

# **SUMMIT COUNTY**

## **LOWER BLUE MASTER PLAN**

Prepared by the  
Lower Blue Planning Commission

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Tom Smith, Chair

# TABLE OF CONTENTS

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|   |          |
|---|----------|
| <b>Organization and use of the Plan .....</b>                               | <b>v</b> |
| <b>I. EXECUTIVE SUMMARY .....</b>   | <b>1</b> |
| <b>II. HISTORY OF MASTER PLANS PREPARED FOR THE LOWER BLUE BASIN .....</b>  | <b>2</b> |
| <b>III. INTRODUCTION .....</b>  | <b>2</b> |
| Statutory Authority .....   | 2        |
| Guiding Tenets of the Lower Blue Master Plan .....                          | 3        |
| Purpose and Intent .....  | 4        |
| Scope.....  | 5        |
| Amending and Implementing the Plan.....                                     | 5        |
| Citizen Involvement.....  | 5        |
| <b>IV. OVERALL PHILOSOPHY AND STEWARDSHIP .....</b>                         | <b>6</b> |
| Overall Philosophy .....  | 6        |
| Rural Character .....   | 6        |
| Stewardship.....  | 7        |
| <b>V. VISION STATEMENT.....</b>   | <b>7</b> |
| <b>VI. GOALS, POLICIES/ACTIONS .....</b>                                    | <b>8</b> |
| Land Use .....  | 8        |
| <u>Background and Existing Conditions</u> .....                             | 8        |
| <u>Lower Blue Basin Residential Build-Out</u> .....                         | 8        |
| <u>Density and Zoning</u> .....   | 9        |
| <u>Land Use Designations and Descriptions</u> .....                         | 10       |
| <i>Urban/Silverthorne Area</i> .....  | 13       |
| <i>Rural Area</i> .....   | 14       |
| <i>Shane Gulch Subdivision</i> .....  | 16       |
| <i>Other Land Use Designations</i> .....                                    | 16       |
| <u>Transferable Development Rights (TDRs)</u> .....                         | 17       |
| <i>TDR Program Specifics</i> .....  | 17       |
| <u>National Forest System Lands</u> .....                                   | 18       |
| <u>Agricultural Lands</u> .....   | 18       |
| Affordable Workforce Housing .....  | 20       |
| <u>Intent</u> .....   | 20       |
| <u>Overview of the Existing Inventory of Affordable Housing Units</u> ..... | 20       |
| <u>Methodology and Site Suitability Analysis</u> .....                      | 20       |
| <u>Additional Subdivision / Redevelopment of Infill Opportunities</u> ..... | 22       |
| <u>Town of Silverthorne</u> .....   | 22       |
| Environment.....  | 22       |
| <u>Air Quality</u> .....  | 23       |
| <u>Wildlife</u> .....   | 23       |
| <u>Water Quality/Quantity</u> .....   | 23       |
| <u>Forest Health, Management and Wildfire Protection</u> .....              | 23       |
| <i>Pine Beetle Epidemic</i> .....   | 23       |
| <i>Forest Management and Wildfire Protection Plan</i> .....                 | 24       |

|  |    |
|--|----|
| <i>Wildfire Mitigation – Forest System Lands</i> .....       | 25 |
| Transportation.....  | 26 |
| Infrastructure.....  | 28 |
| Visual Quality and View Corridors .....                      | 29 |
| <u>Development of the Visually Important Lands Map</u> ..... | 29 |
| <u>Renaming and Utilizing the New Visibility Map</u> .....   | 30 |
| Historical and Cultural Resources .....                      | 31 |
| Open Space .....   | 32 |
| Recreation, Trails, and Public Access.....                   | 33 |

**MAPS**

- Lower Blue Basin
- Land Use
- TDR Sending and Receiving Areas
- Affordable Workforce Housing – Location of Potential Sites in the Urban/Silverthorne Area
- Environmentally Sensitive Areas
- Visibility
- Significant Summer and Winter Routes

**HEENEY/GREEN MOUNTAIN RESERVOIR SUBBASIN PLAN**

|   |           |
|---|-----------|
| <b>I.    PURPOSE AND INTENT .....</b>   | <b>1</b>  |
| <b>II.   THE 1988 HEENEY COMMUNITY PLAN .....</b>                                 | <b>1</b>  |
| <u>Changing the Boundary of the 1988 Heeny Community Plan</u> .....               | 1         |
| <b>III.  BACKGROUND .....</b>   | <b>2</b>  |
| <u>Geographic Setting</u> .....   | 2         |
| <u>History of Heeny Subdivisions</u> .....  | 2         |
| <u>Population and Trends</u> .....  | 3         |
| <u>Build-Out</u> .....  | 3         |
| <u>Recreation, Activities and Amenities</u> .....                                 | 5         |
| <u>Multi-Jurisdictional Authority</u> .....                                       | 6         |
| <b>IV.   SIGNIFICANT ISSUES .....</b>   | <b>6</b>  |
| <u>Preserve Character</u> .....   | 6         |
| <u>Appearance of Properties</u> .....   | 7         |
| <u>Reservoir Water Levels and Soil Instability</u> .....                          | 7         |
| <i>Bureau of Reclamation Monitoring, Research and Operations</i> .....            | 8         |
| <i>County’s Responsibilities and Process</i> .....                                | 8         |
| <u>Recreational Amenities</u> .....   | 8         |
| <u>Green Mountain Reservoir Bureau of Reclamation Camp (Bureau Camp)</u> .....    | 9         |
| <u>Blue River Access</u> .....  | 10        |
| <u>Green Mountain Reservoir Dam Security Issues</u> .....                         | 10        |
| <u>Lower Blue River Cooperative Management Plan</u> .....                         | 10        |
| <u>Water and Sewer Infrastructure</u> .....                                       | 11        |
| <b>V.    LAND USE DESIGNATIONS .....</b>  | <b>11</b> |
| <b>VI.   LAND USE DESIGNATION GENERAL GUIDELINES AND DESCRIPTION OF USES.....</b> | <b>14</b> |

|  |           |
|--|-----------|
| <b>VII. GOALS, POLICIES/ACTIONS .....</b>                                      | <b>16</b> |
| <u>Community Character .....</u>   | 16        |
| <u>Land Use Designations and Descriptions .....</u>                            | 17        |
| <u>Affordable Workforce Housing .....</u>                                      | 18        |
| <u>TDRs .....</u>  | 18        |
| <u>Appearance of Properties .....</u>  | 18        |
| <u>Reservoir Water Levels and Soil Instability .....</u>                       | 19        |
| <u>Recreational Amenities .....</u>  | 19        |
| <u>Green Mountain Reservoir Bureau of Reclamation Camp (Bureau Camp) .....</u> | 19        |
| <u>Lower Blue River Cooperative Management Plan .....</u>                      | 20        |
| <u>Infrastructure .....</u>  | 20        |
| <u>Interjurisdictional Cooperation .....</u>                                   | 20        |

**MAP**

Heeney/Green Mountain Reservoir Subbasin Plan Land Use

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**APPENDIX A. Implementation Strategies**

**APPENDIX B. Definitions**

## Organization and use of the Plan

The Lower Blue Master Plan, hereafter referred to as “the Plan,” is organized and presented in the following sections:

- I. **EXECUTIVE SUMMARY:** Provides an overview of the intent, function and content of the Plan. In addition, the primary principles used to develop the land use sections, and unique or specific issues contained in the Plan are mentioned.
- II. **HISTORY OF MASTER PLANS PREPARED FOR THE LOWER BLUE BASIN:** Presents a brief chronological summary of the development and adoption of master plans in the Basin.
- III. **INTRODUCTION:** Includes the guiding tenets and basic information on the statutory authority, purpose and intent of the Plan and Heeneey/Green Mountain Reservoir Subbasin Plan, scope, amending the Plan, and process to update the Plan.
- IV. **OVERALL PHILOSOPHY AND STEWARDSHIP:** Presents the community’s overall philosophy about the character of the Lower Blue Basin (hereafter referred to as “the Basin”) and how stewardship continues to play a major role in the community’s philosophy about property ownership and the future of the Basin.
- V. **VISION STATEMENT:** Presents a statement of the community’s vision for the future on which the goals, policies/actions, and implementation strategies of the Plan are based.
- VI. **GOALS, POLICIES/ACTIONS:** Identifies and defines Basin specific issues of importance accompanied by related goals and policies/actions. Issues addressed include:
  - Land Use
  - Affordable Workforce Housing
  - Environment
  - Transportation
  - Infrastructure
  - Visual Quality and View Corridors
  - Historical and Cultural Resources
  - Open Space
  - Recreation, Trails, and Public Access

**HEENEY/GREEN MOUNTAIN RESERVOIR SUBBASIN PLAN:** Addresses the needs and desires of the Heeneey/Green Mountain Reservoir area residents. The narrative and policies/actions provide guidance to recognize and protect the community’s existing conditions and unique characteristics.

**APPENDIX A. Implementation Strategies:** Provides a list of measures proposed to be taken to implement the action steps identified in the goals, policies/actions sections. Strategies are prioritized and a timeframe for implementation is identified.

