County diligently enforce its existing Noise Abatement regulation (Section 6.36 of the County Code) within the Caucus Area.
- c. Recommend that the County consider amending its special events permit regulation to include information and limitations regarding the noise generated by such events and require that Special Events permit applications are referred to the Caucus for review.

Special events are subject to the noise limits in the County Code. Special event permit applications are always referred to the Caucus.

- d. Support the County’s stated policy to “permit only that development which will not generate noise which would adversely impact land uses or occupants thereof” (Section 6.36.010 Declaration of Policy).
- e. Establish an informational program to educate citizens about the need for all residents to take simple and thoughtful steps to preserve quietude by respecting existing regulations and restrictions related to noise and by exercising common courtesy in situations involving noisy equipment and activities.

## 2.2 SCENIC QUALITY GOAL

**The natural environment and scenic character are among the greatest, most exquisite assets of the Snowmass and Capitol Creek valleys and are the reasons many people choose to visit and make this area their home. Therefore it is the goal of this plan to preserve, for generations to come, the natural beauty and unspoiled scenic character of the landscape within the Caucus Area, particularly the**

spectacular views of the mountains and ridgelines across open meadow foregrounds, but also the more intimate views of the many streams with their riparian corridors, agricultural buildings and uses and historic structures. It is also important to preserve the dramatic views of the nights skies made possible by limiting the use of outdoor lighting. The predominant visual character of the area should remain one where the rural open space feel dominates, with pockets of development remaining subordinate to the natural surroundings.

**Relevant Opinion Survey Results:**

Question #49 (Section F, Signage and Illumination) – *“In order to preserve the integrity of the night sky and/or conserve energy, enforcement of Pitkin County’s prohibition on lighting of trees, driveways, building facades and creeks for new construction, and compliance by 2002 on existing improvements, should be rigorous.”* Approximately 85 percent of respondents gave a supportive response to this statement.

**OBJECTIVES AND IMPLEMENTATION MEASURES:**

2.2.1 Identify viewsheds of particular importance, including views from public roads as well as views from open space lands and recreation areas, in order establish regulations to ensure the preservation of these scenic resources.

Implementation Measures:

a. Recommend that the County amend the official Scenic Foreground Overlay mapping (with emphasis on ridgeline) to include areas visible from all public roads within the Snowmass/Capitol Creek Caucus Area.

2.2.2 Carefully monitor development proposals to ensure that the County’s Scenic Foreground Overlay and Ridgeline regulation is vigorously enforced.

2.2.3 Recommend that all utility extensions associated with new development or redevelopment within the Caucus Area be installed underground.

2.2.4 Request that the County study provisions for limiting excessive fencing to be incorporated into the County’s Land Use Code.

2.2.5 Analyze the proposed county-wide historic preservation regulation including the inventory of the historic structures within the Snowmass/Capitol Creek Caucus Area.

Implementation Measures:

a. Assist the County in the preparation of a list of historic structures within the Caucus Area.

b. Monitor the status of historic structures within the Caucus Area.

2.2.6 Preserve and enhance views of the night skies by reducing the amount of exterior lighting through zoning regulations, policies and education. (See Implementation Measures under Objective 2.1.4)

Implementation Measures:

- a. Strongly recommend that the County diligently enforce its existing Lighting Standards (Section 3-110.110 of the County Code) within the Caucus Area.
- b. Support the County policies addressing the issue of exterior lighting and light pollution including the following:  
*“It is the policy of the County to ensure that the night sky can be viewed by citizens without the interference of unnecessary artificial light from growth, urbanization and highway development.”*
- c. Also, see Implementation Measures under Objective 2.1.4.

2.2.7 Minimize public signs and prohibit all advertising, security and real estate signs within public rights of way within the Caucus Area.

### 2.3 WATER USE, QUANTITY AND QUALITY GOAL

**Strict protection of all creeks and tributaries, and of all adjacent wetlands and riparian areas, is an absolute priority against which any development activity and every development application shall be measured. Preservation of water quantity, including established minimum instream flows, and protection of water quality are equally high priorities. Efforts should also be made to promote the preservation of fish and other aquatic habitat, shoreline integrity and vegetation.**

**Relevant Opinion Survey Results:**

Question #27 (Section D, Natural Environment and Agricultural Heritage) – *“ Strict protection of Snowmass and Capitol Creeks, of adjacent riparian areas, and of domestic water supplies (quality as well as quantity) should be a high priority.”* Approximately 93 percent of respondents gave a supportive response to this statement.

Question #32 (Section D, Natural Environment and Agricultural Heritage) – *“ Setbacks from Snowmass and Capitol Creeks should be increased from the current standard of 20 feet from the high water line.”* Approximately 72 percent of respondents gave a supportive response to this statement.

**OBJECTIVES AND IMPLEMENTATION MEASURES:**

2.3.1 Continue working with Snowmass Village, the Colorado Division of Wildlife and other agencies to establish a long-term, sustainable solution for protecting water quality and quantity (maintaining at least the minimum stream flow) in Snowmass Creek in order to

protect the ecosystem of the Valley and preserve a thriving trout population and precious wetlands and wildlife habitat.

Implementation Measures:

- a. Recommend that the County and Town of Snowmass Village establish an automatic trigger in the Pitkin County development and annexation review process that requires a review of water issues and ridgeline issues in all applications for annexation into the Town of Snowmass village. This review should memorialize the provision within the April 6, 1995 Water Settlement Agreement between Pitkin County, the Town of Snowmass Village, the Aspen Skiing Company, Snowmass Club Associates, Snowmass Land Company and the Snowmass Water and Sanitation District, wherein the Snowmass Water and Sanitation District agrees not to serve new customers outside of its existing service area, the geographical boundaries of the District, and the geographic boundaries of the Town of Snowmass Village with physical water from Snowmass Creek without consent by the County.

