WOODY CREEK MASTER PLAN

Prepared by
Woody Creek Caucus
October, 1991
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October 4, 1991

We, the Executive Committee of the Woody Creek Caucus, are pleased to submit the Master Plan for the Woody Creek Master Plan Area to the Citizens of Pitkin County, Colorado. This information was gathered from input at public meetings with guidance from both concerned citizens and experts in many disciplines. The statements made here have been honed by the process of public discussion and criticism until the results are both precise and concise. We have attempted to chronicle a clear and consistent consensus that accurately reflects both the intentions and the aspirations of those individuals whose lives and dreams, present and future, are most affected by the decisions that will be made based on the information contained herein.

The Executive Committee of the Woody Creek Caucus

Mary Anne Bosely
Gaylord Guenin
Ed Bastian
Jackie Lothian
Tom Melberg
George Stranahan
Chuck Torinus
PLANNING PROCESS
In December of 1990 Pitkin County Commissioners suggested creating a Master Plan for the Woody Creek area. Funding of the Master Plan study was discussed through January and February of 1991 by both the County Commissioners and the Woody Creek Caucus. Also in January the Woody Creek Caucus voted to pursue, among other options, creating a Master Plan for Woody Creek. On February 13, 1991, residents from Redstone who were undergoing a Master Plan process spoke with the Woody Creek Caucus. In March, 1991, the Woody Creek Caucus decided to go forward with a Master Plan created by the Caucus with assistance from the Pitkin County Planning and Zoning Commission. On April 2, 1991, a motion was brought to the Pitkin County Commissioners from the Woody Creek Caucus requesting that while the Master Plan was in preparation, no major land use decisions be made in Woody Creek. The Commissioners agreed with the motion, stipulating that the Woody Creek Master Plan must be completed and accepted by both the Planning and Zoning Commission and the County Commissioners prior to December 1, 1991.

The planning process itself involved seventeen meetings of the Woody Creek Caucus, both at the Community School and the Woody Creek Trailer Park, with 133 different Woody Creek residents attending meetings at least once. At these meetings vision statements of residents were solicited and discussed as were presentations by experts in the fields of community planning and zoning, wildlife management, parks and trails, open space, airport issues, agriculture, education, moderate income housing and cohousing. A community field trip was taken to the properties which accommodate the Elam Gravel Pit, the Woody Creek Raceway, Executive Security International, and the Woody Creek Development Corporation. Numerous committee meetings were held, culminating in meetings with Pitkin County planning staff and presentations by the planning staff at the Woody Creek Caucus meetings.

Finally, on September 25, 1991, at a Woody Creek Caucus meeting at the Community School, the third review of documents and amendments to the existing Down Valley Comprehensive Plan was held and approved, and by unanimous vote of the Woody Creek Caucus it was determined that the information compiled was an accurate reflection of the consensus of opinion of the residents of Woody Creek. It was moved and seconded and unanimously approved to forward this Master Plan along with all supporting documents to the Pitkin County Commissioners and the citizens of Pitkin County.
December 3, 1990

Board of County Commissioners
Pitkin County Court House
Aspen, Colorado 81611

Ladies and Gentlemen:

During our meeting with the Board on November 27, 1990, we scheduled a meeting to be held on December 11th with your planning staff to begin discussions on the employee housing project you propose to build on the Pitkin Iron site in Woody Creek. After further consideration, the Caucus has decided that the timing of our meeting with you may be premature, as we have decided to retain professional consultants to assist us in this process. We need more time to interview and hire these consultants and begin gathering information that would be relevant to our discussions with your staff.

We appreciate your offer to allow us to participate in the planning process for this most important issue, but would like to see a more considered and informed approach to it than was displayed during the negotiation process for the purchase of the land.

We anticipate that we will be more fully prepared to meet with you shortly after the first of the year and would like to re-schedule the meeting for that time. We will contact you to arrange a specific time. In the meantime, we would expect to be informed of any planning procedures performed at your direction by your staff.

Sincerely,

[Signature]

Co-moderator, Woody Creek Caucus

cc: Amy Margerum
    Mark Fuller
    Reid Haughey
    Pitkin County Planning and Zoning Commission
    Bill Tuite
MEETING SCHEDULE OUTLINE

Minutes to Caucus meetings and Correspondence With County - 1991

The following is a list of minutes to Caucus meetings as well as related correspondence with the county which contains information relevant to the Woody Creek Master Plan. These documents are in the Woody Creek Caucus files and can be made available upon request.

1. January 30 - Elam discussion.

2. February 13 - Redstone master plan process discussion with Eric & Sherry Johnson.

3. February 27 - Pitkin Iron discussion w/Commissioners. Vote on Boundaries for Incorporation.


5. Excerpt summation of motions passed 03/20/91.

6. Memo to County Commissioners dated 04/02/91 re: Creation of Master Plan.

7. Notes from BOCC Meeting 04/02/91 re: Pitkin Iron and timing vis a vis Master Plan timetable.

8. April 3 - Vision statements from individual residents.

9. April 10 - Continued vision statements.

10. April 17 - Continued vision statements.


12. May 15 - Work session. Presentation of "Keep Community As Is", airport, agriculture, parks/trails/open space, co-housing & trailer park papers.

13. May 29 - Airport discussion, general Master Plan notes. ESI, Community School, Berky paper, Colson Trailer Park paper.


17. July 15 - Trailer Park resident meeting. Hoffman plan and resident wish list. Some discussion of commercial location.

18. July 18 - Trailer Park resident meeting. Review of life safety issues, commercial, and specific site planning.

19. July 25 - Trailer Park resident meeting.


21. July 31 - Presentation by Cindy Houban.

22. August 28 - First review of draft for DVCP amendments.

23. September 11 - Second review/work session on draft.

24. September 25 - Second review/final approval of draft.

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I. THE PLAN
WOODY CREEK MASTER PLAN

AMENDMENTS TO PITKIN COUNTY DOWN VALLEY COMPREHENSIVE PLAN

A. Local control of planning process is essential:

1. Right of the Woody Creek Caucus and the Woody Creek District Planning Commission to interpret and amend the Woody Creek Master Plan and that portion of the Down Valley Comprehensive Plan that deals with the Woody Creek Master Plan Area.

2. Any proposed land use activities in the Woody Creek Master Plan Area shall require the approval of the Woody Creek District Planning Commission after receipt of formal recommendations and comments by the Woody Creek Caucus.

3. Payment of an annual fee by Pitkin County to the Woody Creek Caucus for maintenance and updating of the Woody Creek Master Plan.

4. To the extent that the Woody Creek Master Plan is not reviewed in the day to day planning process, the Woody Creek District Planning Commission is encouraged to review the Woody Creek Master Plan at least every five years.

B. Woody Creek Trailer Park:

1. The Woody Creek Caucus supports the existing Woody Creek Trailer Park use in its present location.

2. The Woody Creek Caucus supports efforts which will improve the living environment and provide economic stability for residents of Woody Creek Mobile Home Park. The Caucus supports the tenants in their efforts to own their sites rather than lease them.

C. Commercial zoning in Woody Creek should not be enlarged and no additional commercial zoning shall be permitted.

D. The Woody Creek Master Plan supports a Post Office in Woody Creek as approved through the special review process by the Woody Creek District Planning Commission.
E. Employee Housing:

1. Woody Creek is proud to currently devote an exceptionally large percentage of its housing stock to low and moderate income housing. No additional high density or high rate employee housing developments shall be permitted. Further employee housing will continue to be provided in scattered low density housing patterns.

F. No new high density developments in Woody Creek:

1. Maintaining the population status quo is critical to the residents of Woody Creek. No changes in zoning which increase density shall be permitted.

2. The "cluster residential" designation on the Down Valley Comprehensive Plan land use map (page 101) and the description of "cluster residential use" in the text (page 106) will be deleted from the Down Valley Comprehensive Plan and the "rural residential" designation shall be retained to cover the Pitkin Iron property which shall maintain its existing zoning (AF1).

3. Reference to a train station as an appropriate use for the Pitkin Iron property shall be deleted from the Down Valley Comprehensive Plan.

G. No Transfer Development Rights shall be used to develop more density in the Woody Creek Master Plan Area.

1. Transfer Development Rights or Purchase Development Rights used to move density out of Woody Creek Master Plan Area are acceptable.

H. Existing Industrial and Commercial Special Review Permits should not be renewed and no new ones issued without specific approval by the Woody Creek District Planning Commission after formal recommendation and comment by the Woody Creek Caucus.

1. The following properties currently in use under Special Review Permits should revert to underlying residential (AF or RS) zoning upon expiration of their permits, or if operating without a permit, no permit should be issued and the operation should immediately be terminated:
H. (Continued)

a. Racetrack Property

b. Elam Property

c. Mountain Mobile Mix at Pitkin Iron

2. Existing Institutional Special Review Permit for the Community School is acceptable.

a. Any additional development of the Community School must include full mitigation of any impacts created and shall require approval of the Woody Creek District Planning Commission after receipt of formal recommendations and comments by the Woody Creek Caucus.

I. Woody Creek Area Roads:

1. Should be maintained as they currently exist except for required safety improvements and the addition of bicycle/pedestrian lanes where possible.

2. We insist that local government and the highway department do all possible to minimize impact on the Upper River Road and McLain Flats Road during construction on Highway 82.

3. The Woody Creek Caucus does not support those portions of the Down Valley Comprehensive Plan dealing with roads that are inconsistent with paragraph I-1 above (for example table 5-2, page 124 and 5-4, page 126 of the Down Valley Comprehensive Plan are inconsistent with the Woody Creek Master Plan). Any changes to roads within the Woody Creek Planning Area require specific approval of the Woody Creek District Planning Commission after receipt of recommendations and comments by the Woody Creek Caucus.

J. Support for restrictions on the Pitkin County Airport:

1. Support existing curfew differentiation, current operating hours, and previous noise abatement restrictions.

2. No expansion of ramp area or parking area for General Aviation aircraft or of commercial facilities to service General Aviation.
J. (Continued)

3. Support eliminating Stage 1 and Stage 2 aircraft.

K. Encourage use of Rio Grande Right of Way for non-motorized, non-commercial recreational uses.

1. The Woody Creek Caucus supports the installation of the Rio Grande Recreational Trail on the Rio Grande right of way at the earliest possible time.

2. Use of the Rio Grande right of way for rail is not favored for reasons outlined in the paper on rail transportation in the Roaring Fork Valley prepared by Dr. Vuchic for the Aspen Valley Improvement Association (see position statement, document number: ___________).

L. Restrictions and conditions that apply to existing land use approvals and other deed restrictions will remain in effect with no change being contemplated by this document.

M. This plan assumes that maximum populations won't exceed those permitted by current zoning. However, in the planning process we reserve the right to look at mechanisms that will result in lower total populations which meet our community objectives, such as 35 acre zoning density.

On September 25, 1991 it was moved and seconded and passed by unanimous vote of the Woody Creek Caucus to forward this document along with supporting data to the Pitkin County Planning and Zoning Commission for approval.
II. CAUCUS APPROVED PRELIMINARY POSITION STATEMENTS
WOODY CREEK MASTER PLAN: KEEP COMMUNITY "AS IS" (Draft 5-13-91)

A clear consensus of the Woody Creek community was derived from public meetings of the neighborhood held at the Community School throughout March, April and May of 1991. This consensus showed that the overwhelming majority of the residents of Woody Creek had a significant determination to retain the environs of the Woody Creek area as much as possible as it exists currently. This vision ranged from "stop the clock" no growth attitude to "existing slow growth" sentiment allowing for a moderate increase in population to permit future generations to settle in the area without the impacts of planned subdivisions causing strain on existing facilities and necessitating major upgrades of services.