**APPENDIX B. Definitions:** Defines key terms and phrases used within the Plan or Heeneey/Green Mountain Reservoir Subbasin Plan, which are not contained in the Countywide Comprehensive Plan.

**MAPS:** Provides mapped information for illustrative purposes.

## I. EXECUTIVE SUMMARY

Overall, the Plan and Heeney/Green Mountain Reservoir Subbasin Plan, when combined with the Countywide Comprehensive Plan, serve as a foundation to guide physical development into the future and address issues perceived as important to Basin residents. Certain development proposals will be evaluated against the Plan and Subbasin Plan to ensure they are in conformance with the overall direction and intent of its provisions. Whereas the Plan takes a comprehensive look at a range of issues in the Basin, it also focuses on issues unique to the Heeney/Green Mountain Reservoir area.

A large focus of the Plan is defining the appropriate land use throughout the Basin. Specific land use tenets incorporated into the Plan include:

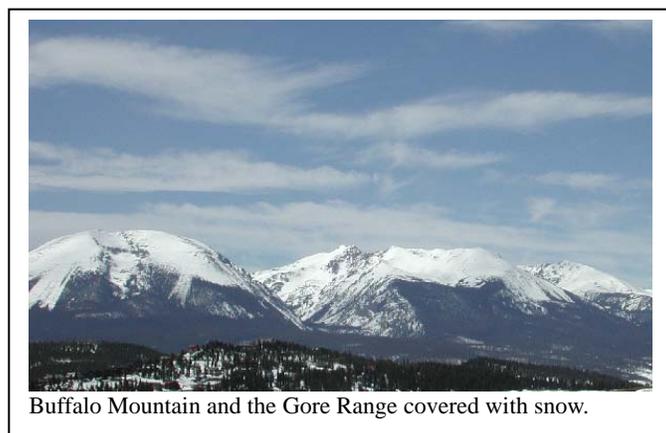
- Protect the rural character and identity of the Basin, and consider and possibly allow for higher density development in the identified Urban/Silverthorne Area.
- To the extent possible, recognize existing development patterns.
- Identify anomalies in the Plan's "Rural Area" land use designation.

Specific land use principles incorporated in the Plan and Subbasin Plan include:

- Reflect consistency with zoning, existing development patterns, and subdivision, property and PUD boundaries.
- Limit future subdivision potential to that allowed by existing zoning.
- Recognize the physical limitations of lot sizes in the Heeney community.
- Identify and preserve open space buffers around the Heeney community.
- Provide for basic or limited community facilities that serve the community or are a necessary public benefit.

Outside of land use, the other elements in the Plan include: Affordable Workforce Housing, Environment, Transportation, Infrastructure, Visual Quality and View Corridors, Historical and Cultural Resources, Open Space, and Recreation, Trails and Public Access. The Heeney/Green Mountain Reservoir Subbasin Plan also gives attention to: appearance of properties, reservoir water levels and soil instability, recreational amenities, Green Mountain Reclamation Camp, Blue River access, Green Mountain Reservoir Dam security issues, and water and sewer infrastructure.

The content of the Plan is based on public feedback and sentiments, analysis of current land use conditions, and growth related issues. The Plan has been organized to provide background information on respective issues accompanied by appropriate goals, policies/actions and maps to address the issues. In addition, an Implementation Strategies section is provided that outlines and prioritizes measures to be taken to enact action steps identified in respective policies.



**The narrative contained herein serves to explain some of the background and important considerations in developing the Plan, and provides a summary of significant elements and policy direction presented. The narrative does not serve as a goal or policy/action in its own right, or the basis for any determination as to applicable master plan goals and policies, and is for illustration and guidance only.**

## **II. HISTORY OF MASTER PLANS PREPARED FOR THE LOWER BLUE BASIN**

The first master plan adopted in the Basin was the Heeney Community Plan on November 3, 1988. The Lower Blue Master Plan was originally adopted in November 1990 and the Lower Blue Planning Commission adopted minor amendments to the Plan in the fall of 1999. In March 2002 the Lower Blue Planning Commission adopted a significant update to the Plan. Since its inception the intent of the Plans has been to provide general policy guidance for decisions involving land use, growth, and related issues in the Basin.

As part of the Planning Department's work program for 2005, the Board of County Commissioners ("BOCC") directed Planning Staff to commence work on updating the 2002 edition of the Plan and primarily the 1988 Heeney Community Plan (which was 17-18 years old). This update to the Plan and Heeney Community Plan (changed to the "Heeney/Green Mountain Reservoir Subbasin Plan") was adopted on February 2, 2006. The update expanded on and refined the original philosophies and direction provided in those plans, and reflected changes in the community and land use approvals that had occurred over time.

In September 2008, the BOCC directed all planning commissions and Planning Department Staff to update and amend their respective master plans (i.e. Lower Blue, Snake River, Ten Mile and Upper Blue master plans and Countywide Comprehensive Plan). The updates focused on locating potential sites for affordable workforce housing and strengthening related narrative, goals, policies/actions and implementation strategies. Additionally, the amendment provided an opportunity to update: 1) outdated narrative, goals, policies/actions or strategies that had been implemented or were no longer relevant, and 2) master plan maps, data or information to reflect land use approvals that had occurred or existing conditions/circumstances that had changed since the last amendment to the Plan and Heeney Community Plan in 2006. The update was adopted on February 5, 2009.

In August 2009, the BOCC reprioritized the Planning Department's work program to amend the County's master plans and Land Use and Development Code ("Development Code") to more thoroughly address issues related to the balance and interaction between the various master plan goals and policies. Moreover, the manner in which the Countywide Comprehensive Plan is intended to support and provide a general context to, rather than supersede, the specific goals and policies that are contained in basin or subbasin master plans. The update was adopted on March 4, 2010.

## **III. INTRODUCTION**

*"The comprehensive plan is the starting point for establishing public purpose as it relates to growth and development."*

-- C. Gregory Dale

### **Statutory Authority**

In the State of Colorado, counties are authorized to formulate and adopt master plans pursuant to Colorado Revised Statutes 30-28-106, as amended. This authority is specifically granted to the planning commission. In Summit County, the Lower Blue Planning Commission has the responsibility for the formulation and adoption of master plans within the Basin.

On December 16, 1997 the BOCC adopted Resolution No. 98-146 which bolstered the role of master plans in the review and approval of subdivisions, rezonings, planned unit developments, and conditional use permits. This resolution sets forth strategies to aggressively support and implement basin and subbasin master plans.

In order to support the efforts of the BOCC, as stated in Resolution No. 98-146, the Lower Blue Planning Commission adopted Resolution No. 2000-05 on March 2, 2000. This Resolution approved minor amendments to the introductory language of the 2002 edition of the Plan to bolster its role. In addition, the amendments also reflected revisions to the Residential Land Use policies/actions of the Plan to support the Rural Land Use Subdivision regulations.

**Guiding Tenets of the Lower Blue Master Plan**

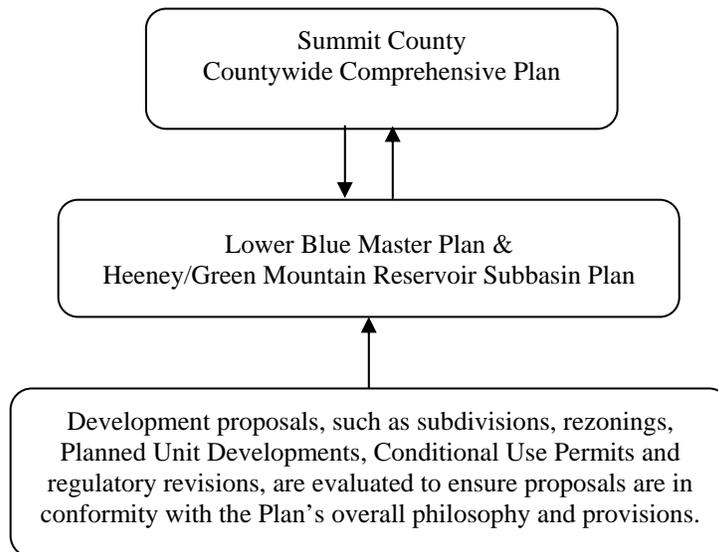
Umbrella Document/Hierarchy of Master Plans: The Countywide Comprehensive Plan is intended to provide general policy guidance, and serves as the umbrella document for this Plan. In contrast, the Lower Blue Master Plan serves as the primary document for particular guidance envisioned for the Basin, and is intended to be in harmony with the Countywide Comprehensive Plan. It is expressly intended that the Countywide Comprehensive Plan address broader issues and defer specific goals and policies/actions to this Plan for specific issues pertaining to the Basin. The goals and policies/actions presented in the Plan must be viewed in their totality and balanced with other goals and policies/actions presented in the Countywide Comprehensive Plan.

The heart of the Countywide Comprehensive Plan is the Land Use Element which directs the general location of where and how new growth will occur in the County. The Land Use Element establishes the County’s overall direction on land use issues. For example, several policies focus on the need to identify urban areas and rural areas in the County. However, that specific identification is a task delegated to each basin master plan. Thus, basin or subbasin master plans continue to provide the primary guidance on the location of different types of land uses.