- 2.3.2 Protect streams, riparian areas, ponds, lakes, wetlands and other surface water bodies through diligent administration of the current County policies and provisions of the Pitkin County Land Use Code regarding surface water resources.

Implementation Measures:

- a. Support and enforce all County policies addressing the protection of surface and ground water resources including, and most especially, the following:

*“It is the policy of the County to preserve and protect its present water resources, recognizing the county’s semi-arid character and that significant transmountain and transbasin diversions and the vested rights of senior appropriators have materially curtailed the availability of water resources. Furthermore, wetlands and riparian ecosystems, which are important to maintaining the overall balance of ecological systems; and are important plant communities, wildlife habitat and movement corridors, should be conserved, protected and restored. The County seeks to protect citizen’s rights to permanently protected minimum stream flows in rivers and creeks, and to the preservation of remaining natural riparian areas and wetlands.”*

- 2.3.3 Protect Capitol Creek, Snowmass Creek, East Sopris Creek and other streams within the Caucus Area by seeking an amendment to the required minimum stream setback, contained in the Pitkin County Land Use Code, to require a minimum of 50 feet from the ordinary high water mark. The amendment should include a process by which the stream setback can be altered pending a determination of the County Engineer and the County Wildlife Officer.

Adopted a 100’ setback in the 2006 Land Use Code. Setback can be reduced in limited circumstances.

- 2.3.4 Gather information regarding state and/or federal programs for funding fencing to help protect stream banks, riparian areas and water quality from impacts related to livestock.

- 2.3.5 Work to ensure the protection of ground water, particularly domestic wells, from potential pollution by poorly designed, inadequate or failing septic systems.

Implementation Measures:

- a. Require that the County Environmental Health Department aggressively enforce the existing On-Site Wastewater Treatment System (OWTS) regulations on all new development and redevelopment within the Caucus Area.
- b. Encourage the County to research progressive new technologies for wastewater treatment and modify its existing OWTS regulations and other administrative policies and procedures and other applicable Code provisions to accommodate new technology where it can be shown to provide comparable or greater protection for ground and surface water.

Environmental Health is currently updating the OWTS regulations.

- 2.3.6 Prohibit buildings in flood plains, wetlands, washes and riparian areas.

Implementation Measures:

- a. Strongly encourage the County to enforce the floodplain regulations and stream setbacks as regulated under the Pitkin County Land Use Code.
- b. Carefully evaluate all development applications referred to the Caucus for encroachment into mapped or known floodplain and wetland areas.
- c. Recommend that County pursue better quality floodplain mapping for all major streams within the Caucus Area.
- d. Recommend that the County require all land use applications, for properties containing streams, ponds, lakes, washes, wetlands or other surface water bodies, to include information regarding the extent of riparian habitat zone in order to adequately evaluate the impacts of development on riparian habitat.

BOCC adopted new floodplain regulations pursuant to Ordinance No. 32-2013 to bring our regulations into compliance with new State law. The County initiated updates to the floodplain maps for the County; FEMA is currently working on the maps.

- 2.3.7 Recommend that the County establish a system for analyzing the adequacy of a proposed water supply for all purposes associated with a development proposal including all domestic or commercial uses and other associated uses such as landscaping and fire fighting.
- 2.3.8 Recommend that Pitkin County study the possibility of incentives for the reuse of gray water for domestic irrigation and establish effective and workable regulations governing gray water reuse in order to eliminate environmental impacts and health, safety concerns related to such reuse.

- 2.3.9 Establish public education programs to foster the value of rivers and surface waters in order to prevent pollution and minimize the impacts of human activities on water quality. Special emphasis should be placed on education regarding the critical importance of maintaining in-stream flows particularly during dry years.
- 2.3.10 Install monitoring stations to monitor water quality and quantity in Snowmass, East Sopris and Capitol Creeks.

## 2.4 AIR QUALITY GOAL

**Preserve the current air quality in the Caucus area, which is among the best in the State of Colorado.**

### **OBJECTIVES AND IMPLEMENTATION MEASURES:**

- 2.4.1 Ensure that current regulations governing air pollution at the local, state and Federal level are enforced within the Roaring Fork Valley.

#### Implementation Measures:

- a. Support the Counties efforts to control air pollution through its current policies and regulations including the Air Pollution Control and Solid Fuel Burning Devices and Restaurant Grill provisions of the County Code.
- b. Work with the County on continued monitoring of air quality within the Caucus Area.
- c. Recommend that the county strengthen regulations, policies and procedures to better address the impacts of construction on air quality.

A Fugitive Dust Control Plan is required with any Construction Management Plan.

- 2.4.2 Encourage the development and use of alternative energy vehicles.
- 2.4.3 Encourage the use of existing park and ride and other existing transit services and facilities.

## 2.5 WILDLIFE GOAL

**It is of great importance to the residents of the Caucus Area to preserve and protect wildlife habitat in the Snowmass/Capitol Creek valleys, and to ensure that large contiguous parcels remain available for wildlife use and movement. Particular care should be taken to protect migration routes in the Area and the important deer and elk winter habitat located on the hills from Watson Divide, across Williams Hill to**

**Light Hill. These habitat areas are identified on the wildlife habitat maps on file at the Pitkin County Community Development Department.**

**OBJECTIVES AND IMPLEMENTATION MEASURES:**

2.5.1 Recommend that Pitkin County work with other agencies as appropriate, during the review of land use applications where the wildlife impacts may be significant, to determine, *on a case by case basis*, those specific portions or features of a parcel that are the most important biologically so that best ecological practices and solutions are fostered for the Caucus area as a whole.