Although some individuals spoke for the need for additional lower income housing, the opinion was consistent that the community would best be able to provide this housing as it has in the past, maintaining a healthy mix in the population as a whole and keeping the neighborhood feeling that makes Woody Creek more than just a geographic element.

Caretaker units, privately created low cost ownership units and proper redevelopment of the Woody Creek Trailer Park would allow the current residents more secure living arrangements and a stepping stone to a lasting relationship with the community that they live in.

A deep concern was expressed that government supplied housing would be too expensive for the current residents to purchase, that it would be detrimental to the existing population, and that the development of tracts of houses by government agencies would be
directed to people who do not presently live in Woody Creek, thereby further displacing the people who have already showed a commitment to the area and forcing them to live elsewhere. The limited amount of development rights existing in the area would be used up by large projects and not serve the community financially or aesthetically. These projects would require changes in roads and bridges, waste water treatment facilities, displacement of wildlife, increase traffic impacts, increase noise and pollution, impact recreational activities and diminish safety of our families. They would also result in the formation of "ghetto" areas rather than the dispersal of housing types throughout the area.

Approval was given for maintaining existing zoning and supporting existing growth rates which, with the exception of one recent development, have remained at about one to two percent annually. Agricultural pursuits were encouraged as adding to the overall health of the community through maintenance of open space and wildlife habitat. Industrial uses were derided as being polluting, traffic producing, noisy and inappropriate mixed with a residential community. Recreational uses and activities, such as trails and parks, are considered extremely important.

Primary consideration must be given to preserving Woody Creek as a neighborhood by continuing its strong sense of identity.

Population growth should be maintained at a slow rate. Rural appearances and existing scattered housing patterns, small rural roads that are safe for bicyclists, joggers and walkers. Minimum industrial and commercial traffic, noise, pollution and
institutionalized enterprises all must be avoided in the future for Woody Creek to remain as a whole and healthy community.
A STATEMENT OF CONSENSUS

The Woody Creek Experiment is a process dedicated to the preservation and enhancement of Woody Creek's agriculture, educational offerings, rural character, environment and the democratic process. It is a process in which residents of Woody Creek are attempting to make the most responsible choices possible. Through this process we are examining our neighborhood, our values, our unique qualities and our responsibilities to the larger community. We are defining our connections to the Woody Creek landscape and the changes that could destroy that connectedness. We are pursuing this challenge with the awareness that we are a piece of a larger community ... thus, we are exploring the role our neighborhood plays in providing the richly vaned and nurturing experiences of place that humans need to survive and to prosper. The first step in this process has been to develop a statement of consensus which will be used to guide decision making as we develop a master plan for Woody Creek. The following is our statement of consensus:

We, the residents of Woody Creek, believe in self determination as an excellent (and the only) tool for holding on to the best that Woody Creek has to offer. We, better than anyone else, know the pride of taking good care of the land in Woody Creek, the thrill of sharing the land, air and water with animals including the red fox, deer, owls, elk. We, better than anyone else, know the shock of plane crashes near our homes and the annoyingly increasing and unnecessary stress from the airport, and the satisfying and all too rare feeling of knowing one's neighbors. We, better than anyone else, know what a true pleasure it is to be greeted by a postmistress who knows everyone by name and know what a privilege it is to walk by a river where things still work as they should or to ride a bike on a rural road and feel safe. We, better than anyone else understand the community vitality that can come from an exciting economic and social mix. Our neighborhood houses
people including ambassadors, real estate agents, truck drivers, ranchers, contractors, movie stars, City Market employees, architects, newspaper reporters, teachers, doctors, cab drivers, rock superstars, lawyers, and waitresses. We, better than anyone else, armed with the knowledge of what we see, touch, hear and smell in Woody Creek can determine how best to preserve the magic mix of people and experiences on which we thrive. There is no place on earth exactly like Woody Creek — it cannot be duplicated now or ever. It is worth saving and we, through our self determination, are building a team which can better understand the elements of its magic and preserve and enhance it. The choices Woody Creek has determined to be the best for itself in the past have not be selfish or greedy — far from it. They have been healthy choices for the neighborhood and therefore give health directly to the larger community.

We believe we should keep Woody Creek as it is. We want to keep our rural roads small. We want to preserve and enhance wildlife habitats, open space, trails, parks, and agricultural uses. We would like the tavern and the post office uses to continue but we want the conflicts between those uses and the road reduced or eliminated.

We believe we have the right to live in a safe, quiet neighborhood. We have been able to coexist with the airport in the past but find the general level of noise increasing and the level of safety decreasing. We believe we have the right to feel safe in our homes despite the fact that an airport exists nearby. We are dedicated to protecting the health, safety and welfare of our part of the community and are confident that if we are successful in protecting that backyard, we will have enhanced the health, safety and welfare and the quality of life of a much larger community.

We want to continue our history of doing our fair share and to
provide affordable housing because we want a balance of all kinds of people in our community and in our neighborhood, because we hope our children will be able to "come home" again and because we feel a responsibility to the generations that follow us. However, we are interested in passing on more than just shelter, bricks, boards and nails to Pitkin County's children. We believe our gift to the larger community, to future generations, and to ourselves should be a housing pattern that results in true health to the people using that housing and that results in the maintenance or enhancement of the natural elements that are so much a part of Woody Creek's rural character. We believe that high density/high rate housing on the Pitkin Iron site would be detrimental to every element necessary for the survival of this unique neighborhood.

We support the continued use of the mobile home park so affordable housing can continue to be offered in that area. We intend to pursue creative options for increasing the quality of life for present and future residents of that part of our neighborhood.

We, better than anyone else, know the difficulties of maintaining a safe, quiet neighborhood with industrial sites as neighboring uses. It is our desire that industrial sites as neighboring uses. It is our desire that industrial uses, while they exist, be called upon to live up to the highest standards of neighborliness and the Pitkin County Land Use Code and that they be phased out so that our neighborhood will once again be residential.

The Woody Creek Experiment is our way of stating that Woody Creek is worth fighting for. It is worth spending time, energy, money, emotion for. If the Woody Creek Experiment is successful, we will have saved a treasure and passed it on. If the Woody Creek Experiment is successful, no one will ever have to listen to tales, bitterly or wistfully told, of the one brief shining moment there was a Woody Creek.
WOODY CREEK MASTER PLAN: KEEP COMMUNITY "AS IS"  (Draft 5-13-91)

A clear consensus of the Woody Creek community was derived from public meetings of the neighborhood held at the Community School throughout March, April and May of 1991. This consensus showed that the overwhelming majority of the residents of Woody Creek had a significant determination to retain the environs of the Woody Creek area as much as possible as it exists currently. This vision ranged from "stop the clock" no growth attitude to "existing slow growth" sentiment allowing for a moderate increase in population to permit future generations to settle in the area without the impacts of planned subdivisions causing strain on existing facilities and necessitating major upgrades of services.

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institutionalized enterprises all must be avoided in the future for Woody Creek to remain as a whole and healthy community.
Those residents of Woody Creek who have expressed themselves publicly all reflect a similar dedication to a "lifestyle and character" which is defined by the "past and present" Woody Creek. A future of change away from these characteristics for Woody Creek is not perceived as a desirable goal.

The residents of Woody Creek, by acclamation, have chosen to preserve the past and present character of the Woody Creek community and to endorse and support land use policy which will encourage, not sacrifice, traditional and rural agricultural pursuits, both residential and commercial.

The present and historic land use policy of the Pitkin County Government is perceived by the residents of Woody Creek to be inconsistent with, and an imminent threat to, preservation of those things considered desirable and advantageous in Woody Creek. There is a clear and obvious disharmony in goals sponsored by the county land planners, and the goals voiced publicly by the residents of Woody Creek.

For Woody Creek residents to achieve their goals, one principle is obvious, absolute and uncompromising: those who wish to be included within the scope of a desired land use policy must have a clear, obvious and enforceable authority for determination of land use. Even if the desired destiny evolves consistent and harmonious with the "master plan" of Pitkin County it is fundamentally necessary for Woody Creek to make and enforce all land use policy.

The Agrarian Model

The traditional agrarian community model is one that will not fit easily or well with the modern democratic machinery which has propelled and evolved our urban centers. History tells us of the American experience, that the close proximity of the two models has produced friction, not harmony; friction, only abated by the availability of fresh land to those willing and able to move on and away from the urban experience. If the "fresh land" prescription is unavailable or impractical, the agrarian model can survive only by making a political stand and by making economic choices for land use. That political stand and those economic choices will not be viewed as democratic by supporters of the urban community model.
To be agricultural is more than to be non-urban. The agrarian community must be pro-actively agricultural and agricultural endeavors must be controlled and designed to a harmony with nature’s configuration, not upon man’s desires of configuration. There is, inherent, a dilemma. Only a limited number of inhabitants (both wild and human) can be permitted to enjoy the ideal configuration of any geographical area (that, for instance, considers open space as a primary goal) because, with the attainment of some practical density, a threshold is crossed whereby the fruits available cannot sustain the beneficiaries. In nature, this is handled practically, if not pleasantly, by the natural selection of species process. Humans have tried, unsuccessfully, other methods of control which are "humane" if not practical.

Clearly, control must be imposed in order to preserve control must focus upon numbers of users and types of use. Control should be expressed in the positive; as goals. Any new land use, population augmentation, or other impact, should be determined solely upon the service of these goals, as undemocratic as that may seem or in reality may be. Urban centers are, by nature, democratic; agrarian communities are not and never have been in so far as the availability of dwelling space.

The urban model continually amends its own definition and character through land use policy to accommodate the ever increasing population which it desires and needs. The agrarian model applies a land use policy that is complimentary to land as a production element not a shelter element. The yardstick here is a free enterprise agrarian economy which is (hopefully) in harmony with the ability of the lands to support it. The population is not encouraged to increase for any reason except where it serves the needs of agricultural activity as the driving force in the determination of the "character and lifestyle" of the community.

Agrarian practices are business enterprise in its simplest form. That is: the harvest must provide both an incentive for completion as well as the seeds (capital) for future harvests. This is true in nature the same as it is in human endeavors. There must be beneficial reasons (profitable) for engaging in agriculture. A profitable harvest need not be defined solely in terms of cash or goods.
It can be defined in terms of a "profit of lifestyle" or a "profit of community values".

The following is a checklist for a land use policy Woody Creek should promote:
1. that those engaged in commercial agricultural employment should dwell upon or in close geographical proximity to the land upon which they work.

2. commercial concerns which use vegetable or animal resources indigenous to the area and employ residents of area; but that are not retail in nature.

3. recreational enterprise which have limited ingress and egress impact, non-motorized methods, and require no additional services. Recreation that involves non-stressful interaction with the natural environment.

4. the necessity for reasonable profitability of any commercial enterprise.

5. only minimum safety upgrades of River Road and Lenado Road.

6. the maintenance of absolute thresholds of population density including wildlife and domestic animals.

