

EAST OF ASPEN/INDEPENDENCE PASS MASTER PLAN

ACKNOWLEDGEMENTS

Adopted by the Pitkin County Planning Commission on October 28, 2003

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East of Aspen/Independence Pass Master Plan
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October, 2003

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October 28, 2003
EAST OF ASPEN/INDEPENDENCE PASS MASTER PLAN

Introduction

East of Aspen/Independence Pass Overview

The East of Aspen/Independence Pass planning area is one of the gateways to Pitkin County and the Aspen area. State Highway 82, Pitkin County's major transportation route, traverses the area and offers spectacular views of Richmond Hill to the south and Independence Pass to the east. While residential development exists within close proximity to Aspen, the majority of the land within the planning area is federally owned (United States Forest Service ("USFS," U.S. Forest Service," or "Forest Service") or Bureau of Land Management ("BLM")), or owned by the local Pitkin County Open Space and Trails Board, and consists of sub-alpine, alpine wetland and mountain tundra areas within the upper Roaring Fork River drainage. The upper reaches of the planning area to the County line contain pristine wilderness.

The planning area also includes the spectacular Hunter Creek area and Smuggler Mountain as well as the eastern portion of land along Richmond Hill Ridge. The planning area includes the boundaries of the Aspen Mountain Ski Area and other private ownership on the face of Aspen Mountain.

Several Pitkin County Land Use Policy Guidelines support the rural character of the area, as follows:

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

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

The Planning Process

The East of Aspen/ Independence Pass planning area is in the process of forming a formal caucus for the Tagert Lake West Neighborhood Planning Area (defined below). This area is where the majority of the development potential

exists within the overall planning area, and consequently the area from which the Community Development staff and Planning and Zoning Commission concentrated on soliciting input. A series of three meetings were held with residents and interested parties, including a potluck dinner at the home of an East of Aspen resident where over forty people attended. A survey was generated by members of the citizen group (see Attachment A) where the following topic areas were prioritized:

- Preservation of Open Lands
- Preservation of Rural Character
- Preservation of Wildlife Habitat
- Environmental Quality
- Traffic
- Air Quality
- Growth Management
- House Size
- Sewer Service
- Economic Development
- Affordable Housing

The following topic areas are discussed in this Master Plan:

- Section 1 - Zoning
- Section 2 - Growth Management/House Size
- Section 3 - Water/Sewer
- Section 4 - Roads
- Section 5 - Transit
- Section 6 - Natural Environment
- Section 7 - Open Space/Trails/Recreation/Tourism
- Section 8 - Agriculture
- Section 9 - Scenic Quality
- Section 10 - Affordable Housing
- Section 11 - Commercial Development
- Section 12 - Mineral Extraction
- Section 13 - Historic Resources

Previous Land Use Plans

In 1985, the Pitkin County Planning Commission adopted the Roaring Fork East Neighborhood Master Plan to address two neighborhoods known as

the Mountain Valley Neighborhood Planning Area and the Roaring Fork East Neighborhood Planning Area. The plan boundary included the portion of the upper Roaring Fork Valley generally bounded by the City of Aspen to the west, Difficult Campground to the east and the mountain ridges to the north and south. The document revised, expanded upon and replaced the 1974 Roaring Fork East Amendment to the 1966 Aspen Area General Plan.

The overriding theme of the Roaring Fork East Neighborhood Master Plan was to preserve the existing character of the area and to plan for the most visually pleasing entrance to the City of Aspen for residents and visitors to the resort.

The plan resulted in a series of goals, objectives and a future land use map.

Since adoption of the Roaring Fork East Neighborhood Master Plan in 1985, the Aspen Area Community Plan ("AACP") was adopted and has been updated several times, with the most recent update completed in 2000. The current Aspen Area Community Plan contains an urban growth boundary ("UGB" or "Urban Growth Boundary") area that includes the Preserve and Mountain Valley Subdivisions (previously included within the Roaring Fork East Neighborhood Master Plan). Consequently the planning area for the East of Aspen/ Independence Pass Master Plan will begin immediately east of these two subdivisions and the Urban Growth Boundary area. The planning area will cover the area immediately east of the Urban Growth Boundary area and continue east to the Pitkin County line at the top of Independence Pass.

Planning Area Boundary

The planning area for the East of Aspen/Independence Pass Master Plan is quite large. For planning purposes, the area will be broken into the following four neighborhood planning areas ("NPAs") (see Figure 1) that either reflect a dominant development pattern or a natural terrain break:

A. Tagert Lake West NPA

Residential development exists primarily to the west of or down valley from, Tagert Lake within close proximity to Highway 82. This residential area is located between

Tagert Lake on the east and the Northstar Preserve on the west; and abuts the Aspen Urban Growth Boundary area. It contains all of the residential development along the Highway 82 corridor from the edge of the Aspen Urban Growth Boundary to Tagert Lake. This portion of the planning area will be referred to in this Master Plan as "Tagert Lake West NPA."

B. Tagert Lake East NPA

This area runs from Tagert Lake east to the County line (upvalley) along Highway 82 and incorporates Lincoln Creek Road to the County boundary.

Two historic townsites (Ruby and Independence) are located within the Highway 82 and Lincoln Creek Road corridor. With the exception of a gravel storage area, a water diversion, mining remnants, trailheads and developed campsites, this subsection of the planning area is primarily undeveloped public lands and mining claims from which many development rights have been transferred off-site via the Transferable Development Rights ("TDR") program in the County.

C. Aspen Mountain/Richmond Ridge NPA

With the exception of ski area improvements and structures, there is very little residential development on the mining claims off of the Aspen Mountain and Richmond Ridge Roads on the Independence Pass side of Richmond Ridge. These areas do contain Rural and Remote (R/R) residential cabins or have utilized TDRs to preclude the property from further development. The Aspen Mountain Ski Area consists primarily of private mining claims. The 1998 Aspen Mountain Ski Area Master Plan generally directs development within the ski area. The base of the Aspen Mountain Ski Area is located within the City of Aspen and *not* included within this Master Plan. However, several private parcels on the face of Aspen Mountain, not within the ski area boundary, are within the NPA.

D. Smuggler/Hunter Creek NPA

With the exception of limited residential development on Smuggler Mountain Road and in the lower Hunter Creek Valley, most of the remaining portion of the Hunter Creek Valley and the rest of the area east of the Hunter Creek Valley and north of Highway 82 are in public ownership. This NPA does, however, include several private parcels on Red Mountain located between the Hunter Creek Valley and the UGB line.

Existing Land Use

Existing Conditions

A. Approved Subdivisions, Special Review Uses and Seasonal Special Permits

The following subdivisions, special review uses and seasonal special permits exist within the East of Aspen/Independence Pass planning area:

Subdivisions and Special Reviews

Neighborhood Planning Area	Name	# Lots	Date approved
Tagert Lake West	Cooper/Aspen Park Subdivision	2	1985
Tagert Lake West	Lewis Residential GMQS	1 lot and 1 affordable housing unit	1983
Tagert Lake West	Aspen Park Subdivision	5	1979
Tagert Lake East	Golden Age Special Review for TDRs	6	1995
Smuggler/Hunter Creek	Benedict Hunter GMQS	1 lot and 1 affordable housing unit	1992

Special Use Permits

Neighborhood Planning Area	Name
Tagert Lake West	Aspen Adventures (paragliding and climbing)
Tagert Lake West	Aspen Kayak Tours
Tagert Lake East	T Lazy-7 Snowmobile Tours
Tagert Lake East	Ride for Independence Pass (bicycle race)
Tagert Lake East	Independence Gravel Pit (annual review)
Tagert Lake East	Twin Lakes Reservoir and Canal Co. Special

	Review
Smuggler/Hunter Creek	10th Mtn. Huts (Benedict and McNamara)

B. Transferable Development Rights (TDRs)

14 properties within the overall East of Aspen/Independence Pass planning area have severed development rights using Pitkin County's Transferable Development Rights program. As a result, roughly 803 acres of land have been deed restricted against future development. The largest parcel in the area from which TDRs have been removed contains approximately 650 acres, and is located on Richmond Ridge. 148 acres of the townsite of Independence have also been deed restricted against development using the County TDR program.

C. Existing Development/Growth Rate

According to 2003 Pitkin County Assessor's records, there were 64 residences within the planning area in the year 2001. Based on Assessor's data, the annual growth rate since 1985 has been 1.9%.

Table 1- Growth Rate

Planning Area	Existing Units in 1985	New Units in 1986-1998	New Units in 1998-2001	Total Units in 2001	Average Annual Growth Rate
East of Aspen/Independence Pass	49	11	4	64	1.9%

D. Build Out

Of the maximum (261) theoretical number of residential units that could potentially be built based upon zoning in the area, the County Assessor's records show 64 units built. Consequently, only 24% of potential growth has been realized for the *entire* East of Aspen/Independence Pass planning area (as shown within Table 2 below). It is likely that the "Percent Built Out" number will always remain low in this overall planning area because mountainous topography and difficult access to Aspen from

many of the Rural/Remote zoned parcels will preclude development, though such development is technically allowed by zoning.

The bulk of private, residential development potential is and will continue to be located within the Tagert Lake West NPA. Consequently, a separate build out table is provided for this area to portray how much development exists and how much more is potentially allowed by zoning (see Table 3 below). Private property within the Tagert Lake West NPA is 58% built out based on current zoning. Build out data can be used to help determine whether existing zoning is appropriate, given existing and desired land use patterns in the area.

Further analysis (see note on Table 2) indicates that the maximum likely build out potential for the entire planning area is significantly less when U. S. Forest Service properties are eliminated (54 units) and when the Bureau of Land Management properties are eliminated (35 units). The maximum 261 unit potential drops to 172 likely units provided that federal lands will not be residentially developed. Additionally, the 73 potential units recognized in the R/R zone district are likely inflated by a factor of 50 % when the realities of ownership, subdivision, Growth Management (discussed below) and the potential for severance of TDRs are considered. Therefore, the likely or more realistic build out is approximately 137 units in the entire planning area. This leaves approximately 73 "likely" units yet to be built in the entire planning area (43 of the existing 64 are located in the Tagert Lake West NPA). (See Tables 4, 4.1 and 4.2 for the "likely" build out scenario.)

TABLE 2-Total "Maximum" Build Out Potential

Planning Area	Total Units in 2001	Total Build Out by Zoning	Percentage Built Out
East of Aspen/Independence Pass (overall)	64	261*	24%
Tagert Lake West	43	74	58%

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*Of 261 potential units under zoning, 54 are on USFS land and 35 are on BLM land. 73 potential units are located in the R/R zone and are less likely to be built upon, given their remote location and potential merger issues.