The Plan’s Land Use Map reflects the anticipated development pattern for the Basin. This map is a synthesis and interpretation of all of the goals and policies/actions presented herein. In using this Land Use Map it is important to insure that the map is consistent with and furthers the intent of the various goals and policies/actions presented.

Figure 1 demonstrates the relationship between various master plans and development proposals in unincorporated Summit County. Development proposals are reviewed against the documents listed in the boxes above it to ensure general conformity.

**Figure 1. Relationship Between Master Plans & Development Proposals**



Consistency Between Goals and Policies: The goals and policies/actions articulated in this Plan are the primary mechanism to carry out the vision and goals of this particular master plan.

Advisory Nature, Application and Interpretation: The County’s master plans are advisory documents and contain

recommendations of the vision for the community in a number of different areas (e.g., envisioned use of land) and such goals or policies do not have the force and effect of law. Nevertheless, the Development Code makes “*general conformance*” with the provisions of master plans a requirement for certain development applications. The BOCC and planning commissions have the authority to consider and even require compliance with this Plan and certain goals and policies herein in particular applications (i.e. rezonings, PUDs, subdivisions, CUPs and regulatory revisions).

Review Authority: When using and applying a master plan, a Review Authority (i.e. BOCC, planning commission or staff) is entitled to discretion in evaluating whether there has been “general conformance” and compliance with the County’s master plans, assigning weight to particular goals and policies in this Plan on a case-by-case basis. Accordingly, Chapter 15 of the Development Code defines general conformance as:

“When a development application is evaluated regarding its general conformance with applicable master plans, the Review Authority shall evaluate the application against the entirety of the goals, policies and actions contained in the master plans and need not require compliance with every provision contained therein. Nonetheless, the Review Authority may require that an applicant satisfy any particular goal, action or policy if such compliance is deemed necessary to attain general conformance.”

Nexus to Development Code: Master plans are utilized to set out the broad goals, policies, information and concerns that speak to the issues implicated by growth and development, and, in turn, may affect the manner in which such development occurs. In this regard, within the framework of master planning, local ordinances and land use regulations are developed and adopted in consideration of master plans policies. Thus, such regulations, including the County’s Land Use and Development Code and regulations contained therein for procedures such as subdivisions, rezonings, and permits are regulatory and contain specific standards.

### **Purpose and Intent**

The purpose and intent of the Plan is to establish direction and provide specific recommendations for the future physical development of the Basin. The Plan articulates the community’s common vision for the future, and informs citizens, property owners and developers of the goals, policies/actions, and implementation strategies, which will shape the future of the Basin. It also provides a means for communication and coordination between the Town of Silverthorne, the County, special districts, and federal, regional and state agencies. As indicated in the Development Code, major development proposals such as subdivisions, rezonings, planned unit developments, conditional use permits, and regulatory revisions must be evaluated to ensure the proposals are generally consistent with the overall direction, intent, and guidance provided in the Plan.



The Plan plays an important role in presenting the community’s recommendation for future land uses. The Plan should also be used in conjunction with the Countywide Comprehensive Plan, which provides policy direction for the physical development of the entire County. Other specific plans such as subbasin, community/neighborhood, trails, and open space protection plans may address other more limited areas or functions.

The Plan sets forth the community’s vision for the future, which strives to strike a balance between constitutional rights of property owners and community goals. Implementation of the Plan through changes in zoning or other regulations will require public notice and hearings as required by law. The Plan and Heeneey/Green Mountain Reservoir Subbasin Plan shall be utilized to:

- Provide direction to the Lower Blue Planning Commission and BOCC in evaluating major development

proposals such as subdivisions, rezonings, planned unit developments, conditional use permits, and regulatory revisions.

- Inform citizens, property owners, and developers of the broad goals, policies/actions, implementation strategies, and desired future land uses within the Basin.
- Provide a policy foundation to recognize and preserve the character and identity of the Heeney community and surrounding area.
- Provide a means for communication and coordination of policies between other units of government including federal, state, county, municipal, special districts, and other agencies.

## **Scope**

The Plan applies to all unincorporated land in the Basin, which extends from Dillon Dam on the south to the Grand County-Summit County line on the north. The Plan does not specifically apply within the incorporated limits of the Town of Silverthorne. All development and land use activities within the unincorporated portions of the Basin are subject to the provisions of the Plan, except as provided by law. The Heeney/Green Mountain Reservoir Subbasin Plan is included as part of the Plan. The overall philosophy, goals, policies/actions, and implementation strategies of the Plan will apply within the Heeney/Green Mountain Reservoir area.

## **Amending and Implementing the Plan**

Existing conditions and assumptions upon which the Plan is based can change. As a result, no master plan can offer a complete and final prescription for the future. For this reason, it is anticipated that amendments to the Plan will be necessary and desirable. Amendments to the Plan can be initiated by the Lower Blue Planning Commission, the County's Planning Department, or any other interested party. Amendments will be considered by the Lower Blue Planning Commission according to the procedure for amending master plans stated in Chapter 2 of the Development Code.

The Development Code requires master plans be reviewed, modified as appropriate, and readopted every two years, or at a minimum, every five years. In addition to updating the Plan, the Planning Commission, with concurrence from the BOCC, may adopt a more accelerated program for the "implementation" of master plans. This more accelerated program should include, at a minimum:

- Appropriate regulatory changes (both interim and permanent) to realize the goals of the master plans (e.g., Rural Land Use Regulations).
- County initiated rezonings where appropriate.

Per requirements of the Development Code, and to facilitate discussion of the Plan and the incorporation of needed changes, the Planning Commission shall review and update the Plan at a minimum every five years.

## **Citizen Involvement**

Communities are composed of three elements: the natural environment, the built environment and people. For planning to respond to community needs and desires, people must have an opportunity to be involved in a planning process that reflects and balances environmental and economic interests and social and service needs. An informed public is essential to the function of land use planning. Effective participation requires education and information that produces a clear understanding of the programs, processes, procedures and timelines for action on planning issues, and allows various interests and viewpoints to be brought together.

Citizen involvement is intended to:

- Provide methods by which County citizens, community groups, organizations, and interest groups have opportunities to be informed and participate in all phases of the County planning process. This includes a forum to communicate their specific needs, issues and recommendations on master plan goals, policies/actions, and implementation strategies;
- Improve and coordinate public involvement with the planning work program so that citizen

- participation is timely; and,
- Provide a forum for citizens to comment on the planning processes of regional, state or federal agencies.

For future master plan amendments and land use planning processes, the County shall design and manage a citizen involvement program that is appropriate to the scale of the ongoing planning effort, offering opportunities for citizens to be involved.

#### **IV. OVERALL PHILOSOPHY AND STEWARDSHIP**

##### **Overall Philosophy**

The Basin is a unique part of the County and has historically been an agricultural and ranching community. However, the growth of the ski and recreation industry throughout Colorado has influenced the character and land use patterns in the County, including the Basin. Today the Basin is a mixture of national forest, wilderness areas, agriculture, natural resource extraction and processing, recreation, permanent residences, and second homes. Much of the real estate development and recreational use that has occurred in the Basin in the last fifteen years is a result of increased tourism in the County. The Town of Silverthorne, at the southern end of the Basin, serves as a hub providing services and some employment for residents of the area. North of Silverthorne, land uses shift from “urban,” or town-oriented, to agriculture, natural resource extraction and processing, dispersed recreation, and rural residential. In addition, Green Mountain Reservoir provides residents and visitors with a wide range of water-based recreational activities, some of which are not available elsewhere in the County, such as water skiing and swimming.



Cattle grazing on the Knorr Ranch.

The mix of historical land uses and changes introduced since the original Plan was adopted in 1990 has resulted in a diverse set of values, which affect the philosophy of planning in the Basin. The central theme of this philosophy is the protection of the Basin’s rural character. The overall philosophy of the Plan is to maintain the Basin’s existing rural character through protection of elements such as agricultural land uses, accessibility to public lands for dispersed recreation, open spaces, abundant wildlife and fisheries, and scenic views while protecting private property rights and promoting low-density development. The elements may, at times, be in conflict with one another. One purpose of the Plan is to identify community values and provide direction for balancing or resolving conflicts among important elements. The goals, policies/actions, and implementation strategies set forth in the Plan identify these values and provide direction to planning staff, developers, and decision makers in protecting the rural character of the Basin, while respecting private property rights.

##### **Rural Character**

What is rural character? *Webster’s New World Dictionary* defines rural as “of or relating to the country, country people or life, or agriculture.” The same dictionary defines country as “land with farms and small towns.” Defining “rural character” is subjective in that it varies from community to community depending on the predominant resource uses. Nevertheless, rural character in most cases encompasses expanses of open land occupied by ranches or other natural resource uses with small towns scattered in between. The concept of rural character also suggests smaller and less populated communities that foster traditional values such as trust and interaction with one’s neighbors. In the Plan, the rural character of the Basin includes physical features of wildlife, open meadows, irrigated hay pastures, hillsides, ridgelines, river valleys, ranch lands, forestlands, wilderness areas, environmentally sensitive areas, and significant view corridors.

