

# 2020 BRUSH CREEK MASTER PLAN – Draft 1.15.21

## Appendix A – Existing Conditions Report

### INTRODUCTION

#### Brush Creek Overview

The Brush Creek Planning Area encompasses both residential neighborhoods and large parcels with individual homes. It is home to several wildlife species and includes areas that are considered key habitat. In addition, the area is the gateway to the Town of Snowmass Village (“TOSV”) and the many recreational and cultural opportunities offered there. The scenic beauty of the area is spectacular in all seasons. The snowcapped mountains and open valley floor are prominent features as one approaches the Town of Snowmass Village along Brush Creek Road.

This appendix includes existing conditions data and information which supports and informs the policies and implementation measures contained in the 2020 Brush Creek Master Plan to which this document is appended. The information contained herein is intended to provide a snapshot of the existing conditions within the Planning Area for each of the policy topics covered in the Master Plan. These policy topics are listed as follows:

- Existing Land Use and Planning Area Descriptions
- Zoning
- Residential Development (addressed under Existing Land Use and Zoning topics)
- Commercial Development (addressed under Existing Land Use and Zoning topics)
- Growth Management/House Size
- Water & Sewer Service
- Roads
- Transit
- Natural Environment
- Open Space/Trails/Recreation/Tourism
- Agriculture
- Scenic Quality
- Air Quality
- Climate Change & Preparedness
- Affordable Housing
- Mineral Exploration/Extraction
- Historic Resources

## EXISTING LAND USE & PLANNING AREA DESCRIPTION

### Planning Area Description

The Brush Creek Planning Area is located west of Highway 82 and is comprised of three separate parts, containing a total of 3005 acres. The Planning Area is bordered by the Owl Creek Valley to the south, the Town of Snowmass Village to the west and north and the Roaring Fork River to the east. Due to annexations by the Town of Snowmass Village, the Planning Area was reduced in size, and divided into three non-contiguous parts as shown on Figure 1. The main area contains the Brush Creek Village Subdivision and the lands along either side of Brush Creek Road from Highway 82 to the Snowmass Village town boundary. The other areas are the Pitkin County Solid Waste Center (the "SWC") and one cluster of rural residential lots located within the boundaries of the Town of Snowmass Village. While these enclaves are surrounded by the Town of Snowmass Village, they are still considered part of Brush Creek for this Master Plan. The Planning Area boundary was also adjusted to eliminate overlap with the West of Maroon Planning Area (WOMP) and to follow property boundaries instead of Radar Road in the southeast corner of the Planning Area. These changes reduced the size of the Planning Area from 4,739 acres to 3,005 acres, a 36.6% reduction from the area covered in the 2003 Brush Creek Master Plan.

A neighborhood Caucus does not exist within the Planning Area; however, Brush Creek Village Subdivision has an active Homeowner's Association/Metro District, which has entered into an intergovernmental agreement (IGA) with Pitkin County. The IGA establishes certain powers and duties similar to other caucus areas within the County. Brush Creek Village is located on the ridge above Highway 82 on the right as you drive up Brush Creek Road towards the Town of Snowmass Village. The subdivision is highlighted in red on Figure 1.

The Planning Area contains large areas of open space primarily due to the acquisitions associated with Sky Mountain Park. These acquisitions include the Cozy Point South, Droste, Seven Star, Hidden Valley and Aspen Mass properties, which are located either partially or entirely within the Planning Area. Several of these acquisitions have occurred since the last master plan for the Brush Creek area was adopted. A full history of the acquisitions and when they occurred is described in the Sky Mountain Park Management Plan, which can be viewed using this link (<https://pitkincounty.com/DocumentCenter/View/1077/Sky-Mountain-Park-Management-Plan-PDF>). Approximately 55% of the Planning Area is comprised of land which is either public open space, under conservation easement, or owned by public for civic uses.

### ***Existing Land Use & Subdivisions***

The Brush Creek Planning Area is almost entirely comprised of single-family residential and open space uses. The Planning Area is home to a diversity of housing types ranging from a subdivision of 1 to 2-acre lots to large-lot home sites containing 35-acres or more. As noted above, the Planning Area contains key wildlife habitat and migration corridors and also serves as the main access point to the Town of Snowmass Village. The Brush Creek Park and Ride Lot, which is owned by the Colorado Department of Transportation, is also located within the Planning Area. This property serves as a major transit stop on the valley-wide transit corridor. The property currently has 200 paved parking spaces, 200 unpaved spaces and unstructured field parking. Currently, the facility can accommodate up to 1,400 vehicles. The Roaring Fork Transit Agency reports that the site sees an average of 378 buses a day during the high season and 220-230 buses a day in the off-season. Improvements to the Intercept Lot are currently being planned.

The following table provides a breakdown of existing land use acreage within the Planning Area and Figure 3 is a map illustrating the existing land use pattern. As can be seen from both the red bar graph in Table 3 and on the Existing Land Use Map, the vast majority of the acreage within the Planning Area (81%) is occupied by single-family residential uses and public open space.

**TABLE 1**  
**Existing Land Use Breakdown**

<b>ELU Category</b>	<b>Acres</b>
Private Open Space	4.43
Agriculture	4.74
Vacant	145.99
Right-of-way/Trans	159.24
Institutional	266.89
Single-Family Residential	1111.44
Public Open Space	1311.81

*Source: TG Malloy Consulting*

The following paragraphs provide a summary of several key parcels and subdivisions within the Planning Area. The subdivisions are also shown on Figure 2.

- The Brush Creek Village Subdivision currently contains 122 single-family residences on 137 residential lots (15 lots are vacant) ranging in size from 1 to 4 acres and is situated on a steep hillside overlooking Highway 82 and the Brush Creek Valley. One of the vacant lots has had its development rights transferred through the TDR program. This leaves 14 lots which are theoretically developable.
- The Droste/Pioneer Springs Subdivision contains 7 large-lot, single-family residences on lots ranging in size from 36 to 60 acres.
- Cozy Point is a 168-acre parcel owned by the City of Aspen located at the intersection of Highway 82 and Brush Creek Road. Currently it is used for horse boarding and is the home of The Farm Collaborative, a non-profit farm education organization.
- Cozy Point South, located on the south side of Brush Creek Road from the Cozy Point Ranch parcel is a 132-acre parcel owned by Pitkin County. This parcel is part of Sky Mountain Ranch.
- The Colorado Department of Transportation (“CDOT”) also owns two large parcels at the intersection of Highway 82 and Brush Creek Road. It leases a portion of the property to RFTA for a mass transit facility and a portion to the City of Aspen, for parking areas and the carpool permit kiosk. This site is referred to as the Brush Creek Park and Ride Lot.
- The City of Aspen and Pitkin County own several parcels, located north of the Brush Creek Park and Ride Lot, which are collectively known as Aspen-Mass. The development rights associated with these three parcels have been transferred through the County’s TDR program and they are now part of the County’s open space inventory.
- Two parcels adjacent to the Brush Creek Park and Ride between Highway 82 and the Roaring Fork River had been privately-owned but were acquired by the City of Aspen and Pitkin County for open space.
- Sanditen Parcels. These two parcels, which are located adjacent to Highway 82 and immediately north of the Brush Creek Park and Ride Lot, continue to be privately-owned and are currently used for residential and agricultural purposes.
- Brush Creek Ranch – LIR 80 PUD Subdivision: This 84-acre parcel is the last of the Droste property left over from the Sky Mountain Park open space acquisition. The western 64 acres are encumbered by a conservation easement. There is an existing homestead on the remaining 20 acres. The property continues to be used for hay production.
- Paragon Enterprises properties: These three parcels are located along the south side of Brush Creek Road across from the Brush Creek Village Subdivision. One of these parcels remains undeveloped.