Land use applications are referred to Colorado Parks and Wildlife for a site specific review.

2.5.2 Recommend all existing and proposed developments strictly adhere to the policies and regulations of the Pitkin County Land Use Code concerning wildlife including the following policy statement contained in the County's Land Use Policy Guidelines.

*"It is the policy of the County to ensure that proposed land uses (including structures) are compatible with the ecosystem of wildlife habitats and do not pose immediate, long-term or potential detrimental impacts to such habitats. The county seeks to preserve, restore and perpetuate native wildlife and plant diversity by maintaining sufficient habitat."*

Implementation Measures:

- a. Support the County in administering and enforcing the existing wildlife regulations contained in the Land Use Code for new development and redevelopment through the land use application referral process by closely reviewing the site-specific impact of each development proposal upon wildlife and wildlife habitat, striving to preserve the open space, plant species, cover and corridors for the healthy protection, reproduction, movement and migration of all native wildlife species.
  - b. Work with Pitkin County and the Colorado Parks and Wildlife (CPW) to establish the best method for determining critical or significant wildlife impacts associated with proposed developments.
  - c. Strengthen land use regulations and policies regarding the prohibition of development in important wildlife habitat including calving, migration, and severe winter range.
- 2.5.3 Recommend that development proposals include information regarding the broad overview of each new development in relation to the habitat on neighboring parcels.
- 2.5.4 Encourage the adoption of land use regulations that consider a broad perspective in terms of wildlife habitat including the concept of "biodiversity," which places greater importance on preserving a broad spectrum of plant and animal species as opposed to a few "indicator" species.

- 2.5.5 Recommend that the County pursue policies and regulations to protect areas of significant sage and mountain shrubland habitats especially where this habitat is found to support endangered or threatened animals<sup>3</sup>.

Implementation Measures:

- a. Amend the growth management scoring process to allow more points for projects that avoid important sage and mountain shrubland habitats.

The growth management scoring system provides the potential for points in the wildlife section for “other innovative ways in which wildlife habitat can be protected that would exceed adopted standards.” Avoidance of important sage and mountain shrubland habitats could be considered under this scoring criteria.

- 2.5.6 Recommend that the County establish educational information reminding citizens of steps they can take to protect wildlife and wildlife habitat including keeping dogs under control at all times and the dangers of using chemicals in the treatment of noxious weeds in terms of the impacts to wildlife.
- 2.5.7 Encourage the County to enforce dog restrictions within developments where such restrictions were required in the land use approvals granted by the County.

## 2.6 WILDFIRE GOAL

**Cooperate with the County Sheriff’s and the Basalt Rural Fire Protection District office and other appropriate government agencies to establish and administer wildfire policies and programs to minimize the danger and destruction associated with wildfires within the Caucus Area.**

**OBJECTIVES AND IMPLEMENTATION MEASURES:**

- 2.6.1 Coordinate with the County regarding road closures as necessary for firefighting.
- 2.6.2 Recommend that the County land use and building regulations be modified to require retroactive “defensible space” standards be met by all existing residences when a building permit is sought for remodeling.
- 2.6.3 Establish and distribute a hand-out to all land owners containing a clear protocol for ditch burning and other controlled burns and providing a description of the process, contacts and information necessary to obtain the required burn permit from the County.

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<sup>3</sup> Reference: “Songbird and Medium-Sized Mammal Communities Associated with Exurban Development in Pitkin County, Colorado” prepared by Eric A. Odell and Richard L. Knight. 2001.

- 2.6.4 Recommend that the County amend the current Land Use Code relative to conflicting mitigation requirements. Develop a prioritizing strategy, with Pitkin County, USFS, CPW and the Caucus, to determine the best solution for resolving conflicting mitigation requirements when there are wildfire as well as other environmental constraints on a proposed development site.
- 2.6.5 Establish an emergency communications plan to provide residents of the Snowmass/Capitol Creek Valleys Caucus Area prompt and accurate information regarding road closures and other emergencies affecting the area as necessary during emergency situations. **Develop an evacuation plan for the neighborhood and identify vulnerable populations such as seniors. Include livestock in evacuation planning.**

## ***SECTION 3: GROWTH***

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### **GOAL**

**Ensure that future growth reflects a sensitivity to the natural environment, occurs at a slow rate consistent with the concept of economic and community sustainability and is consistent with the other goals and objectives contained in this Master Plan, particularly those related to land use, and environment.**

#### **Relevant Opinion Survey Results:**

Question #14(Section B, Residential Development) – *“future residential development should be limited to preserve the ranching and agricultural heritage of the valleys.”* Approximately 89 percent of respondents gave a supportive response to this statement.

#### **Notes Regarding Growth Management System and Transferable Development Rights:**

This portion of the Master Plan includes a number of technical terms related to the Growth Management Quota System provisions of the Pitkin County Land Use Code. For clarity, the basic elements of the GMQ system are described and the key terms defined in the following paragraphs.

The Growth Management Quota System, or GMQS, administered by Pitkin County was established in 1976 and has been part of the County’s land use regulations since that time, though it has been modified many times over the years. The GMQS provisions in the Land Use Code are intended to control the rate of growth and type of development that occurs within the County. The system is based on the premise that development of residential dwelling units, commercial square footage or lodging units can only occur if a property has the necessary “development rights” associated with it either by virtue of the parcel having been created prior to June 12, 1978 or if the development rights are acquired through the growth management competition process or through any of a variety of “exemptions” or “incentives” available for certain types of development or specific situations. The term “development right” is a generic reference to a development allotment (either a residential allotment, commercial allotment, or lodging unit allotment obtained through the GMQS competition process) or an exemption or incentive, the granting of which allows development to occur without obtaining a development allotment through the GMQS competition process. The amount of residential development allowed in association with development allotments obtained through the GMQS competition process is limited to a finite amount of square footage each year in the Rural Area. This is referred to as the “Annual Residential Allotment Ceiling.” Development associated with “exemptions” and “incentives” is not limited.