In situations of conflict between different plan goals, policies/actions, and implementation strategies, the Planning Commission shall only recommend approvals for development proposals that conform with the overall philosophy of the Plan and the rural character of the Basin.

The Plan does recognize that the elements of rural character may be viewed differently in the Silverthorne Area versus the rural area north of Silverthorne. There are areas adjacent to Silverthorne that have an urban character and have little relationship to the rest of the Basin. The Plan accounts for these differences by splitting the Basin into two planning areas: the Rural Area and the Urban/Silverthorne Area (see Land Use Map). Specific goals, policies/actions and implementation strategies are provided for the Rural Area and the Urban/Silverthorne Area in the “Land Use” section of the Plan.

## **Stewardship**

The rural identity of the Basin is due in large part to its open space, agricultural uses and rich historical character. In the face of rapid past and future growth, preservation of the Basin’s rural character, natural environment and the quality of life presents complex challenges. A means to address these challenges is through sound stewardship practices implying management of the land in an ecologically sound, socially responsible and economically viable manner. Ranchers, farmers and landowners will need to continue to foster and tailor stewardship practices to help preserve the future rural character and quality of life offered in the Basin.

## **V. VISION STATEMENT**

The vision of the Lower Blue Basin community is to attain and balance the following:

- Carefully coordinate, consider and respect citizen involvement.
- Protect the property rights of property owners from arbitrary and discriminatory actions.
- Preserve and enhance the Basin's tremendous natural resources, including its spectacular vistas, diverse wildlife and ecosystems, and pristine air and water quality.
- Protect and preserve visual quality, important open space areas, and historical and cultural resources.
- Preserve important open spaces and improve trail systems and other public recreation opportunities.
- Provide opportunities to develop a diversified mix of housing in appropriate locations in the Urban/Silverthorne Area, which address the needs of permanent and seasonal residents.
- Develop an efficient transportation system while maintaining the rural character of the Basin.
- Provide adequate infrastructure and services, where appropriate, for existing and future development.
- Approve development that is complementary to the environment.
- Maintain the economic vitality of the Basin while promoting a sense of community.
- Preserve, in conjunction with the U.S. Forest Service and Bureau of Land Management, significant portions of the Basin’s public lands as natural resource lands and maintain or improve the open natural character, public access and recreational opportunities while protecting environmentally sensitive areas.
- Promote environmental protection and good stewardship practices through public education and involvement, incentives to property owners, acquisition, voluntary programs, land use planning and regulation, environmental monitoring, and intergovernmental cooperation.
- Aggressively implement the land use goals of the community as expressed in the Plan through promotion of a coordinated approach to the use of land with other governmental, regional, and private entities.

## VI. GOALS, POLICIES/ACTIONS

The following Land Use Element narrative does not serve as a goal or policy/action in its own right and is for illustration and guidance only.

### Land Use

#### Background and Existing Conditions

There are approximately 171,884 acres of land in the Basin, of which, 130,074 acres (76%) is publicly managed by the U.S. Forest Service, and 35,691 acres (20.8%) are unincorporated and under County jurisdiction. The Bureau of Land Management and the Colorado Division of Wildlife manage a smaller amount. Table 1. shows the approximate land ownership within the Basin.

| <b>Entity</b>                                     | <b>Approximate Acres</b> | <b>Percent Ownership of Total Lower Blue Basin Land Area</b> |
|---|--------------------------|--|
| National Forest System lands                      | 130,074                  | 75.68  |
| Private Lands (County jurisdiction)               | 35,691                   | 20.98  |
| Private Lands (Town of Silverthorne jurisdiction) | 2,546                    | 1.48   |
| Summit County Government                          | 2,226                    | 1.08   |
| Bureau of Land Management                         | 1,225                    | 0.71   |
| Colorado Division of Wildlife                     | 112                      | 0.07   |
| <b>TOTAL Basin Land Area</b>                      | <b>171,884</b>           | <b>100</b>   |

Source: Open Space and Trails, 2010; Summit County Planning Department, Suzanne Auer 2008.

Land use within the unincorporated area of the Basin, particularly north of the Town of Silverthorne, is predominantly agricultural. The majority of private unincorporated lands are ranch lands used for grazing, hay production, outfitting, equestrian activities/boarding, and firewood/timber harvesting. Over the years some of the lands that were formerly used for agriculture have been left fallow, split into large lots (usually either 20 or 40 acres in size), or converted to other uses such as gravel mining.

Residential land use north of the Town of Silverthorne is primarily on lots of 20 acres or greater, consistent with the A-1 (Agriculture) zoning district that applies to most lands in the Basin. A handful of anomalies to this land pattern exist, including the Sierra Bosque subdivision and the subdivisions around the Heeney community. Unincorporated residential land surrounding the Town of Silverthorne contains a wide variety of densities, with high urban densities of up to 25 units per acre in portions of the Wildernest area; densities averaging one unit per acre in Ptarmigan Government Small Tracts; and low densities averaging one unit per four acres in the Ruby Ranch subdivision.

Commercial and industrial uses are located almost entirely within the Town of Silverthorne boundaries, with the exception of a small amount of commercial uses found in Wildernest and the Heeney area. A large gravel mining and crushing operation is located just north of the Town limits.

#### Lower Blue Basin Residential Build-Out

Table 2 provides a snapshot of the residential build-out in the Basin as of July 2009. Build-out refers to the development of land based on existing zoning, and the County's build-out analysis is broken out into two categories: "absolute" and "realistic".

Absolute build-out represents an evaluation of the existing zoning on every parcel of private land in unincorporated portions of the County and determines the maximum potential residential development allowed by that zoning. It

represents the absolute or ultimate build-out potential that is permitted by existing and underlying zoning. For example, for A-1 zoned lands 70 acres or greater build-out density was considered to be 1-unit/17.5 acres (density allowed by the cluster subdivision regulations), instead of 1 unit/20 acres (density allowed under normal A-1 zoning). However, the build-out conducted for the Basin did not consider the potential for future upzonings or annexations by the Town of Silverthorne.

Realistic build-out represents a more likely picture of the build-out that may occur in the County and accounts for the fact that it is unlikely absolute build-out will be realized or achieved (i.e. the total number of units allowed per zoning will not be built). Realistic build-out factors in constraints that could preclude realization of the full development potential allowed under the existing zoning regulations. For example: on-site and off-site constraints to remaining development, private property owners electing to keep large tracts of land intact, restrictions placed on a property per a conservation easements that preclude development, and properties acquired for open space preservation.

| <b>Table 2. Lower Blue Basin<br/>Summary of Absolute and Realistic Build-Out as of July 2009</b> |                                  |                                    |  |                                |                                |
|--|----------------------------------|------------------------------------|--|--------------------------------|--------------------------------|
| <b>Residential Totals</b>  | <b>Total Units Built to Date</b> | <b>Remaining Units to be Built</b> | <b>Additional Subdivision Potential in Units</b> | <b>Absolute Build-Out</b>      | <b>Realistic Build-Out</b>     |
| Unincorporated   | 3,542                            | 1,878                              | 1,012  | 6,432<br>(55.1%)               | 4,933<br>(71.8%)               |
| Town of Silverthorne   | 1,813                            | 1,131                              | N/A  | 2,944<br>(61.6%)               | 2,648<br>(68.5%)               |
| <b>Basin-wide</b>  | <b>5,355</b>                     | <b>3,009</b>                       | <b>1,012</b>                                     | <b>9,376</b><br><b>(57.1%)</b> | <b>7,581</b><br><b>(70.6%)</b> |

Sources: Summit County Planning Department, 2009; and Town of Silverthorne, 2008.

In 1993, the Basin was at approximately 40 percent of realistic build-out and as of July 2009 realistic build-out was over 70 percent (this includes incorporated and unincorporated areas, but not commercial properties). This change represents almost a 30 percent increase in realistic build-out over 14 years. Reference the Heeney/Green Mountain Reservoir Subbasin Plan for specific details regarding build-out in that area.

Based on the build-out analysis and Summit County Building Department Certificate of Occupancy (CO) data, as the Basin approaches build-out and continues to develop, a number of observations and assumptions can be made regarding 1) the types, 2) location, and 3) rate at which new residential development will likely occur in the unincorporated areas. These observations and assumptions are as follows:

- Residential development in the future will be focused on single-family residences. No COs were issued in 2004, 2005 or 2006 for multi-family development (4 COs for multifamily units were issued in 2007).
- The majority of the vacant lots or property that can be developed are located primarily in the “Rural” area of the Basin. Specific subdivisions which are less than half built-out include: Acorn Ranch Estates, Clover Meadows, Meadowbrook Acres, Pioneer Creek Ranch, and Ute Park area. The subdivision potential of unsubdivided A-1 zoned lands over 70-acres is 1,202 units (there are approximately 85 properties over 70 acres with subdivision potential).

Residential growth will likely occur at a slower rate than in the 1990s and similar to rates experienced between 2004-2009. Between 1993-2001 there were a total of 702 COs issued in unincorporated portions of the Basin for new residential development (an average of about 78 COs per year). Between 2004 – 2009 the pace of development was substantially slower, with a total of 153 COs issues during that time period (an average of about 26 COs per year).