TABLE 3 - Tagert Lake West Build Out Summary

Planning Area	Acres	Private Parcels	Built	Vacant	Potential # "Additional" Parcels Under Zoning	Total # of Parcels Under Zoning	Max. Potential New Units the Planning Area
East Side of Hwy 82	91	22	18	4	0	22	4
West Side of Hwy 82	53	30	23	7	4	34	11
Tagert Lake Parcel	208	4	2	2	13	18	16
	352	57	43	14	17	74	31

NOTES:

1. There are 356+ acres of locally owned open space in the planning area.
2. There are approximately 16 additional potential existing units within the planning area. (Some may be pre-existing, non-conforming legal dwelling units, several are legal caretaker dwelling units and some are unknown).
3. There are potentially 3 additional parcels within the planning area that are not noted with parcel IDs by the Pitkin County Assessors Office.

TABLE 4 - Smuggler/Hunter Creek- AFR-10 Parcels NE of Red Mountain Subdivision

	# of Parcels	Acres	Units	Potential Under AFR-10	Potential Under RS-35
	1	55	0	0	0
	1	147	0	14	4
	1	31	1	3	1
	1	35	1	3	1
	1	37	1	3	1
	1	11*	n/a	n/a	n/a
	1	52	1	5	1
	1	11*	n/a	n/a	n/a
	1	9*	n/a	n/a	n/a

	1	7	0	1	1
	1	10	0	1	1
	1	12*	NA	NA	NA
Total	12	448	4	30	10

* No development possible.

TABLE 4.1 -Face of Smuggler Mountain - AFR-10

# of Parcels	Acres	Existing Units	Potential Under AFR-10	Potential Under RS-35
18	104	2	14	14

TABLE 4.2 - Face of Smuggler Mountain - R-30 Zoning

# of Parcels	Acres	Existing Units	Potential Under AFR-10	Potential Under RS-35
2	10.5	0	15	1

NOTE: One of the R-30 parcels merges with an AFR-10 parcel and would not have a separate development right.

<h2 style="margin: 0;">Section 1</h2> <h3 style="margin: 0;">Zoning</h3>
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Existing Zoning Conditions for Overall Planning Area

There are roughly 3,763 acres of privately owned lands within the overall planning area. Of the privately owned lands, 755 acres are zoned AF-SKI (on Aspen Mountain), 639 acres are zoned AFR-10, 1,589 acres are zoned Rural/Remote (of which 780 acres have extinguished their development rights through the use of TDRs.) Zoning within each Neighborhood Planning Area is described below. Please see Figure 1 for a graphic depiction and Table 5 for a summary of zoning.

Table 5 - Existing Zoning: East of Aspen/Independence Pass Planning Area

Existing Zoning	Acreage
AF-SKI	755
AFR-10	639
R/R	2,369*
Total	3,763
*780 acres in R/R have severed development rights with TDRs.	

County Land Use Policy Guidelines regarding new development state that:

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

Zoning is one tool that may be used to accomplish this goal. While more detail is provided under each sub planning area below, the following zone districts exist within the overall East of Aspen/Independence Pass planning area:

AFR-10 The AFR-10 (Agricultural/Forestry/Residential) zone district allows a maximum of 1 dwelling unit per 10 acres of land. The AFR-10 zone district,

"is intended to maintain the rural character of lands proximate to development centers and state highways by preserving agricultural operations, wildlife habitat and scenic quality while permitting low density, single family dwelling units and customary accessory uses."

"provide locations for ski areas and the orderly and efficient planning and review of ski areas. The AF-SKI designation should be applied to lands, which are used for downhill and cross-country skiing and a variety of other uses permitted or approved by a Federal or similar public agency, such as grazing, hunting, and passive recreational uses. Development activity on such lands shall be contingent upon the adoption of a master plan."

<p>R/R The R/R (Rural/Remote) zone district allows a maximum of 1 dwelling unit per 35 acres of land. The R/R zone district is intended to,</p>	<p>AF-SKI The AF-SKI (Agricultural/Forestry/Ski) zone district is intended to,</p>
<p>"conserve and protect the natural environment and its resources; to preserve the unique low-scale, low-density backcountry character and lifestyle; to minimize environmental degradation; to retain undeveloped areas; and to allow for limited recreational uses and limited residential development while still preserving the character of rural/remote lands and to allow for the transfer of development rights to areas that are more appropriate for development. Areas within the Rural/Remote Zone District exhibit some or all of the following characteristics:</p>	<p>1. Location more than one-half mile from winter maintained public roadways. 2. Absence of traditional utility service districts, such as electric, gas and phone. 3. Limited availability or absence of rapid, traditional Pitkin County emergency services. 4. Little or no development existing in the surrounding area. 5. Presence of natural hazard areas or resource areas, such as steep slopes, avalanche, high wildfire areas or important wildlife habitats. 6. Location within subalpine or alpine ecosystems, and/or location at or above nine thousand-foot (9,000') elevation. 7. Location adjacent to Forest Service or Bureau of Land Management owned properties. 8. Unique backcountry character, including historic resources and isolated lifestyles."</p>

The following **Land Use Designations** have been used in the Action Items below in order to identify the intended future land uses for various parcels:

1. **Conservation**: Intended to reflect resource conservation uses for Federal, state and locally owned public lands or lands held in conservation easements.
2. **Public**: Intended for publicly owned facilities, such as the airport, landfill, Colorado Department of Transportation ("CDOT") properties, etc.
3. **Large Lot/Conservation**: Intended for properties with conservation values (wildlife, agriculture, etc.); minimum 35 acres with "conservation" incentives (Growth Management exemption, extended vesting, larger home "by-right," as examples) for larger lots ; Planned Unit Development "PUD") approach with an established maximum house size exempt from Growth Management; and *possible* TDR use to obtain larger square footage by Special Review with consideration of scenic and other impacts.
4. **Low Density**: Minimum 35 acres with more square footage allowed through use of the existing TDR program, *or* in exchange for lowering allowable density and transferring square footage from adjacent parcels to allow for greater house size on fewer, larger lots, with a maximum house size of 15,000 sq. ft ; TDR receiving area. In some cases would be a "transition" zone between Rural/Remote and more intense zone districts such as AFR-10 or the UGB area. These properties are still subject to Growth Management and/or exemptions and Special Review to obtain larger square footage.
5. **Low Density/Low Intensity/Open Space/Recreational**: Minimum 35 acres; intended to reflect the open space and recreational values of the property with the ability for low density and low intensity (relative to house size) residential development.

Existing Zoning Conditions, Goals/Objectives and Action Items by Neighborhood Planning Area

1A. Tagert Lake West NPA

Private property and some adjacent public land within this area is zoned AFR-10. The remainder of the area is zone Rural/Remote (R/R).

This NPA has roughly an equal amount of privately held land (352 acres) and locally owned conservation land (356 acres), such as the Northstar Preserve and the Joy Smith property. The entire valley floor and the Tagert Lake parcels are zoned AFR-10. Out of a total of 52 parcels on the valley floor between the UGB and Difficult

Campground, 41 have existing units, leaving 11 vacant previously-created parcels. There are only 2 parcels that may have the ability to subdivide further, for a maximum of 4 additional new parcels. There is also the potential for 13 additional lots on in-holdings surrounded by National Forest in the area of Tagert Lake. These 4 existing 35+ acre parcels are adjacent to State Highway 82 and are separated from other privately held AFR-10 parcels on the valley floor by National Forest lands. These 5 35+ acre parcels have the potential to subdivide into 13 additional parcels under current zoning. (See Table 2 above for a summary of the build out potential for the Tagert Lake West NPA.)

Goals/Objectives

- 1A 1.** Maintain the rural residential character, including the environmental and visual quality.
- 1A 2.** Public lands zoned AFR-10 within the planning area (and throughout the County) should preclude residential development and zoning should reflect the resource conservation uses that currently exist on the land.
- 1A 3.** Establish a new zone district for locally owned conservation parcels to reflect the intended open space and conservation use.

Action Items

- 1A 1.1** Maintain the existing AFR-10 zoning on the valley floor.
- 1A 2.1** Establish a new zone district for public lands and locally owned conservation parcels zoned AFR-10 within the planning area (and throughout the County) to preclude residential development and reflect the resource conservation uses that currently exist on the land. (Conservation designation.)

1B. Tagert Lake East NPA

The entire Tagert Lake East area is zoned Rural/Remote. While there are some privately owned mining claims within this area (approximately 20), the majority of this area is publicly owned. Some of the mining claims in the Ruby town site area up Lincoln Creek Road have been developed with small cabins, but development rights from most of the remaining claims have been removed from the property as Transferable Development Rights. 148 acres in the Independence town site and 93 acres in the area of the historic Ruby town site have been restricted against development through the use of TDRs. Approximately 6 R/R development rights have been severed in the NPA as a whole and 3 R/R cabins are in existence, leaving a potential for 10 additional cabins or TDRs from the area.

The USFS allows special uses within this area, such as commercial snowmobile trips. The County and CDOT have also permitted special events for the area, such as the Ride for the Pass (an event to support the non-profit Independence Pass Foundation).

Goals/Objectives

- 1B 1.** Public lands zoned AFR-10 within the planning area (and throughout the County) should preclude residential development and zoning should reflect the resource conservation uses that currently exist on the land.
- 1B 2.** Special uses on state and federal properties should be reviewed for consistency with this Master Plan.

Action Items

- 1B 1.1** Establish a new zone district for public lands zoned AFR-10 within the planning area (and throughout the County) to preclude residential development and reflect the resource conservation uses that currently exist on the National Forest. (Conservation designation)
- 1B 2.1** Coordinate with CDOT and USFS regarding special use activities and special events.

C. Aspen Mountain/Richmond Ridge NPA

The Aspen Mountain Ski Area is zoned AF-SKI. All of the privately owned mining claims outside of the ski area boundary that gain access off of Little Annie/Midnite Mine Roads are zoned Rural/Remote (R/R). The majority of the land within this Neighborhood Planning Area is publicly owned and zoned either AFR-10 or Rural/Remote (those areas that lie further from the winter maintained section of Highway 82). Several privately owned parcels on the face of Aspen Mountain are within the planning area and are zoned AFR-10.

