

**RESOLUTION OF THE PITKIN COUNTY PLANNING AND ZONING
COMMISSION
ADOPTING THE SNOWMASS-CAPITOL CREEK CAUCUS MASTER
PLAN**



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Janice K. Vos Caudill, Pitkin County, CO

Resolution No. PZ 2018- /

RECITALS

1. By State statute, the Pitkin County Planning and Zoning Commission (P&Z) has the responsibility and the authority to adopt master plans for Pitkin County.
2. Adopted plans are used by the public, appointed and elected officials as a guide in consideration of County-wide land use related policies, as well as future land use designations, planning issues and development proposals within the Plan area boundaries.
3. The Pitkin County Land Use Code specifically requires consideration of master plans as a criterion of approval for certain types of land use reviews (including, but not limited to special review, location and extent review, code amendments, rezoning, activities of local and state interest, and growth management exemptions).
4. Recommendations made within all of the respective Caucus/Neighborhood master plans will be considered by appointed and elected officials in the context of consistency with overarching County land use policies and programs, and broader community goals, including but not limited to infrastructure and essential community facility needs. If a determination is made by the elected and/or appointed officials that a plan recommendation is inconsistent with broader community goals and does not benefit the community as a whole, such recommendation may be considered, but not implemented.
5. All of the respective Pitkin County Caucus/neighborhood plan updates will be adopted by the Planning & Zoning Commission separately. At such time as all of the plans have been adopted, they will be reviewed as a whole to ensure that there are no inherent conflicts that will impair the County's ability to achieve overarching community goals, land use policies and functional needs. Subsequently, the P&Z will identify and consolidate common plan themes in an update to the *2003 Overview of the Pitkin County Comprehensive Plan*. The Comprehensive Plan will provide the overall framework and approach for planning in rural Pitkin County, and the neighborhood plans will provide detail for specific areas.
6. The Snowmass-Capitol Creek Caucus Land Use Master Plan was prepared by the Snowmass-Capitol Creek Caucus Master Plan Committee with limited assistance from the Pitkin County Community Development Department and input from interested members of the public who reside in the Snowmass-Capitol Creek Caucus area, as depicted on the attached map (Exhibit B.)
7. The Pitkin County Planning and Zoning Commission reviewed the plan at a worksession, which was a public meeting on October 17, 2017, and at a duly noticed public hearing on January 16, 2018, at which time public comment was heard with respect to the Master Plan.

NOW, THEREFORE, BE IT RESOLVED by the Pitkin County Planning Commission that it does hereby adopt the Snowmass-Capitol Creek Caucus Land Use Master Plan, attached as Exhibit "A."

NOTICE OF PUBLIC HEARING PUBLISHED in The Aspen Times Weekly on the 14th day of December, 2017.

APPROVED AND ADOPTED on the 16th day of January, 2018.

PITKIN COUNTY PLANNING AND ZONING
COMMISSION

By ~~Jeffrey Conklin~~, Chair

Date

2/6/2018

ATTEST:

Bonnie Shiles

Bonnie Shiles,
Administrative Assistant

APPROVED AS TO FORM:



~~John Ely~~, Richard V. Neiley III
Asst. County Attorney

APPROVED AS TO CONTENT:



Cindy Houben,
Community Development Director

Exhibit A



Snowmass-Capitol Creek Caucus Master Plan

*Adopted by Pitkin County Planning & Zoning Commission,
January 16, 2018*

VISION STATEMENT

The Snowmass and Capitol Creek valleys are two of the most beautiful in Colorado. Even though they are near the resort towns of Aspen and Snowmass Village, the character of these valleys is still predominantly rural/agricultural and remains substantially unchanged. Homes here have been built subordinate to the magnificence of our natural surroundings. Although there may be half as many ranches as there were 35 years ago, open meadows along with abundant wildlife still abound.