- The Pitkin County Solid Waste Center is also located within the Brush Creek planning area.

### **Transferable Development Rights (TDRs)**

Four properties within the Planning Area have been sterilized through Pitkin County's TDR program, retiring a total of five TDR's. Three of these parcels are part of the Aspen-Mass site which is located across Highway 82 from the Cozy Point Ranch. These three parcels were subsequently added to the County's open space inventory. The fourth property is a lot within the Brush Creek Village Subdivision (Lot 2A, Block 5, Filing 1). Two TDR's were transferred from this property. Figure 4 is a map showing the location of these four properties, which contain a total of 33 acres.

### **Commercial Uses**

There are currently no commercial uses within the Brush Creek planning area and no new commercial development is anticipated. A temporary commercial use (food cart) has been discussed in association with improvements to the Brush Creek Park and Ride Lot as a means of improving ridership experience, but nothing had been approved as of the writing of this document.

## **ZONING**

### **Zoning Descriptions**

The Brush Creek Planning Area is divided into five zone districts. Most of the Planning Area is zoned either AR-10 or LIR-35. Figure 5 shows the existing zoning pattern within the Planning Area. The Brush Creek Village Subdivision and most of the area north of Brush Creek Road is zoned AR-10 (one unit per 10 acres). This makes the entire Brush Creek Village Subdivision non-conforming since all but one of the lots in this subdivision are less than 10 acres in size. Nearly all the land to the south of Brush Creek Road is zoned LIR-35. The Planning Area also includes small areas of RS-30 and RS-20 zoning, as shown on the Zoning Map (Figure 5). The Pitkin County Solid Waste Center is currently zoned Public.

The following table provides a summary of the intent statements and density limitations for each of the zone districts within the Planning Area.

**TABLE 2**  
**Zone District Intent**

Zone District	Intent
<p><b>AR-10</b> <i>1 Dwelling Unit per 10 acres</i> – (Area north of Brush Creek Road; Cozy Point; and Aspen Mass area)</p>	<p>The intent of the AR-10 (Agricultural/ Residential) zone district is “to accommodate small scale agricultural activities and large-lot residential development that maintains the rural character and appearance of the land. Because few agricultural activities can be accomplished on a 10-acre lot, most of such land will be used for residential uses. Residential development should be clustered and/or grouped at the edges of valleys or wooded areas in order to minimize the visual disruption of the natural landforms and to avoid the appearance of unrelated homes spread randomly across the land.”</p>
<p><b>LIR-35</b> <i>1 dwelling unit per 35 acres of land</i> – (Area south of Brush Creek Road; and Seven Star Parcels north of Brush Creek Road)</p>	<p>The intent of the LIR-35 zone district (Low-Impact Residential) is to allow low-density, low-intensity residential development. The principal land use in this zone district is residential, with typically associated accessory uses. The zone district seeks to limit the intensity of development to moderate sized buildings and structures, thereby minimizing the impacts of construction, servicing and occupation of the residences to preserve the rural character of the land, protect onsite natural resources, minimize employment generation associated with more intense development, and otherwise limit the demand for public services. Lands appropriate for this zone district are properties that are rural in character with environmental or agricultural resources, or environmental hazards or properties otherwise sensitive to intensive development.”</p>
<p><b>RS-20</b> - <i>1 Dwelling unit per 20 acres of land</i> - (Intercept Lot; Mills Open Space Parcel)</p>	<p>The RS-20 (Resource-20 Acre) zone district is intended to: Permit low density, single-family residential development and customary accessory uses, while recognizing that natural hazards, wildlife areas, limited utility services, roads, schools, and/or other facilities may constitute constraints on the realization of zoned density; Discourage sprawl; Encourage clustering of development, preservation of open space and promotion of efficient utility services; Preserve agricultural operations and environmental resources; and Preserve the rural visual quality and character while permitting carefully sited low density development .</p>
<p><b>RS-30</b> - <i>1 Dwelling unit per 30 acres of land</i> - (Area west of Brush Creek Village; enclave west of Wildridge Subdivision near Snowmass Village)</p>	<p>The RS-30 (Resource-30 Acre) zone district is intended to: Permit low density, single-family residential development and customary accessory uses, while recognizing that natural hazards, wildlife areas, limited utility services, roads, schools, and/or other facilities may constitute constraints on the realization of zoned density; Discourage sprawl; Encourage clustering of development, preservation of open space and promotion of efficient utility services; Preserve agricultural operations and environmental resources; and Preserve the rural visual quality and character while permitting carefully sited low density development .</p>
<p><b>PUB</b> – Density determined by special review – (Pitkin County Solid Waste Center; Pitkin County Emergency Repeater</p>	<p>The PUB (Public) district is intended to provide for the development of public uses, facilities and services for governmental, civic, educational, humanitarian, health care and other non-profit (as evidenced by Internal Revenue Service Code 501C3 status (1993)), public purposes consistent with County land use plans and policies and to provide for related uses which are customarily incidental or</p>

Station)	accessory to public uses. Development activity in the zone should be based upon the adoption of a master plan.
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### Buildout Analysis

The buildout analysis for the Brush Creek Planning Area is summarized in the following table (Table 3), which shows both a “maximum” buildout potential and a “likely” buildout potential. The “likely” scenario assumes that approximately 40% of the maximum buildout potential probably won’t be built due to physical constraints (steep slopes, avalanche paths, and riparian areas), historical development patterns, economic conditions, and growth management, among other factors. For the Brush Creek Planning Area, the difference between the maximum and likely scenarios is only 19 dwelling units. For illustration purposes, a Buildout Map has been provided (Figure 6), which shows the maximum residential buildout potential for each parcel. The buildout analysis shows that the planning area is at 75% of its maximum residential buildout potential under current zoning. Due to the large open space acquisitions associated with Sky Mountain Park, nearly all the remaining buildout potential is located on the north side of Brush Creek Road, in the Brush Creek Village and Droste/Pioneer Springs Subdivisions. The likely buildout scenario shows a future residential development potential of only 29 additional dwelling units and all but two of those units would occur within the AR-10 zone district. The bottom line is that relatively little new residential development is anticipated within the Planning Area.