Density and Zoning

A number of considerations under federal, state, and local law allow or enable the County to impose more restrictive development standards or otherwise create a higher degree of restriction on the development of property, including the density related thereto. It is expressly anticipated that the application of the Plan's provisions during subdivision review, as well as subdivision regulations, and other laws and regulations, may limit and affect the type of land uses and/or related density that may be located on the property below the maximum potential density permitted by zoning.

Accordingly, this Plan by design goes beyond the simple linear or direct contemplation of density afforded by zoning and establishes goals and policies that attempt to shape the actual physical development of the community and the Basin. Thus, this Plan, in conjunction with the Joint Upper Blue Master Plan and Countywide Comprehensive Plan, may have the effect of limiting the potential development of the theoretical maximum density allowed by zoning on property.

### Land Use Designations and Descriptions

The 2002 edition of the Plan divided land use in the unincorporated areas into two types of land use designations: a Rural Area and Silverthorne Area (now referred to as the "Urban/Silverthorne Area"). The Rural Area designation applied to all lands north of the Town of Silverthorne in the Basin. The Silverthorne Area designation applied to lands south of the northern boundary of the Silverthorne town limits, as of March 7, 2002. Per the Plan, densities in the Rural and Silverthorne Areas were not to exceed one unit per 20 acres or one unit per 17.5 acres if subdivided through the County's Rural Land Use Subdivision Regulations. However, a range of additional uses and densities in the Silverthorne Area could be proposed and be greater than one unit per 17.5 acres provided that TDRs were utilized.



Views of the Basin from single family residences located in the Acorn Creek area.

It was the intention in the 2006 update to the Plan to use those same Rural and Silverthorne Areas, principles and base densities. However, there were a number of factors to consider in the Basin, which warranted creating additional land use designations beyond just the Rural Area and Silverthorne Area. Specific factors that influenced the creation of new land use designations in the 2006 edition of the Plan included:

- A range of types of development and development pressures.
- Pressure to develop at higher density in or near the Urban/Silverthorne Area and need for better guidance.
- The need to recognize existing situations and anomalies (e.g., there are 12 zoning districts found in the Basin).
  - Many properties have existing zoning districts that allow higher densities than one unit per 20 acres like the RME zone district classification in the Sierra Bosque Subdivision.
  - There are approximately 40 parcels zoned A-1 in the Rural Area, which are less than 20 acres.
- The need to identify appropriate sending and receiving sites for TDRs.

Seven land use designations were subsequently developed and incorporated into the 2006 edition of the Plan. The land use designations are intended to allow for an approach to land use that is simple, and recognizes the existing residential and commercial zoning and development patterns in the Basin. In addition to the above reasons, the key tenets used to develop the basis for the land use designations and supporting policies/actions in the 2006 edition of the Plan were:

- Protect the rural character and identity of the Basin, and possibly allow for higher density development in the identified Urban/Silverthorne Area provided TDRs are utilized (following the intent of the 2002 edition of the Plan).

- To the extent possible, recognize existing development patterns.
- Identify anomalies in the existing master plan Rural Area land use designation.
- Recognize and consider the recommendations from the Lower Blue TDR Committee and the potential utilization of TDRs to protect visual resources and environmentally sensitive areas in the Basin.

Table 3 below outlines the seven land use designations, which include general guidelines and description of uses for unincorporated land in the Basin. Based on existing conditions in the Basin, no commercial oriented land use designations have been developed or designated. Reference the Lower Blue Basin Land Use Map to see where the designations apply.

| <b>Table 3. Lower Blue Master Plan Land Use Designations</b>  |  |
|---|--|
| <b>General Guidelines</b>   | <b>Description of Uses</b>   |
| <b>Community Facility</b>   |  |
| Facilities used by the community as a whole that serve the population of the community and provide an essential service to the community in which they are located.   | <ul style="list-style-type: none"> <li>• Community facility uses allowed such as: parks, recreational facilities, trails, parking lots/structures, fairgrounds, police and fire stations, community centers (i.e. Slate Creek Community Hall), and maintenance and storage facilities.</li> </ul>  |
| <b>Private Open Space (Conservation easements, platted open space and common areas)</b>   |  |
| Protect and preserve conservation easements, platted open space or common areas designated on private property.   | <ul style="list-style-type: none"> <li>• Density and uses limited to those allowed by the conservation easement.</li> <li>• For platted open space or common areas, uses should be as permitted by zoning, plat notes or conditions of approval.</li> </ul>  |
| <b>Open Space and Recreation (Public)</b>   |  |
| Protect and preserve lands in a predominately undeveloped state. These include lands purchased through the County's open-space program.   | <ul style="list-style-type: none"> <li>• Provides for one or more of the following community benefits: common areas, buffers, view corridors, access to trails, trailheads, water bodies or National Forest System lands.</li> <li>• Uses permitted by open space zone district, existing conservation easements or management plans.</li> <li>• Extensions to existing undeveloped open-space or National Forest System lands.</li> <li>• Passive and dispersed recreation activities.</li> <li>• On PUD and SU-1 (Special Use) zoned lands, developed facilities and uses as allowed per zoning.</li> <li>• The density on parcels acquired as open space by the County, and not yet rezoned to the open space zone district, could be recognized and removed to facilitate a TDR transaction within the Basin.</li> </ul> |
| <b>Federal Lands (Open Space/Natural Resource/Recreation)</b>   |  |
| The designation refers to National Forest System or Bureau of Land Management lands to be used for public use. Protect these lands from development other than recreational uses. Management activities should maintain or improve the quality of recreational opportunities and forest health. | <ul style="list-style-type: none"> <li>• A broad spectrum of recreational activities should be provided while balancing environmental protection and other goals presented in this Plan and Countywide Comprehensive Plan.</li> <li>• Developed and dispersed recreational uses and activities.</li> <li>• Other uses authorized by the USFS (e.g., visitor services for recreational users). Man-made/developed facilities or changes to the land should blend with natural features and complement the natural appearance of the landscape.</li> <li>• Uses related to maintaining the character of open-space areas and multiple-use management of natural resources, including forest management, protection and enhancement of riparian areas and wildlife habitat.</li> </ul>  |
| <b>Urban/Silverthorne Area</b>  |  |
| Intended for unincorporated properties  | <ul style="list-style-type: none"> <li>• A full range of land uses may potentially be allowed on</li> </ul>  |

**Table 3. Lower Blue Master Plan Land Use Designations**

| General Guidelines   | Description of Uses  |
|--|--|
| <p>within the Urban/Silverthorne Area to allow for a range of activities, appropriate urban level development, and the utilization of TDRs.</p>  | <p>properties in the Urban/Silverthorne Area, subject to approval of a rezoning that includes bringing in TDRs to the property (originating from either sending sites in the Rural Area or through inter-basin transfers).</p> <ul style="list-style-type: none"> <li>• A rezoning must be approved on a property in the Urban/Silverthorne Area in order for the property to receive TDRs.</li> <li>• Maximum densities should be determined through the rezoning process.</li> <li>• Allow for primary and accessory structures as permitted by zoning.</li> <li>• The uses, densities, intensities and development standards shall take into consideration site constraints, environmentally sensitive areas, and be consistent with sensitive site design requirements.</li> </ul>   |
| <b>Residential</b>   |  |
| <p>Intended for non-conforming A-1 properties and parcels zoned for a density of less than one unit per 20-acres of land in the Rural Area. For example, the RME zone district classification in the Sierra Bosque Subdivision. Preserve and retain community character and existing development patterns for properties that have existing zoning districts that allow higher densities than one unit per 20 acres.</p> | <ul style="list-style-type: none"> <li>• Provide for single-family residential development and density, while retaining and protecting the area’s character and resources.</li> <li>• Density and uses limited to those as permitted by zoning.</li> <li>• The uses, densities, intensities and development standards should take into consideration site constraints and environmentally sensitive areas, and be consistent with sensitive site design requirements.</li> <li>• A rezoning of properties to a higher density is allowed if: <ul style="list-style-type: none"> <li>- It is identified as a TDR Receiving Site and density is transferred to the property (originating from sending sites in the Rural Area, as identified on the Land Use Map);</li> <li>- Approved through the rezoning process; and,</li> <li>- Developed via a sensitive design/clustered/rural land use subdivision-type approach.</li> </ul> </li> <li>• Require that new subdivisions and subdivision exemptions include disturbance envelopes for all lots to limit overall site disturbance and to avoid impacts.</li> </ul>  |
| <b>Rural Residential</b>   |  |
| <p>Intended for parcels zoned A-1, which contain more than 20-acres of land area. Emphasize protection of the existing rural ranchlands and associated open space. Allow uses consistent with preserving the rural identity, landscape and character of the Basin, and consistent with activities expected within a rural location.</p>  | <ul style="list-style-type: none"> <li>• Uses limited to those allowed by zoning and consistent with the protection of valued physical features, such as: wildlife, open meadows, irrigated hay pastures, hillsides, river valleys, ranch lands, forest lands, wilderness areas, environmentally sensitive areas, and significant view corridors.</li> <li>• Densities should not exceed one unit per 20 acres or one unit per 17.5 acres if subdivided through the County’s Rural Land Use Subdivision Regulations.</li> <li>• Natural resources, agriculture and forestry related uses allowed.</li> <li>• Dispersed recreational uses such as: hiking, horseback riding, and snowmobiling where consistent with preserving the area’s natural resources.</li> <li>• Mining and developed recreational uses should require a conditional use permit to ensure impacts of such uses are appropriately addressed.</li> <li>• A rezoning of properties to a higher density is allowed if: <ul style="list-style-type: none"> <li>- It is identified as a TDR Receiving Site and density is transferred to the property (originating from sending sites in the Rural Area);</li> </ul> </li> </ul> |

| <b>Table 3. Lower Blue Master Plan Land Use Designations</b> |   |
|--|---|
| <b>General Guidelines</b>                                    | <b>Description of Uses</b>  |
|  | <ul style="list-style-type: none"> <li>- Approved through the rezoning process; and,</li> <li>- Developed via a sensitive design/clustered/rural land use subdivision-type approach.</li> </ul> |

*“Thought must be given to how plan policies can be achieved with the least infringement on ownership rights.”*  
 -- Irving Schiffman

*Urban/Silverthorne Area*

**Goal A. Allow appropriate urban level development and coordinate with the Town of Silverthorne to ensure planned annexations and growth patterns.**

Policy/Action 1. Land designated as Urban/Silverthorne Area on the Land Use Map should be similar to those allowed in the Rural Area, unless TDRs are utilized.