The valued qualities include the natural watersheds, water quality and quantity in Snowmass and Capitol Creeks and their tributaries, undisturbed expanses of natural vegetation and riparian corridors, and wildlife habitat. We experience our valleys through views of open meadow foregrounds, framing dramatic peaks, colorful hillsides and distant ridgelines. Agriculture, which today consists of equestrian activities, the irrigated farming of domesticated alfalfa and native grasses and large scale livestock grazing, is recognized as a resource and 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 order to protect and preserve the character and scale that exists today, this Master Plan is offered as a guide for present and future residents to the values we attribute to the quality of life in our Caucus area. It will only be through commitment to such ideas that we will be able to protect and maintain our valleys and our extraordinary landscape into the future.

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. Since that time, the population has grown by nearly six times, while agricultural land decreased to one quarter of its 1960 acreage. The Snowmass-Capitol Creek Caucus Master Plan is a comprehensive long-range plan to guide development in the Snowmass-Capitol Creek Caucus area. It is written to apply to any development proposal – whether a remodel or expansion of an existing home, the proposed receiver site for a TDR, the planning and construction of a new home, or commercial, institutional, and recreational development. The Snowmass-Capitol Creek Caucus is a legally constituted 501c3 neighborhood coalition established for the purposes of advising residents and the Board of County Commissioners and County planning staff on land use and other issues in our Caucus area, ensuring that homes, structures and commercial activities reflect the jointly held vision of residents. The Caucus is not a

regulatory agency; rather it advises the County, which retains all state-enabled regulatory authority.

The Caucus area is approximately 17,061 acres. Current zoning¹ in the Caucus area continues to support the predominantly large-lot rural agricultural land use patterns and character of our two respective valleys.

We encourage new residents, homebuilders and homeowners to visit our website. We strive to keep it updated. If you are looking for something that is not there, please don't hesitate to contact one of the Board members directly. Contact information is on the website: www.snowcapcaucus.org.

This Master Plan is based on the consensus of our residents as derived through many caucus meetings over many years. While we cannot make every neighbor happy, we have honored all opinions and suggestions expressed by the residents of both valleys. We remain an open and receptive Board. We invite all of our neighbors to participate in our community and to come to the Board with any comments, concerns, and opinions on matters related to the Caucus.

RESIDENTIAL DEVELOPMENT

All residential development in the Snowmass and Capitol Creek valleys should 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 low density, single-family residential housing of moderate size and bulk.

We recommend that development of a new home and/or significant remodels be subject to the following standards:

- There should be no new multi-family homes, condominiums, apartments, townhouses, or trailer parks.
- Structures should be sited to avoid constrained areas, and for preservation of open space, irrigated agricultural lands, and pasture.
- The Caucus encourages a maximum house size of 5,750 square feet.
- The Caucus respects the County's policies relating to the use of Transferable Development Rights (TDR's) and GMQS protocols in our area to build a home larger than 5,750 square feet, but not to exceed 8,250 square feet.
- Criteria that should be considered in the evaluation of TDR 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 preservation of vital neighborhoods that foster community. Landscaping should be considered as a way to further minimize visual impacts.
- Existing homes of any size and vacant land with established development approvals that have not expired are considered approved until those approvals have expired.
- Outbuildings should be reflective of our western rural character. We recommend that the County work with the Caucus to develop design parameters to ensure that scale and materials for outbuildings are consistent with surrounding rural character.

1 Current zoning includes R-30, AR-2, AR-10, AH, RS-30, RS-160, RR and small pockets of B2, PUB & P-1.

- We expect neighbors building or remodeling homes to approach their Homeowners' Associations (HOAs) and comply with the HOAs set of rules and regulations, as well as Caucus guidelines, which are the basis for Caucus recommendations to the County.

SCALE OF HOME

- The Caucus encourages homes that do not dominate the landscape, but instead are sited and designed in harmony with the topography of the site to have the least visual impact possible. Ways to accomplish this include ranch style homes, homes properly located to fit local topography, homes with broken roof lines, and use of native landscaping to reduce the visual impact.
- We discourage the use of grand entrance gates.
- The Caucus may request the use of story poles showing height and corners of all new structures to enable the Caucus Land Use Committee to visualize proposed buildings or structures.