**TABLE 3  
Private Land Buildout Analysis Summary (August 2020)**

Zone District	Private Land <sup>1</sup>			Land subject to Conservation Agreements <sup>2</sup>		Maximum Buildout Allowed by Zoning (Dwelling Units)	# Dwelling Units Removed from development potential due to Conservation or subdivision restrictions	Buildout Potential after accounting for reduction from Conservation and subdivisions restrictions	# Existing Dwelling Units	Maximum Remaining Buildout Potential (Dwelling Units)	Likely <sup>3</sup> Remaining Buildout Potential (Dwelling Units)	% Built Out	Avg. House Size (sq. ft. based on heated area)
	Parcels	Acres	%	Acres	%								
Caucus Acreage: 3005	189	2,880	96%	1,378	48%	241	51	190	142	48	29	75%	3,537
AR-10	168	1,007	35%	205	20%	197	21	176	131	45	27	74%	3,517
LIR-35	10	1,303	45%	1,141	88%	34	29	5	4	1	1	80%	4,028
RS-20	3	67	2%	32	48%	3	1	2	1	1	-	50%	3,468
RS-30	7	249	9%	-	0%	7	-	7	6	1	1	86%	3,842
PUB	1	254	9%	-	0%	NA	NA	NA	NA	NA	NA	NA	NA

<sup>1</sup> Missing right-of-way parcels are excluded, all other lands are included.

<sup>2</sup> Includes privately-held parcels in conservation easement, Pitkin County and City of Aspen-owned open space parcels. Property owned by public entities for civic uses are not included since no residential development will occur on these parcels.

<sup>3</sup> Likely scenario assumes that approximately 40% of maximum buildout potential is unlikely to be built due to physical constraints such as slope, avalanche paths, and riparian zones as well as historical development patterns related to economic conditions and growth management. Revisions based on local knowledge of properties can be addressed with the Community Development Department.

Some growth issues, which are not captured in the buildout analysis, are the potential for further development at the Brush Creek Park and Ride Lot and on the Cozy Point Ranch, both of which have long been contemplated and are currently in the planning stages. Insert comments from SW and David P. More information regarding the Cozy Point Ranch is provided in the

Intergovernmental Agreements & Special Districts section below. In addition, the short- and long-term use of the Pitkin County Solid Waste Center insert comments from Kathy Hall...

## **INTERGOVERNMENTAL AGREEMENTS & SPECIAL DISTRICTS**

### **Brush Creek Metro District**

The Brush Creek Metro District primarily serves the Brush Creek Village and Pioneer Springs portions of the Planning Area (see Figure 7). The District maintains the water system for residents of Brush Creek Village, Pioneer Springs and the Levinson Lot Splits next to Cougar Canyon. It also provides road maintenance and snow removal on Juniper Hill Road, Medicine Bow Road and several smaller spur roads in the area. The map on the following page shows the Metro District boundaries and the roads within the District. In addition, the District provides trash removal services for residents of Brush Creek Village. Pitkin County has an IGA with the Brush Creek Metro District (see Resolution 99-89) addressing the District role in land use reviews, roads, utilities and parking.

The Brush Creek Metro District is currently undertaking a capital improvement project to address upgrades in infrastructure and facilities. The District is also undertaking a study of the capacity of the existing water system.

### **Solid Waste Center**

The Pitkin County Solid Waste Center, located seven miles west of the City of Aspen, is an integrated solid waste management facility. The facility is located on 165 acres, with approximately 75 acres of permitted landfill space. The landfill has approximately 10-years of remaining life, including a 10-acre lateral expansion located on the north side of the permitted fill to occur in 2021.

The site is a permitted commercial compost operation, composting up to 15,000 tons of material annually. Composted materials include yard waste, food, and waste water treatment biosolids. The compostable materials are processed into a finished product in accordance with US Composting Council Standard for Testing Assurance (STA) guidelines and Colorado permit requirements. Finished compost is sold to the public. In addition to the compost operations there is also a soils and aggregate processing area. Rock and soil products are processed into a saleable material and sold along with the finished compost.

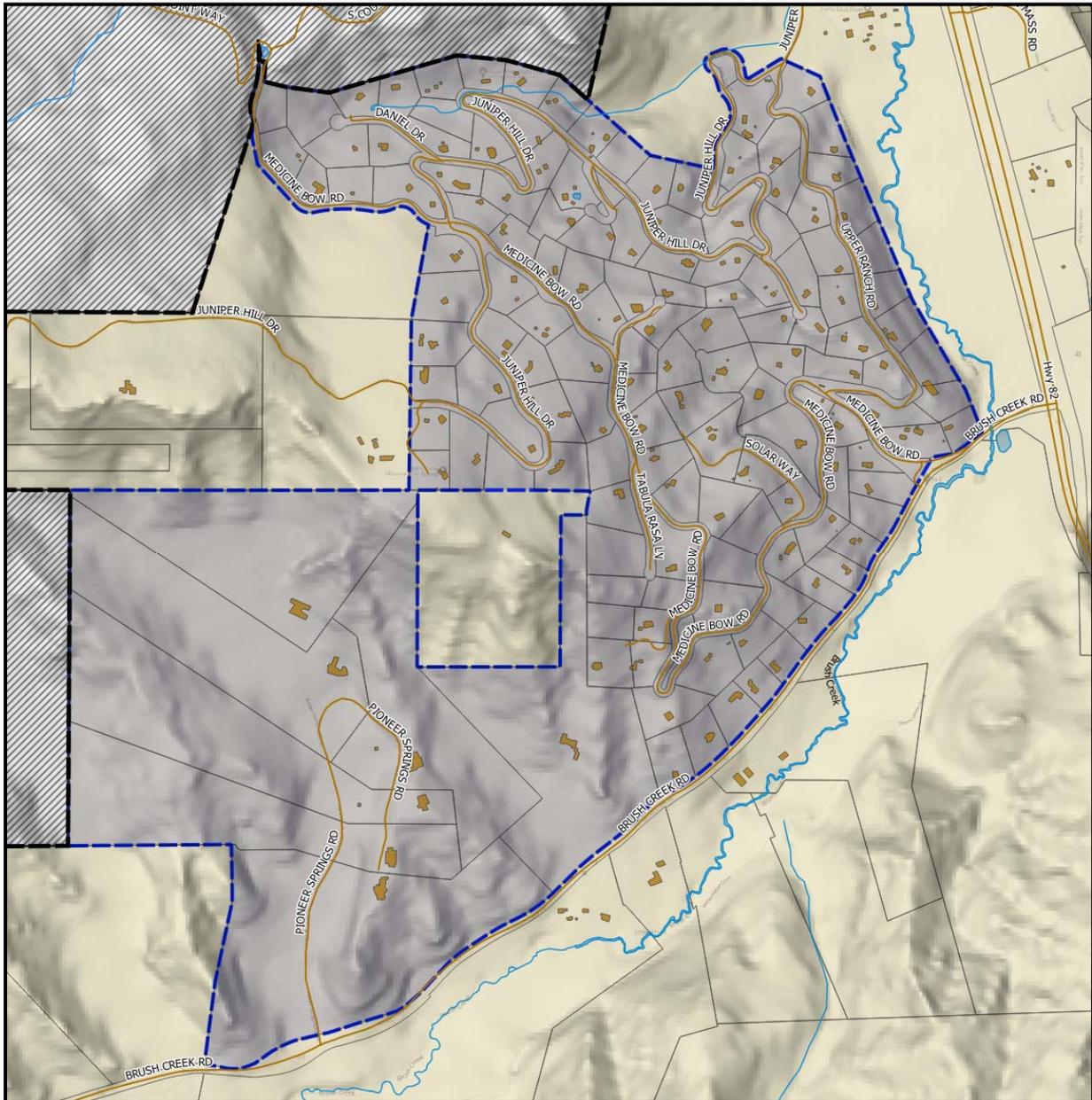
The site also houses a year round household hazardous waste collection facility, a recycle transfer station, collection of electronics for recycling, and unique diversion programs such as textile and mattress recycling, and a book reuse collection program.