There is a maximum build out potential for 50 1,000 square foot cabins based on R/R zoning. However, many of these parcels have merged and/or would require Growth Management allocations and subdivision approval. With the additional incentive to sell TDRs, a build out of approximately 50% may be more realistic (this is roughly the same build out experienced in the East Tagert Lake NPA).

Goals/Objectives

- 1C 1.** Public lands zoned AFR-10 within the planning area (and throughout the County) should preclude residential development and zoning should reflect the resource conservation uses that currently exist on the land.

- 1C 2. Special uses on state and federal properties should be reviewed for consistency with this Master Plan.
- 1C 3. Maintain R/R zoning on the privately held parcels (i.e. mining claims) along Richmond Hill Ridge and to the east of the AF-SKI-zoned Ski Area boundary.
- 1C 4. Preserve the open space and recreational values on the face of Aspen Mountain.

Action Items

- 1C 1.1 Establish a new zone district for public lands and locally owned conservation parcels zoned AFR-10 within the planning area (and throughout the County) to preclude residential development and reflect the resource conservation uses that currently exist on the National Forest. (Conservation designation.)
- 1C 2.1 Coordinate with CDOT and USFS regarding special use activities and special events.
- 1C 3.1 Rezone AFR-10 parcels on the face of Aspen Mountain to Low Density/ Low Intensity/ Open Space/ Recreational and/or Rural and Remote based on location as it relates to the criteria for Rural and Remote zoning.

D. Smuggler/Hunter Creek NPA

Smuggler Mountain

The private property located below the high point of Smuggler Mountain Road as seen from Aspen is zoned AFR-10, with 2 smaller parcels zoned R-30. The portion in and around the Hunter Creek Toll Road is zoned AFR-10. The undeveloped lands above the private property on Red Mountain are zoned AFR-10. The remainder of the Smuggler/Hunter Creek area generally located behind the ridge as seen from Aspen is zoned Rural/Remote. (See the build out potential in Tables 4 and 4.1.)

In 1993 Smuggler Mountain was included within the "Metro Area" boundaries of the AACP. It was later taken out of the area in 2000 because the "Metro Area" was revised and redeveloped as the Urban Growth Boundary and it was felt that Smuggler was not part of the UGB. The citizen work in 1993 concluded with a recommendation to purchase Smuggler Mountain as open space and recreational land. The following comments were placed in the 1993 AACP:

"31. Purchase Smuggler Mountain for open space and recreation.

It is the position of the Open Space Committee that Smuggler Mountain be purchased as open space and a recreation area for the community. We feel that it is one of the highest priorities the City and County should have relative to recreation, access to public lands and visual character.

Smuggler Mountain is the last remaining undeveloped mountainside as seen from the gondola. It has increasingly become one of the highest used recreation areas of our community. Smuggler Mountain also provides access to the USFS public lands.

We are not opposed to housing on the lower portions of Smuggler with development no higher than the existing level of development (excluding the Cooper housing located higher on the side of the mountain)."

-1993 Aspen Area Community Plan

Warren Lakes

2 private R/R parcels exist as in-holdings within the National Forest in proximity to Warren Lakes. These 2 parcels have a maximum build out potential of 2 units. 2 10th Mountain Trails System huts also exist in the planning area adjacent to Warren Lakes as a special use on USFS land. Warren Lakes was private but is now in USFS ownership.

NE Red Mountain

12 parcels of AFR-10 land exist to the northeast of the Red Mountain Subdivision. 5 of these parcels are owned by the Aspen Valley Land Trust ("AVLT"), Pitkin County, or as common area for the Red Mountain Subdivision Homeowners Association. The remaining 7 parcels contain 4 units with a maximum build out potential under AFR-10 zoning for 30 units.

NW Red Mountain

One additional 151-acre parcel of the Duroux Ranch remains in the northwest section of the planning area and is zoned AFR-10. This parcel is under a conservation easement with the Aspen Center for Environmental Studies ("ACES").

The Hunter Creek Valley

The Hunter Creek Valley has long been a valued recreational area for the Aspen region. It is zoned R/R. The valley is primarily within the ownership of the USFS. The Hunter Creek Toll Road, a county road, traverses the area. The valley also contains the Hummingbird Mining Claim which was purchased by the County as open space and is zoned R/R. Further into the valley, but located within the Woody Creek planning area, are 2 privately owned R/R in-holdings within the National Forest. The access to these claims is through the Smuggler /Hunter Creek neighborhood planning area. Both of these claims have existing approvals for 1,000 square foot R/R cabins. The maximum build out for these 2 privately held R/R parcels is 2 1,000 square foot cabins.

Goals/Objectives

- 1D 1. The face of Smuggler Mountain (as viewed from the City of Aspen) should remain open for visual (open space) character and recreational uses, with the exception of the lower part closest to town below the elevation of the existing house known as the Copper House. An open space designation is more appropriate for the portion of Smuggler Mountain facing the City of Aspen with a R/R designation beyond the ridge road to the northeast.
- 1D 2. The top and back of Smuggler Mountain should be maintained as R/R in order to preserve the rural mountain character.
- 1D 3. The larger tracts on Red Mountain to the north and east of Red Mountain Subdivision should be maintained as larger tracts and be precluded from further subdivision in order to preserve a buffer between existing dense residential use and R/R zoning/use.
- 1D 4. The 2 privately held R/R parcels within the Hunter Creek Valley (within the Woody Creek planning area) should be obtained to preclude the development of these in-holdings within the National Forest.
- 1D 5. The 2 privately held R/R parcels in the Warren Lakes area should be obtained to preclude the development of these in-holdings within the National Forest.
- 1D 6. Zoning on private conservation parcels on Red Mountain (Duroux Ranch conservation parcel) should reflect the intended conservation uses of the property.

Action Items

- 1D 1.1 Rezone the face of Smuggler Mountain for Low Density/Low Intensity/Open Space/Recreational uses and maintain the lower portion

as AFR-10 (single family), to allow for a transition from high density within the UGB from Low Density/Low Intensity/Open Space/Recreational and R/R. Rezone the County owned R-30 parcel to a Conservation zone in order to reflect the intention for conservation uses. (Low Density/Low Intensity/Open Space/ Recreational designation and Conservation designation.)

- 1D 2.1 Rezone the portion of Smuggler Mountain to the north of the ridge road from AFR-10 to R/R (the area along the roadway known as the Cutoff Road/ Hunter Creek Toll Road).
- 1D 3.1 Rezone the AFR-10 zoned large lots between the Red Mountain Subdivision and the Hunter Creek Valley to a zone district which would preclude further subdivision and retain a buffer between the R/R zone and the higher density zoning of Red Mountain Subdivision. (Low Density designation.)
- 1D 4.1 Establish a new zone district for public lands and locally owned conservation parcels zoned AFR-10 within the planning area (and throughout the County) to preclude residential development and reflect the resource conservation uses that currently exist on the land (Conservation designation.)
- 1D 5.1 Retain R/R zoning on private land in-holdings within the Hunter Creek Valley and around Warren Lakes if they cannot be obtained as public open space.
- 1D 6.1 Rezone the large conservation parcel (the north Duroux Ranch) to an appropriate Conservation zone district and/or low density /low intensity residential district.

Section 2

Growth Management/House Size

Existing Conditions

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

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

In 2001, house size within the East of Aspen/Independence Pass planning area ranged from 174 to 14,894 square feet, with an average house size of 7,534 square feet. In January, 2000, new Growth Management regulations were adopted in Pitkin County. As a result, house size restrictions were adopted. The East of Aspen/Independence Pass planning area lies within the Rural Growth Management portion of the County. Consequently, new homes are limited to 5,750 square feet, which may be exceeded subject to purchase and approved use of a Transferable Development Right(s) as a Growth Management exemption, or through success in the Growth Management Quota System competition for square footage. 4 homes were built in the East of Aspen/ Independence Pass planning area between 1998 and 2002. As previously noted, the average annual growth rate for the planning area is 1.9%.

" It is the policy of the County to manage the rate, type, location, quality and ultimate quantity of growth."

-Pitkin County Land Use Policy Guidelines

Goals/Objectives

- 2.1 Maintain the current rate of growth within the Tagert Lake West NPA (1.9 %).
- 2.2 Permit home size above 5,750 square feet in the Tagert Lake West NPA to parcels where visual and environmental quality can be maintained.
- 2.3 Maintain the visual quality of the area, specifically from Highway 82, and

along the Richmond Hill Ridge Road.

Action Items

- 21.1** Amend the scenic overlay maps and zone districts to incorporate guidelines that will address the visual concerns associated with larger home development and development within Rural and Remote areas of the East of Aspen/ Independence Pass planning area. Work with East of Aspen / Independence Pass residents to identify areas within the planning area that are not currently, but should be mapped for scenic review (specifically along Highway. 82, and along Richmond Hill Ridge Road).
- 2 2.1** Develop scenic/visual guidelines to be used as part of development review in the planning area in order to preserve the existing open valley floor.
- 2 3.1** Revise the Land Use Code and incorporate new zone district regulations in order to preserve the visual quality of the planning area.

Section 3 Water/Sewer

A. Drainages

Existing Conditions

All of the waterways within the East of Aspen/Independence planning area lie within the Roaring Fork River drainage.

Several Pitkin County Land Use Policy Guidelines address water quantity, quality, water/utility service and septic, as follows:

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

"The right to maintain and not exceed the carrying capacity (sustainability) of the land and water, including protecting water quality."

"Land uses within the region should be designed to preserve and protect present water resources and to avoid significant adverse affects on the quantity, quality, or dependability of water resources in the County; Land uses should protect against significant increased salinization of water, loss of minimum instream flows, and the need for future major public expenditures to reacquire or redistribute water resources."

"Where necessary to protect water resources and/or riparian habitat, development in areas adjacent to water bodies, functional irrigation ditches and natural watercourse areas should maintain adequate setbacks."

In the Tagert Lake East, Tagert Lake West, and Aspen Mountain/Richmond Ridge NPAs, there are several small lakes, a reservoir and creeks that feed into the Roaring Fork River. Specifically they include:

Lakes	Reservoirs	Streams
Warren	Lost Man	Grizzly
Tabor	Grizzly	Lincoln
Weller		New York
Lost Man		Difficult
Independence		McFarlane
Linkins		Ptarmigan
Tagert		Lost Man
Grizzly		Numerous small tributaries
Numerous small lakes		

In the Smuggler/Hunter Creek NPA, Midway and No Name Creeks drain into Hunter Creek before feeding into the Roaring Fork River. In the northern-most portion of the East of Aspen/Independence planning area, Spruce Creek drains into Woody Creek, which in turn feeds into the Roaring Fork River down valley and out of the East of Aspen/Independence Pass planning area.