Most development occurs through the “exemption” and “incentive” provisions of the growth management quota system. One of the most important of the “exemptions” and “incentives”, in terms of its usefulness in rural areas, is the “Transferable Development Right” or “TDR.”

TDR's are development rights that have been severed from parcels located within the Rural/Remote zone district. These severed development rights can then be used to allow residential development on another property, referred to as a "receiver site" without having to obtain an allotment through the GMQS competition process. Using a TDR on a "receiver site" is subject to special use approval from the County. TDR's can be used to avoid the growth management competition process to create a new development right for new residential structures and/or accessory structures up to 5,750 square feet. TDR's can also be used to allow additional floor area for residential development over the 5,750 square foot limitation. When used to obtain additional floor area in the "Rural Area" each TDR is equal to 2,500 square feet of floor area. The term "Rural Area," as utilized in the GMQS provisions of the Land Use Code, refers to the unincorporated portion of Pitkin County that is not within the Aspen Metro Area or Urban Growth Boundary.

**OBJECTIVES AND IMPLEMENTATION MEASURES:**

- 3.1 Revise growth control policies, land use criteria and modify GMQS scoring system to support and incentivize development that reflects and enhances the rural character of the Caucus area as well as prohibiting development that compromises rural character, reduces agricultural productivity or impairs the water, air, wildlife and other natural resources and values of the area.

Implementation Measures:

- a. Recommend that the County reduce the allowable square footage awarded annually within the Caucus Planning Area by assigning a specific and modest total annual residential allotment ceiling specifically for the Snowmass/Capitol Creek Caucus Area in order to insure that future growth within the Snowmass/Capitol Creek Valleys is paced slowly and encourages the preservation of resident occupied homes and neighborhoods.
  - b. Recommend that the County amend the GMQS regulations to reward more points or heavier weighting of points in the scoring process for proposed projects that contain homes whose total floor area is less than 3000 sq. ft. provided the proposed project does not create more homes than would otherwise be allowed thus increasing development related impacts within the Caucus Area and provided that the land be deed restricted to prohibit the size of the house from being increased to more than 3000 sf. unless the additional square footage is obtained through GMQS process.
  - c. Recommend that the County study ways of allowing and encouraging the establishment of a voluntary RET Tax for new developments to create a fund for accomplishing various of the objectives of this plan which require money beyond that which is available through current sources.
- 3.2 Work to preserve agricultural lands and the associated open space within the Caucus Area through the use of a palette of methods including conservation easements, conservation tax credits, open space acquisition, limited development regulations, and the use of the transferable development rights (TDR's).

Code contains various tools for conservation development and the creation of TDRs, including CD-PUD, Limited Development Conservation Parcels, constrained and visually constrained sites. Open Space Master Plan to be re-enacted.

The Caucus supports the following concepts regarding the use of TDR's and recommends that these ideas be considered for incorporation into the appropriate provisions of the Land Use Code when the County conducts its analysis for the planned revisions to the County-wide growth management system and TDR program:

- TDR's should be used to transfer density from rural areas to urban areas.
- Transfer of TDR's from outside the Caucus Area should be prohibited.
- Where TDR's are to be used on a receiver site within the Caucus Area they should come from another property within the Caucus Area. In the event that the transfer of TDR's to a receiver site within the Caucus Area occurs, such transfers should be allowed only where it can be demonstrated that the proposed development will have minimal impacts on the surrounding area (see recommendation for strengthening regulations governing the approval of TDR receiver sites in, Implementation Measure c below), where the existing rural character will not be altered and where the proposed development is consistent with the Goals and Objectives of the Snowmass Capitol Creek Valleys Master Plan. Such transfers should be limited to one additional TDR per lot or parcel when the development right is being used to add floor area to an existing or proposed house. In order to be eligible as a receiver site for TDR's it should be shown that the subject property meets the criteria described in this Master Plan for receiver sites.

Note: In light of the fact that there are pending revisions to the County-wide TDR program, it is understood that the wishes of the Caucus related to the use of TDR's, as expressed in the paragraph above and in Section 1.1.2 and 1.2.2 of this Master Plan, are not necessarily supported by the Planning Commission and may or may not be included in the ultimate revisions to the TDR program.

Implementation Measures:

- a. Recommend that the County study use of TDR's for uses other than residential.
- b. Recommend that the County study establishing a limit on the ultimate square footage of agricultural structure(s) that could be used on any one property.
- c. Recommend that the County strengthen the regulations regarding TDR receiver sites so that there will be greater assurance that a site is truly appropriate to receive. Criteria that should be considered in the evaluation of receiver sites within the Caucus Area should include but not be limited to the following: visual impacts; impacts on surrounding land uses and rural character; potential for light, air and water pollution; traffic impacts; and the potential for undermining year-round resident occupancy and the preservation of vital neighborhoods that foster community. Consider an amendment where final approval of the special review for receiver sites should be in the authority of the Board of County Commissions pursuant to the two-step procedure identified in the Land Use Code. The review process should be based on a hierarchical system of applying the criteria. The first step in the review of a TDR

receiver site should be whether the characteristics of the proposed site can accommodate the proposed structure with minimal impacts, especially visual impacts from public roads and adjacent properties. If the objective of minimizing visual and other impacts cannot be accomplished through siting, then the property should be considered inappropriate for receiving TDR's, except where an applicant is willing to limit the use of the TDR for below grade space only and this can be shown to mitigate the visual impacts of a proposed structure. Landscaping should be considered as a way to further minimize visual impacts not as the primary solution for screening.