The site maintains a network of eight groundwater monitoring wells, including, one up gradient and one down gradient well. Wells are sampled quarterly and results are reported to the State. Landfill gas is also monitored quarterly along with the groundwater wells.

In 2020 a down gradient leachate collection system was completed. Leachate from the landfill waste mass is collected in a trench/sump system and pumped up the hill to an onsite one million gallon collection tank. The collected leachate is treated using an aeration system and tested on a regular basis. The site is permitted to use the treated leachate on the landfill footprint roads for dust mitigation.

Pitkin County maintains a 30-year post-closure care fund, as required by State and Federal regulations. The post-closure care money will be used after closure of the landfill to maintain the site, which includes the leachate collection system, roads maintenance, continued groundwater and landfill gas monitoring, and upkeep of required site permits.

## BRUSH CREEK METRO DISTRICT ROADS



### Pitkin County Airport

While the Aspen-Pitkin County Airport is not located within the Brush Creek Planning Area, the ongoing use and future improvements at the Airport could have an effect on the quality of life within the Planning Area. In 2012, the Board of County Commissioners approved Resolution No. 104-2012, adopting an update to the Airport Master Plan and Airport Layout Plan. In 2015, the airport embarked jointly with the FAA assessing the environmental effects of these improvements and advancing the Pitkin County's eligibility for federal funding

and regulatory approval. The Aspen-Pitkin County Airport Improvements Environmental Assessment received a Finding of No Significant Impact (FONSI) from the FAA in July of 2018.

Prior to implementing the FONSI, the Board of County Commissioner embarked on a public process led by a 23 member ASE Vision Committee. That comprehensive process took nearly two years ending in December of 2020. The Board of County Commissioners adopted Resolution No. 105-2020 approving “Pitkin County Board of Commissioners Amendments and Additions, to The ASE Vision Committee Common Ground Recommendations and Airport Map for the Aspen/Pitkin County Airport”.

The Common Ground Recommendations contains 15 recommendations with numerous sub recommendations to attain the community goals and values as stated in the document. The highest priority is to address the undersized and outdated terminal to better accommodate the volumes of passengers for today and into the future. The runway will continue to operate with “deviation from standards” with respect to the physical separation between the runway and the taxiway for an ADG III designated airport until such time the Board of County Commissioners and FAA agree on a plan to address the safety separations.

The common ground recommendations differ significantly from those contained in the 2012 Airport Master Plan. However, before any changes can occur at the Airport the FAA would need to approve a new Airport Layout Plan, which would most likely require an update to the current Airport Master Plan. No additional land acquisitions are planned at the Airport; however, more efficient use of existing land is recommended and some amount of expansion on the west side of the runway will likely be necessary under the plan, which resulted from the recent visioning process.

### **Cozy Point Ranch**

Cozy Point Ranch is located at the northwest corner of the intersection of Highway 82 and Brush Creek Road, approximately 1.2 miles from the north end of the Airport runway. The property was purchased by the City of Aspen with a combination of open space and housing funds. Since its purchase, the property has been used as an equestrian facility and farm/ranch.

This property is outside the Urban Growth Boundary delineated in the 2012 AACP Update. The 2012 AACP Update discourages development, especially large scale or higher density development, outside of the UGB. In addition, there is no City of Aspen water or sewer currently available to this site. The property has been placed in a conservation easement with AVLT which limits future use of the property to recreation and open space. The easement also allows the construction of one additional agricultural structure and two additional housing

units associated with the operation of the facility. There are currently four housing units on the property, a barn and other ranch related structures, most of which are original to the property. The houses have been deed restricted as affordable housing and are to be used only for employees associated with the Ranch. Three historic structures were relocated to Cozy Point from other areas in the valley, they will not be used for housing.

The City of Aspen adopted a new management plan for the property in 2017, which contemplates improvements to the farm education center, continued restoration of existing historic structures, increased hay and grain storage as well as additional employee housing. The management plan does not identify the number of employee housing units needed.

### **Snowmass Village 2018 Comprehensive Plan: Influence Areas**

The Snowmass Village Comprehensive Plan (TOSV Comp Plan) has been updated more than once since the 2003 Brush Creek Mater Plan was adopted. The most recent update was completed in 2018. The current TOSV Comp Plan emphasizes the protection of open space and natural resources, while investing in areas supported by existing infrastructure and retrofitting areas in need of redevelopment. The 2018 TOSV Comp Plan continues to include “influence areas” which include lands adjacent to the Town. The Brush Creek Planning Area is within the “Lower Brush Creek Valley Influence Area”, which is identified as including the main entrance to the Town of Snowmass Village. In past TOSV comprehensive plans, this influence area was identified as a “critically important scenic resource to the Town” and is still identified as such in the current TOSV Comp Plan. The TOSV Comp Plan acknowledges that the area’s open character has been preserved through open space acquisitions and conservation easements. The Plan also acknowledges that the open rural character of the Brush Creek Valley helps establish Snowmass Village as a community, separate and distinct from other communities, in the Roaring Fork Valley.

### **Down Valley Comprehensive Plan, 1987**

The primary objective of the Down Valley Plan is to identify the areas most suitable for development and those which have the highest priority for preservation. The Downvalley Plan addresses a long list of planning and quality of life issues. Among the goals of the Downvalley Plan were goals reflecting a strong sentiment to maintain scenic views. Specifically, those goals included:

***“The creation of a scenic foreground designation for lands highly visible from Highway 82 and Brush Creek Roads. Development within these areas should be designated so outstanding views from public roads are not lost.”***

*Source: Pitkin County Comprehensive Plans: An Overview and Comparison, March 2012.*

## **Aspen Area Community Plan, 2012 Update**

The 2012 AACCP Update is an update of the 2000 Aspen Area Community Plan (the "2000 AACCP"). Many of the key concepts of the 2000 AACCP remained intact with the update, including the Urban Growth Boundary. The purpose of the UGB is to discourage urban levels of development outside the set boundary, thereby preserving open space and a rural feel between communities, efficiently managing the provision of urban services and discouraging "urban sprawl." The Brush Creek planning area remains outside the 2012 AACCP UGB.