1.1 A full range of land uses may potentially be allowed on properties in the Urban/Silverthorne Area, subject to approval of a rezoning that includes bringing TDRs (originating from sending areas or approved optional areas in the Rural Area or through inter-basin transfers) to the property.

1.1.1. Land uses should be compatible with surrounding properties.

1.1.2. Allow for customary accessory structures as permitted by zoning.

Policy/Action 2. Base density in the Urban/Silverthorne Area should not exceed a maximum of one unit per 20 acres or one unit per 17.5 acres if subdivided through the County’s Rural Land Use Subdivision Regulations. Densities greater than one unit per 17.5 acres may be proposed provided that TDRs are utilized.

2.1 Density in the Urban/Silverthorne Area may be increased when development rights (originating from sending or approved optional areas in the Rural Area or through inter-basin transfers) are transferred to a property through TDRs. Maximum densities allowed should be determined through the rezoning process.

2.2 A rezoning must be approved on a property in the Urban/Silverthorne Area in order for the property to receive TDRs.

2.3 All properties in the Urban/Silverthorne Area are potentially eligible as a receiving area for TDRs.

Policy/Action 3. The County and Town of Silverthorne should work cooperatively to develop intergovernmental agreements that establish the following:

3.1 A requirement that some portion of TDRs accompany all future annexations that include higher densities or more intense land uses than allowed in the Rural Area.

3.2 The designation by the Town of Silverthorne of an urban growth boundary and TDR receiving areas within the Urban/Silverthorne Area, clearly defining the areas where the Town plans future annexations and anticipates growth.

Policy/Action 4. All subdivision, rezoning, and site plan proposals in the Urban/Silverthorne Area should consider the following sensitive site design requirements:

4.1 Strongly discourage development locating along or in:

- Prominent hillsides or ridgelines.
- Environmentally sensitive areas.
- Sage meadows and open landscapes.
- Agricultural lands.

4.2 To the extent possible and recognizing fire mitigation requirements, retain trees and forested areas while still providing protection of the resources listed under 4.1.

### *Rural Area*

#### **Goal B. Allow land uses in the Rural Area that are consistent with protecting the rural character and identity of the Basin.**

Policy/Action 1. Land uses in the Rural Area (see the Land Use Map) should be generally consistent with a goal of preserving the existing rural landscape and consistent with activities expected within a rural location (e.g., low density residential development, natural resource uses such as agriculture, forestry, and mining).

Policy/Action 2. Land designated as Residential on the Land Use Map should provide for single-family residential development and density, while retaining and protecting the area's character and resources.

- Density and uses should be limited to those allowed by zoning.
- The uses, densities, intensities and development standards should take into consideration site constraints, environmentally sensitive areas and be consistent with sensitive site design requirements.
- Allow for primary and accessory structures as permitted by zoning.

2.1 A rezoning of properties designated as Residential to a higher density is allowed if:

- Approved through the rezoning process. The merits of the rezoning will be evaluated at the time of a rezoning request and if approved shall require the property to transfer in density that originates from sending or approved optional area in the Rural Area (as defined by the Lower Blue Master Plan).
- Developed via a sensitive design/clustered/rural land use subdivision-type approach.

2.2 Require that new subdivisions and subdivision exemptions include disturbance envelopes for all lots to limit overall site disturbance and to avoid impacts.

Policy/Action 3. Land designated as Rural Residential on the Land Use Map should limit uses to those allowed by zoning and be consistent with the protection of valued physical features, such as: wildlife, open meadows, irrigated hay pastures, hillsides, river valleys, ranch lands, forest lands, wilderness areas, environmentally sensitive areas and significant view corridors. Other uses allowed include:

- Natural resources, agriculture and forestry related uses.
- Dispersed recreational uses such as: hiking, horseback riding, and snowmobiling where consistent with preserving the area's natural resources.

3.1 Mining and developed recreational uses should require a conditional use permit review to ensure impacts of such uses are appropriately addressed and mitigated. If adequate mitigation is not possible such uses should be denied.

- 3.2 Golf courses and downhill ski areas should not be allowed.
- 3.3 Rural Residential densities should not exceed one unit per 20 acres or one unit per 17.5 acres if subdivided through the County’s Rural Land Use Subdivision Regulations.
- 3.4 A rezoning of properties to a higher density is allowed if:
  - Approved through the rezoning process. The merits of the upzoning will be evaluated at the time of a rezoning request and if approved shall require the property to transfer in density that originates from sending or approved optional area in the Rural Area (as defined by the Lower Blue Master Plan).
  - Developed via a sensitive design/clustered/rural land use subdivision-type approach.

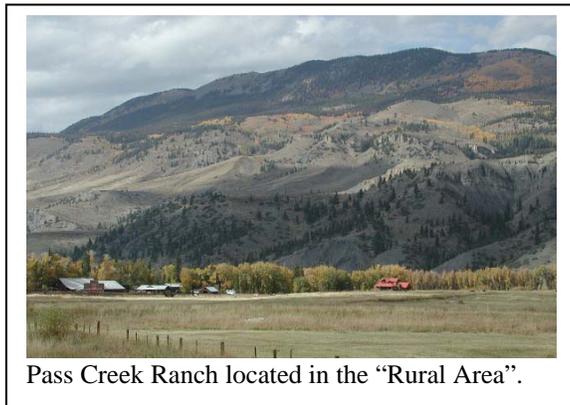
Policy/Action 4. For parcels less than 35 acres, the Development Code shall be amended to require conditional use permits for certain uses so that adequate conditions are put in place to ensure impacts of the uses are appropriately addressed. Examples of these uses include the following: elementary and middle schools, motor vehicle storage yards, athletic facilities, fish farms and hatcheries, and small scale hydro plant facilities.

Policy/Action 5. Amend the Development Code to provide more local control (e.g., requiring conditional use permits) over the location and operation of wild game ranches, and certain commercial lumbering in the A-1 Zoning District.

- 5.1 Commercial lumbering involving a clearcut in excess of 10 acres should require a conditional use permit.

Policy/Action 6. All subdivision and rezoning proposals in the Rural Area shall be subject to the following sensitive site design requirements:

- 6.1 Strongly discourage locating development along or in:
  - Prominent hillsides and ridgelines.
  - Environmentally sensitive areas.
  - Sage meadows and open landscapes.
  - Critical fish and wildlife habitat and travel corridors.
  - Agricultural lands.
- 6.2 To the extent possible and recognizing fire mitigation requirements, retain trees and forested areas while providing protection of the resources listed under policy/action 6.1.
- 6.3 Require the use of exterior materials and colors that blend with the landscape.



### *Shane Gulch Subdivision*

The Shane Gulch Subdivision is located on the east side of State Highway 9, just north of the southern junction of County Road 30 and Highway 9. The subdivision was platted by George Culbreath in 1976 and is approximately 15.6 acres in size, divided into 3 lots, and zoned Residential Mountain Estates (RME). The rezoning and subdivision of the property in the 1970s supported development that was low-density or rural in character (approximately 1 unit per 5 acres), and took into consideration the protection of viewsheds and the preservation of wildlife habitat. County records indicate that the Regional Planning Commission and the BOCC specifically approved the rezoning from A-1 to RME for a maximum of 3 single-family lots.

However, it could be interpreted that additional density beyond three single-family residences is possible within the RME zone district. Thus, further subdivision of the property for more than three lots or residential units could be proposed. Accordingly, any issues associated with the property would be considered during any future subdivision review or request. Nevertheless, the recommended land use for the Shane Gulch Subdivision is for three (3) platted single-family residences on the 15.6 acres.

Policy/Action 7. The recommended land use for the Shane Gulch Subdivision is for three (3) platted single-family residences on the 15.6 acres.