The Twin Lakes Reservoir and Canal Company operates the Twin Lakes Tunnel which captures water from Lincoln Creek that has been diverted from the Roaring Fork River, and transports it via the tunnel entrance at the Grizzly Reservoir on the west side of Independence Pass to the Twin Lakes Reservoir on the east side of the pass. From there, it is sent to the Arkansas Valley where it is used primarily for irrigation.

B. Water Service

Existing Conditions

The Aspen Water and Sanitation District boundary does not extend beyond the Preserve Subdivision. Consequently, the District does not serve the Tagert West or East NPAs, below. The limited residential development in the remaining portions of the East of Aspen/Independence Pass planning area is on well and septic systems.

Goals/Objectives

- 3B 1. New and existing development is encouraged to develop and implement water conservation measures for the Upper Roaring Fork Valley.
- 3B 2. To the extent possible, ensure that water rights for irrigation on historically irrigated properties be dedicated for irrigation purposes.

Action Items

- 3B 1.1 Work with new and existing development to encourage water conservation measures for the Upper Roaring Fork Valley.
- 3B 2.1 To the extent possible, ensure that water rights for irrigation on historically irrigated properties be dedicated for irrigation purposes.

C. Water Quality

Existing Conditions

The East of Aspen/Independence Pass planning area contains the headwaters of the Roaring Fork River and supports excellent quality, biodiverse alpine, subalpine and montane riparian communities.

Goals/Objectives

- 3C 1. Maintain a healthy water quality in the Roaring Fork River and its tributaries.
- 3C 2. Monitor wetlands and wells to determine the extent (if any) to which water quality has been impacted by road runoff and/or agricultural practices. Modify runoff and/or erosion control regulations to the extent necessary to ensure that water quality meets state and local standards for health/safety and environmental quality.

Action Items

- 3C Monitor water quality in the Roaring Fork River and its tributaries and specifically monitor older septic systems within the planning area, especially in the Tagert Lake West NPA along the Roaring Fork River. Monitor wetlands and wells to determine the extent (if any) to which water quality has been impacted. Modify runoff and/or erosion control regulations to the extent necessary to ensure that water quality meets state and local standards for health/safety and environmental quality.

3D. Sewage Disposal

Existing Conditions

Properties within the overall East of Aspen/Independence Pass planning area are on individual septic systems. The County is currently assessing the impacts of septic systems on water quality within the Roaring Fork Valley. Where older septic systems exist, it's difficult to ascertain system failures and potential impacts on water quality.

Goals/Objectives

- 3D Monitor water quality to determine the potential for sewage effluent impacts to water supply. Implement modifications to the Individual Sewage Disposal System Code, as necessary, to ensure that water quality in streams and wells meets applicable health/safety and environmental quality standards.

Action Items

- 3D Monitor water quality in the Roaring Fork River and its tributaries and specifically monitor older septic systems within the planning area, especially in the Tagert Lake West NPA along the Roaring Fork River. Monitor wetlands and wells to determine the extent (if any) to which water quality has been impacted. Modify runoff and/or erosion control regulations to the extent necessary to ensure that water quality meets state and local standards for health/safety and environmental quality.

Section 4 Roads

A. Service Level and Classification

Existing Conditions

The following principal roads exist within the planning area:

- a. State Highway 82
- b. Lincoln Creek Road
- c. Smuggler Mountain Road
- d. Hunter Toll Road
- e. Richmond Ridge Road
- f. Aspen Mountain Road (*aka* Summer Road)

With the exception of Highway 82, the remainder of these roads are unpaved. The following County Land Use Policy Guideline exists regarding unpaved roads:

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

In accordance with this policy, it is unlikely that any of these roads will be paved in the foreseeable future. The following paragraphs provide a snapshot of existing conditions and issues (if any) for each of these areas.

a. Highway 82

Highway 82 is a state highway under state jurisdiction with respect to improvements and maintenance. CDOT currently has no improvements planned for the highway or established parking areas. Unfortunately, no traffic counts for the highway are currently available. The highway is classified as an arterial (or primary) road in the 2003 Pitkin County Asset Management Plan. During the winter months it is plowed to the closure gate at Tagert Lake and closed (generally from November to the end of May) from the gate east, up and over Independence Pass. A great deal of effort has been put forth by the Independence Pass Foundation (a non-profit organization) to stabilize unstable road cuts along Highway 82 on the upper portions of Independence Pass.

Goals/Objectives

- 4a Make safety improvements to Highway 82 for motorists and bicyclists relative to sharing the road.

Action Items

- 4a 1.1 Pitkin County should work with CDOT to extend the paved shoulders, where possible, for cyclists and to widen the pavement area, to improve safety, on the uphill side of the highway where the road comes very close to the wetlands (in close proximity to mile marker 45)
- 4a 1.2 The County should work with CDOT to install emergency phones at strategic places on Independence Pass above the Winter Closure Gate.

b. Lincoln Creek Road

Lincoln Creek Road is classified on the County road system as both a Primitive Access Road and a Scenic Road. It is a gravel, rural/recreational road that has low to limited traffic volumes (no specific counts are available). It receives no winter maintenance. The Scenic designation identifies the road as one that should be preserved in a natural, undisturbed condition as it provides a gateway to vistas and outstanding natural features and/or recreational opportunities for local residents and the general public. It is approximately 10 miles long. While the road is owned and maintained by the County, it primarily provides access to Forest Service lands including the Lincoln Creek Campground, New York Creek, Tabor Creek and Grizzly Creek trailheads, among others. It also provides access to the Grizzly Creek Reservoir and the Twin Lakes Water Diversion System, as well as the historic Ruby town site and several privately owned, remote mining claims.

Goals/Objectives

- 4b Maintain Lincoln Creek Road as a recreational, narrow, scenic, dirt road.

Action Items

- 4b Ensure that the R/R zone district restrictions and County Asset Management Plan for road design and maintenance accurately reflect the desire to maintain the Lincoln Creek Road as a rural, recreational, narrow, scenic, dirt road.

c. Smuggler Mountain Road

Smuggler Mountain Road is classified on the County road system as both a Primitive Access Road and a Scenic Road. It is a gravel, rural/recreational road that has low to limited traffic volumes and which receives limited to no winter maintenance. The Scenic designation identifies the road as one that should be preserved in a natural, undisturbed condition as it provides a gateway to vistas and outstanding natural features and/or recreational opportunities for local residents and the general public. It provides recreational access to publicly owned lands in the Warren Lakes area, the Hunter Creek Valley and to 10th Mountain Huts, as well as access to privately owned residences and property along Smuggler Creek Road and in the lower portion of the Hunter Creek Valley.

Goals/Objectives

- 4c 1.** Maintain Smuggler Mountain Road as a recreational, narrow, scenic, dirt road, as supported by proposed zoning.

Action Items

- 4c 1.1** Ensure that the R/R zone district restrictions and County Asset Management Plan for road design and maintenance accurately reflect the desire to maintain the Smuggler Mountain Road as a rural, recreational, narrow, scenic, dirt road.

Note:

Pursuant to the Settlement Agreement and Court Order establishing Smuggler Mountain Road, improvements to the road will be determined with reference to the nature of the development that takes place on private parcels accessed via the road.

d. Hunter Creek Toll Road

The Hunter Creek Toll Road is classified on the County road system as a Primitive Access Road. It is a gravel, rural/recreational road that has low to limited traffic volumes which receives no winter maintenance. It provides recreational access to publicly owned lands in the Hunter Creek Valley and to 10th Mountain Huts, as well as access to privately owned residences and property in the lower portion of the Hunter Creek Valley.

The Hunter Creek Valley and Toll Road have a specific management plan for maintenance and use that was developed by the Pitkin County Public Works Department in conjunction with the Hunter Creek Task Force in 1999-2000 (see Attachment B).

Goals/Objectives

- 4d 1. Maintain Hunter Creek Toll Road as a recreational, narrow, scenic, dirt road, as supported by proposed zoning.
- 4d 2. Adhere to the Hunter Creek Task Force recommendations (Attachment B).

Action Items

- 4d 1.1 Ensure that the R/R zone district restrictions and County Asset Management Plan for road design and maintenance accurately reflect the desire to maintain the Hunter Creek Toll Road as a rural, recreational, narrow, scenic, dirt road.

e. Richmond Ridge Road

Richmond Ridge Road is approximately 15 miles in length and is classified on the County road system as a Primitive Access Road. It is a gravel, rural/recreational road that has low to limited traffic volumes and which receives no winter and limited summer maintenance. It provides access to public and private lands on the "back" side of Aspen Mountain as well as to huts and public lands to the east and south of Aspen Mountain. While the road is owned and maintained by the County, it primarily provides access to Forest Service lands. Richmond Ridge Road receives heavy use, providing access to skiing, biking, hiking, jeeping and dirt biking. Such heavy, mixed use may degrade the quality and safety of the recreational experience sought by those using the area. In 1999, a citizens group developed a "Richmond Ridge/Little Annie Management Plan" to address this issue, among others.

Goals/Objectives

- 4e 1. Maintain Richmond Ridge Road as a recreational, rural, scenic road.
- 4e 2. Adhere to the recommendations made in the 1999 "Richmond Ridge/Little Annie Management Plan."

Action Items

- 4e 1.1** Ensure that the R/R zone district restrictions and County Asset Management Plan for road design and maintenance accurately reflect the desire to maintain the Richmond Ridge Road as a rural, recreational, narrow, scenic, dirt road.
- 4e 2.1** Adhere to the management of the road as approved in the 1999 "Richmond Ridge/ Little Annie Management Plan."

f. Aspen Mountain Road

Aspen Mountain Road is approximately 4.5 miles in length and is classified on the County road system as a Primitive Access Road. It is a gravel recreational road that has low to limited traffic volumes and which receives no winter and limited summer maintenance. During the winter it provides for skier access and ski area maintenance and during the warmer months it provides bike, pedestrian and vehicular access to public and private lands on the front and "back" side of Aspen Mountain.

Goals/Objectives

- 4f** Maintain Aspen Mountain Road as recreational access to the National Forest, acknowledging the summer and winter needs of the Aspen Mountain Ski Area and acknowledging the use of the road pursuant to the Aspen Mountain AF-SKI Master Plan, as approved by the County.

Action Item

- 4f** Maintain Aspen Mountain Road as a public road with allowance for special ski area needs relative to closures and maintenance, pursuant to the Aspen Mountain AF-SKI Master Plan.