BOCC established 8,250 square foot floor area cap in Sno/Cap when the 2006 Code was adopted. Pre-existing lots/parcels are exempt from growth management up to 5,750 square feet of floor area, and floor area can only be increased to a maximum of 8,250 square feet through use of one TDR or through growth management competition.

The Special Review standards require a demonstration of consistency with the Master Plan and other criteria similar to those referenced above.

- 3.3 Recommend the establishment of policies, programs and relationships with appropriate government agencies that would minimize the potential for the exchange of public lands within the Caucus Area and set a "no net loss" standard with respect to public lands.

Implementation Measures:

- a. Recommend that Pitkin County develop intergovernmental agreements (IGA) or memorandum of understanding (MOU) with Federal land agencies regarding land management and land exchanges within the Snowmass/ Capitol Creek Area.
- b. The Caucus should establish a relationship with the USFS and BLM and request that the Caucus be informed of potential land exchanges and be allowed an opportunity for review and comment on any exchanges within the Caucus Area.

- 3.4 Recommend no further annexations of the Town of Snowmass Village within the Caucus Area.

Implementation Measures:

- a. The Caucus shall insist that the Pitkin County Board of County Commissioners enforce Section 10 of the Intergovernmental Agreement entered into between the Pitkin County BOCC and the Town of Snowmass Village on August 2<sup>nd</sup>, 1984, which states the following:

*"In response to the County's desire to limit further annexation by the Town in the Snowmass Creek Valley, the Town hereby agrees that it will not initiate or consider any petition for annexation of territory in the Snowmass Creek Valley without the prior consent of the County during the term of this agreement."*



## ***SECTION 4: INFRASTRUCTURE ENERGY AND ESSENTIAL COMMUNITY FACILITIES***

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### **GOAL**

**Infrastructure and essential community services should serve the character, land use and environmental goals of the Caucus Area which place strong emphasis on preserving the natural environment and maintaining the existing character of the area substantially unchanged. Future community facilities must also be consistent with all other goals and objectives of this plan. **Encourage development of Community renewable energy sources within the Caucus area on appropriate sites and individual use of renewable energy for private use.****

### **OBJECTIVES AND IMPLEMENTATION MEASURES:**

- 4.1 The Caucus supports the policy contained in the Pitkin County Land Use Policy Guidelines, issued in September 2002, which states, *“Pitkin County generally does not support extensions of public utilities such as municipal water and sewer lines outside of the Urban Growth Boundaries.”*
- 4.2 The County should adopt measures to ensure that, where infrastructure and essential community service improvements are necessary and supported by the Goals and Objectives of this Master Plan, such improvements are based on technologies and solutions that balance environmental sensitivity, functional efficiency and economic practicality. Where appropriate, the cost of these improvements should be born by future developments.
- 4.3 Work with local internet providers to determine the cost and feasibility of providing broadband internet service within the Caucus Area.
- 4.4 **Explore feasibility of renewable energy sources and sites in the Snowmass/Capitol Creek Valleys Caucus area for community use within the caucus area and by individuals within the caucus area.**

## SECTION 5: TRANSPORTATION

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### 5.1 ROADS GOAL

**It is the goal of this Master Plan to keep the rural character of the Caucus Area intact by maintaining the County roads in their current condition allowing minimal improvements as necessary for safety.**

#### Relevant Opinion Survey Results:

Question #38 (Section E, Roads and Trails) – *“All existing county roads should be maintained to, but not beyond, current standards.”* Approximately 68 percent of respondents gave a supportive response to this statement.

Question #39 (Section E, Roads and Trails) – *“Providing that existing conditions of public roads are preserved, there should be no further widening, paving, stripping, or shouldering of the following public roads: Snowmass Creek Road (paved portion); Snowmass Creek Road (unpaved portion); Capitol Creek Road (paved portion); Capitol Creek Road (unpaved portion); East Sopris Creek Road (paved portion); East Sopris Creek Road (unpaved portion); Watson Divide Road; Elk Creek Road.”* In all cases, except Watson Divide Road, the majority of people responded positively to this statement. In the case of Watson Divide Road, the responses were nearly equally split reflecting a division in the community regarding whether to allow more significant improvements to Watson Divide Road, though everyone agreed safety is a priority!

#### **OBJECTIVES AND IMPLEMENTATION MEASURES:**

5.1.1 Support Pitkin County Policy with respect to County roads, which reads as follows:

*“Where practical, the County seeks to retain existing unpaved roads as a reflection of our rural character. The County also seeks to preclude winter maintenance extending farther into remote areas of the County. The safety and rural character impacts likely from increased winter maintenance is avoidable and undesirable.”*

#### Implementation Measures:

- a. Work with the County to enforce its policy of precluding the extension of winter snowplowing of County roads beyond the current locations except as necessary for ranch operators to allow access to fields for winter cattle feeding.
  - b. Recommend that the County establish a process by which extensions of winter maintenance of roads within the Snowmass/Capitol Creek Caucus area are reviewed, including public hearing(s) and referral to the Caucus for review and approval.
- 5.1.2 Recommend that the County review the road classifications and maintenance procedures for all roads within the Caucus Area to ensure that roads of similar characteristics receive similar maintenance.