MATERIALS

The Caucus encourages homeowners to:

- Use dark or earth tone-colored roofs with low reflectivity.
- Use fire resistant roof materials as required by County code.
- Use earth tone siding, exterior paint, and stains that fit in with the immediately surrounding natural environment.
- Use landscaping with plants and trees indigenous to the Snowmass and Capitol Creek Valleys on a scale that is in keeping with the character of the surrounding environment.
- Use fencing that is consistent with rural, western character, preferably wood rail, split rail, barbed wire, or smooth wire. All fencing, including fencing on lands assessed as agricultural properties, should be built to meet wildlife-friendly standards. Pitkin County should work with the Caucus to develop standards that ensure that fencing is functional, but designed to meet the rural character of the area and wildlife needs. Abandoned fencing, both wood and wire, that is no longer serving a functional purpose should be removed.
- Avoid development of large, open-surface, impermeable parking areas.

VISUAL IMPACTS

- We endorse existing Pitkin County regulations that prohibit ridgeline development.
- We encourage barn architecture to be of rural western character.
- We recommend screening or enclosure of outside storage of materials and trash.
- The Caucus supports current Pitkin County Scenic Overlay Review Standards.

LIGHT POLLUTION

To preserve the sanctity of the night sky and minimize the effect on wildlife, the Caucus

- Supports the County Land Use Code prohibiting exterior upward facing spot or flood lights, limiting light trespass, including roadside gate lighting.
- May request a lighting plan for review.
- The Caucus urges the County to enforce its lighting regulations.

- Encourages the County to consider future amendments to the County's lighting regulations to further minimize the impacts of outdoor lighting as new information and technology is made available.
- Discourages holiday outdoor lighting, except between November 15 and January 30.

COMMERCIAL AND INSTITUTIONAL DEVELOPMENT

Existing retail commercial development in the vicinity of the Snowmass Conoco and Post Office is sufficient to meet the needs of local residents. The Caucus is concerned about the traffic, parking, roadside trash and similar impacts associated with commercial and institutional development and how these impact our rural character and natural environment. Any proposal for new commercial or institutional use, excluding home occupations, should be submitted to the Caucus board for review prior to application for County land use review.

To preserve the rural character of our valleys, zoning within the Caucus area should be revised by the County as necessary to ensure that the following uses are allowed by special review, or prohibited respectively, as specified below:

SPECIAL REVIEW	PROHIBITED
Commercial Nordic Skiing	Commercial Snowmobiling
Small Lodge or B & B or Guest Ranch	Commercial Motorcycling & ATVs
Commercial Equestrian Activities	Golf Courses
Arts and Crafts	Private Clubs
Camps & Schools	Marijuana Retail Outlets & Processing Facilities
Commercial Marijuana Cultivation	Commercial downhill ski and snowboard areas.
Polo Fields	
Wind Turbines	
Special Event Venues	

The Caucus discourages gated communities.

The Caucus supports the concept of local food production and would like to work with the County on the definition and standards for sustainable local food systems.

In addition to these uses, both commercial and institutional uses that exist when this plan is approved should be considered grandfathered uses, provided they continue to be operated in a manner consistent with any previous land use approvals and the goals and objectives of this plan and the Pitkin County Land Use Code.

The Caucus opposes any mining, mineral exploration, oil and gas drilling and exploration, sand and gravel pits, rock crushers, concrete batch plants, and any other heavy extractive operations.

NATURAL ENVIRONMENT

In keeping with our vision statement, the natural environment is our highest priority.

The Caucus encourages the preservation in perpetuity of agricultural lands, of open space and wildlife habitat through private or public land conservation. Recognizing that each property owner's circumstances are unique the Caucus notes several alternatives for preserving land: Conservation easements through Aspen Valley Land Trust, Pitkin County Open Space and Trails and other conservation organizations; TDR sterilization; and deed restrictions and title transfers.

The Snowmass and Capitol Creek valleys are intact ecosystems providing critical habitat to hundreds of species of both flora and fauna. The valleys serve as migratory routes for elk, foraging ground for bear, nesting areas for grouse, redds for trout, and dens for badgers.

The plant communities range from mountain shrub land at the lower elevations to subalpine and alpine plant communities higher up the valleys. Along with the obvious and iconic species, there are dozens of less known species that nevertheless play a crucial role in the biotic web.