7. "cottage industry" or that which does not bring in customers nor employees but which allows residents economic opportunity. Cottage industry type activities;
   a. nursery/landscape
   b. truck farm
   c. vegetable/meat production
   d. farrier, blacksmith, artisan
   e. instruction

8. Pitkin Ironsite as a recreational area to be designed and administered by Woody Creek. This will probably involve purchase of the site from the county. This could be done through a public bonding district.
COMMUNITY SCHOOL

COMMUNITY SCHOOL/GEORGE STRANAHAH'S VISION
(For Caucus Consideration)

1. Cultural center in Woody Creek like meadows is to Aspen.

2. Functions:
   Master/apprentice teacher

3. Facilities:
   Present remain
   Science learning study center and laboratory
   1000 sq. feet
   1 to adults
   5 children

   Other Lab building
   4 at 1000 sq. feet
   1- to adults
   5 children, etc.

   Dormitory for 12-18 student/interns on sight

   Staff Housing top of hill
   6/8 1/3 bedroom
   2400 sq. feet plus or minus each

4. Activities (typical)
   150 children plus or minus 15 adults usual
   Symposia in these facilities with outside teacher/learners

5. Auto impacts
   25 cars per day miscellaneous
   25 teacher car per day
   20 deliveries of students
   School bus trips

   Substantial Auto impact

   School impact mitigation?

   Housing impact-12-15 adult teachers
   1/3 house on campus
   2/3- 10 people on their own/Lenado?
5/24/91

The mesa on which the Community School sits is about 110 acres in size. It is not visible from River road or the Woody Creek road. It is somewhat visible from Little Woody, particularly lower Little Woody. The school, which describes itself as alternative and progressive, currently has about 150 children that are served by about 30 adults. About half of the students are Aspen/Snowmass and about half are Basalt/Carbondale/Glenwood Springs. More than half of the students have some scholarship aid. There are usually summer programs that account for numbers about 1/3 of the above numbers. The school has two school buses, one from Glenwood and one from Aspen/Snowmass. I believe it safe to say that the current impacts on the community are not large. There is some 8 am traffic including the buses on the lowest 1 mile of the Woody Creek rd and the afternoon traffic is pretty well spread out from 3 pm to 5:30 pm.

The school's long range plan is to keep the student body at about the same size but to enrich the adult community in the following ways. While there is lots of research done about education, there has been little effect on classrooms. We would like to do serious research about how children learn and at the same time do research on how get this information used in classrooms. The laboratory for both pieces of research and development would be the Community School itself. The whole effort is self-supporting but non-profit.

There would be 2 to 4 "research centers" of 1000 to 2500 square feet each and staffed by 1 to 3 adults each. A science center, for example, would be a space where ideas, techniques and materials are developed about learning science. These tools are tested and refined in the school. The older students apprentice in the science center as part of their own experiential education. As ideas that work are developed and as it is learned how to introduce them into our classrooms the science center is ready to engage in outreach. The initial target of the outreach will be the public schools of the western slope. The science center might be 2000 square feet and have a scientist and a toolmaker as staff. They would put additional burden on the school's secretarial, accounting and maintenance staff.

Other "research centers" might focus on art, anthropology or media. In any event the format would be the same as for the science center: serious work about how children learn and about how to make changes in classrooms.

Build out for centers, assuming maximum numbers, is 4 times 2500 = 10,000 square feet of building space and 4 times 3 = 12 additional adults.

The school would like to finalize a relationship with a college of education that might require a semester of work in Woody Creek. Their training would include working in the school, in the centers and in the outreach program. I do not think we could plan to handle more than something like 12 to 18 students at a time. A dormitory would be necessary for these students. The dorm might be 5000 square
feet in size and include some lecture and library space as well as community cooking facilities.

This learning community, in maximum configuration, has 150 students, 21 teachers, 9 administrative and support staff, 12 professionals in the “research centers” and 18 college age student teachers. Of the 42 permanent staff it might make sense to be able to house 20% on the campus. This would mean 8 to 9 homes of modest size; say 17,000 square feet of homes.

At this configuration, the learning community would be of national importance, and if it maintains its commitment to quality should be effective in both creating change in education and in getting donations and grants for this work. It would be an exciting place in which to work or to visit.

The school is currently

| children | 150 |
| adults  | 30 |
| building space | 14,000 square feet |

This plan calls for an increase of

| children | 150 | 0 |
| adults | 42 | 12 |
| college students | 18 | 18 |
| building space | 46,000 square feet | 32,000 square feet |

This latter is a FAR of less than .011. The plan also calls for reforesting the mesa as the lands are developed from agriculture into learning institution. This will not only beautify the campus, reduce the visual impacts on the community but also use the available irrigation water.

There are at least two reasons why this learning community would be valuable to Woody Creek. One is simply that the institution would be valuable to the world. Another is that by declaring what we are for, we declare equally what we are against. If we are for non profit education and research, we are against things which would interfere with that.

Another reason, which appeals to me at least, is that there will be wonderful intellectual activities going on at the mesa, wonderful and interesting people working there, wonderful things to learn about. The learning community will be totally open to those in the community who are interested.

There has been some beginning discussions about another dimension of development on the mesa: the concept is called “Main Street”. We believe that education needs a closer integration to community. We feel that classrooms are a way of getting kids “out of the way” so that we adults can pursue our own interests.
without distraction from kids, and that classroom education, alone, is incomplete. We feel that the community should participate more actively in education than just paying taxes. The community needs to accept the children into the actual setting of the community, into the actual activities, economic and otherwise, of the adult community.

The research centers provide one adult community on the mesa in which children can participate, as apprentices for example. The Main Street idea suggests that something similar to a small town economy might be developed. The school library is a book shop where kids and adults can either "rent" a book or also buy a book. And the appeal would be to the whole community, the space really is a community book store as well as the school library and the library for the college students. Thus part of it is for profit, for the benefit of the whole project. The kids working in the book store will learn quite a bit.

Similarly, the media research center might include a print shop. The print shop could produce note paper, for sale, from the children's art work. It could do print jobs for the public as well as for the educational activities. The kids working in the print shop will learn quite a bit.

The dormitory would become a "boarding house", managed by the kids. This one, I should think, should be non-profit.

There is space aplenty for garden and small or large animals. Main Street might have a "farmers market" outlet for quality foods, another place for kids to be part of a real world experience.

There Main Street activities would be a way for the learning community to involve itself with the Woody Creek community, better educate the kids and help to finance the whole endeavor.

If we add the additional personnel and building space of Main Street we might see an additional 5 to 8 adults and an additional 10,000 square feet.
May 16, 1991

Woody Creek Master Plan
Parks, Open Space and Trails

The Woody Creek area is essentially a rural community. It's prominent land features are agricultural ranches and the Roaring Fork and Woody Creek River ecosystems. Traffic on the major road systems are minimal with local use most common. The road system serves as a pedestrian trail network for walkers and bikers.

The goals of the Parks, Open Space and Trails element of the Woody Creek Master Plan is to preserve the rural character of Woody Creek; enhance community involvement; reduce the perception of physical change in the local environment by preserving existing open lands; and increase trail connection opportunities for safe commuting and recreating.

Parks, Open Space and Trails can be distinguished as providing separate public amenities. Parks provide active recreational space for community purposes such as baseball, soccer, etc. These spaces become sanctuaries for community involvement. Open space is oriented for more passive uses such as agricultural lands, wildlife areas, etc. These lands provide aesthetic landscapes for residents and insure wildlife survival. Trails are linear parks. They provide safe community pedestrian connections for walkers, joggers, skiers, bikers and equestrians.

Specific recommendations for the Woody Creek Area are as follows:

Parks:

1. Jaffee Park: The only public park in Woody Creek, it was given to Pitkin County by Wink Jaffee 13 years ago. It provides river access for fishermen and boaters and serves as a trailhead for the Rio Grande Trail. It should be maintained as a passive park with improvements for landscaping, trail maintenance, and general clean-up.

P.O. Box 940
Pen, Colorado 81612
3-923-2693
2. Pitkin Iron property: The size of the property allows for creation of an active recreational site to include a community baseball field. The riverside should be revegetated from previous industrial use damage and protected as a wildlife area.

3. Woody Creek Raceway: Residents should negotiate the use of the existing raceway for bicycle use.

4. Woody Creek Trailer Park: The park should be expanded and thinned out to enable the creation of usable interior open space for residents particularly family play areas.

5. Roaring Fork River Access: Fisherman access should be acquired as available. The lower Woody Creek Bridge area (some of which is now closed to the public) should be acquired for fisherman access.

Open Space:

1. Agricultural lands should be preserved through the voluntary acquisition of conservation easements. These easements could initially be of a short term duration, i.e., a year or so to establish confidence in the easement program.

2. Wildlife habitat particularly along the river corridors should be protected by zoning restrictions and easement acquisition.

3. Woody Creek: conservation easements should be acquired along the river to protect wildlife habitat. The wooded area above the railroad r-o-w on Woody Creek should be considered for acquisition as a public park and natural area.

Trails:

1. The river trail above Jaffee Park was acquired over 50 years ago when Pitkin County vacated an existing public road. It could be connected by a new bridge across the Roaring Fork River to a trail at the Mills property to Highway 82.
2. Fisherman access along the River should be preserved as private property and wildlife constraints allow.

3. Automobile traffic along existing roads should be minimized to accommodate continued shared use of roads for pedestrians.

4. Roaring Fork Trail: The discontinuance of the Pitkin Iron Mine storage site eliminates the necessity for railroad use of the existing r-o-w. Removal of the track would create the possibility for a trail from Aspen to Carbondale for use by Woody Creek residents. The trail would also provide a linear park and pedestrian connector through all the Woody Creek region.

5. Trail connections for non-vehicular access to the public lands north and east of Woody Creek should be acquired.

6. The existing pedestrian trail through "Boogies" property which connects the McLain Flats and White Horse Springs areas to the Roaring Fork River should be maintained.

7. Trail users should be considerate of impacts on private property. Dogs should be restrained from disturbing wildlife and ranch animals.

8. Residents should continue to identify trail corridor needs for the present and future as circumstances change.
THE AIRPORT: A GROWING CONCERN

Sardy Field is a valuable asset of the people of Pitkin County. The airport is a vitally important facility/operation for the economy of the area, to the way we function as a whole community/resort and as a major link in the transportation chain of the Roaring Fork Valley.

In its growth and development over the past decade, the airport has conversely become a source of intense controversy. Argument, friction, political battling, litigation and the like have been the norm over the airport's design, size, function, operating policies, budget and so on. The Woody Creek community has been a voice in this controversy.

Woody Creek has defined itself as a residential "country community." And, it lies geographically in the primary flight path of the airport's runway. That alone creates a conflict. Within that context, the concerns commonly expressed by Woody Creek residents deal with aircraft noise and safety issues. The former, specifically noise pollution, affects a desired tranquility by any or all residents of Woody Creek. The factors involved are type of aircraft utilized by both commercial and private individuals/pilots, the number of operations flown in and out of Sardy Field and obviously the hours of operation. With the latter concern, namely the safety and well-being of every man, woman and child living in the Woody Creek, the issues have become intense and of great concern. In the past eighteen months there have been seven accident incidents, all occurring within short distances from the airport. The last of these was a jet aircraft that crashed in a fireball within seconds and yards of Woody Creek residents. The dangers of late are real and need to be addressed immediately. The protections sought for Woody Creek need to be implemented and need to last forever.