- 5.1.3 Keep roads in their current condition with regular maintenance to eliminate washboards and other safety hazards but without further widening, straightening, or changing the type of surface (except where safety is an issue). Improvements to Watson Divide Road should be timed to coordinated with improvements to Highway 82 in the area of the Watson Divide Road intersection.
- 5.1.4 Work with the County to determine and implement the minimum improvements necessary to Watson Divide Road to reduce safety concerns without encouraging increased speed or traffic. One such improvement would be the installation of a guardrail along the upper section of the road.
- 5.1.5 Recommend elimination of the use of magnesium chloride on all roads within the caucus area and recommend that the County seek environmentally less impactful solutions for road deicing in winter and dust suppression in summer.
- 5.1.6 Recommend limiting centerline painting to areas with high traffic volumes or sharp curves.
- 5.1.7 Recommend that the County improve maintenance procedures to create road crowning, drainage ditches and adequate vegetation management.
- 5.1.8 Minimize public signs and prohibit all advertising, security and real estate signs within public rights of way.
- 5.1.9 Recommend prohibition of the designation of any additional roads within the Caucus Area as “scenic,” as defined by the Federal Highway Administration and/or Pitkin County.
- 5.1.10 Encourage the County to review the speed limits on all County roads within the Caucus Area to ensure that they are consistently appropriate for conditions. Also, encourage the County to enforce the speed limits on all roads within the Caucus Area.
- 5.1.11 Strongly recommend the requirement and strict enforcement of construction management plans to reduce construction traffic impacts associated with new developments and major redevelopments within the Caucus Area.

## **5.2 MASS TRANSIT GOAL**

**Support the current mass transit system in the Roaring Fork Valley and its ability to provide continued, convenient service.**

### **OBJECTIVES AND IMPLEMENTATION MEASURES:**

- 5.2.1 Maintain the current park-n-ride facility at the intersection of Snowmass Creek Road and Highway 82.
- 5.2.2 Encourage institutional uses and special events within the Caucus Area to utilize van service.

### 5.3 TRAILS AND OPEN SPACE GOAL

**Provide safe, convenient routes for bicyclists and pedestrians between residential neighborhoods and other significant locations within the Caucus Area and to the broader region. Open space management should be consistent with wildlife and habitat preservation. Balance recreational trails and the presence of wildlife winter range habitat.**

#### OBJECTIVES AND IMPLEMENTATION MEASURES:

- 5.3.1 Preserve the use of the existing roads within the Caucus Area as an integral part of the recreational trail system by maintaining their narrow rural character and relatively low traffic levels and speed limits and by fostering awareness of safety and road etiquette associated with bicycle, equestrian and pedestrian use of the roads.

#### Implementation Measures:

- a. Launch a campaign to educate local residents, landowners and bicyclists regarding safety and road etiquette issues associated with bicyclist's use of area roads.
- 5.3.2 Trails should avoid environmentally sensitive areas.
- 5.3.3 Where development or redevelopment is proposed on private property where historic access to adjacent public lands exists, analyze, on a case-by-case basis, whether to require permanent trail access consistent with the use of the public lands as part of any approval process. This analysis should consider what user groups the trail access is intended for.
- 5.3.4 Investigate improvements to Snowmass Creek Road between the intersection with Capitol Creek Road and Hwy 82 to increase pedestrian and bicycle safety.
- 5.3.5 Work with BLM to develop a trail consolidation and revegetation management plan for Light Hill and protection of important vegetation communities.<sup>4</sup>
- 5.3.6 Explore the feasibility of bike paths on certain heavily traveled roads and/or explore wider shoulder where bike and car conflicts exist.....???

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<sup>4</sup> Reference: "Roaring Fork Watershed Biological Inventory." Prepared in association with The Nature Conservancy, CSU, Colorado Natural Heritage Program. April 1999.

## ***SECTION 6: RECREATION AND TOURISM***

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### **GOAL**

**Preserve existing recreational opportunities within the Caucus Area, but discourage expansion of recreation other than as discussed for existing ranch owners under the “commercial” section of the “land use” goals and objectives in this Master Plan.**

### **OBJECTIVES AND IMPLEMENTATION MEASURES:**

- 6.1 Maintain the current trail system and access to public lands through private lands, where it currently exists unless it is determined, through an open study process conducted by the USFS or BLM, to relocate or close a trail.
- 6.2 Maintain current parking facilities at trailheads in good condition.
- 6.3 Work with Pitkin County, USFS and backcountry users groups to monitor use levels on existing backcountry roads and trails and consider measures to manage impacts to existing backcountry roads and trails.
- 6.4 Discourage overflow parking on County Roads at trailheads to help prevent overuse of the existing trail system. Encourage users of the Capitol Creek Trail to park at the lower lot to minimize impacts on the roads above this lot.
- 6.5 Work with Pitkin County and the United States Forest Service to ensure that the existing outfitting businesses are operating within all applicable State and local regulations.

#### **Implementation Measures:**

- a. Recommend that Pitkin County consider amending the definitions section of the Land Use Code to include a definition for “Outdoor Recreation” and to include “outfitting” and “guide services” within this definition.
  - b. Recommend that the County aggressively enforce existing land use and all other local, state and federal regulations relating to outdoor recreation uses and to establish and enforce penalties for violations of these regulations.
- 6.6 Provide education to the public regarding the safety and courtesy issues associated with bicyclists and other recreation users of roads.
  - 6.7 Seek greater influence over issues related to the management of federally-owned public lands within the Caucus Area.