Section 5 Transit

Existing Conditions

The only portion of the East of Aspen/Independence Pass planning area that is served by mass transit (beyond the Urban Growth Boundary) is the Tagert Lake West NPA. The last formal bus stop on Highway 82 up Independence Pass is located at the base of the Mountain Valley Subdivision (outside of this planning area). Beyond Mountain Valley, the Roaring Fork Transit Authority ("RFTA") provides an "East End" dial-a-ride service which will stop and pick up on-demand to a point about one-quarter mile up Highway 82 beyond Mountain Valley.

"The County encourages transportation programs, modes and land use patterns that minimize automobile congestion, promote safety and reduce sources of air pollution."

-Pitkin County Land Use Policy Guidelines

Goals/Objectives

- 5.1 Explore the need and economic feasibility for dial-a-ride service as far as Difficult Campground.
- 5.2 Provide park and ride spaces where RFTA service ends on the east side of town.

Action Items

- 5 1.1 Explore the need and economic feasibility for a dial-a-ride service as far as Difficult Campground.
- 5 2.1 The City and the County, along with RFTA, should pursue the development of several parking spaces on the east edge of town adjacent to bus service in order to allow East of Aspen residents to use public transit and curtail additional cars coming into Aspen (without the need to extend the service further from town).

Section 6 Natural Environment

A. Wildlife

According to the 1997 "Roaring Fork Biological Inventory," the Upper Roaring Fork River (within the East of Aspen/Independence Pass planning area) supports a plethora of biodiversity and is the longest stretch of relatively pristine riparian vegetation observed on the Roaring Fork River. An elk and mule deer migration corridor, which crosses the publicly owned Northstar Preserve, allows big game to move from Richmond Ridge through the Roaring Fork Valley and onward to the Hunter Creek Valley. The Northstar Preserve also contains very sensitive wetland and riparian habitat that has remained well protected. These wetlands are a major habitat for bears, a variety of songbirds and Blue Herron. The Upper Roaring Fork drainage includes sub-alpine, alpine wetland and mountain tundra areas and sustains a variety of wildlife including:

- *Mountain Goats,*
- *Elk (summer)*
- *Bighorn Sheep (summer)*
- *Falcons*
- *Eagles*
- *Lynx*
- *Boreal Toads (potentially)*
- *Snowshoe Hares and*
- *Cutthroat Trout*

The 1997 "Roaring Fork Biological Inventory" notes that the Warren Peak area, which includes Smuggler Mountain, Warren Peak, the headwaters of No Name Creek, and the confluence of No Name Creek and two other unnamed creeks, contains high quality wetlands and rare plant species and communities.

The lower portion of the Aspen Mountain/Richmond Ridge area and the southwest-facing slope along the highway in the Tagert Lake West sub area contain elk winter range and critical habitat. The same habitat is located on the slopes between Smuggler Mountain Road and the lower portion of the Hunter Creek Valley. The majority of this land is publicly owned.

Goals/Objectives

- 6A Maintain and enhance the quality wildlife habitat within the East of Aspen/ Independence Pass planning area.

Action Items

- 6A 1.1 Support and implement the recommendations of the 1997 "Roaring Fork Biological Inventory"
- 6A 1.3 Forward the "Roaring Fork Biological Inventory" trail recommendations to the USFS /White River National Forest for consideration in the "travel management" section of the White River National Forest Plan.

B. Wildfire

Wildfire hazard must be determined on a site-specific basis on private property and addressed via the County's 1041 Environmental Hazard Review process when development is proposed. The majority of the land within the East of Aspen/Independence Pass planning area, however, is on the White River National Forest. The drought conditions recently experienced throughout the western states have facilitated coordinated efforts between local governments and the state and U.S. Forest Service to establish fire plans for both the public lands and the interface between public and private lands.

C. Mosquito District

The 1985 Roaring Fork East Neighborhood Master Plan recommends that environmentally sound methods of insect control be pursued. A mosquito control district has since been established to address the issue of mosquito control.

Goals/Objectives

- 6C Maintain and support the efforts of the mosquito district.

Action Items

- 6C Maintain and support the efforts of the mosquito district.

D. Slopes/Flooding

Beyond the valley floor the planning area contains varying degrees of slope, which are subject to erosion and can, in turn, cause debris flow and hazardous flooding. Warren Creek overflowed its banks in the spring of 2003 causing significant

damage to private property and to State Highway 82. The management of USFS lands above the lower valleys is important so as not to cause off-site impacts below.

Goals/ Objectives

- 6D Work with the USFS regarding management practices regarding the Warren Lakes area as it relates to Warren Creek.

Action Item

- 6D Work with the Tagert Lake West neighborhood, CDOT and the USFS to establish best management practices relative to Warren Creek.

Section 7

Open Space/Trails/Recreation/Tourism

7A. Existing Open Space Parcels

In addition to extensive federal public lands which function as open space, the Pitkin County Open Space and Trails Board and the Aspen Center for Environmental Studies own the following open space parcels in the East of Aspen/Independence Pass planning area:

- *Northstar Preserve (175 acres - Pitkin County)*
- *James Smith parcel (70 acres - Pitkin County)*
- *ACES parcel (65 acres - Aspen Center for Environmental Studies)*
- *Hammerhead Park/ Hunter Creek Trail (10 acres - Pitkin County)*

As recommended in the 1985 Roaring Fork East Neighborhood Master Plan, a management plan for the North Star Nature Preserve was adopted and implemented by the Open Space and Trails Board in 2000. The plan directs use of the North Star Preserve in such a way as to preserve the natural resources on the property, while allowing for limited public use and access. A management plan for the Joy Smith parcel is underway as of the date of this Master Plan.

Goals/Objectives

- 7 Maintain and manage the locally owned open space through the use of open space management plans. As these plans are developed and later updated, input should be sought from the residents of the planning area.

Action Item

- 7 Recommend to the Open Space and Trails Board that they revise their policies to require that open space management plans be referred to and reviewed by planning area residents to obtain their input.

7B. Existing Trails

Smuggler/Hunter Creek NPA

Above existing residential development, the Smuggler Mountain Road functions as a *de facto* trail which receives heavy use by pedestrians and cyclists. The Hunter

Creek Toll Road has been the subject of a lawsuit over whether the road is publicly or privately owned. The U.S. District Court for the District of Colorado recently decided that the road is in fact under County ownership, but that decision is being appealed to the U.S. Court of Appeals for the 10th Circuit. Therefore, public access to this dirt road (which has historically also functioned as trail access into the Hunter Creek Valley) has yet to be finally resolved. (Please see the Road section of this Master Plan for further detail.)

Tagert Lake West NPA

In the Tagert Lake West area, the East of Aspen Trail runs along Highway 82 and the north side of the Roaring Fork River. The Pitkin County Open Space and Trails Board intend to extend the trail in the summer of 2004 from its current terminus at the Wildwood School to the Difficult Campground.

The 1985 Roaring Fork East Neighborhood Master Plan recommends that the Salvation Ditch, as it runs through this area, be incorporated into the trail system; however a specific alignment for the trail has not been designated as of the date of this Plan.

Tagert Lake East/Lincoln Creek NPA

There are 13 established U.S. Forest Service trailheads in this area with combined parking totaling 142 spaces. These trailheads are known as:

- *Difficult Day Use Area*
- *Grottos picnic Area/Trail*
- *Lost Man*
- *Independence Townsite*
- *New York*
- *Grizzly Reservoir*
- *Anderson/Petroleum Lakes*
- *Weller Lake*
- *Discovery/Braille Trails*
- *Linkins Lake*
- *Tabor Lake*
- *Grizzly Trailhead*

C. Campgrounds

The planning area contains 5 campgrounds with a total of 107 campsites. No expansion of these campgrounds by the U.S. Forest Service is anticipated as of the date of this Master Plan. The campgrounds are:

- Difficult
- Weller
- Lost Man
- Portal
- Lincoln Gulch
- Lincoln Creek

D. Commercial Recreational Uses

The U.S. Forest Service and/or the County have issued seasonal recreational special use permits within the planning area for the following businesses and events:

- *Aspen Adventures (paragliding and climbing)*
- *Aspen Kayak Tours (Roaring Fork River)*
- *T Lazy-7 Snowmobile Tours (on Independence Pass beyond the winter road closure gate)*
- *Ride for Independence Pass (bicycle race)*

Commercial recreational use on the North Star Preserve is directed through the existing management plan. The Aspen Mountain AF-SKI Master Plan, as approved by the County, governs activities on Aspen Mountain Ski Area.

Goals/Objectives

- 7D. Manage commercial recreational use of publicly owned open space in such a way that it does not conflict with, or curtail the enjoyment of the open space by other users.

Action Item

- 7D Develop management plans which address the commercial use of publicly owned open space. Work with state and federal agencies to achieve these goals, when necessary.

Section 8 Agriculture

Existing Conditions

There are few (if any) irrigated agricultural lands within the East of Aspen/Independence Pass planning area.

Section 9 Scenic Quality

Existing Conditions

Pitkin County Land Use Policy Guidelines state the following relative to scenic quality:

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

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

"It is the policy of the County to ensure that the night sky can be viewed by citizens without the interference of unnecessary artificial light from growth, urbanization and highway development."

The overriding theme of the 1985 Roaring Fork East Neighborhood Master Plan was to preserve the existing character of the planning area and to plan for the most visually pleasing entrance to the City of Aspen for residents and visitors to the resort. One goal specifically stated,

"Preserve and enhance the scenic quality of the Roaring Fork East Area for the benefit of residents and the continued viability of Pitkin County's resort economy which is in part, dependent upon the quality of the rural setting."

While the planning area has been substantially enlarged since the Roaring Fork East Neighborhood Master Plan was adopted, the goal is still applicable. Among other things, the plan recommended that scenic foreground regulations and mapping be adopted and implemented along Highway 82 to steer development away from the foreground; that utilities be undergrounded; and that the location of new development be guided so that detrimental impacts upon visual quality would be minimized.

Scenic overlay regulations and mapping have been adopted for a portion of the Tagert Lake West portion of the East of Aspen/Independence Pass planning area

and for the lower Smuggler Mountain area since the 1985 Roaring Fork East Neighborhood Master Plan was adopted.