The Woody Creek community seeks a simple goal...to have the Pitkin County Commissioners adopt legislation that states that a consensus vote of the Woody Creek Caucus needs to be obtained before any new operating policies and/or procedures are implemented at the Pitkin County Airport. In addition, that the Commissioners will draft a statement that will allow the Caucus to review current policies and procedures currently in place and they will find some means to mitigate concerns that are raised...this statement to be signed by both parties and honored by same.
A Review and Evaluation of the
ROARING FORK VALLEY TRANSPORTATION ISSUES

Report to the
Aspen Valley Improvement Association

Prepared by

Vukan R. Vuchic, Ph.D.
UPS Foundation Professor of Transportation
University of Pennsylvania, Consultant

Philadelphia, PA
April 1991
Foreword

Upon an invitation by the Aspen Valley Improvement Association (AVIA), this author performed a review and evaluation of the present condition, problems, trends and planning activities regarding transportation systems in the Roaring Fork Valley, with a special focus on the Light Rail Transit project. His findings and recommendations are summarized here.

To perform the review and evaluation, the author spent three days in the Aspen area. During that time he collected technical information, met a number of public officials and private citizens involved with transportation issues (see the list at the end of this report), and inspected the entire Valley and its major transportation facilities.

1. The Area’s Unique Character

Several conditions relevant to transportation in Aspen and planning of its improvements distinguish this area from most of its peers across the country. These conditions include the following:

- Physical attractiveness of the area;
- Intensive tourist business with its seasonal fluctuations;
- Strong orientation toward and dependence upon the private automobile with its consequent impacts and problems;
- Active interest of many citizens in public matters;
- Intensive concern for the environment and preservation of the Valley’s attractiveness and its unique features;

2. Transportation Conditions and Plans

In response to the increasing highway congestion, parking problems, and general pressure of vehicular traffic and deterioration of Aspen's unique character, several measures have been introduced in recent years.

- Opening of a free parking with bus shuttle on the approach to the Snowmass Village, which have reduced traffic and parking pressures. This action has been very logical.

- On-street parking in the core of Aspen has been regulated by limiting its maximum duration; however, parking is free and there are a number of exceptions, which limit the effectiveness of the regulations.

- A parking garage with over 300 spaces was constructed adjacent to the downtown core in Aspen at a cost of some $24,000 per space, not including the cost of land. This garage is very poorly utilized in spite of the very low parking rate charges.
Thus, it represents a heavily subsidized facility which is poorly utilized. The reason is that the garage requires walking for 3-4 blocks for many potential users, while there is still substantial free on-street parking.

- Founding of the Roaring Fork Transit Authority (RFTA) with a stable source of funding has allowed provision of reliable and attractive transit services throughout the Valley. Success of this service is obvious from the relatively high ridership and its increasing trend in recent years.

- Widening of the Colorado 82 highway from 2 to 4 lanes has been planned and will be initiated in the immediate future. Poor design and safety record of this highway, as well as the heavy traffic volume on it make this project necessary. However, this project should be utilized to undertake several related actions, as will be discussed below.

- Various planning activities for a rail transit line between Aspen and Glenwood Springs have been under way for a number of years; recently the interest in this project, its planning, promotion - as well as opposition to it - have intensified considerably. This project is discussed in the following section.

1. The Proposed Rail Line

The main focus of this review has been the proposed rail line. Based on a careful review of the existing plans, other relevant data, a number of personal interviews and an extensive field inspection, the following conclusions have been reached.

3.1 The Basic Motive for the Line Construction. The basic stimulus for planning of the rail line has been the conviction that the present trends of increasing automobile traffic and congestion in Aspen should not be continued. A change in transportation policies which will enhance rather than diminish the area's human character and attractive environment are needed. A strong investment in improved public transportation is one of the basic elements of such a policy.

This conviction is based on a plausible concern and realization of the need to plan ahead and introduce some fundamental changes in the present trends. This is a very positive and constructive attitude without which transportation development could gradually go in the directions which would be detrimental to the character and uniqueness of the city and the entire Valley.

Another motive has been based on the conviction that rail transit on a separate right-of-way is far more attractive than bus services in mixed highway traffic and will therefore attract more riders and have more positive impacts than bus services.
While rail transit systems and operation on separate right-of-way generally have much stronger attraction than buses in mixed traffic and result in higher ridership, this is only true if rail line operates on at least equally convenient alignment and offers comparable service quality (accessibility of stops, frequency of service, etc.) as the buses. This is not the case with the proposed rail line between Glenwood Springs and Aspen.

3.2 Recent Developments of Light Rail Transit. Gradually developed in several West European countries during the 1950s and 1960s, light rail transit (LRT) has been built in about a dozen cities in North America over the last 15 years. The obvious success of this transit mode results from the fact that LRT provides a much better service than buses at a cost considerably lower than the one rapid transit involves. Very successful new LRT systems are in operation in San Diego, Calgary, Edmonton, Sacramento, Portland and several other cities.

Construction of LRT systems is continuing; presently construction of new lines or extensions is under way, or planned for immediate future, in the following cities: Baltimore, Dallas, Los Angeles, San Diego, San Jose and St. Louis. Plans for construction of extensions to existing LRT networks exist in Buffalo, Edmonton, Portland, Sacramento, San Francisco, San Jose and several other cities.

It should be noted, however, that these cities have populations of at least 400,000 (Edmonton) and as many as several million (Los Angeles). Line lengths vary from about 6 miles in Buffalo to 27 miles in Baltimore. All these lines lead into the cores of their central cities with employments of tens or hundreds of thousands, or connect two suburbs through their downtowns. All lines are electrified. These conditions differ drastically from those characterizing the proposed Aspen Valley rail line.

3.3 Developments of Regional (Commuter) Rail Lines. In spite of the very limited financial assistance from governments at all levels for major transit investments in recent years, there has been a strong revival and rather extensive development of regional rail lines in several cities. Most cities with existing regional rail systems (New York, Chicago, Philadelphia, Boston and a few others) have renovated their systems. New systems have been introduced in a few cities, and several more are planning to develop them. The most extensive development of this transit mode is taking place in the Los Angeles Region, where within a few years there will be over 300 miles of new regional rail lines.

While electrified regional rail, such as in New York and Philadelphia, is the best traction technology, diesel traction can be effectively utilized on lines with relatively lightly travelled lines which enter cities only on railroad rights-of-way, rather than cross many streets or operate in tunnels.
Similar to LRT, there is considerable difference between the new regional (commuter) rail lines in various cities and the line considered for such services in the Aspen area: new lines have been developed in metropolitan areas like Washington, Baltimore, Dallas and Los Angeles, which are far larger and more populated than the Aspen Valley. All of them have major, conveniently located railroad stations in downtown areas in which the trains terminate their trips.

3.4 Characteristics of the Proposed Rail Line. The exclusive right-of-way proposed for use by the rail line is a significant asset. Separate right-of-way, independent of highways and their congestion, represents the most important characteristic of a transit line and it is a critical element in making transit competitive with automobile travel. This is not only because of the independence transit enjoys from congestion and delays, but also because an independent transit system acquires a very distinctive image.

High performance, good image and very comfortable ride which the rail technology provides would make a separated rail line very competitive with the automobile in the areas it serves. However, there is a serious problem with the available alignment in that its location is in many places sufficiently distant from trip origins/destinations (residential areas, businesses, schools, office parks, etc.), that special feeder services would be needed, adding cost, time and inconvenience to the use of the rail line.

4. Evaluation of the Proposed Rail Line

There are several fundamental factors in the Aspen Valley which lead to the conclusion that the proposed line is not feasible, at least as it is presently conceived, for the foreseeable future. The basis for this conclusion is summed up here.

4.1 Population of the Served Area. With a total population of some 35,000 residents, distributed along a 42-mile long corridor, the Roaring Fork Valley is far smaller than any area that presently supports a rail transit line. Several local characteristics are in favor of a rail line: there is a substantial number of persons who commute on rather long distances in the Valley, and their number has been increasing; the large influx of tourists during the main seasons increases the number of potential transit riders. Yet, this is not enough to compensate for the problem of the relatively low permanent population which should represent the functional and economic base for the rail line.

4.2 Line Length and Alignment. While the length of 42 miles represents an important element in potentially attracting a large number of trips along the Valley, it also represents a major
liability because of the required high investment and operating costs. Upgrading and maintaining a 42-mile long line requires very substantial funds.

The alignment considered for the proposed rail line presents very serious problems. Basically, much of the recent development of activities in the Valley has been located along the Colorado 82 highway, which is on most sections on the opposite side of the river from the rail line. Thus, access to the line would be so long and inconvenient, that it would prevent many potential line passengers from using it. Walking would be too long, paths or even bridges do not exist, while park-and-ride would involve additional cost for commuting. The proposed very long station spacings, while ensuring higher travel speed, would further complicate service to many points along the Valley. These conditions would particularly discourage short trips.

The line section just north of Aspen (the present bike/walkway path) is particularly separated from nearly all trip generators, and it completely "misses" the alignment of the largest travel volume in the Valley, that between Aspen and the Airport, as well as the Aspen-Snowmass travel.

There is also a difficulty with the potential line alignment within Aspen. Closeness of transit stations to various trip destination points is a very important factor in attracting the passengers. This sensitivity of people to the walking distances is demonstrated by the failure of the parking garage in Aspen, located a few blocks from major trip attraction locations, to attract many users. If the rail line would terminate at the Rio Grande Park, that would be a very inconvenient location for most destinations. The alignment along the Main Street would be convenient and allow ideal passenger distribution, but only if the line is electrified, because running of diesel trains in the main street would create objections.

4.3 Availability of Funds. The investment funds for the proposed rail line are estimated at approximately $40M for diesel traction and about $150M for electrified light rail transit. With some changes in right-of-way alignment, these estimates could easily have to be raised. Federal assistance in providing a substantial portion of these funds has often been mentioned.

Bearing in mind the present very limited capital funds that the Urban Mass Transportation Administration (UMTA) has for this type of investments, as well as the extremely high demands for these funds, it is highly unlikely that Aspen could obtain any federal assistance for this project in the foreseeable future. Based on all evaluation indicators, such as investment cost per future rider, projected benefits, etc., Aspen would not be strongly competitive when compared to the cities like Honolulu, St. Louis, Minneapolis, Baltimore and a number of other cities planning similar facilities.
Consequently, the funding would have to be provided locally, through a special tax or from some other source. Even if these funds would become available, the proposed rail line would not necessarily represent their optimal use. The plan would have to be modified to correct at least its basic deficiencies, such as the failure to serve many developments along the Valley, including the Airport and the Aspen-Snowmass travel, and the problems of distribution within Aspen.

5. Recommended Approach to Transportation Improvements

Aspen and the Roaring Fork Valley communities have a great asset: population and political leaders concerned, interested and determined to actively work on shaping the future developments. This asset should be utilized and focused on actions. A great number of studies about most transportation issues in the Valley have been performed. There are extensive data and many ideas for transportation improvements. They should be used as a basis for a specific action plan and efforts should be concentrated on a consistent implementation of that plan. A few general suggestions about the basic policies and specific actions are outlined here.

1. The type, character and environment of Aspen and other towns in the Valley should be defined and agreed upon. The basic decision here is whether most developments should be allowed without considering their resulting transportation patterns and impacts; or, environmentally-sensitive, human-oriented communities should be defined as the goal and the needed incentives and disincentives in land use planning and shaping of travel behavior should be implemented.

2. Incentives and disincentives should be fully coordinated. For example, if transit usage is to be stimulated and a walking environment encouraged, there should be no more investments into parking facilities in Aspen; instead, park-and-ride facilities should be developed at transit stations, while parking in the city should be discouraged through various regulatory and financial measures and policies.