### *Other Land Use Designations*

#### **Goal C. Future land uses should be consistent with the land use designations identified on the Lower Blue Basin Land Use Map.**

Policy/Action 1. Land designated as Community Facility should allow for those uses defined in the Countywide Comprehensive Plan, including but not limited to: parks, recreational facilities, trails, parking lots/structures, fairgrounds, police and fire stations, community centers (i.e. Slate Creek Community Hall), and maintenance and storage facilities.

Policy/Action 2. Land designated as Private Open Space should allow for density and uses limited to those allowed by the conservation easement, and for platted open space or common areas, uses should be as permitted by zoning, plat notes or conditions of approval.

Policy/Action 3. Land designated as Open Space and Recreation (Public) shall protect and preserve lands in a predominately undeveloped state. These include lands purchased through the County's open-space program, platted open space or common areas, and established conservation easements.

3.1 Passive and dispersed recreational uses such as hiking, horseback riding, and snowmobiling should be allowed where consistent with preserving the area's natural resources and approved management plans.

3.2 On PUD and SU-1 (Special Use) zoned lands, developed facilities and uses should be as allowed per zoning.

3.3 The density on parcels acquired as open space by the County, and not yet rezoned to the open space zone district, could be recognized and extinguished or retired to facilitate a Transferable Development Rights (TDR) transaction within the Basin or County.

Policy/Action 4. Land designated as Federal Lands (Open Space/Natural Resource/Recreation) should be protected from development and allow for uses related to maintaining the character of open space areas. Management activities should maintain or improve the quality of recreational opportunities, forest health, and protection and enhancement of riparian and wildlife habitat.

- 4.1 Developed and dispersed recreational uses and activities, other uses authorized by the U.S. Forest Service (e.g., visitor services for recreational users), and man-made/developed facilities are allowed. Man-made/developed facilities or changes to the land should blend with natural features and complement the natural appearance of the landscape.

#### Transferable of Development Rights (TDRs)



In September 2003, the BOCC appointed a group of property owners and residents of the Basin to serve on the Lower Blue TDR Committee. The committee's purpose was to evaluate alternatives for enacting a TDR program in the Basin and to develop a proposal for a Lower Blue TDR program. Initiation of this effort was based on policies in the 2002 edition of the Plan that suggested that TDRs could be used as a tool to protect ranchlands, environmentally sensitive areas and other important resources in the Basin.

The result of the committee's work was a "Proposal for the Use of Transfer of Development Rights (TDRs) in the Lower Blue Basin." The "Proposal" was intended to provide guidance for future amendments to the Lower Blue Master Plan, TDR regulations in the Development Code, as well as other actions necessary to fully enact a Lower Blue TDR program. Key goals of the TDR Program identified by the committee in their proposal were as follows:

- Preserve the existing character of the Basin, by preserving lands of high visual quality, environmentally sensitive lands, ranchlands, open space, and other important resources.
- Provide development rights to appropriate receiving areas that are capable of accommodating additional development.
- Provide a mechanism to monetarily compensate landowners who voluntarily participate in the TDR Program, thereby providing opportunities to preserve important resources in the Basin.

In September 2007, the BOCC adopted and codified TDR program regulations for the Basin. The regulations were shaped using the guidance provided in the 2006 edition of the Plan, and were a result of extensive input from the public, Lower Blue TDR Committee, Lower Blue and Countywide planning commissions. The TDR Sending and Receiving Areas Map contained in the Plan matches the map adopted and codified in the Development Code. The TDR program for the Basin is significantly different than the Snake River, Ten Mile and Upper Blue Basin TDR programs.

Some of the key provisions of the Lower Blue TDR program regulations include:

- Identified sending areas protect valued resources.
- Property owners retain ownership of their property and a restrictive covenant (i.e. document enforceable by the County) is placed on the property.
- Residual uses allowed on a sending or optional area are relatively consistent with those listed in the Rural Cluster Subdivision Regulations of the Development Code.
- The market value (i.e. purchase price) of TDRs should be determined on a case-by-case basis based on negotiations between property owners and interested buyers.

#### *TDR Program Specifics*

**Goal D. Continue to update the Lower Blue TDR Program regulations to further enhance the program's effectiveness or reflect changing conditions in the Basin.**

- Policy/Action 1. Explore and possibly establish a more formal mechanism to enable the sale, banking or interbasin transfer of TDRs in the Basin (e.g., institute a Lower Blue TDR Bank).
- Policy/Action 2. If the Town of Silverthorne decides to participate in the TDR program, then an Intergovernmental Agreement should be established, specifying agreed-upon rules relating to the transfer of density between jurisdictions.
- Policy/Action 3. The County Assessor's office should be notified of all TDR transactions. Future tax assessments on TDR sending or approved optional areas should reflect the open space/agricultural uses remaining on the property.
- Policy/Action 4. The County's building permit review process should include verification that proposed building sites are not dedicated TDR sending or approved optional area properties (e.g., property has a deed-restriction regarding extinguished or transferred density/development rights or open space preserved through a TDR transaction), to ensure that no future development occurs on these properties.

### National Forest System Lands

The majority of the land in the Basin (75.7%) is under public ownership, almost all of which is managed by the U.S. Forest Service. These lands provide a wide range of recreational opportunities and also are important for the open space and environmental values (e.g., wildlife habitat, hiking, viewsheds) that they provide. Included in the National Forest System lands are both of the County's wilderness areas (Eagles Nest and Ptarmigan Peak).

The County has limited ability to control land use on National Forest System lands. However, the activities that occur on these lands can have direct impacts on adjacent private lands, and vice versa. The overall philosophy of the Countywide Comprehensive Plan and this Plan is to take a holistic approach to land use issues in the Basin. As a result, the respective policies/actions promote coordination with the U.S. Forest Service on land use issues. The U.S. Forest Service has established a "Landownership Adjustment Analysis (LOAA)". The LOAA indicates lands appropriate for acquisition by the U.S. Forest Service and lands that could be conveyed into private ownership.

### **Goal E. The County and U.S. Forest Service should coordinate on land use decisions affecting the Basin.**

- Policy/Action 1. The Basin contains two designated Wilderness Areas in the County (Eagles Nest and Ptarmigan Peak Wilderness Areas); therefore, the U.S. Forest Service should continue to work with other entities to maintain a buffer around the edge of these designated wilderness areas to preserve the Basin's unique wilderness characteristics.

### Agricultural Lands

The rural character of the Basin is largely defined by its agricultural activities and ranching heritage. There are several important reasons for the preservation of agricultural lands in the Basin. These reasons include the preservation and protection of open space, maintenance of economic viability of agricultural activities, preservation of the rural lifestyle and character, and visual quality. While respecting underlying zoning, density, and Senate Bill 35, and by providing incentives and encouraging property owners to keep lands in agricultural use, the Plan can encourage more compact urban development in the Urban/Silverthorne Area. The preservation of agricultural lands helps to maintain open space and promotes local economic self-sufficiency.

Ranching and agricultural activities in the Basin are integral elements necessary for the continued vitality of its history, landscape, lifestyle, and culture. Given their importance to the Basin and the State of Colorado, agricultural lands and operations are worthy of recognition and protection. Colorado is a "Right-to-Farm" state. This means that landowners, residents, and visitors must be prepared to accept the activities, sights, sounds, and smells of the Basin's agricultural operations as a normal and necessary aspect of living there.

**Goal F. Encourage the protection and preservation of agricultural land and the ranching community through a variety of techniques.**

Policy/Action 1. Minimize and reduce pressures to convert lands zoned for agricultural use to more intensive uses.

1.1 Develop other programs and utilize a variety of planning tools such as open space purchases by the County or other entities, voluntary tax incentive programs, TDRs, conservation easements, urban growth boundaries, and zoning (e.g., PUDs) to preserve and protect agricultural lands in the Basin.

1.2 Develop and implement criteria governing buffering of incompatible uses adjacent to agricultural land.

1.3 While respecting underlying zoning and density, retain irrigated agricultural meadows for grazing, hay production and other agricultural purposes.

Policy/Action 2. While respecting underlying zoning and density and according to established County design standards and regulations, require that new development employ design and construction techniques that, to the extent possible:

2.1 Utilize sensitive site design of lots and building envelopes to minimize disturbance to agricultural lands and provide infrastructure most efficiently;

2.2 Minimize impacts to agricultural lands; and,

2.3 Avoid the extension of infrastructure, including roads and utilities, onto lands assessed and classified as agricultural lands by the County Assessor in the Rural Area, unless such extensions are deemed necessary and mitigate impacts. Roads used for agricultural operations are exempt from this requirement.

Policy/Action 3. Support efforts by private conservation organizations (e.g., land trusts) and the County to utilize voluntary conservation easements as a means of preserving agricultural lands.

Policy/Action 4. Encourage stewardship practices, which protect agricultural lands.



## Affordable Workforce Housing

In response to the undersupply of affordable workforce housing, in September 2008 the BOCC determined that it was a priority and necessary for each basin planning commission to update their respective master plan in an attempt to identify properties in the unincorporated areas of the County that could potentially serve as sites to locate affordable workforce housing.

### Intent

This section of the Plan is intended to represent a significant step to address the supply of housing that is affordable to all types of local employees in the unincorporated portions of the Basin. The results of updating this element in the 2009 edition of the Plan could have direct impacts to help plan for or facilitate any potential affordable workforce housing projects in the future.