Implementation Measures:

- a. Recommend that Pitkin County develop intergovernmental agreements (IGA) or memorandum of understanding (MOU) with Federal land agencies regarding land management specifically within the Snowmass-Capitol Creek Area.
- b. The Caucus shall establish a relationship with the USFS and BLM and pursue direct discussions with these agencies regarding limitations on the establishment of any new campgrounds within the Caucus Area and keeping roadless areas roadless by establishing more restrictive policies regarding the establishment of new roads, and controlling the use of motorized vehicles on public lands within the Caucus Area.
- c. Support and promote the policies of Pitkin County with respect to the management of public lands including the following:

*“Pitkin County supports protection of designated Wilderness areas within and surrounding Pitkin County, as these areas provide residents and visitors with incredible vistas and opportunities for experiencing the natural environment while renewing their “mind body and spirit.” The County encourages management of adjacent and neighboring land to preserve the integrity of the wilderness area.”*

*“The County seeks to preserve and protect public lands from the impacts of incompatible development by promoting land uses within the nearby public lands which are compatible with public use of those lands, and with preservation of the natural environment.”*

## **SECTION 7: MINERAL EXPLORATION/EXTRACTION**

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### **GOAL**

**Protect lands within the Caucus area from the environmental impacts of mining, mineral exploration, oil and gas drilling and exploration, sand and gravel pits, rock crushers, concrete batch plants, and other extractive operations.**

### **OBJECTIVES AND IMPLEMENTATION MEASURES:**

7.1 Seek to improve the existing regulations governing mining, mineral exploration and other extractive operations in the Pitkin County Land Use Code to prevent such activities from occurring on private lands within the Caucus Area and, to the extent possible, discourage such activities on public lands.

#### Implementation Measures:

- a. Recommend that the County include definition for “extractive operations” in the Land Use Code and incorporate oil and gas exploration and drilling in this definition. Also modify land use tables to include “extractive operations” as a prohibited use in R-30, RS-30, RS-160, AFR-10, AFR-2 and all other residential districts. Further consider establishing separate more stringent set of review criteria for special use permits for extractive operations.
  - b. Recommend that the County include “extractive operations” (as defined pursuant to the recommendation in Implementation Measure “a” above) along with mineral exploration and mining, as these uses are currently regulated in the Land Use Code, including the standards for review of Mineral Exploration and Mining contained in Section 5-130 of the Code.
  - c. Recommend that Board of County Commissioners pursue intergovernmental agreements (IGA) or memorandum of understanding (MOU) with the United States Forest Service and the Bureau of Land Management to allow more aggressive limitations on mining, mineral exploration and other extractive operations on any federally-owned public lands in Pitkin County.
  - d. Encourage local government agencies, local and state politicians to seek amendments to antiquated federal regulations governing mining and mineral exploration on public lands nation wide.
- 7.2 Seek strict enforcement of all existing local, state and federal regulations governing mining, mineral exploration, oil and gas exploration and drilling, sand and gravel pits and all other extractive operations when such operations are proposed within the Caucus Area.

## ***SECTION 8 –RESPONSE TO CLIMATE CHANGE AND PREPAREDNESS***

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Inaction with respect to climate change are potentially catastrophic for the natural environment and current and future generations in communities. The Snowmass/Capitol Creek Valleys Caucus endeavors to address energy consumption at the local level and resiliency relating to local land use and natural resource management. We support coordinated and collaborative efforts between local, state and federal agencies to design and implement strategies to address the following issues:

- 1) Wildfire: Land use and forest management strategies to address the potential for wildfire, particularly at the wildland/urban interface, and to respond to a wildfire event.
- 2) Flood: Land use and natural resource management strategies to address flood hazard and to respond to a flood event.
- 3) Water Availability: Land use and natural resource management strategies to maintain healthy streams, reduce potential for drought, and to develop strategies in the event of drought to address potable water supply, wildfire potential, forest health, the local/regional recreation/tourist economy, fisheries and agriculture.
- 4) Biodiversity: Forest management strategies to maintain biodiversity as a means to limit impacts of changing climate.
- 5) Resilient Infrastructure: Design and location of buildings and structures to withstand adverse conditions related to changing climate.
- 6) Economic Resilience: Strategies to encourage a diverse economy to respond to changing snow pack and other climate related factors as they may impact tourism.
- 7) Food Security: Developing local food growers, where feasible, and markets in order to rely less on outside sources.

## ***SECTION 9-NEEDS OF SENIOR POPULATION***

## ***SECTION 10-ECONOMIC RESILIENCE***



## *Snowmass-Capitol Creek Valley Master Plan*

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### ◆ *Future Land Use* ◆

#### **DESCRIPTION OF FUTURE LAND USE MAP**

Residents of the Caucus Area expressed, through their responses to the Opinion Survey that was conducted as part of this Master Plan process, that they supported the idea of keeping the land use pattern and densities within the Caucus Area substantially unchanged. The survey results show that there is strong support among residents of the Caucus Area for the preservation of open lands, preservation of agriculture uses and agricultural lands, protection of the environment especially streams, lakes, ground water and wildlife habitat, and support for growth management and other incentive based policies to control growth. The survey results also show remarkably little support for large multi-family housing developments and expansion of commercial uses other than small scale, compatible cottage or home occupation type commercial uses that could augment ranch incomes. These issues form a strong thread throughout this Master Plan and were the driving force behind the Future Land use Map.

The Future Land Use Map (FLUM) contained in this Plan was designed to preserve the existing land use pattern and densities within the Caucus Area. Though they are generalized, the land use categories and suggested densities shown on the FLUM reflect the existing land uses within the Caucus Area closely. While there may be situations where the future land use designation suggests a minimum lot size smaller than what may currently exist, this was not intended to encourage rezoning for greater density on any parcel within the Caucus Area. The existing zoning within the Caucus area is believed to be appropriate and this Master Plan makes no recommendation for rezoning of any particular property or area. However, rezoning of large parcels to Rural/Remote, at the request of the property owner, is supported by the Caucus provided the property meets the criteria for Rural/Remote zoning contained in the Pitkin County Land Use Code.