3. Convenient, high-quality transit is a sine qua non for successful attraction of new riders, particularly present and potential auto drivers. Transit improvements must be included in both short- and long-range plans and consistently implemented.

4. Separate rights-of-way should be planned, acquired and built on different sections and in a variety of types - wherever a feasible opportunity arises. These rights-of-way can be utilized immediately by buses as exclusive bus lanes; later, construction of a guideway for special guided buses (the German system called O-Bahn) could be introduced.
There is a caution about busways: they were successfully introduced in many U.S. cities. However, under the pressure of automobile interests, most of them have been converted into HOV lanes, allowing all vehicles with two or more occupants. This conversion of busways into HOV roadways and lanes downgrades transit and eliminates its very important auto-disincentive feature. O-Bahn physically prevents operation of non-bus vehicles on the bus facility.

Transit ridership should be expected to build up with construction of improved rights-of-way, provision of convenient park-and-ride facilities and introduction of disincentives to driving into Aspen (as has been already implemented for Snowmass). If population growth and increase of tourist activities continue, it may be possible to get to the conditions which would justify introduction of a rail system.

Rights-of-way should be planned and built primarily in the corridors of the most concentrated travel. Actually, the forthcoming reconstruction of the Colorado 82 highway represents an ideal opportunity to provide such a right-of-way in the primary location at a very low incremental cost. The claims that a separate transit rights-of-way, taking only 26-32 feet, cannot be placed in the highway median, are inaccurate: there are numerous design patterns and traffic engineering measures which can be used to ensure efficient and safe operations and which can accommodate left-turning traffic in various ways.

5. In planning, design and operations of transportation facilities it is important to pay great attention to careful, detailed, custom design, precise construction, and well organized, consistent enforcement. All cities which stand out with their successful transportation systems and pleasant, unique urban environment, have such custom-designed facilities and precise operations. Examples of this are found not only in many European cities, but also in Portland, OR, Chautauqua, NY, and several Californian and Canadian cities.

6. In all transportation designs for cities with pleasant character, pedestrians must be given careful attention. Good treatment of pedestrians represents an integral component of a successful policy of favoring transit and reduction of the negative impacts which private automobiles have on cities.
The Author's Background

The author of this report, Dr. Vukan R. Vuchic, is a UPS Foundation Professor of Transportation Engineering at the University of Pennsylvania. He holds degrees in Transportation Engineering from the University of Belgrade (1960) and the University of California at Berkeley (1965 and 1966). He has published a book on Urban Public Transportation Systems and Technology, which is used by many universities, city planning agencies and transit companies in this and other countries. He has authored about 100 articles and reports and lectured at numerous professional conferences and at about 50 universities on topics concerning urban transportation systems, technology, design, planning, local and national transportation policies, etc.

Professor Vuchic is sometimes referred to as "the father of light rail" because of his initiatives which contributed to the introduction of the Light Rail Transit mode into this country and Canada during the mid-1970s. His specialties include highway design and traffic engineering, evaluation and comparison of transit modes, their planning design and operations, and, specifically, planning of rail transit systems. He has advised a number of cities in the United States, Canada, Great Britain, Yugoslavia, Australia and Latin America on different aspects of urban transportation planning.

Persons Interviewed for this Review

- Tom Baker, Assistant City Manager, Aspen
- Daniel Blankenship, General Manager, RFTA
- Charles Cole, President, Roaring Fork Land Conservancy
- Fred Davies, AVIA
- Carol O'Dowd, City Manager, Aspen
- Donald Ensign, Principal, Design Workshop
- Wayne Ethridge, Chairman, Pitkin County Commissioners
- Bud Eyler, Director of Public Works, Pitkin County
- Mark Friedberg, Vice President, AVIA
- Fred K. Gamble, Snowmass Village
- Ted Goudvis, AVIA
- Reid Haughey, Manager, Pitkin County
- Roger Hunt, City Planning and Zoning Commission
- Ramona Markalunas, Accent Properties
- John McBride, President, AVIA
- Thomas Newland, Assistant Manager, Pitkin County
- Tom Richardson, President, POMA
- Dwight Shellman, Board Member, RFTA
- Bill Sterling, Mayor, City of Aspen
- John C. Unger, Councilman, Snowmass Village.
April 26, 1991

Dear Friend of AVIA -

You are probably familiar with the idea of a commuter railroad from Glenwood Springs to Aspen. There has been much talk and study of the possibility. Reactions cover the spectrum: "an essential" vs. "an absurdity," "doable" vs. "impossible," etc.

Your board holds some of the same lay feelings. As a result, we determined that the hiring of an outside expert could be a service to the community.

Dr. Vukan Vuchic was our choice. Upon our invitation, Dr. Vuchic recently spent three days and nights in Aspen. He spoke with numerous community leaders, reviewed previous and present proposals, and studied the town, the valley, as well as the historic rail line.

In no way did AVIA present a position to Dr. Vuchic or request a "paid-for" confirmation of a stance. On the contrary, we instructed Dr. Vuchic to do a study that was "his" based strictly on the facts he could gather, coupled with his own expertise and experience.

The report is submitted herewith for your review and reaction. If you have any questions or comments, please do not hesitate to communicate directly to us.

Sincerely,

[Signature]

John McBride
President
VUKAN R. VUCHIC

Dr. Vuchic is a UPS Foundation Professor of Transportation Engineering in the Department of Systems at the University of Pennsylvania. He obtained his diploma in Transportation Engineering from the University of Belgrade in his native country of Yugoslavia in 1960. Then he worked for the Transit Agency in Hamburg, Germany, and for Wilbur Smith and Associates, a traffic engineering consulting firm in New Haven. Between 1963 and 1966 he obtained the M. Eng. and Ph.D. degrees in Civil Engineering-Transportation at the University of California at Berkeley.

In 1967 Dr. Vuchic joined the University of Pennsylvania and initiated the graduate program in Transportation Engineering. He has been teaching courses in Urban Transit Systems Technology, Operations and Planning, Traffic Engineering, Design of Transportation Facilities and related areas. He is a member of ASCE, ITE, TRB and UITP and has been consultant to US Department of Transportation, Cities of Edmonton, Perth and Philadelphia, major public agencies in Caracas, Lima, Manchester and others. Dr. Vuchic has presented major seminars to Ministries of Transport, lectured at about 48 universities, many professional conferences, and scientific institutions in the United States, Australia, several European, Latin American, African and Far East countries. He made presentations at the Congresses of the International Union of Public Transport, annual meetings of APTA and its German counterpart, VÖV.

Dr. Vuchic has authored about 100 reports, book sections and articles published in the U.S. and foreign countries, mostly on various aspects of urban transportation. He has testified to congressional committees and organization of mayors on the subject of national transportation policy. His book Urban Public Transportation Systems and Technology, containing descriptions, analyses and design aspects of bus, rail and other transit modes, was published by Prentice-Hall in 1981. In 1982 he became the first recipient of the "Dr. Friedrich Lehner Medal" in Germany, given to "persons who have dedicated a life work to urban public transportation and excelled in that effort". In 1988 he conducted a worldwide review of transit control centers for the New York City Transit Authority. In 1990 he was awarded the University of Pennsylvania's UPS Foundation Chair in Transportation.
UPS Professor: Vukan Vuchic of SEAS

The University’s UPS Foundation Chair in transportation has been awarded to Dr. Vukan Vuchic (right), professor of transportation engineering in the systems department at SEAS. A member of the faculty since 1967, Dr. Vuchic is a world authority on urban transportation who initiated the graduate program in transportation engineering here. The prestigious chair he now holds is one of three endowed at Penn by the United Parcel Service Foundation.

Author of the influential Urban Public Transportation Systems and Technology (Prentice Hall 1981), as well as other books and some 100 papers in his field, Dr. Vuchic has consulted for governments, planners and architects throughout the world. In this country, he lectures widely on the development of systems and policies to alleviate urban transportation problems, testifying for Congress and writing on the topic in the national press.

In 1982 he was the first recipient of Germany’s Dr. Friedrich Loehr Medal as one who “demonstrated life work to urban public transportation and excelled in that effort.” He also shared the Urban Design Administration Award given by IUD in 1980, for a project on renovation in Philadelphia (as consultant to Venturi & Rauch).

Born in Belgrade, Yugoslavia, Vukan Vuchic took his diploma at the University of Belgrade and came to the U.S. for his master’s in civil engineering-transportation and Ph.D. in engineering-transportation at Berkeley. After teaching in Berkeley’s business administration program in 1966, he joined Penn as assistant professor in 1967 and became an assistant professor in 1968, then a professor in 1970 and full professor in 1975.

Dr. Vuchic is known not only for his research but for his teaching in public transportation, traffic engineering, design of transportation systems and facilities, and related courses—typically, he teaches four courses a year plus advising M.S. and Ph.D. candidates in city and regional planning and at Wharton as well as in his home department. He has been active in University-wide activities—Council Facilities Committee, Penn Language Center, Senate Committee on the Economic Status of the Faculty and Committee on Publication Policy for Almanac. He has also held numerous posts in his department and School, including secretary of the SEAS Faculty, chair of the committee on faculty salaries, and member of the School’s Penn 250th committee.

VUKAN R. VUCHIC, PH.D.
PROFESSOR OF TRANSPORTATION ENGINEERING

DEPARTMENT OF SYSTEMS
113 TOWN ELD

HOME:
222 NAPOLEON AVENUE
NOYLAN, PA 19055

UNIVERSITY OF PENNSYLVANIA
PHILADELPHIA, PA 19104-6315

TEL. 215/898-6345
FAX. 215/898-1130
III. REFERENCE DOCUMENTS
THE WOODY CREEK CAUCUS' MASTER PLANNING OUTLINE
As of 04/17/91

LOCAL SELF DETERMINATION - Various Levels:

- Do This Plan (County Implements)
- Do Downvalley Plan as written-TDR/PDR (County Implements)
- Amend Downvalley Plan - e.g. To eliminate incompatible
  Pitkin Iron Density and remove TDR & PDR's until funded.
- District Planning Commission
  ?Woody Creek Land Trust
  ?Woody Creek Community Trust
- Incorporation

KEEP COMMUNITY "AS IS"
- Same Density?
- Rural
- Open
- Agriculture

PRESENT, SOCIAL AND ECONOMIC MIX/BLEND - RETAIN
RIVER/RIPARIAN - MAINTAIN OR ENHANCE
PARKS
- Jaffee Park-Care and Improvement
- Others?
ROADS "AS IS"
- State Highway 82 Impact Policies

INDUSTRIAL
- Eliminate some
- Downgrade some
- Maintain some

TRAILS

AIRPORT

TAVERN

POST OFFICE

HOUSING, RESIDENTS AND EMPLOYEES
- Next generation
- Patterns

LEVELS (POPULATION)

TRANSPORTATION
- Public
- Private

ENVIRONMENT

PITKIN IRON DEVELOPMENT

COMMUNITY'S RIGHT TO QUESTION - COUNTY, PUBLIC AND PRIVATE
DEVELOPMENT RATES AND IMPACTS ON LOCAL NEIGHBORHOOD('S)

DENSITY AND POPULATION "AS IS"
1. Permit local residents to buy in at Woody Creek Trailer
   Park.
2. Avoid/prohibit high density/high rate new development?
3. Maintain present housing patterns and rural appearances.