Goals/Objectives

- 9 Protect the visual aspect of "rural character" in the East of Aspen/ Independence Pass planning area as it is defined by the open lush riparian valley and undisturbed hillsides within the Tagert Lake West NPA. Maintain a primitive and remote visual sensitivity within the Aspen Mountain/Richmond Ridge NPA and the Smuggler/ Hunter Creek NPA along those County roads, and maintain the face of Smuggler Mountain as an undeveloped hillside as viewed from the City of Aspen

Action Items

- 9 1.1 Work with the NPAs to identify areas within the planning area that are not currently, but should be mapped for scenic review. Develop scenic/visual guidelines to be used as part of development review in the planning area in order to preserve the existing open valley floor. Revise the Land Use Code and scenic overlay mapping to reflect these changes.
- 9 1.2 Revise the existing scenic overlay maps to include the Hunter Creek and Richmond Ridge Roads.
- 9 1.3 Enforce Pitkin County Lighting regulations.

Section 10 Affordable Housing

There are only two known deed restricted affordable housing units within the East of Aspen/Independence Pass planning area. The Pitkin County Land Use Policy Guidelines note the following regarding citizen housing:

"A diversity of housing types and densities shall be encouraged in order to ensure affordable housing for a range of individual and families. Deed restricted housing that ensures occupancy by full time residents shall be preferred for development, especially within urban growth boundaries. Affordable housing outside growth boundaries shall only be acceptable if it is:

- *Employee Dwelling Units (EDU) and Caretaker Dwelling Units (CDU);*
- *Job related on-site housing;*
- *Conversion of existing locally serving housing;*
- *On-site required mitigation housing; and*
- *Replacement of existing affordable housing.*

Affordable housing of urban or suburban densities shall not be accepted outside the urban growth boundaries if it promotes sprawl or other development inconsistent with this or other policies or regulations of the County. This policy shall be reviewed at least every 5 years in conjunction with the Land Use Pattern Policy in order to determine if the need for affordable Housing is being adequately accommodated within the established UGB's."

Section 11

Commercial Development

Existing commercial uses other than campgrounds and commercial recreational uses in the East of Aspen/Independence Pass planning area are limited to the Wildwood School, scattered small-scale professional offices, the Independence Gravel Pit and the Twin Lakes water diversion. The Independence Gravel Pit operation is subject to annual review by Pitkin County.

The Pitkin County Land Use Policy Guidelines note the following regarding new commercial development:

"New commercial development should be located within established urban growth boundaries unless it is of a scale and capacity deemed to be appropriate within identified boundaries."

Section 12

Mineral Extraction

Existing Conditions

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

12 Goals/Objectives

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

Section 13 Historic Resources

Existing Conditions

4 major properties in the East of Aspen/Independence Pass planning area have been included in an historic inventory completed by Pitkin County:

- *Smuggler Mountain Mine*
- *Compromise Mine on Aspen Mountain*
- *Independence Townsite on Independence Pass, and*
- *Ruby Townsite up Lincoln Creek*

The Independence Pass Toll Road is also considered to be an historic resource. No new historic preservation regulations have been adopted by the County relative to the historic inventory. Regulations may be considered in the future.

Goals/Objectives

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

Action Items

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

Implementation - Action Item Summary:

ZONING

Action Items

- 1A 1.1 Maintain the existing AFR-10 zoning on the valley floor.
- 1A 2.1 Establish a new zone district for public lands and locally owned conservation parcels zoned AFR-10 within the planning area (and throughout the County) to preclude residential development and reflect the resource conservation uses that currently exist on the land. (Conservation designation.)
- 1B 1.1 Establish a new zone district for public lands zoned AFR-10 within the planning area (and throughout the County) to preclude residential development and reflect the resource conservation uses that currently exist on the National Forest. (Conservation designation.)
- 1B 2.1 Coordinate with CDOT and USFS regarding special use activities and special events.
- 1C 1.1 Establish a new zone district for public lands and locally owned conservation parcels zoned AFR-10 within the planning area (and throughout the County) to preclude residential development and reflect the resource conservation uses that currently exist on the National Forest. (Conservation designation.)
- 1C 2.1 Coordinate with CDOT and USFS regarding special use activities and special events.
- 1C 3.1 Rezone AFR-10 parcels on the face of Aspen Mountain to Low Density/ Low Intensity/ Open Space/ Recreational and/or Rural and Remote based on location as it relates to the criteria for Rural and Remote zoning.
- 1D 1.1 Rezone the face of Smuggler Mountain for Low Density/Low Intensity/Open Space/Recreational uses and maintain the lower portion as AFR-10 (single family), to allow for a transition from high density within the UGB from Low Density/Low Intensity/Open Space/Recreational and R/R. Rezone the County owned R-30 parcel to a Conservation zone in order to reflect the intention for conservation uses. (Low Density/Low Intensity/Open Space/ Recreational designation and Conservation designation.)
- 1D 2.1 Rezone the portion of Smuggler Mountain to the north of the Ridge Road from AFR-10 to R/R (the area along the roadway known as the Cutoff Road/ Hunter Creek Toll Road).

- 1D 3.1 Rezone the AFR-10 zoned large lots between the Red Mountain Subdivision and the Hunter Creek Valley to a zone district which would preclude further subdivision and retain a buffer between the R/R zone and the higher density zoning of Red Mountain Subdivision. (Low Density.)
- 1D 4.1 Establish a new zone district for public lands and locally owned conservation parcels zoned AFR-10 within the planning area (and throughout the County) to preclude residential development and reflect the resource conservation uses that currently exist on the land. (Conservation designation.)
- 1D 5.1 Retain R/R zoning on private land in-holdings within the Hunter Creek Valley and around Warren Lakes if they cannot be obtained as public open space.
- 1D 6.1 Rezone the large conservation parcel (the north Duroux Ranch) to an appropriate conservation zone district and/or low density /low intensity residential district.

GROWTH MANAGEMENT/HOUSE SIZE

Action Items

- 2 1.1 Amend the scenic overlay maps and zone districts to incorporate guidelines that will address the visual concerns associated with larger home development and development within Rural and Remote areas of the East of Aspen/ Independence Pass planning area. Work with East of Aspen / Independence Pass residents to identify areas within the planning area that are not currently, but should be mapped for scenic review (specifically along Highway 82, and along Richmond Hill Ridge Road).
- 2 2.1 Develop scenic/visual guidelines to be used as part of development review in the planning area in order to preserve the existing open valley floor.
- 2 3.1 Revise the Land Use Code and incorporate new zone district regulations in order to preserve the visual quality of the planning area.

WATER/SEWER

Action Items

- 3B 1.1 Work with new and existing development to encourage water conservation measures for the Upper Roaring Fork Valley.

- 3B 2.1 To the extent possible, ensure that water rights for irrigation on historically irrigated properties be dedicated for irrigation purposes.
- 3C Monitor water quality in the Roaring Fork River and its tributaries and specifically monitor older septic systems within the planning area, especially in the Tagert Lake West NPA along the Roaring Fork River. Monitor wetlands and wells to determine the extent (if any) to which water quality has been impacted. Modify runoff and/or erosion control regulations to the extent necessary to ensure that water quality meets state and local standards for health/safety and environmental quality.
- 3D Monitor water quality in the Roaring Fork River and its tributaries and specifically monitor older septic systems within the planning area, especially in the Tagert Lake West NPA along the Roaring Fork River. Monitor wetlands and wells to determine the extent (if any) to which water quality has been impacted. Modify runoff and/or erosion control regulations to the extent necessary to ensure that water quality meets state and local standards for health/safety and environmental quality.

ROADS

Action Items

- 4a 1.1 Pitkin County should work with CDOT to extend the paved shoulders, where possible, for cyclists and to widen the pavement area, for improved safety, on the up-hill side of Highway 82 where the road comes very close to the wetlands .
- 4a 1.2 The County should work with CDOT to install emergency phones at strategic places on Independence Pass above the Winter Closure Gate.
- 4b Ensure that the R/R zone district restrictions and County Asset Management Plan for road design and maintenance accurately reflect the desire to maintain the Lincoln Creek Road as a rural, recreational, narrow, scenic, dirt road.
- 4c 1.1 Ensure that the R/R zone district restrictions and County Asset Management Plan for road design and maintenance accurately reflect the desire to maintain the Smuggler Mountain Road as a rural, recreational, narrow, scenic, dirt road.
- 4d 1.1 Ensure that the R/R zone district restrictions and County Asset Management Plan for road design and maintenance accurately reflect the desire to maintain the Hunter Creek Toll Road as a rural, recreational, narrow, scenic, dirt road.
- 4e 1.1 Ensure that the R/R zone district restrictions and County Asset Management Plan for road design and maintenance accurately reflect

- 7 Recommend to the Open Space and Trails Board that they revise their policies to require that open space management plans be referred to and reviewed by planning area residents to obtain their input.

Action Items

OPEN SPACE /TRAILS/RECREATION/TOURISM

- 6A 1.1 Support and implement the recommendations of the 1997 "Roaring Fork Biological Inventory".
- 6A 1.3 Forward the "Roaring Fork Biological Inventory" trail recommendations to the USFS /White River National Forest for consideration in the "travel management" section of the White River National Forest Plan.
- 6C Maintain and support the efforts of the mosquito district.
- 6D Work with the Tagert Lake West Neighborhood, CDOT and the USFS to establish best management practices relative to Warren Creek.

Action Items

NATURAL ENVIRONMENT

- 5 1.1 Explore the need and economic feasibility for a dial-a-ride service as far as Difficult Campground.
- 5 2.1 The City and the County, along with RFTA, should pursue the development of several parking spaces on the east edge of town adjacent to bus service in order to allow East of Aspen residents to use public transit and curtail additional cars coming into Aspen (without the need to extend the service further from town).

Action Items

TRANSIT

- 4e 2.1 Adhere to the management of the Richmond Ridge Road as approved in the 1999 "Richmond Ridge/ Little Annie Management Plan."
- 4f Maintain Aspen Mountain Road as a public road, with allowance for special ski area needs relative to closures and maintenance, pursuant to the Aspen Mountain AF-SKI Master Plan.
- the desire to maintain the Richmond Ridge Road as a rural, recreational, narrow, scenic, dirt road.

- 7D Develop management plans which address the commercial use of publicly owned open space. Work with state and federal agencies to achieve these goals when necessary.

AGRICULTURE

Action Items

None

SCENIC QUALITY

Action Items

- 9 1.1 Work with the NPAs to identify areas within the planning area that are not currently, but should be mapped for scenic review. Develop scenic/visual guidelines to be used as part of development review in the planning area in order to preserve the existing open valley floor. Revise the Land Use Code and scenic overlay mapping to reflect these changes.
- 9 1.2 Revise the existing scenic overlay maps to include the Hunter Creek and Richmond Ridge Roads.
- 9 1.3 Enforce Pitkin County Lighting regulations.