## **GROWTH MANAGEMENT/HOUSE SIZE**

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

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

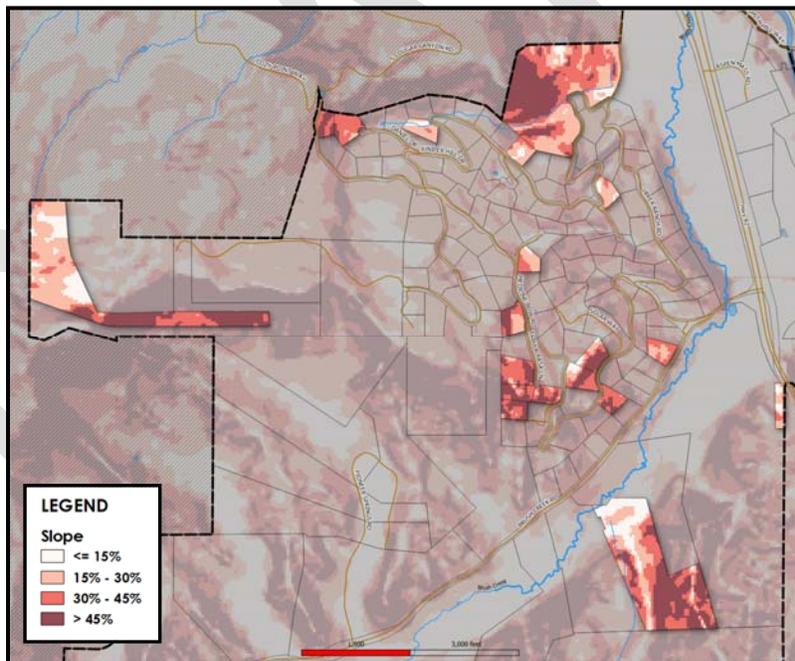
In 1998, house size within the Brush Creek Planning Area averaged 3,676 square feet. Based on 2020 Assessor's data, the current average house size is 3,537 square feet, a reduction of 137 square feet. It is somewhat unusual to see a reduction in house size over a 17-year period, especially in the Aspen area. However, the small reduction in house size could be due to a variety of factors such as a difference in methodology or refinements in the accuracy of the Assessor's data, among others. There is no indication in the 2003 Master Plan as to the source data for the average house size. The current house size numbers are based on the "heated area" data from the 2020 Assessor's parcel database. Anecdotal information would suggest that the average house size would have increased since 2003 due to additions and expansions to existing homes. However, there have been no TDR's approved for additional floor area within the Planning Area and there has been very little new residential development. A thorough analysis of building permit data, which would show the amount of square footage added through residential additions and remodels, was beyond the scope of this analysis.

In January 2000, new growth management regulations were adopted in Pitkin County, which included house size restrictions. The Brush Creek Planning Area lies within the Rural Growth Management portion of the County. Consequently,

new homes are limited to an initial size cap of 5,750 square feet. The cap may be exceeded subject to purchase of a transferable development right(s) (TDR) as a growth management exemption or through growth management competition.

Seven homes were built within the Brush Creek Planning Area between 1998 and 2002, for an average annual growth rate of 1.4%. Since 2003, only seven additional homes have been constructed, which translates to an average annualized growth rate of .3% over the 17-year period. The low growth rate can be attributed to several factors including the very limited inventory of available vacant lots, the economic downturn of the late 2000's, and the amount of land which has been sterilized through conservation easements and acquisitions by Pitkin County and the City of Aspen. In addition, much of the remaining vacant land is more difficult to develop due to physical constraints such as steep slopes. The following map shows the vacant lots within the Planning Area overlaid on a slope analysis map. This map illustrates that nearly all the vacant parcels are encumbered by slopes between 30% and 45% and most of these parcels contain large areas of slopes greater than 45%.

### VACANT LANDS SLOPE ANALYSIS



Source: TG Malloy Consulting

## WATER AND SEWER

### Drainages

Brush Creek is the main drainage within the Planning Area. It flows from the northwest and drains into the Roaring Fork River just downstream of the Juniper

Hill Road/Highway 82 intersection. Water is brought from Snowmass Creek into Brush Creek to augment snow-making operations at Aspen Skiing Company facilities in Snowmass Village. There are relatively few other drainages within the Planning Area.

## Water Service

The Brush Creek Metro District, which was created in 1990, provides potable water and other services to the Brush Creek and Droste/Pioneer Springs portions of the Planning Area. All other properties within the Planning Area are served by wells. The District acquires its water from the Snowmass Water & Sanitation District via a 4-inch water line that runs along Brush Creek Road. According to the District, water use is approaching system capacity due to factors such as the installation of larger water lines for fire suppression and increased use of water for irrigation, among others. The District is undertaking a capacity analysis and is currently monitoring water use to determine the actual reasons for the increased water use. The District has also expressed concern that continued expansion and development in Snowmass Village has the potential to limit the availability of the water supplied to Brush Creek Village.

## Water Quality

Issues impacting water quality in the Brush Creek drainage are on-site wastewater treatment systems (OWTS), Snowmass Water and Sanitation District discharges, particulate run-off and sedimentation from construction and parking areas, run-off from Brush Creek Road, and other human activities causing erosion, sedimentation and loss of aquatic and riparian habitat. The following is an excerpt from the 1979 and 2002 Regional 208 Plans, prepared by the Colorado Department of Public Health and Environment (CDPHE):

***"Downstream from the Snowmass Ski Area and sewage treatment plant, nearly all chemical concentrations increase as compared to upstream. The large sediment concentrations at this site are from natural run-off and run off from ski area facilities."***

However, in 1999, the CDPHE's Water Quality Control Commission upgraded the classification of Brush Creek from Aquatic Life Class 2 to Class 1, indicating that improvements had occurred.

In 2012, Colorado passed new regulations intended to reduce nutrient pollution in surface waters. Regulation 85, administered by the CDPHE, regulates nutrient discharges including nitrogen and phosphorus and requires wastewater treatment facilities to reduce both substances in their discharge water. The Snowmass Water and Sanitation District recently completed its new wastewater treatment plant, as well as updates to the existing facility. The two treatment facilities are designed to work in tandem. The updated wastewater treatment

system is intended to increase capacity and to comply with the new CDPHE discharge regulations. In a September 14, 2020 Aspen Daily News article, a Town official indicated that *“The new wastewater plant reduces nutrient discharges and will filter out phosphorus to 1 milligram per liter and nitrogen down to 11.4 milligrams per liter. Both results exceed Colorado’s existing limits for treatment plants.”*

## Sewage Disposal

Properties within the Brush Creek Planning Area are on individual septic systems. The County is currently assessing the impacts of septic systems on water supply within the Roaring Fork Valley. There are no known issues associated with the use of individual septic systems within the Planning Area.

## ROADS

### Service Level and Classification

Brush Creek Road is a two-lane road that connects the Town of Snowmass Village with Highway 82 and is the main road in the Brush Creek Planning Area. This is also the only road within the Planning Area for which the County keeps regular traffic counts. The road was designed for approximately 6,000 vehicles per day. As shown in the following table, traffic on Brush Creek Road exceeded this capacity in 1999 and, with the exception of the summer of 2008, has been carrying an average of 8,000 to 10,000 vehicles per day ever since. The red numbers in Table 4 are the traffic counts, in 5-year increments, for the years since the 2003 Brush Creek Master Plan was adopted.