WOODY CREEK TRAILER PARK- (See Michael Underwood’s Vision, attached)
- Upgrade, Subdivide & Sell to Locals (below)
- Resolve Road, Tavern Conflicts

COMMUNITY SCHOOL - (See George Stranahan's Vision, attached)
Woody Creek: Nouveau Rural
THE WOODY CREEK AREA PRETTY MUCH BEGINS,
or ends, with the Woody Creek Tavern and Trailer Court. Which is as it should be. Otherwise you might get the mistaken impression that it's just another gritty tributary to the already surfeited sparkle of the Roaring Fork Valley.

Woody Creek the stream starts as a trickle in the dark pines near the common ridge for the headwaters of the Roaring Fork, Hunter Creek, and Frying Pan rivers. It ripples coolly through the old lumber-mill town of Lenado, drifting easily down past the peaceful ranches and prime pastures of its cloistered valley, gaining strength and warmth before it finally tumbles into the Roaring Fork nearly 10 miles later.
WOODY CREEK POSSESSES AN ENRICHED ATMOSPHERE, A QUIET MELDING OF VALUES AND CLASS LINES WHICH USED TO EXIST THROUGHOUT THE ROARING FORK VALLEY.

With Lenado and the trailer court on either end, the Woody Creek area is book-ended both geographically and psychologically by the county's eccentric and proletarian past. In between lies the present and the freighted future in the form of money, glamour, and controversy.

That the working class and the elite commingle here is no accident. Potato farmers, ranchers, and miners have been pecking away here for a hundred years. Valley employees still see Woody Creek as one of the last bastions of affordable rents.

And for the gentry it has become desirable to amass more property than is obtainable in the West End. So Woody Creek has something for everyone: space, refuge, tranquility, and accessibility.

All of these perks contribute to an enriched atmosphere, a quiet melding of values and class lines which used to exist throughout the Roaring Fork Valley, but which seems increasingly isolated now, retreating like an early morning vapor, settling into a few small pockets. Woody Creek is one, though it, too, is threatened.

To reach this lost valley, you must get off the rat track of Hwy. 82, turning north at any of several opportunities until you link up with River Road. This narrow, thoroughly pummeled piece of twisting pavement will eventually lead you to the Woody Creek Post Office and Tavern, hunkered down in a throwback log building on the fringe of the trailer court, about seven miles from Aspen. It's like suddenly arriving in Idaho or Wyoming, except for the lycra-suitied bicyclers flitting around the edges. A kind of nouveau rural, with intimations of Sausalito and Butte.

Doris Morse at the post office has been there since 1965, and remembers when it was moved from the nearby iron-ore plant to where it is now — in a friendly little linen closet sandwiched between a two-bedroom apartment and the Roaring Fork Valley's most famous tavern.
Yes, the Tavern has become fashionable, a byproduct of good, unpretentious food, amiable atmosphere, and star power. Ten years ago it was still the Woody Creek Store where, when you picked up your mail, you could also grab a fishing lure, a popsicle, or a loaf of bread. Now it hosts celebrities, their courts, and slumming society types, mixing self-consciously with the stale beer smell and local color. Autograph hunters and National Enquirer reporters prowl the premises with stars in their eyes. But happily the Tavern hasn’t surrendered its soul — the coin-operated pool table, eclectic walls, and queer charm. And it’s still slaking the thirst of the masses, too. The place is often stuffed with ranchers, trust-funders, construction workers, clerks, waiters, cowboy wannabes, poets, and ski instructors — the whole cross-section of the downvalley ground crew for Aspen’s high-flying rocket.

Of course the Tavern isn’t all of Woody Creek — merely the drain at one end. If you were to follow some of the Lenado contingent home from the Tavern (a dangerous move, but a fair initiation to the Woody Creek attitude), you would traverse the hearthland of this revolutionary place.

Driving west from the Tavern, you shortly cross over the last tumult of Woody Creek at its largest, slotted through a lowly culvert just before it loses itself in the Fork. A hundred yards further on, the Woody Creek Road slices off to the right, nearly doubling back on River Road. It rises quickly past the old Vagneur ranch with its weathered corrals and towering cottonwoods that hold the late light with a supernatural glow. Prior to its recent sale, the ranch had been in the Vagneur family for generations.

In a quick chicane the Little Woody Creek Road darts suddenly to the left, into the groomed and buffed ranchettes of rock stars, actors, and spies. Here people like Don Johnson and Melanie Griffith own swank houses couched in aspen groves, gazing south at the dazzling Elk Range. Many of these places can trace their lineage to the old-time families of judges, farmers, and restaurateurs who have been moving downvalley or away altogether.
The main Woody Creek Road continues east, cratered and climbing through sun-splashed pastures. To the north are steep ochre cliffs and hills; to the south the creek slips greenly through high willows and aspens at the base of a slab of escalating scrub-oak covered earth called Star Mesa.

Driving on, you pass ranch houses, cattle—Herefords, huge Limousins, and Chanel-dressed Holsteins—chicken, geese, the occasional peacock, and the homes of longtime residents such as the Natafs and the Crogs. Hunter Thompson’s place is about a half-mile from the Little Woody Creek home of Henry Caro, ambassador to England who hosted both President Bush and British Prime Minister Thatcher during the Aspen Institute’s 40th anniversary.

As the valley narrows and the road turns to red dirt, it becomes less populated, with a deeper scent of pine in the air, a calmer light on the land. George Stranahan’s Flying Dog Ranch commands its own private canyon on one side. And past here, the quick and the crazy command the road.

At the best of times, Lenado seems much further away from the Tavern than its seven or eight miles. Late at night, in the winter, after hard work and hard drink, it feels like it’s halfway to Denver. And you have to pass the Beast of Woody Creek’s estate—Floyd Watkins’ infamous Beaver Run Ranch, tucked behind bristling stone walls, a perfect setting for gun turrets and klieg lights.

This spread—with-an-attitude strikes many as a prime symbol of the changes being visited on the valley. Instead of blending with the magnificent landscape, everything has been altered by vanity.

Otherwise, this stretch is Woody Creek at its best: quiet, close, and park-like. It is the Woody Creek the Swedish miners knew as they brought ore down from Lenado by wagon during World War I. Stanley Natal remembers them and others, like old Bill Cassidy, who lived in Lenado before there was even a road. “He’d go up in late fall and not come out until spring. Just stayed back there and hibernated,” chuckles Natal.

About 1935 Jack Flogaus moved his family to Lenado and started the lumber
LENADO TODAY CALLS TO MIND WHAT WHOLE SECTIONS OF ASPEN USED TO LOOK LIKE, WITH DIRT STREETS, MINE SHAFTS, DOGS, AND HUGE STACKS OF FIREWOOD PILED CLOSE AT HAND.

Lenado today calls to mind what whole sections of Aspen used to look like, with dirt streets, mine shafts, dogs, and huge stacks of firewood piled close at hand. It hasn't grown too far from the roots put down by the silver miners who first settled it in the 1880s. Or too far from the ghost town it had become before the first World War. There are those who want to incorporate all the disparate elements of Woody Creek into a township, and those who don't. There are rumblings and rumbles between the newcomers and the old-timers, between the petty bourgeois and the angry peasants, between the stars and the earth. Dead trout, enraged porcupines, peppered helicopters, caged tigers, and escaped buffalo are the harbingers of strange times for the Woody Creek Valley.

Now if Great Birnam Wood shall come to the Tavern's door, the portents will be complete. We will know that the toil and trouble of Aspen's cauldron has escaped and seeped out into one of the last special retreats of Pitkin County.

But until that happens, Woody Creek remains a soft-focus Monet landscape in an increasingly silly, pop-art tableau. The state of mind that is Woody Creek teeters nervously on the brink of some great chasm—as unresolved as all great art. And as deserving of our attention.
WE, THE HOMEOWNERS OF WOODY CREEK TRAILER PARK, WOULD LIKE TO OWN THE TRAILER PARK AND IMPROVE OUR LIVING SITUATIONS. THE FOLLOWING CONCEPTUAL PLAN IS THE RESULT OF OPEN MEETINGS OF THE RESIDENTS AT WOODY CREEK TRAILER PARK AND A FIRST DRAFT OF IDEAS ABOUT HOW WE SEE THE FUTURE OF OUR NEIGHBORHOOD.
I. PROCESS
A. Six public meetings of Residents, two of which included participation of County Planning panel representatives.
B. Resident Survey of those who wish to relocate, those who do not wish to relocate, and those who are indifferent.
C. Site visit by Fire Marshal to identify basic health safety concerns.

II. CONSENSUS GOALS
A. PHYSICAL IMPROVEMENTS
1. Health/Safety Related
   a. Improve speed bumps
   b. Install lighting at speed bumps
   c. Cover and improve Sewage Treatment Plant
   d. Improve water system for fire protection, irrigation and pressure
   e. Improve parking
   f. Relocate as few trailers as possible
   g. Enclose dumpsters and place on concrete pad
2. Aesthetic/Wish List
   a. Buffer road with hedges
   b. Increase green space and yard size
   c. Permit trailer additions
   d. Develop Community Garden
   e. Improve Appearance of park
   f. Prohibit commercial truck traffic in park

B. CONCEPTUAL/ NON PHYSICAL GOALS
1. Don't force out existing residents who can't afford to buy in
2. Prevent speculation
3. Attract long-term residents
4. Encourage owner occupation with limited sub-lease periods
5. Upgrade park gradually
6. Find Fairy Godmother to help finance acquisition and upgrades
7. Seek free-market ownership without Housing Authority contro

III. FIRE MARSHAL'S MINIMUM STANDARDS
A. Minimum 10 foot separation between trailers
B. Locate sheds 10 feet from neighboring trailers
C. Cut grass and brush within 3 feet of trailers.

IV. RESIDENTS MINIMUM STANDARDS
A. Health/Safety improvements occur before aesthetic improvements
B. Do not relocate anyone who does not wish to be relocated unless there is no choice

NOTE: It has been assumed that trailer locations on this survey are accurate. A survey update is needed.
WOODY CREEK MOBILE HOME PARK
(Mike Underwood Vision)

I. PRESENT SITUATION

A. Represents the village center of Woody Creek.
   1. @ 54 dwellings; @ 120-40 individuals.
   2. Contains the commercial uses of Restaurant, P.O.
      laundry, electrical contractor, small shop, storage,
      parking.

B. Would be considered 100% affordable housing.

C. Use of public services.
   1. has own water/sewer
   2. uses outside trash, police, fire etc.
   3. privately contracts gas, elect, cable.
   4. on-site management

D. Demographics
   1. majority of residents employed in W.C. or up-valley.
   2. majority of residents full time and long term.
   3. @ 25 % of dwellings are sub-lets, usually owned by
      some business concern to house employee.
   4. value of units (including leasehold) 10-40K.
   5. Current rental is @ $300.00 per month for the pad,
      water, sewer, trash.

II. CAUCUS CONCERNS: IMPROVEMENT, PRESERVATION AND CHANGE
    (Derived from previous open meetings)

A. Ownership of individual spaces or comparable lots by
   residents.
   1. Free Market
      a. condo, co-op, long term lease, fee simp. lots.
      b. current residents to have some inside track.
         i. option, right of refusal
         ii. special price discount
         iii. can secure space but option improvement
      c. housing concerns and character determined by
         homeowners through by-laws, charter type.

   2. Deed Restricted- all above except (c) governing is by
      govt. agency and price, appreciation, marketing is set
      and controlled by housing authority or other.
D. Generally needs to by "cleaned up"
   1. eliminate mobile homes and replace with other type.
      a. replacement type to be approved by community
      b. replacement type must be "affordable"
   2. utilize the mobile home in place but cosmetically "doctor" to taste of community.