AFFORDABLE HOUSING

Action Items

None

COMMERCIAL DEVELOPMENT

Action Items

None

MINERAL EXTRACTION

Action Items

None

HISTORIC RESOURCES

Action Items

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

Plans Affecting the East of Aspen/Independence Pass Planning Area

The following federal, County and municipal land use and management plans potentially influence the planning area:

- Pitkin County Asset Management Plan (2003)
This plan directs the management and/or improvement of County roads
- Aspen Area Community Plan (2000)
The AACP establishes an Urban Growth Boundary area for the City of Aspen that is intended to generally define the boundaries of urban annexation and development. The boundary abuts the western end of the Tagert Lake West planning area, the northern end of the Aspen Mountain/Richmond Ridge planning area and the western end of the Smuggler/Hunter Creek planning area.
- White River National Forest Management Plan (2003)
This plan directs management of the White River National Forest in terms of allowed uses on the National Forest.
- Roaring Fork East Neighborhood Master Plan (1985)
This plan covers the area from (and including) Mountain Valley up through the North Star Preserve.
- Roaring Fork Valley Biological Inventory (1997)
- Aspen Mountain Ski Area Master Plan (1998)
- Richmond Ridge/Little Annie Management Plan (1999)
- North Startar Management Plan (2000)
- Hunter Creek Task Force Recommendations (1999-2000)

Attachments

Attachment A

East of Aspen Resident Survey

Attachment B

*Hunter Creek Valley and Toll Road Management Plan developed by Pitkin County
Public Works Department*

Figure 1

Independence Existing Zoning Map

Figure 2

Independence Future Land Use Overview Map

Figure 3

Tagert Lake West Future Land Use Map

Figure 4

Tagert Lake East Future Land Use Map

Figure 5

Aspen Mountain/Richmond Ridge Future Land Use Map

Figure 6

Smuggler/Hunter Creek Future Land Use Map

Figure 1 Independence Existing Zoning



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Legend							
	Roads						
	Water						
	Parcels						
	Independence Planning Area						
Land Use Designations							
	APR-2 PUD		AR2		R-30		RS-10 PUD
	AP-SK1		AH		PUB		RR
	APR-10		AH2 PUD		B-1		RS-140 PUD
	APR-3		AH3 PUD		B-2		B-15
			CITY		B-15A		RS-50 PUD
					TDR		TOSV
					U		

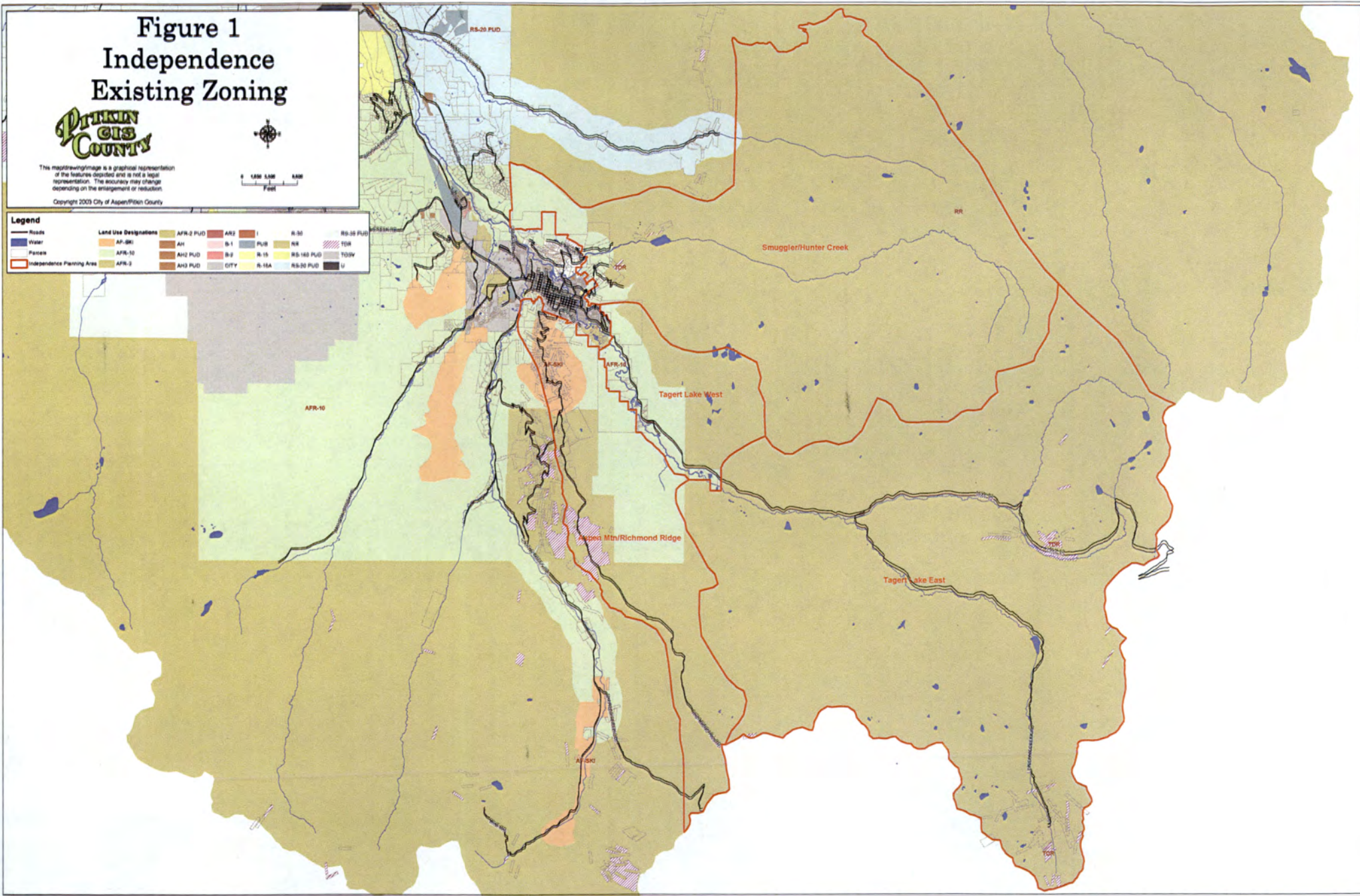


Figure 2 Independence Future Land Use Overview



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Legend				
— Roads	AFR-2	B-2	NR	Conservation
— Water	AFR-3 PUD	CITY	RB-100 PUD	Low Density/Low Intensity/Classical/Recreation
— Parcels	AH	I	RB-20 PUD	
— Independence Planning Area	AHQ PUD	PUB	RB-30 PUD	
Land Use Designations	AHQ PUD	R-15	TDR	
AF-8X	AR2	R-15A	TDSV	
AFR-10	B-1	R-30	U	

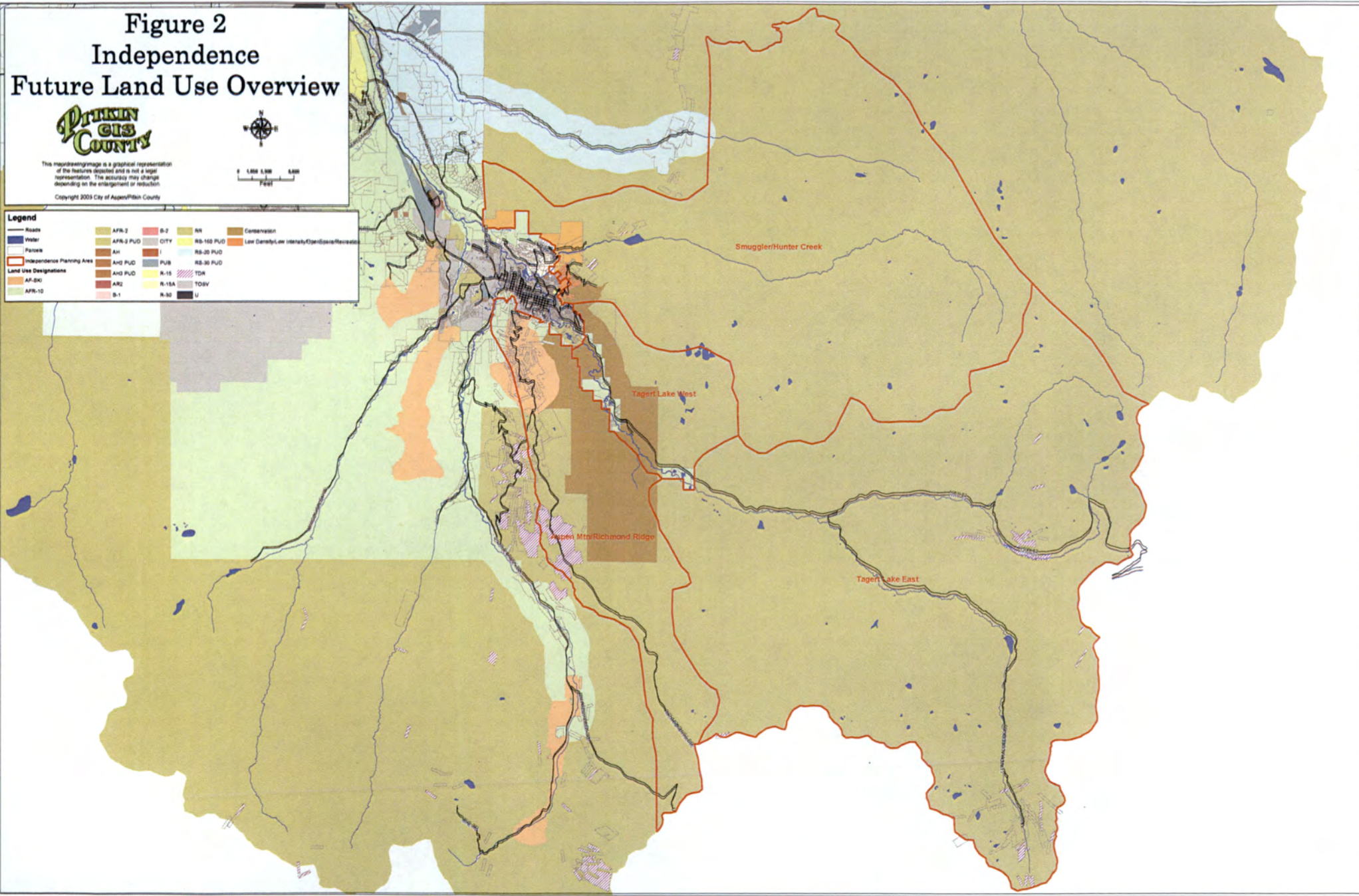


Figure 4 Tagert Lake East Future Land Use



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0 1,000 2,000 3,000
Feet

Legend	
	Roads
	Water
	Tagert Lake East
	Parcels
	AP-10
	AP-2
	AP-2 PUD
	AH
	AH2 PUD
	AK2
	CITY
	PLB
	R-15
	R-15A
	R-30
	RR
	TDR
	Low Density, Low Intensity/Open Space/Recreation
	Conservation
	Low Density