An important role for the Snowmass-Capitol Creek Caucus is to study, understand, monitor, and support the rich flora and fauna. Studies have shown that certain species in the Snowmass and Capitol Creek valleys are imperiled. As human residents, we endeavor to protect the valley and its habitat for those who don't have a voice - the wildlife and plant communities. This desire to keep the biology and ecology healthy informs our entire master plan and our decisions of where to build, and what to leave alone.

- We support the County's existing policies and programs related to weed management, and encourage more aggressive enforcement of noxious weed regulations.
- In the interest of protecting the natural quiet environment, we discourage fireworks, drone aircraft, night beacon lights and loud, amplified music. The Caucus is opposed to the development of new landing strips and vertical takeoff and landing areas in the Caucus area. Special events are subject to the noise limits of the County code. Special event permit applications should always be referred to the Caucus, as applicable under County Code.
- We recommend that where practical, all utility extensions associated with new development or redevelopment within the Caucus area be put underground.
- We support preservation of historic structures within the Caucus area.
- All signs, including security, political and real estate signs, should be of minimal size and located on private property. The Caucus discourages display of any political signage longer than 45 days before an election or 7 days after an election. Special event notices should be of minimum size and allowed on public rights of way for no more than 10 days, unless longer as allowed under County Code.

WILDLIFE It is of great importance to the residents of the Caucus area to preserve and protect wildlife habitat in the Snowmass and Capitol Creek valleys for both indigenous and migratory species.

Pitkin County and the Caucus land use committee perform site visits of development proposals and will continue to require certain plant species, cover and corridors for the protection, reproduction, movement and migration of all native species, including restoration and/or enhancement concurrent with development activities.

The Caucus firmly encourages all pet owners to have their pets under control at all times by some means to protect wildlife and livestock. Colorado Parks & Wildlife retains the authority to kill domestic animals harassing wildlife.

WILDFIRE

The Caucus cooperates with the County Sheriff's office, the Basalt Rural Fire Protection District and the Snowmass Wildcat Fire Protection District 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.

- To the extent feasible, driveways for new homes should be designed to allow passing areas for fire truck access, though the wider dimension should not necessarily be used for the entire length of the driveway.
- Individuals should become very familiar with their local HOA emergency plans and County rules with regard to evacuation planning for people and livestock.
- The Caucus will collaborate with Homeowners Associations, the County and other appropriate agencies to develop a coordinated Evacuation Plan for all areas of the Caucus, including properties within a Homeowners Association and those that are not. The Plan should incorporate an emphasis on self-reliance in the event of a natural or man-made disaster.
- Landowners should actively maintain the vegetation on their property to the wildfire-mitigation standards of the Pitkin County Land Use Code and local fire protection agencies.
- Refer to pitkinwildfire.com to obtain information on wildfire evacuation and mitigation.

FLOOD

Where local rivers and streams abut or flow through private property, landowners and HOAs should develop plans to address flood hazard and response to flood events. (See Water Use section below for guidance on siting and development near water resources. Additional guidance can be found in the Roaring Fork Watershed Plan produced by the Roaring Fork Conservancy).

ROADS AND TRANSPORTATION

County roads in the Caucus area should be maintained as rural roads. Safety improvements should be made as necessary. Our roads serve local residents, guests, and emergency vehicles as well as public bicycle and running events. Safety for drivers, cyclists, and pedestrians on our roads is a paramount concern for the Caucus.

- The County is responsible for regular maintenance of County roads to eliminate washboards and other safety hazards, but our roads should not be further widened or straightened.
- We support the current mass transit system in the Roaring Fork Valley and the Park-n-Ride facility at the intersection of Snowmass Creek Road and Highway 82. We support innovations that expedite mobility in the valley when they are consistent with the environmental standards of this plan.
- We encourage all institutional uses and special events within the Caucus area to use shuttle services to reduce vehicle trips.
- The speed limits on Snowmass and Capitol Creek Roads are between 25 and 35 mph. The Caucus strongly encourages property owners, guests, and service workers to obey posted speed limits. Our roads are narrow and windy; cyclists, pedestrians, livestock, and wildlife are often present.