C. Safety hazard presented by the road intersecting the parking and pedestrian walkways to P.O. and Tavern.
   1. Move road over to allow continuity of parking to services.
   2. re-locate services to accommodate parking and pedestrian traffic.

D. Mitigate certain negative aspects within Park.
   1. many dwellings are not up to code; some never can be.
   2. some dwellings are too close together.
   3. some lot sizes are too small
   4. some conflicts with the residential use and Tavern.
   5. parking generally a problem all over; traffic flows do not serve pedestrian and family character
   6. water supply needs some improvement, esp. in the area of fire protection.
   7. Park is currently not licensed by County due to conflicts with codes and grandfathering of variances.

E. Preserve certain positive aspects of Park.
   1. rural/neighborhood character
   2. post office for serving the community
   3. Tavern for serving the community but not necessarily the tourist community.
   4. informal, permissive nature of maintenance of improvements.
   5. preserve "affordable" character of housing.
   6. if replacement housing is used it should be of appropriate character so as to not conflict with neighborhood of Woody Creek.
III. One Proposal For Solving Above Concerns. (Mike Underwood Vision)

Housing: Keep the density the same as now exists. Commercial: Post Office desirable; other uses to be discussed by the community.

The drawing on the last page may be of help in visualizing what it below. It is not to scale.

A. Using the southern half of the 0 4+ acres of empty land at the south end of the park, create a residential enclave that uses one of the following structures, whichever is most affordable.

1. Mobile Home with siding and gabled roof added.
2. Modular housing.
3. Stick built housing.

The dwelling would be placed upon a 4-6,000 sf lot which would be free market with the following conditions administrated by Home Owner Assoc covenant, not title restriction.

1. size and architecture
2. improvement must be introduced and completed within a reasonable and prescribed time.
3. occupant and owner must be one in the same.
4. restrictions on sub-lets.
5. property cannot be sold except to owner/occupant

Roughly 10-12 units to be established in this area. This will require a zoning change from AF to PUD, for this 4+ acre parcel.

D. With 10-12 new dwellings created in the south half of the empty lot this is balanced by the removal of 10-12 units within the now existing park. Emphasis would be given to the units at the downvalley end but not entirely. Units at the down valley end of the park would be encouraged to be replaced with newer units or housing types used at the other end. It would be hoped that by thinning out the spacing at the down valley end, space could be created for a newer dwelling unit.
C. In the up valley portion of the existing park it will be attempted to create lots similar to the configuration now present such that many existing units could be retained. In some cases the newer dwelling type can be used as a replacement or addition, assuming no new density is created. Those wishing to keep their units can "up grade" or "mellow them" by cosmetic use of siding and roofing architecture to move away from the trailer look to a more rustic homey look.

D. Commercial: Any commercial installation would be located on the northern half of the empty land at the up valley end of the park. This will put it on the road frontage as it is now but with parking adjacent.

E. The old structure of the Tavern, PO and House could be converted into a Woody Creek Town Meeting Hall, recreation area, offices for Caucus, MHP Assoc, etc.

F. River Road would be shifted about twenty feet to the North over the entire frontage of the current park. It will be shifted to the perimeter of the property thus allowing the balance of the property to be contiguous. As the density is not to be augmented, this will be a more economical use of unimproved land. Traffic will no longer intersect the property.

G. Infrastructure will be upgraded to some extent. In particular, water storage will be added with a hydrant system for fire protection. The property has water rights on the Roaring Fork which could be used to provide additional availability for fire trucks to re-fill as an asset to the whole Woody Creek area, not just the park. This would be accomplished by a joint project between the Home Owner’s Assoc and the Volunteer Fire Dept. whereby the pump at the river would be upgraded to year around availability with a hydrant out on the road for easy access by the fire vehicles. It is not the scope and purpose of this summary to detail the infrastructure which will be predicated upon configuration, preservation/replacement etc.

H. The sewer plant would be upgraded to provide a roof for odor and noise abatement.

This is a "sketch" which, admittedly, is not detailed, nor is it backed up with any conviction of financial viability. It is meant only as picture for discussion and comment.

Mike Underwood 4/24/91.
said property, a variance from such strict application so as to relieve such
difficulties or hardship if such relief may be granted without substantial detri-
ment to the public good and without substantially impairing the intent and
purpose of the zone plan and zoning resolutions: In determining whether diffi-
culties to, or hardship upon, the owner of such property exist, as used in
this paragraph (c), the adequacy of access to sunlight for solar energy devices
installed on or after January 1, 1980, may properly be considered. Regulations
and restrictions of the height, number of stories, size of buildings and other
structures, and the height and location of trees and other vegetation shall
not apply to existing buildings, structures, trees, or vegetation except for new
growth on such vegetation.

(3) The concurring vote of four members of the board in the case of a
five-member board and of three members in the case of a three-member
board shall be necessary to reverse any order, requirement, decision, or
determination of any such administrative official or agency or to decide in
favor of the appellant.

Source: L. 39, p. 303, § 17; CSA, C. 45A, § 17; CRS 53, § 106-2-17; C.R.S.

C.J.S. See 101A C.J.S., Zoning & Land
Planning, § 185.

Requirement of hardship relates to variances, not to special exceptions or special use per-
mits. GUIDONI, WAY INC. v. BOARD OF ADJUST-

Proof required. In order to obtain rezoning to permit a use which an applicant seeks, he
must prove that it is not possible to use and develop the property for any other use
enumerated in the existing zoning; similarly, if one seeks a lower classification of zoning
than the zone presently existing, he must prove that it is not possible to use and develop the
land for any uses permitted in zones which are in between the zone sought and the presently
existing zone. GARRETT v. CITY OF LITTLETON, 177

Applicant had the burden of proving that variance would avoid unnecessary hardship or
was reasonably necessary for the convenience
or welfare of the public. MONTE VISTA PROFESSION-
AL BLDG., INC. v. CITY OF MONTE VISTA, 35

Courts may not substitute their judgment for
that of the board or disturb an exercise of the
board's discretion in zoning matters unless
such discretion is clearly abused. MONTE VISTA
PROFESSIONAL BLDG., INC. v. CITY OF MONTE

An injunction could not be obtained to pre-
vent construction of buildings approved by
board of adjustment, although lot was slightly
smaller than zoning requirement. Since remedy
is review by court only to see if board has
abused its discretion. WOHL v. STEIGMAN, 153

Applied in Johnson v. Board of County
Commissioners, 150 Colo. 311, 406 P.2d 338 (1965); MURRAY v. BOARD OF ADJUSTMENTS, 22 Colo.

30-28-119. District planning commissions. (1) Whether or not a county
planning commission has been created, the board of county commissioners
of any county, on petition, from time to time, may appoint district planning
commissions for the purpose of preparing plans for zoning certain portions
of the unincorporated territory within such county. Such petition shall be
signed by/וחד than fifty percent of the qualified electors who are residents
in the proposed district and more than fifty percent of the residents and non-
residents who own more than fifty percent of the area of real property situated
within the boundaries of the district described in the petition and shall
request the appointment of a planning commission for such district. At the
next regular meeting following the receipt of such petition, the board of

county commissioners shall determine the sufficiency of such petition and, if found to be sufficient, shall order a public hearing to be held on the question of the establishment of such district at the county seat within the county not more than sixty days after the date of filing such petition.

(2) A notice of the time, place, and purpose of such hearing, containing a description of the boundaries of the proposed district, shall be given by publication in a newspaper of general circulation within the county by one publication at least thirty days prior to the date of such hearing. Any owner of property included within the boundaries of the proposed district shall be entitled to protest the establishment thereof by filing with the board of county commissioners at least five days prior to the time set for the hearing a written statement setting forth in brief the grounds of the protest. At the time and place specified in said notice, the board of county commissioners shall sit for the purpose of determining whether or not such proposed district should be established, and at such time and place it shall consider and pass upon any protests filed. Within five days after termination of such hearing, the board of county commissioners, if satisfied that the public interest requires such action, shall overrule such protests as may be filed and shall enter an order establishing the planning district, describing the boundaries thereof, giving the district an appropriate and distinctive name, and appointing the district planning commission. Such commission shall consist of three members, each of whom shall be a resident of the district and the owner of real property situated therein.

(3) (a) The members of such commission shall serve for a term of three years and until their successors are duly appointed and qualify. They shall serve without compensation. The board of county commissioners shall provide for the filling of vacancies in the membership of the commission and for the removal of a member for nonperformance of duty or misconduct.

(b) The district planning commission so appointed and organized has all the powers and is subject to all the duties by this part I conferred and imposed upon county planning commissions insofar as such powers and duties relate to zoning and in respect to the territory included within the boundaries of such district. It is the duty of such commission to make, for certification to the board of county commissioners of the county, plans for zoning the territory included within the boundaries of the district. The commission shall certify a copy of the zoning plans, including the full text of the zoning resolution and the maps, to the board of county commissioners of the county. If a county planning commission has been created in the county wherein the said district is situated, such plans must first be approved by such commission.

(c) After receiving the certification of said zoning plans from the commission and before the adoption of any zoning resolutions, the board of county commissioners shall hold a public hearing in the manner prescribed in section 30-28-112. Thereafter the board of county commissioners may by resolution exercise, as to the territory included within the boundaries of such district, all the powers conferred upon it by sections 30-28-113 to 30-28-115 and may amend said resolution from time to time, but any such amendment shall not be made or become effective unless the same has been proposed by or first submitted for the approval, disapproval, or suggestions of the district planning commission and shall likewise have approval by the county planning
commission if one has been created. If any such amendment is disapproved by either the county or the district planning commission within thirty days after such submission, it shall become effective and receive the favorable vote of not less than a majority of the entire membership of the board of county commissioners. Before finally adopting any such amendment, the board of county commissioners shall hold a public hearing thereon, at least thirty days’ notice of the time and place of which shall be given by at least one publication in a newspaper of general circulation in the county.

(4) Unless or until a board of adjustment has been appointed for the county as a whole pursuant to a county zoning plan submitted by the county planning commission, such resolution shall provide that the district planning commission shall perform the functions of the board of adjustment as specified in sections 30-28-117 and 30-28-118 with respect to the zoning regulations for such district. When a county board of adjustment has been appointed, it shall function with respect to the zoning regulations for such district. Wherever the regulations for a district made pursuant to this section require a greater width or size of yards, courts, or other open spaces, or require a lower height of buildings or smaller number of stories, or require a greater setback from a road or street, or require a greater percentage of lot to be left unoccupied, or impose other higher standards than are required in or under any other regulations made under the authority of this part I and effective within the same territory, the provisions of the regulations for such district made pursuant to this section shall govern. Wherever the provisions of other regulations made under the authority of this part I and effective within the territory of a district established pursuant to this section impose higher standards than are imposed by the regulations for such district made pursuant to this section, the provisions of such other regulations shall govern.

(5) The boundaries of a planning district may be enlarged from time to time through the addition of contiguous territory by order of the board of county commissioners pursuant to petition signed by the owners of more than fifty percent of the area of the real property to be added to the district after published notice, opportunity for protest, and hearing, as provided in the case of original establishment of a district.