The FLUM is a component of the overall Master Plan. Compatibility with this Master Plan cannot be determined by a review of the Future Land Use Map alone! Rather, the Map must be used in conjunction with the Goals, Objectives and Implementation Measures included in the text of this Master Plan. In situations where a conflict exists between the FLUM and the text contained in the Master Plan, the text shall prevail. Sensitive natural conditions, including wildlife and wildfire, are depicted on other maps in the Master Plan and are described in the text,

e.g. setbacks from streams. These factors must also be taken into consideration when reviewing the suitability of land for future development.

In one case the FLUM includes a recommended future land use for a privately-owned parcel located partially outside of the Caucus Area Boundary. This property is the Watson Divide Ranch located either side of the Watson Divide Road on the east side of the Caucus Area. The future use designation for this property is Agriculture/Conservation and reflects the fact that the property has been encumbered by a conservation easement that limits development on the site to two small building envelopes. The remainder of the property is preserved for agriculture, open space and wildlife habitat. The Deed of Conservation Easement is held by the Aspen Valley Land Trust and is included in the Appendix of this Master Plan.

## **DESCRIPTION OF FUTURE LAND USE CATEGORIES**

The following are descriptions of the future land use designations depicted on the Future Land Use Map.

***Open Space/Public Lands (OS):*** This is a catch-all category for all publicly-owned lands including USFS and BLM lands. Use of the land within this category will include recreation (as existing and permitted in the applicable Forest Plan for USFS lands or the Management Plan for BLM lands), open space preservation, wildlife habitat protection and other uses allowed by the USFS or the BLM not including mining or mineral exploration (see discussion in the Goals and Objectives of this Master Plan regarding mining and mineral exploration).

***Agriculture/Conservation (AG/CON):*** This use category is intended for land the future use of which is governed by existing conservation easements or other restrictions currently in place that limit the use of the property to agriculture, open space preservation, and/or wildlife habitat preservation and restoration. Where conservation easements have been recorded for the property, the Deed of Conservation Easement is included in the Appendix of this Master Plan.

***Institutional (INST):*** This category is intended for private institutions including summer camps, research facilities and retreat centers. These uses are subject to the other policies of this Master Plan, especially the Objectives and Implementation Measures found under the Institutional Use Goal, as described in the Goals and Objectives section of this Plan.

***Commercial (COM):*** The commercial category is limited to the Snowmass Conoco parcel and is intended for existing retail and service commercial uses within the Caucus Area. Typical uses in this land use category include the Snowmass Conoco and similar convenience oriented commercial facilities.

***Public (PUB):*** This category is intended for essential community facilities and services such as fire stations and post offices. This category includes the fire station located on the north end of the Lazy-O subdivision near the intersection of Capitol and Snowmass Creek Roads and the Post Office located adjacent to the Snowmass Conoco on Highway 82.

***Affordable Housing (AH):*** This category applies to land currently zoned AH (affordable housing) as depicted on the County Zoning Map as of the date this Master Plan was adopted.

***Medium Density Residential (MDR):*** Residential use with density ranging from .69 acres/du to ≤5 acres/du (dwelling unit). Other intended uses include “employee” and “caretaker” dwelling units, and home occupations, both as regulated under the applicable provisions of Pitkin County Land Use Code. This land use category is limited to the Little Elk Creek and Gateway subdivisions and a few properties at the intersection of Snowmass and Capitol Creek Roads.

***Medium-Low Density Residential (MLDR):*** Residential use with density ranging from >5 acres/du to ≤ 10 acres/du. Other intended uses include “employee” and “caretaker” dwelling units, and home occupations, both as regulated under the applicable provisions of Pitkin County Land Use Code. This land use category is limited to the portion of the Lazy-O Subdivision outside of the Wildlife and Agricultural Conservation areas and a small area along Snowmass Creek to the east of the Shield-O area.

***Low Density Residential (LDR):*** Residential use with density ranging from >10 acres/du to ≤ 30 acres/du. Other intended uses include “employee” and “caretaker” dwelling units, and home occupations, both as regulated under the applicable provisions of Pitkin County Land Use Code and small-scale agricultural and equestrian uses. This category includes portions of the Shield-O-Mesa and Shield-O-Terrace subdivisions and the Hidden Meadows subdivision. There are a number of parcels within the area designated for this land use category on the Future Land Use Map that are larger than the low end of the recommended lot size range. This is not intended to encourage requests for rezoning to allow further subdivision of these parcels. In fact, rezoning and subdivision, to the extent that it would result in an increase in dwelling units over what is currently allowed under the RS-30 zoning, would be considered inconsistent with this Master Plan.

***Very Low Density Residential (VLDR):*** Residential use with density ranging from >30 acres/du to ≤ 70 acres/du. Other intended uses include “employee” and “caretaker” dwelling units, and home occupations, both as regulated under the applicable provisions of Pitkin County Land Use Code, as well as agriculture and equestrian uses. This category includes that portion of the Shield-O-Mesa and Shield-O-Terrace subdivisions not located within the LDR future land use designation as well as much of the land on either side of Snowmass Creek Road, and the land on either side of East Sopris Creek Road as far as the McCabe Ranch. The approved lots located within the McCabe Ranch are also included in this category. Development proposals for lands located within this category should be designed utilizing cluster concepts and should incorporate useable common open space and buffer areas.

***Rural Residential/Agriculture (RRA):*** Residential use with density ranging from >70 acres/du and above. Other appropriate uses in this category include agriculture, equestrian operations, grazing and other related uses, “employee” and “caretaker” dwelling units and home occupations (both as regulated under the applicable provisions of Pitkin County Land Use Code). Additional uses include other small-scale, complimentary cottage industry uses as defined in this Master

Plan. Development projects proposed on lands designated in this category should incorporate strategies for preserving open space, agricultural use and minimizing visibility of development from public roads and adjacent properties.