- The Caucus believes that timely snow plowing should be a priority on all county roads accessing residences..
- The Caucus encourages the County to explore additional methods to indicate to drivers on our roads that caution is advised.
- Due to the environmental impacts the Caucus strongly urges the County to consider alternatives to the use of Magnesium Chloride/MgCl₂ on our roads for dust suppression and to melt snow/ice.
- The Caucus would like to work with the County on proposed/future senior and disabled transportation options.

RECREATION AND TOURISM

The Caucus believes in preserving existing recreational opportunities within our area.

- Due to the absence of wide shoulders and usable space to expand local roads, the Caucus does not generally support the expansion of our roads to accommodate bike lanes. However, under circumstances where a wider shoulder will result in safety improvements for cyclists and pedestrians and may be less impactful than the addition of an adjacent bike path, or one separated from the road, we do support working with Open Space and Trails in an attempt to improve safety. Nonetheless, to preserve the rural character of our roads, we prefer that bike paths be separated from the roads where possible to allow for safe recreation. The portion of Snowmass Creek Road between the RFTA Park'n'Ride at the intersection of Highway 82 and Snowmass Creek Road, and the "T" intersection of Snowmass and Capitol Creek Roads, is one area in particular that has been identified by residents as one where a wider shoulder may be appropriate to more safely accommodate pedestrians and cyclists.
- We support the protection and management of adjacent land to preserve the current wilderness areas and we embrace the designation of future wilderness areas.

INFRASTRUCTURE

- The County should support the highest quality high-speed internet services (advanced services), telecommunication services, and/or cable television services and reception in the Snowmass-Capitol Creek Caucus area, while minimizing scenic and other impacts associated with these facilities. The Caucus would like to work with the County on this.

WASTE MANAGEMENT

The Caucus understands that at current use levels, the Pitkin County landfill will have to close about the year 2025, which will have many consequences to our level of service as well as increased expense. We support existing programs that divert materials from our waste stream to extend the landfill's life. The Caucus also encourages our residents to participate in the new residential waste management plans that include food composting. Visit landfillrules.com for the latest information.

WATER USE

Our high elevation valley is an arid environment. The Snowmass-Capitol Creek Caucus strongly encourages homeowners and landowners to protect our fragile rivers and streams. In siting, designing and constructing a

home, landowners are advised that the Snowmass-Capitol Creek Caucus:

- Supports federal, state and county restrictions that protect streams and riparian areas through setbacks, buffers and erosion control.
- Urges landowners to minimize development and avoid destruction of native vegetation adjacent to streams and wetlands and riparian areas to preserve native habitat and vegetation for wildlife.
- Encourages homeowners to install state-of-the-art low-flow plumbing fixtures in the home, including low-flow toilets with full and partial flush options.

Landscape irrigation is the largest component of water demand in a home. The Caucus encourages water conservation in home irrigation through:

- The choice of efficient irrigation systems (e.g. soaker hoses, micro sprinklers).
- Active irrigation scheduling to limit operation of large landscape irrigation systems to early morning or evening in order to reduce evaporation.
- Use of rain sensors, where automatic sprinkler systems exist, that will override the programmed watering schedule, and shut off the system during or after significant rainfall.
- Avoiding sprinkler use during windy times.
- Use of low-water landscaping including the use of native plants instead of sod, to minimize the need for supplemental watering.
- Minimizing lawn size, and promote the use of Pitkin County Native Grass mix.

Homeowners should consult with their HOA for further guidance on home and garden water conservation.

- The Caucus recommends that the County provide incentives for the re-use of gray water for domestic irrigation and establish effective and workable regulations governing gray water re-use.
- To prevent damage to riparian habitat and to prevent siltation of streams, livestock access to streams and riparian areas should be prevented. The Caucus encourages landowners to:
- Provide tanks for livestock watering as an alternative to direct use of local streams and ditches.
- Fence livestock off waterways to avoid erosion and degradation of riparian areas and water quality.