**TABLE 4**  
**County Road Traffic Counts**

BRUSH CREEK ROAD (@ Hwy 82)	1997	1998	1999	2000	2001	2002	2003	2008	2013	2018	2020
Summer	5,391	4,777	8,722	9,038	7,218	8,379	11,810*	7244	8488	9385	na
Winter	5,092	2,811	8,649	8,352	10,313	9,303	8,641	8585	8162	9908	9288

\*Data skewed due to traffic diversion from Owl Creek Road.

**Notes:** Summer reflects a count completed in June, July or August. Winter reflects a count completed in January, February or March.

Source: Pitkin County Engineering

When the 2003 Master Plan was prepared it was estimated that the proposed Base Village project in the Town of Snowmass Village would increase traffic on Brush Creek Road to between 13,000 and 14,000 vehicles per day. There were also concerns expressed about potential impacts to the Brush Creek Intercept Lot from the Base Village project. To date, traffic has remained relatively constant since 1999 while less than half of the major buildings in the Base Village project have been constructed. In addition, major redevelopment of the

Snowmass Center property is currently under review by the Town of Snowmass Village. Therefore, additional traffic increases can be expected as the Base Village and Snowmass Center projects continue to build out.

Options for improvements to Brush Creek Road include adding a third lane to all or portions of the road, provide passing lanes at key locations, or four-laning the road. However, it is the goal of the Town of Snowmass Village to maintain Brush Creek Road as a two-lane facility.

Owl Creek Road serves as a secondary option for entering and exiting the Town of Snowmass Village; however, this is a less desirable route due to wildlife habitat and migration activity. Since being paved, more people are using Owl Creek Road for trips to and from Aspen and the Airport and traffic counts have increased somewhat.

When the 2003 Brush Creek Master Plan was prepared, the County's 20-year Capital Improvement Plan included \$2.5 million dollars over two years for heavy repair and structural overlay on Brush Creek Road. This work was completed in 2006. During the review process for the Base Village project the County requested funds to offset the road impacts associated with construction vehicles and increased use of Brush Creek Road. According to the County Engineer, the developer did contribute funds. There are currently no significant improvement projects planned for Brush Creek Road

## **TRANSIT**

The Brush Creek Park and Ride Lot, a vital transit link for the Aspen, Snowmass Village and the upper Roaring Fork Valley, is located within the Planning Area. The facility serves as a transfer station for those going to Snowmass Village on Roaring Fork Transit Agency ("RFTA") buses; provides special-event parking; and provides commuter parking for those who have driven to the intersection but choose to take public transit into Aspen or Snowmass Village. The facility also houses the City of Aspen Carpool kiosk which was transferred there in 2019 from the Aspen Airport. According to the Public Works Department, the existing parking spaces are consistently used.

Major improvements are planned for the Brush Creek Park and Ride Lot and are expected to be constructed during the summer of 2022. The improvements, which are estimated to cost approximately \$46.5 million include permanent bathrooms and associated utilities; paving the 200 parking spaces which are currently covered with recycled asphalt; security lighting; additional landscaping; installing conduit for future electric vehicle charging; and changes to vehicle circulation. In addition, a dynamic message sign, which informs

drivers of parking shortages in Aspen and Snowmass Village, traffic congestion, and transit information to and from the Brush Creek Park and Ride was installed downvalley of the lot in 2020.

Other than the RFTA service on Highway 82, Woody Creek and to Snowmass Village via Brush Creek Road, there is no transit service to the residential neighborhoods within the Planning Area.

## NATURAL ENVIRONMENT

### Wildlife

As depicted on Figures 9 and 10 the Brush Creek Planning Area and surrounding lands contain significant areas of high-quality wildlife habitat. The interspersed diverse ecological communities including, Gambel oak-serviceberry dominated mixed mountain shrub lands; aspen forest; willow and sedge dominated wetlands; narrow leaf cottonwood-Engelmann spruce-twinberry honeysuckle dominated riparian areas; and piñon/juniper woodlands, support a rich vertebrate community. The various animal species that reside within the Planning Area vary tremendously in their ability to adapt to human influences on their habitat. Some co-exist and even thrive in human dominated systems (e.g., coyote, black-billed magpie), some are resilient and can habituate but do have a breaking point when their minimum limiting resources are degraded or depleted (e.g., mule deer, white-tailed jackrabbit), while others are intolerant of both anthropogenic modifications of, or human activity within their habitat (e.g., Canada lynx, plumbeous vireos).

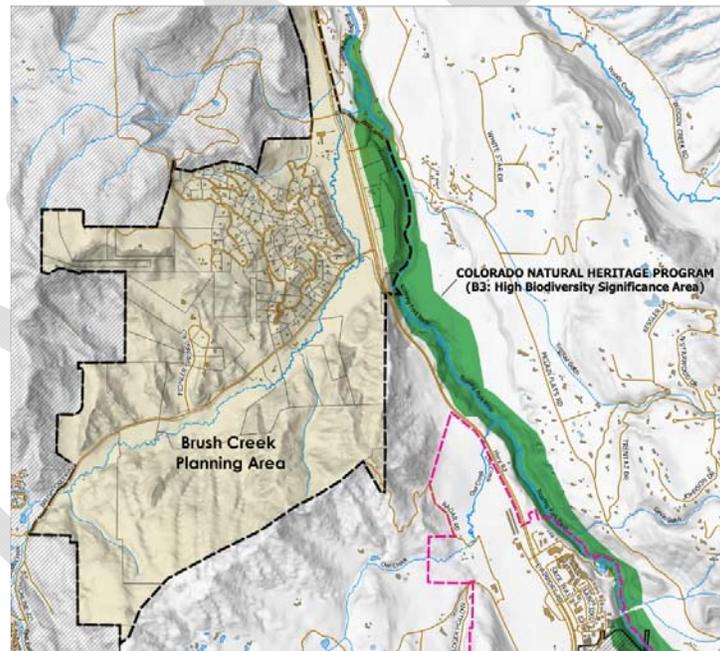
The Brush Creek Planning Area encompasses some of the most critical elk winter range, severe winter range, and winter concentration areas in the upper Roaring Fork watershed. These habitats are found primarily on the oak-serviceberry and piñon-juniper dominated southerly facing slopes. In addition, due to development pressure and topographical constraints, the elk migration habitat in, and migration corridors through the Planning Area are one of the most limiting factors for the animals that winter on Wildcat Ranch, Cougar Canyon, Cozy Point Ridge, and Williams Hill.

There is a significant elk calving habitat located at the top of Cougar Canyon, which extends into Wildcat Ranch, as shown on Figure 9. At approximately 1,000 acres, this is one of the principal production areas in Pitkin County. The majority of this area, however, occurs on lands annexed by the Town of Snowmass Village. Additionally, there are resident or non-migratory elk that spend all year in the vicinity of the Brush Creek Planning Area.