(6) Planning districts may be dissolved by action of the board of county commissioners if the affected county adopts a zoning resolution which covers the district in question. Action for dissolution may also be initiated by a petition calling for dissolution of the district signed by more than fifty percent of the qualified electors who are residents in the district and more than fifty percent of the residents and nonresidents who own more than fifty percent of the area of real property situated within the boundaries of the district or by the board of county commissioners. The board shall hold a public hearing at the county seat within the county on the question of the dissolution of the district. A notice of the time, place, and purpose of such hearing, containing a description of the boundaries of the district, shall be given by publication in a newspaper of general circulation within the county at least thirty days prior to the date of such hearing. The officers of the district, if any, shall be notified, by certified mail at least thirty days prior to the date of the hearing, of the purpose, location, and time of the hearing. Prior to the hearing, the county planning commission shall review the proposed dissolution at a public meeting and shall transmit its findings to the board.

30-28-120. It shall be unlawful for any person to erect, construct, or place any building, structure, or other use on a building or structure located within the boundaries of the planning district of a residential or commercial zoning district, although such change or removal is made in accordance with the terms or requirements of any urban renewal or comprehensive plan, or zoning resolution, unless such change or removal is made in accordance with such terms or requirements.

(2) If any change or removal of or to a building or structure within the boundaries of a planning district is found by the local zoning commission as being in violation of the zoning resolution, the local zoning commission may bring an action for an injunction to restrain such change or removal of the building, structure, or other use on a building or structure located within the boundaries of the planning district of a residential or commercial zoning district, which nonconformity is such as to materially affect the value of the property acquired by the local zoning commission for the planning district or the value of any improvement made in connection with the planning district.

to the board of county commissioners. Any owner of property included within the boundaries of the proposed district shall be entitled to protest the dissolution thereof by filing with the board of county commissioners, at least five days prior to the time set for the hearing, a written statement setting forth in brief the grounds of the protest. At the time and place specified in said notice, the board of county commissioners shall sit for the purpose of determining whether or not such district should be dissolved, and at such time and place it shall consider and pass upon any protests filed. Within seven days after termination of such hearing, the board of county commissioners, if satisfied that the public interest would be served by such action, shall enter an order dissolving the planning district, or, if satisfied that the public interest would be served by retaining such district, the board shall enter an order dismissing such petition.


30-28-120. Existing structures - county property. (1) The lawful use of a building or structure or the lawful use of any land, as existing and lawful at the time of the adoption of a zoning resolution or, in the case of an amendment of a resolution, at the time of such amendment, may be continued, although such use does not conform with the provisions of such resolution or amendment, and such use may be extended throughout the same building if no structural alteration of such building is proposed or made for the purpose of such extension. The addition of a solar energy device to such building shall not necessarily be considered a structural alteration. The board of county commissioners may provide in any zoning resolution for the restoration, reconstruction, extension, or substitution of nonconforming uses upon such terms and conditions as may be set forth in the zoning resolution. The board of county commissioners, in any zoning resolution, may provide for the termination of nonconforming uses, either by specifying the period in which nonconforming uses shall be required to cease or by providing a formula whereby the compulsory termination of a nonconforming use may be so fixed as to allow for the recovery or amortization of the investment in the nonconformance.

(2) If any county acquires title to any property by reason of tax delinquency and such property is not redeemed as provided by law, the future use of such property shall be in conformity with the then provisions of the zoning resolution of the county, or with any amendment of such resolution, equally applicable to other like properties within the district in which the property acquired by the county is located.


A county zoning resolution was not arbitrary, unreasonable, or unconstitutional in that it provided that, if a non-conforming use of land, preserved under this section, was discontinued for one year, any further use of the premises must conform to the provisions of the resolution. Besedes v. Board of Comm’rs, 116 Colo. 123, 178 P.2d 950 (1947).
MASTER PLAN FOR THE
WOODY CREEK CAUCUS/SPECIALLY PLANNED AREA
("WCC/SPA")

I. Definitions of Procedural Terms and Intentions. The following words and phrases shall have the following meanings for the purpose of applying or interpreting this plan, and regulations intended to implement this plan.

"Adoption" means approval of this Plan (or amendments hereof before establishment of the Woody Creek District Planning Commission) as an official, enforceable Area Master Plan component of the Pitkin County Master Plan by the Pitkin County Planning Commission. In lieu thereof, approval of this Plan as a part of the Pitkin County Master Plan, may occur by County legislation adopting or implementing this Plan by reference by use of initiative or referendum election procedures.

"Amendment and Interpretation". After creation of the Woody Creek District Planning Commission, the interpretation and amendment of this Plan shall be the exclusive province of that District Planning Commission. (See also "consistency" and "specific land use changes" below.)

"Area". "Woody Creek Caucus Specially Planned Area", WCC/SPA. The Woody Creek Caucus Specially Planned Area ("WCC/SPA") is the the Woody Creek Caucus Area as it existed at the time of adoption of this plan, or plan amendments. (See Section __ of the Pitkin County Home Rule Charter.)

"Board" or "BOCC". Board of County Commissioners of Pitkin County, Colorado ("BOCC").

"County Planning Commission", "P&Z". The Pitkin County Planning and Zoning Commission ("P&Z").

"Caucus", "WCC". The Woody Creek Caucus (WCC).

"Consistency"; "consistent" means the determination of consistency by the Woody Creek District Planning Commission that Specific Land Use Changes are, or are not, expressly or impliedly contemplated by the Plan for the WCC/SPA. Such determinations may include specific conditions, the satisfaction of which (as determined by the DPC) will assure consistency or avoid inconsistency. Such determinations of consistency, when based upon legally adequate hearings, evidence and findings, are final and subject to judicial review, but shall not be subject to political,
or other appeal or revision by any body other than the DPC.

"District Planning Commission". ("DPC"). These terms refer to the Woody Creek District Planning Commission constituted pursuant to Colorado Revised Statutes, CRS ______. Members shall be residents of the area, appointed by the BOCC from candidates nominated by the WCC.

"Implementing regulations", "Implementation". Those temporary or final building, zoning, subdivision, land use or other regulations recommended to the BOCC by this Plan, or the DPC, or other regulations adopted by the BOCC ostensibly for the purpose of implementing this Plan which are determined to be consistent with the express or implied purposes of this Plan.

"Master plan" means the Pitkin County Master Plan, except where the context discloses that the WCC/SPA is being referred to as a master plan, or as an area component master plan of the Pitkin County Master Plan.

"Plan". Means this plan for the area included in the WCC/SPA, and lawful amendments thereto.

"Regulations". See implementing regulations, above.

"Specific land use changes". The term "specific land use change" means and includes any actual or proposed county action which contemplates any proposed change of existing land use in the Plan area. The phrase Specific land use change is intended to be interpreted broadly. It includes, without limiting the generality thereof, any governmental policy, administrative or agency internal activities, or any public or private zoning or planning, or other land use review or approval activity, by the County or its agencies or representatives, which may give rise to actual or implied initiation of, or approval for changes of land use in the Plan area. Specific land use changes in the Plan area which are not expressly or impliedly contemplated by this Plan are prohibited. Approvals which are required for specific land use changes which are expressly or impliedly contemplated by this plan, or by regulations intended to implement objectives consistent with this plan, means approval (with or without conditions) by the Woody Creek District Planning Commission containing a finding of consistency with this Plan. (The exclusive authority of this District Planning Commission as to such determinations is set forth above under the topics "Amendment and Interpretation", and "Consistency").

Other words, phrase and procedural definitions used for the proper application of this plan, and implementing regulations adopted hereunder, may be as expressly defined elsewhere in this Plan, or reasonably implied from its provisions by the DPC.
WCC-SPA.DEF  
DEFINITIONS for  
Draft Outline of the Woody Creek Caucus Specially Planned Area Plan.

MASTER PLAN FOR THE  
WOODY CREEK CAUCUS/SPECIALLY PLANNED AREA  
("WCC/SPA")

I. Definitions of Procedural Terms and Intentions. The following words and phrases shall have the following meanings for the purpose of applying or interpreting this plan, and regulations intended to implement this plan.

"Adoption" means approval of this Plan (or amendments hereof before establishment of the Woody Creek District Planning Commission) as an official, enforceable Area Master Plan component of the Pitkin County Master Plan by the Pitkin County Planning Commission. In lieu thereof, approval of this Plan as a part of the Pitkin County Master Plan, may occur by County legislation adopting or implementing this Plan by reference by use of initiative or referendum election procedures.

"Amendment and Interpretation." After creation of the Woody Creek District Planning Commission, the interpretation and amendment of this Plan shall be the exclusive province of that District Planning Commission. (See also "consistency" and "specific land use changes" below.)

"Area", "Woody Creek Caucus Specially Planned Area", WCC/SPA." The Woody Creek Caucus Specially Planned Area ("WCC/SPA") is the Woody Creek Area as it existed at the time of adoption of this plan, or plan amendments. (See Section ___ of the Pitkin County Home Rule Charter.)

"Board" or "BOCC". Board of County Commissioners of Pitkin County, Colorado ("BOCC").

"County Planning Commission", "P&Z". The Pitkin County Planning and Zoning Commission ("P&Z").

"Caucus", "WCC". The Woody Creek Caucus (WCC).

"Consistency"; "consistent" means the determination of consistency by the Woody Creek District Planning Commission that Specific Land Use Changes are, or are not, expressly or impliedly contemplated by the Plan for the WCC/SPA. Such determinations may include specific conditions, the satisfaction of which (as determined by the DPC) will assure consistency or avoid inconsistency. Such determinations of consistency, when based upon legally adequate hearings, evidence and findings, are final and subject to judicial review, but shall not be subject to political,
or other appeal or revision by any body other than the DPC.

"District Planning Commission" ("DPC"). These terms refer to the Woody Creek District Planning Commission constituted pursuant to Colorado Revised Statutes, CRS _______. Members shall be residents of the area, appointed by the BOCC from candidates nominated by the WCC.

"Implementing regulations", "Implementation": Those temporary or final building, zoning, subdivision, land use or other regulations recommended to the BOCC by this Plan, or the DPC, or other regulations adopted by the BOCC ostensibly for the purpose of implementing this Plan which are determined to be consistent with the express or implied purposes of this Plan.

"Master plan" means the Pitkin County Master Plan, except where the context discloses that the WCC/SPA is being referred to as a master plan, or as an area component master plan of the Pitkin County Master Plan.

"Plan": Means this plan for the area included in the WCC/SPA, and lawful amendments thereto.

"Regulations": See implementing regulations, above.

"Specific land use changes": The term "specific land use change" means and includes any actual or proposed county action which contemplates any proposed change of existing land use in the Plan area. The phrase specific land use change is intended to be interpreted broadly. It includes, without limiting the generality thereof, any governmental policy, administrative or agency internal activities, or any public or private zoning or planning, or other land use review or approval activity, by the County or its agencies or representatives, which may give rise to actual or implied initiation of, or approval for changes of land use in the Plan area. Specific land use changes in the Plan area which are not expressly or impliedly contemplated by this Plan are prohibited. Approvals which are required for specific land use changes which are expressly or impliedly contemplated by this plan, or by regulations intended to implement objectives consistent with this plan, means approval (with or without conditions) by the Woody Creek District Planning Commission containing a finding of consistency with this Plan. (The exclusive authority of this District Planning Commission as to such determinations is set forth above under the topics "Amendment and Interpretation", and "Consistency").

Other words, phrase and procedural definitions used for the proper application of this plan, and implementing regulations adopted hereunder, may be as expressly defined elsewhere in this Plan, or reasonably implied from its provisions by the DPC.