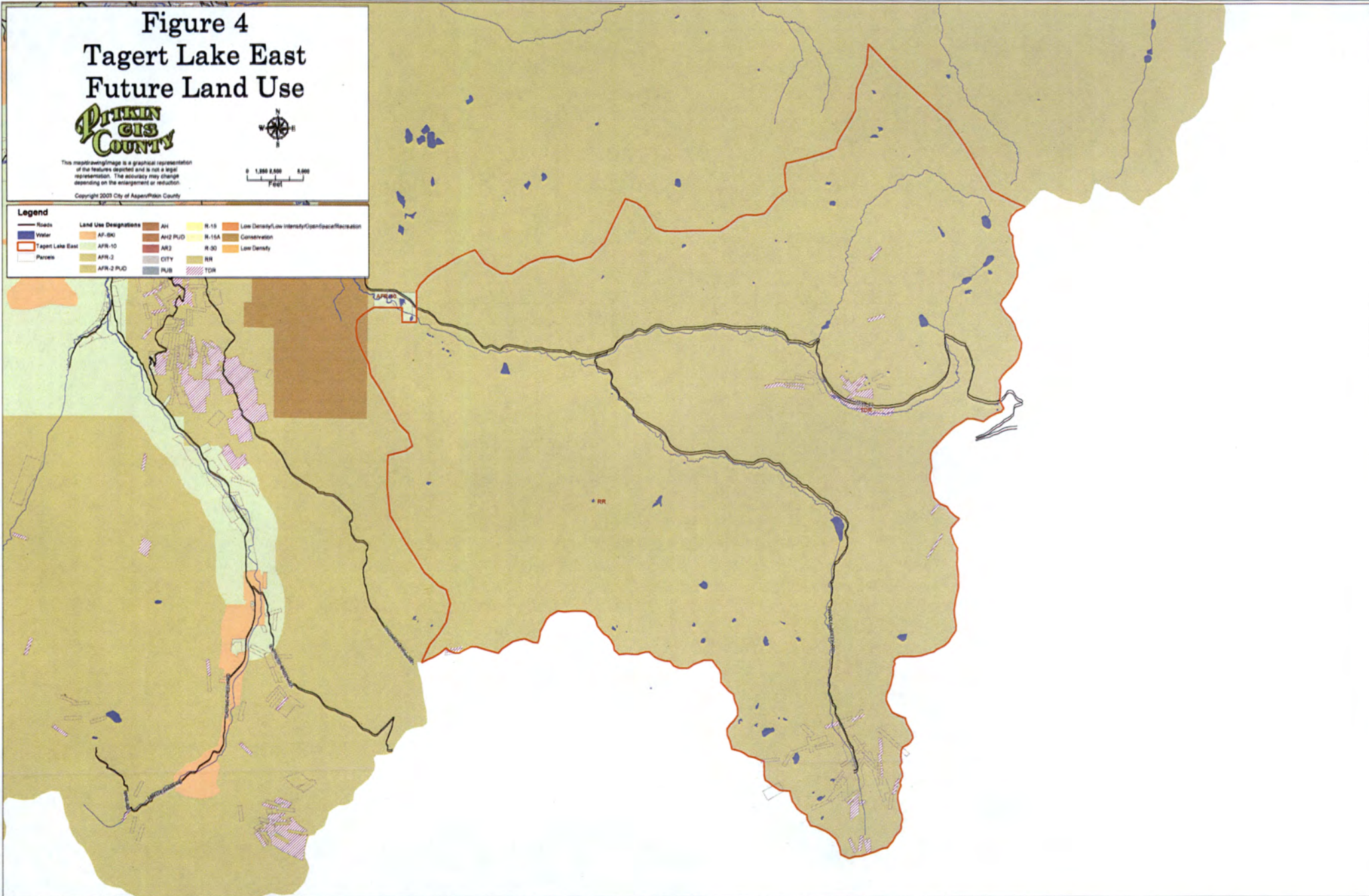


Figure 6 Smuggler/Hunter Creek Future Land Use

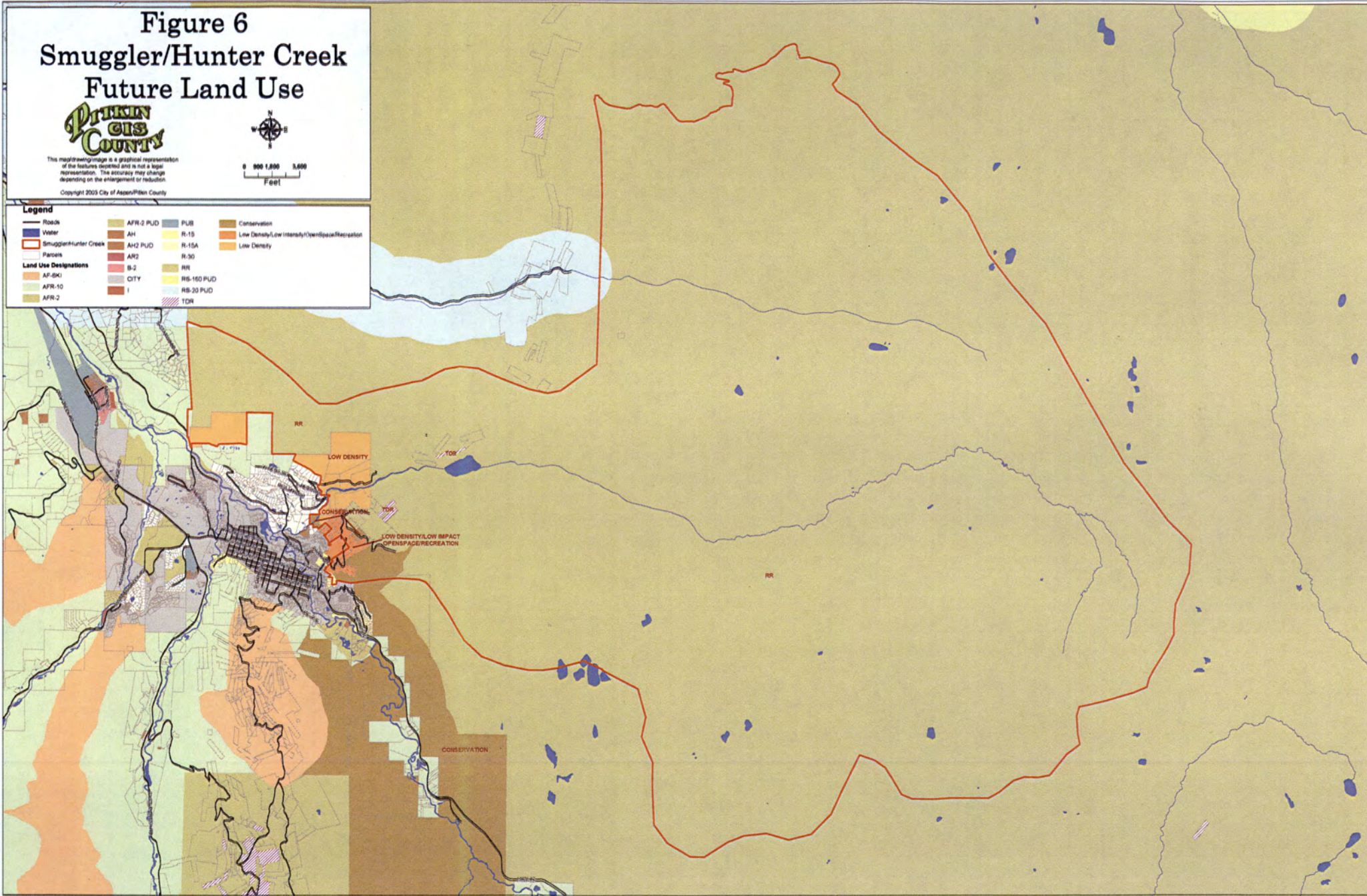


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0 900 1,800 3,600
Feet

Legend	
— Road	AFR-2 PUD
— Water	AH
— Smuggler/Hunter Creek	AH2 PUD
— Parcels	AR2
Land Use Designations	B-2
AF-BK1	CITY
AFR-10	I
AFR-2	RR
	RR-150 PUD
	RR-30 PUD
	TDR
	Conservation
	R-15
	R-15A
	R-30
	Low Density, Low Intensity/Open Space/Recreation
	Low Density



**RESOLUTION OF THE PITKIN COUNTY PLANNING AND ZONING
COMMISSION
ADOPTING THE ASPEN/INDEPENDENCE MASTER PLAN
Resolution No. PZ 2003-_____**

RECITALS

1. By State statute, the Pitkin County Planning and Zoning Commission has the responsibility and the authority to adopt comprehensive plans for Pitkin County.
2. Adopted Plans are used by the public, appointed and elected officials as a guide in consideration of future land use designations, planning issues and development proposals within the Plan area boundaries.
3. The East of Aspen/Independence Land Use Master Plan was prepared by the Pitkin County Community Development Department with input from interested members of the public who reside in the East of Aspen/Independence planning area.
4. The Pitkin County Planning and Zoning Commission reviewed the plan at duly noticed public hearings on **September 16 and October 28, 2003**, at which time public comment was heard with respect to the master plan.

NOW, THEREFORE, BE IT RESOLVED by the Pitkin County Planning Commission that it does hereby adopt the East of Aspen/Independence Master Plan, attached as Exhibit "A."

NOTICE OF PUBLIC HEARING PUBLISHED in The Aspen Times Weekly on the 16th day of August 2003.

APPROVED AND ADOPTED on the 28th day of October 2003.

PITKIN COUNTY PLANNING AND
ZONING COMMISSION

By _____
Peter Thomas, Chair

Date _____

ATTEST:

Janis Taylor
Administrative Assistant

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

John Ely,
County Attorney

Cindy Houben,
Community Development Director