Almost all of the slopes from Brush Creek Road to Watson Divide Road provide important winter range for mule deer (see Figure 10). The southwest facing slopes extending from the Landfill into Wildcat Ranch down to Besancon Gulch and up to the ridge above Snowmass Creek provide mule deer severe winter range and winter concentration area.

The Roaring Fork River gorge from below the Aspen Consolidated Sanitation District down to Jaffee Park, including the confluence with Brush Creek, has been identified by the Colorado Natural Heritage Program (CNHP) as an area of “high biological significance” (see map below). This designation is warranted by the occurrence of an outstanding example of a narrow leaf cottonwood/blue spruce/thin leaf alder montane riparian forest, which contains a rare orchid (*Platanthera sparsiflora* var. *ensifolia*, or canyon bog orchid). Pitkin County Open Space and Trails and Aspen Valley Land Trust have protected most of this area, but portions of this biologically significant area remain privately held.

### COLORADO NATURAL HERITAGE PROGRAM MAP



Source: Colorado Natural Heritage Program Website

There are high quality wetlands of many different types throughout the Brush Creek planning area. Exposed shale throughout the Planning Area supports a rare (endemic) plant called *Physaria rollinsi* or *Rollin's twinpod*.

The diverse habitats within the Planning Area support many species of songbirds, raptors, and waterfowl. Some of these species (e.g., Brewer's sparrow, Virginia's

warbler, MacGillivray's warbler) are declining nationwide as a result of habitat loss.

## Wildfire

Figure 11 shows the mapped wildfire hazard within the Planning Area. The wildfire hazard maps are intended to identify those areas where conditions are favorable for wildfire. Actual wildfire hazard for private lands must be determined on a site-specific basis and will be addressed via the County's Activity Envelope/Site Plan Review process when development is proposed. Most of the Planning Area, including a vast majority of the residential building sites, is identified as severe hazard (brush). Given this hazard, plans for safe evacuation in the event of a wildfire should be established.

## OPEN SPACE/TRAILS/RECREATION

### Existing Open Space

The Brush Creek Planning Area has several important open space parcels, totaling approximately 1,380 acres, that are either owned outright by the County or the City of Aspen or are protected through conservation easements. Figure 12 shows the open space parcels and conserved properties within the Planning Area. Most of the open space acreage has been acquired since the Brush Creek Master Plan was adopted in 2003. The following list identifies the properties that have been added to the open space inventory since 2003. These acquisitions increased the open space within the Planning Area by approximately 991 acres.

- Seven Star II: 232 acres, acquired in 2004 (entirely within Brush Creek PA)
- Cozy Point South: 135 acres, acquired in 2005 (entirely within Brush Creek PA)
- Aspen-Mass: 35 acres, acquired in 2005 (entirely within Brush Creek PA)
- Droste/Sky Mountain Park: 845 acres, acquired in 2010 (589 acres within Brush Creek PA)

Other important open space acreage in the area includes:

- Mills Open Space: 32 acres, acquired in 2002
- *Airport Ranch Open Space: 29 acres, acquired in 1993 (partially within the planning area).*
- *Cozy Point... 1999*

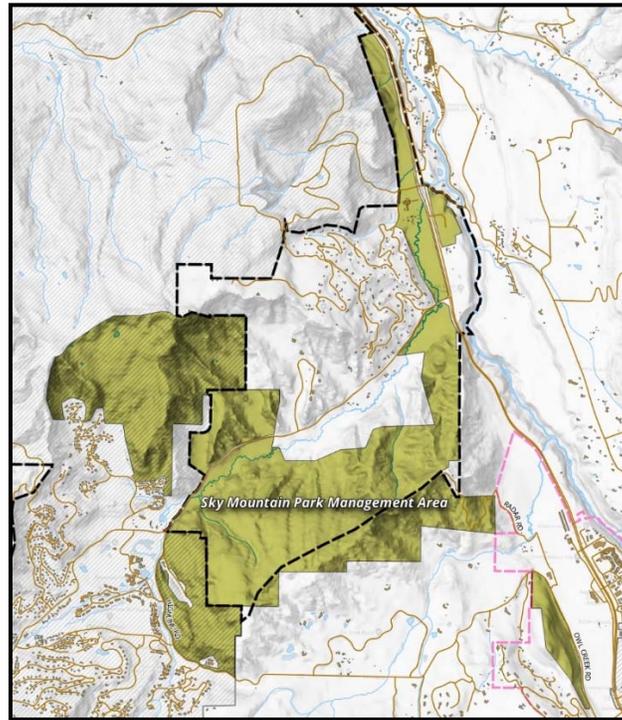
Most of the open space and conservation parcels, with the exception of Cozy Point Ranch and Aspen-Mass parcels, are located in the southern portion of the planning area. As previously noted, the Cozy Point Ranch conservation easement limits future uses of the property to recreational and open space uses

and allows the construction of one additional agricultural structure and two additional housing units associated with the operation of the facility. The conservation easement also allows parking for up to three special events per year.

The most significant change in the open space land within the Planning Area resulted from the establishment of Sky Mountain Park, a 2,500-acre open space and recreation area which incorporates many parcels over a broad area. The map below shows the lands that are part of Sky Mountain Park relative to the Brush Creek Planning Area boundary. Approximately 1,077 acres of Sky Mountain Park are located within the Brush Creek Planning Area. Sky Mountain Park was established to achieve the combined goals of preserving valuable wildlife habitat and providing high-quality recreational opportunities for locals and visitors. The Sky Mountain Park Management Plan was adopted in May of 2012 and provides an overview of the planning area, the history of the land, an inventory of existing conditions, and a set of management policies for the area. The Plan is being updated in 2021.

The land within Sky Mountain Park contains numerous habitat types for both Elk and Mule Deer, including an essential migration corridor between the Owl Creek Valley and the large and complex habitat areas located within the Wildcat Ranch Subdivision, as well as the Watson Divide and Light Hill areas further to the north. The property is closed to the public to protect wildlife during the winter season.

## SKY MOUNTAIN PARK MANAGEMENT AREA



Source: Sky Mountain Park Management Plan

### Existing Trails

Partly due to the development of Sky Mountain Park, there are numerous trails within the Brush Creek Planning Area. The trail system, which is shown on Figure 12, includes the paved Brush Creek trail that parallels Brush Creek Road as well as numerous unpaved multi-use trails that are heavily used by hikers and mountain bikers. Over 15 miles of trails have been developed within Sky Mountain Park, some of which are located within the Planning Area. The most recent addition to the Sky Mountain Park trail system is the Seven Star Trail, which provides an alternate route for connecting the east end of the Rim Trail to and from the trailhead in the Rodeo Lot area. This trail runs through the westernmost portion of the Brush Creek Planning Area within one of the Seven Star Ranch I open space parcels. The trail system also includes a bike trail which goes from the Brush Creek Park and Ride Lot to Jaffee Park, connecting from there onto the Rio Grande Trail or River Road. The Brush Creek Parking and Ride Lot is one of the official trailheads for the Sky Mountain Park trail system. Both Sky Mountain Park and the Brush Creek Trail are closed seasonally from December 1 through May 15 to all users for the protection of wintering wildlife. Sky Mountain Park trails are closed to dogs year round, while the Brush Creek Trail is closed to dogs from October 15-May 15.