WATER RESOURCES

The Caucus encourages water users to practice wise use of our water resources –both the surface waters of Snowmass and Capitol Creeks, and ground water. The Caucus offers information on local water resource issues in our publications: *The Future of Instream Flows in Snowmass Creek* (AMEC 2012) and the booklet *Water User's Guide for Protecting Flows in Snowmass Creek* (2015). The *Water User's Guide*, available on our website, describes voluntary programs to conserve water and protect instream flows offered by the Colorado Water Conservation Board and the non-profit Colorado Water Trust. The caucus also recognizes that the Roaring Fork Watershed Plan may provide caucus citizens with some guidance on water resource issues and projects that should be prioritized in the caucus area.

The Caucus recommends that residents consult a water attorney and/or the State of Colorado Division of

Water Resources to learn about water rights specific to their property. Water rights are important and valuable property interests and can be transferable. In brief, water users can secure a water right to divert and use a specified amount of water for a claimed beneficial use at a specific location, so long as there is surface or tributary groundwater available in the system that is not needed by senior (i.e. earlier) water rights. Landowners should not assume they have the automatic right to use the water from any rivers or streams next to their property. If water rights are being conveyed with your property, review these rights with a water attorney. Similarly, the presence of a stream or ditch conveying water through a property does not convey any right to use the water to the property owner.¹

The Caucus reminds residents that ground water supplies and surface water supplies are limited and precious.

- The Caucus supports a county-wide water conservation plan to protect the Caucus area from unreasonable depletions of groundwater.
- The Caucus encourages the County to protect the quality and quantity of ground aquifers generally, and through the development of Source Water Protection Plans with assistance from the Colorado Department of Public Health and Environment, and the implementation of applicable best management strategies
- The Caucus strongly discourages the transfer of water rights out of the Snowmass and Capitol Creek Basins (e.g., to the Brush Creek basin) and encourages the preservation of water rights and resources in our local creek basins.
- The Caucus encourages the efficient use of best management practices in agricultural and domestic irrigation to protect healthy flows in our creeks.
- The Caucus strongly recommends that landowners research Pitkin County requirements for fire mitigation, including provisions for water tanks or ponds to protect against wildfire emergencies. Residents who elect to install ponds may have to obtain a water right from the State of Colorado for the pond. A water right may be required to confirm the priority, right and use of the pond. Even with a water right, pond owners may be required to obtain an augmentation plan.

The Caucus is similarly committed to protecting water quality in our streams.

- The Caucus strongly encourages homeowners and agricultural irrigators to minimize the use of pesticides and fertilizers, which if used improperly, can be transported to local waterways.
- The Caucus urges livestock owners to use fencing and other best management practices to minimize land disturbance near streams, wetlands and other riparian areas.
- The Caucus requests that landowners who stable and graze livestock use fencing to ensure barnyard waste does not enter the Creek.
- The Caucus urges horse outfitters and private horse owners staging in the Hay Park Trail parking lot to clean up their animals' waste and litter to avoid waste entering the Creek.

¹ Statements in this paragraph are not intended to convey legal advice, but rather to provide an overview of water use considerations in a rural residential area.

ENERGY AND CLIMATE STEWARDSHIP

The local governments in Pitkin County continue to demonstrate commitment to energy and climate stewardship through improvements to building codes, incentive programs, demonstration projects and the like. The Snowmass-Capitol Creek Caucus encourages homeowners and builders to look for every opportunity to demonstrate conservation. The following are offered as guidelines.

- Advanced energy efficient building designs, passive solar designs, and energy conservation retrofits are the first priorities for reducing the use of purchased energy, cutting energy costs and pollution, and minimizing the size and cost of solar systems.
- The Caucus encourages home designs that demonstrate use of solar, ground source heat pumps and other renewable energy resources that minimize fossil fuel energy consumption and CO₂ emissions. Special attention should be paid to minimizing energy use for second homes while unoccupied.
- The glare produced by light reflecting from solar panels should not create unreasonable impacts of intensity and duration for the applicant's neighbors. If glare creates unreasonable off-site impacts, then vegetative screening, panel repositioning, or other effective means of mitigating glare may be required.
- View-plane obstructions and issues related to height, width, and bulk should be minimized when installing solar panels, in consideration of neighbors.
- Off-site renewable electricity options are available from Holy Cross Energy and Clean Energy Collective. Holy Cross and Community Office for Resource Efficiency have energy efficiency programs, rebates, and financing.