## **Sky Mountain Park**

The Sky Mountain Park Open Space is guided by a Management Plan, originally adopted in 2012 and periodically updated. Action items in the plan include habitat and ecological enhancements including mountain shrub treatments, wetland/riparian restoration, and noxious weed management; additional trail development and realignments as needed; and addressing trailhead/signage needs.

## **AGRICULTURE**

There is relatively little agricultural activity within the Brush Creek Planning Area. All of the agricultural use occurs on a few parcels, including the Cozy Point Ranch property along Highway 82, and several parcels located in the Brush Creek Valley along the south side of Brush Creek Road. The Droste Ranch, which is located to the south of the Droste/Pioneer Springs subdivision, is one such parcel. Most of the Droste Ranch was acquired by Pitkin County for open space and is managed as part of Sky Mountain Park. However, the Droste family continues to own an 84-acre parcel along Brush Creek which is still operated as an irrigated hay field. Approximately 64 acres of this parcel is preserved through a conservation easement held by the Aspen Valley Land Trust. The existing ranch buildings and operations area occupy roughly seven acres in the northeast portion of the property and the irrigated hay field covers much of the remaining acreage. Brush Creek and its associated riparian area also take up a portion of the parcel. Cozy Point Ranch, owned by the City of Aspen, is used for boarding horses and is the home of The Farm Collaborative, which is a farming and educational facility that focuses on teach healthy agricultural practices to children and young people interested in agriculture. Cozy Point South is currently operated as an irrigated hay field and provides a rural setting and view plane corridor up the Brush Creek Valley. This parcel is owned by Pitkin County, but the City of Aspen manages the property in conjunction with the Cozy Point Ranch.

## **SCENIC QUALITY**

One of the qualities intrinsic to the “rural character” of Brush Creek is the quantity of open landscape containing irrigated pastures, meadows, and mountain views. This is especially true of the area along Brush Creek Road as shown in the following image. Much of the land within the Planning Area is mapped under the County’s Scenic View Protection regulations (see Figure 13). These regulations, together with the large amount of land which has been

preserved through open space acquisition and conservation easements, should ensure that the rural character of the Brush Creek Valley remains largely unaltered.



## AIR QUALITY

The City of Aspen and Pitkin County both place a high value on preserving the best air quality possible. The City of Aspen has been monitoring air quality for over 25 years. This is primarily due to the fact that air quality in the upper Roaring Fork Valley was found to be in violation of the EPA's 24-hour standards for fine particulate air pollution (PM-10) as articulated in the Clean Air Act. Figure 8 is a map showing the former PM-10 Non-attainment area which was established as a result of the EPA standard violation back in the late 1980's. As seen on this map, the former Non-attainment area is just outside of the Brush Creek Planning Area to the east. Due to regular monitoring and the enforcement of regulations adopted to address fine particulate air pollution, air quality in the Aspen area was re-designated as meeting the Clean Air Act standards in 2002. The Aspen Environmental Health Department provides current air quality monitoring data on its website: (<https://www.cityofaspen.com/298/Current-Air-Quality>).

A major component of fine particulate air pollution is caused by vehicular traffic. Estimates indicate that up to 83% of the upper valley PM-10 pollution comes from dirt kicked up by traffic driving on paved roads. The popularity of RFTA transit service and changes in road maintenance practices have helped

achieve the significant reductions in PM-10 pollution. Air quality within the Brush Creek Planning Area will continue to benefit by Pitkin County's and the City of Aspen's efforts to maintain the goal of keeping traffic on Highway 82 to 1993 levels. A big part of these efforts is the continued success of the RFTA bus service.

## **CLIMATE CHANGE AND PREPAREDNESS**

Incorporate discussion of climate issues here. There was nothing on this topic in the 2003 Plan.

## **AFFORDABLE HOUSING**

There are caretaker dwelling units scattered throughout the Planning Area. There are also several employee housing units at the Cozy Point Ranch and the City of Aspen is considering providing additional employee units as part of a planned expansion of the Farm Collaborative.

## **MINERAL EXTRACTION**

In recent years, mineral extraction has not been actively pursued in this planning area.

## **HISTORIC RESOURCES**

In 2006, the County adopted historic preservation regulations in the Land Use Code. The purpose of these regulations is to provide for the recognition, protection, enhancement, perpetuation and continued use of historic sites and structures. These regulations established an historic inventory and an historic register. In 2008 the County adopted the Preservation Handbook for Historic Properties. This document provides guidelines for the preservation and restoration of historic sites and structures.

As shown on Figure 14, three properties in the Brush Creek Planning Area have been included in the Pitkin County Historic Inventory. The properties are primarily from the turn of the last century. Newer properties may be inventoried in the future. The properties currently inventoried are listed below:

- 660 Brush Creek Road: Listed on Historic Inventory BOCC Reso 99-95; incentive granted to build a new SFR, not yet built

- Droste Barn and House: Listed on Historic Inventory BOCC Reso 051-2009
- Cozy Point Ranch: 2 frame houses listed on Historic Inventory BOCC Reso 040-2013; barn designated to Historic Register BOCC Reso 040-2013

## PLANS AFFECTING BRUSH CREEK PLANNING AREA

The following County and Municipal Land Use and Management Plans potentially impact the Brush Creek planning area:

- A. Pitkin County Road Maintenance and Management Plan (2020)
- B. Pitkin County Airport Master Plan (2012)ASK JON P/ RICH E.

The boundaries of the Brush Creek Planning Area were amended to exclude any overlap with the Airport property and the majority of the planning area is separated physically from the Airport by natural geography.

- C. Down Valley Plan (1987)
- D. Aspen Area Community Plan (2012).

The AACP establishes an urban growth boundary for the City of Aspen which is intended to generally define the boundaries of urban annexation and development. The boundary does not overlap with the Brush Creek Planning Area boundary

- E. Town of Snowmass Village 2018 Comprehensive Plan.

Much of the Brush Creek planning area lies within the Snowmass Village "influence area" as delineated on that plan's Brush Creek Impact Zones Map.

- F. Brush Creek Metro District Plan.
- G. Sky Mountain Park Management Plan.
- H. Cozy Point Ranch Management Plan.

## ATTACHMENTS

- Figure 1:** Planning Area Boundary Map
- Figure 2:** Existing Subdivisions Map
- Figure 3:** Existing Land Use Map
- Figure 4:** TDR Sending and Receiving Sites Map
- Figure 5:** Existing Zoning Map
- Figure 6:** Residential Buildout Map

**Figure 7:** Water & Sewer Districts Map

**Figure 8:** Non-Attainment Area Map

**Figure 9:** Elk Habitat Map

**Figure 10:** Mule Deer Habitat Map

**Figure 11:** Wildfire Hazard Map

**Figure 12:** Open Space & Trails Map

**Figure 13:** Scenic View Protection Area Map

**Figure 14:** Historic Inventory Map

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