Amending the Plan to evaluate and identify sites for affordable workforce housing was relevant and one of the first steps necessary to encourage and plan for future affordable workforce housing in unincorporated portions of the Basin. The subsequent information, goals, policies/actions and accompanying Affordable Workforce Housing Map are intended to ultimately help guide, spur or encourage affordable workforce housing projects in the future (e.g., land banking, land trades, development and redevelopment opportunities, and/or strategic partnerships).

### Overview of the Existing Inventory of Affordable Housing Units

Table 4 identifies the inventory of affordable workforce and employee housing units in the Basin as of October 2008. The summary represents units that have some type of “restriction” attached to them.

| <b>Table 4. Inventory of Affordable Workforce and Employee Housing Units<br/>in the Lower Blue Basin</b> |                        |                                       |   |
|--|------------------------|---------------------------------------|---|
| Lower Blue Basin   | Existing Housing Units | Potential / Proposed<br>Housing Units | Total Housing Units<br>(Existing & Potential /<br>Proposed) |
| Unincorporated Area  | 5                      | 0                                     | 5   |
| Town of Silverthorne   | 177                    | 102                                   | 279   |
| <b>Total</b>   | <b>182</b>             | <b>102</b>                            | <b>284</b>  |

Source: Summit County Planning Department and Town of Silverthorne.

Per the table, as of October 2008 there were approximately 284 affordable workforce and employee housing units built or in the process of being built in the Lower Blue Basin. Of these there were 5 existing restricted units in the unincorporated portion of the Basin. In the Town of Silverthorne there were 177 restricted units built and approximately 102 restricted units to be constructed (i.e. Red Peak Village). However, the status of the Red Peak Village project was unclear as of the 2010 edition of the Plan.

Accessory apartments or caretaker units are other forms of affordable housing but were not included in the above analysis. Nevertheless, as of October 2008 there were 18 accessory apartments and a number of caretaker units in the Basin.

### Methodology and Site Suitability Analysis

To identify properties that could potentially serve as locations for affordable workforce housing, a thorough analysis to evaluate “every” property in unincorporated portions of the Basin was conducted. The process resulted in identifying specific properties in the Basin that were not encumbered by significant development constraints and displayed characteristics, when weighed against other sites that made potential affordable workforce housing seem the most viable or practical. These properties were discussed further with the Lower Blue Planning Commission and evaluated in more depth through a “site suitability analysis”.

The site suitability analysis conducted for each property evaluated locator and factual background information, and specific criteria that took into consideration such things as: proximity to employment centers, availability of necessary infrastructure and utilities, adequate access, access to mass transit, neighborhood compatibility, development constraints on the site and opportunities to create a quality residential community on the site.

The following goals and policies/actions are intended to advance affordable workforce housing in the Basin.

**Goal G. Increase the supply of local resident housing in the Basin through promoting or facilitating opportunities, strategies and proposals that guide, plan for and provide affordable workforce housing.**

Policy/Action 1. Support the Countywide Comprehensive Plan goals and policies/actions regarding affordable workforce housing (e.g., deed-restricted affordable workforce housing units shall be exempt from requirements to transfer density).

Policy/Action 2. The following sites or general locations (as identified in Table 5 below and/or on the Lower Blue Basin Affordable Workforce Housing Map) have been identified as potentially appropriate for affordable workforce housing (in addition to other possible identified land uses). The general guidelines, when applicable, shall be used to shape possible proposals on these sites/properties.

| <b>Table 5. Lower Blue Basin – Affordable Workforce Housing Potential Sites/Locations</b> |  |
|---|--|
| <b>Site or General Location</b>   | <b>General Guidelines</b>  |
| Overlay – Ballfields Area<br>Approximate Size: 78 acres                                   | Housing on this site should range from low to medium density (i.e. SFRs, duplexes or small-scale townhomes) and to the extent possible: maintain access to area trails (i.e. Recpath spur), protect existing recreational resources (e.g., Blue River), mitigate any potential impacts to recreational amenities/facilities (e.g., ball fields), and provide an adequate buffer to riparian areas. |
| Split Creek<br>(USFS land south of I-70)<br>Approximate Size: 2 - 4 acres                 | Residential density on this site is encouraged to be medium. To ensure livability, development should be buffered/visually screened from I-70.   |
| Smith Ranch<br>Approximate Size 5.4 acres   | Portions of the Smith Ranch not annexed by the Town of Silverthorne.   |
| Town of Silverthorne  | The Town should continue to plan for and accommodate affordable workforce housing.   |

- The specific properties or sites listed in the above table represent those identified as a result of an extensive and thorough process and analysis of all properties in unincorporated portions of the Basin. As a result, these properties are considered to have the highest potential for affordable workforce housing in unincorporated portions of the Basin. The properties or sites display characteristics (e.g., lack of significant development constraints and proximity to employment centers), when weighed against other properties and sites in the Basin, that make potential affordable workforce housing seem the most viable or practical.
- There could be properties not identified in the above table that exhibit similar characteristics to those determined to have the highest potential for affordable workforce housing, and would therefore make good affordable workforce housing sites. If there is a situation or instance when such a property (not identified in the above table) is proposed for affordable workforce housing, the property’s suitability shall be determined by the appropriate review authority, in conjunction with any proposed development application, on a case-by-case basis.
- When determining whether the property may be appropriate for affordable workforce housing, the review authority shall give consideration to such factors including but not limited to: existing use, proximity to employment centers, availability of necessary infrastructure and utilities, adequate access, access to mass

transit, neighborhood compatibility, development constraints on the site, and opportunities to create a quality residential community on the site.

Additional Subdivision / Redevelopment or Infill Opportunities

Policy/Action 3. The following sites or general locations (as identified in Table 6 below and/or on the Lower Blue Basin Affordable Workforce Housing Map) have been identified as the locations that could provide the best opportunities to accommodate affordable workforce housing through: additional subdivision, redevelopment or infill activities (in addition to other possible identified land uses). The general guidelines, when applicable, shall be used to shape affordable workforce housing proposals on these sites/properties.

| <b>Table 6. Lower Blue Basin – Affordable Workforce Housing Potential Sites/Locations</b> |   |
|---|---|
| <b>Site or General Location</b>   | <b>General Guidelines</b>   |
| <p>Overlay - Wildernest Area<br/>Approximate Size: 420 acres</p>                          | <p>The Wildernest area could possibly accommodate affordable workforce housing through: subdivision, redevelopment or infill activities. An analysis of existing infrastructure capacity and build-out data, however, suggests there are significant infrastructure issues and constraints associated with increased levels of density in the Wildernest area. Affordable workforce housing should be designed in a manner to protect the existing character of the area.</p> <p>Water, sewer and fire flow capacity, emergency response and evacuation, and the level of service of existing roads and intersections are issues that presently need to be strategically addressed. Additional or new density associated with affordable workforce housing in the Wildernest area could pose a significant threat to sustaining or enhancing existing levels of service. In light of these constraints, if affordable workforce housing proposals are to be entertained, incremental impacts to the overall levels of service, including access to State Highway 9, shall be evaluated and (to the extent reasonable) negative impacts mitigated.</p> |
| <p>Town of Silverthorne</p>   | <p>The Town should continue to plan for and accommodate affordable workforce housing.</p>   |

Town of Silverthorne

After conducting the exercise in the Basin to identify potential sites for affordable workforce housing based on specific criteria, it is recognized that properties within the Town of Silverthorne provide good opportunities to locate affordable housing. In comparison to unincorporated portions of the County, properties within the Town are typically: within better proximity to employment centers, have the necessary infrastructure to accommodate higher residential densities or provide better opportunities for redevelopment and infill. Moreover, concentrating affordable workforce housing in the Town is consistent with the Countywide Comprehensive Plan and this Plan’s philosophy and goals of focusing development in existing urban areas and protecting rural, outlying areas of the Basin from development. For these reasons, the County will continue to encourage the Town to plan for and accommodate affordable workforce housing.

**Environment**

The Basin’s natural setting is its greatest asset. Any future development that occurs in the Basin should be designed to minimize impacts to the natural environment. Natural features help define and give character to an area. The topography, aspect, vegetation and water features of the Basin come together in many combinations resulting in natural and visual diversity. Examples of important natural features are: sage meadows and open areas on south facing slopes, which attract big game; tundra and alpine areas; prominent ridgelines, which frame and dominate views; and stream corridors, which provide important aesthetic, recreational and wildlife values. These natural features make important contributions to the Basin’s air and water quality and provide critical habitat for the Basin’s

fish and wildlife. In addition, floodplains and geologically hazardous areas (e.g., steep slopes) pose significant constraints to development activities. Development activities occurring in or near environmentally sensitive areas should be done in a manner that avoids adverse impacts to the Basin's water quality and quantity, air quality, and wildlife habitat.

Floods, avalanches, landslides, rock fall and wildfire all occur without human intervention. However, human activity in areas prone to these occurrences or conditions can actually increase the potential for hazardous situations. Examples include: building in floodplains, which may obstruct drainage courses and increase the potential for serious flooding; building roads across unstable slopes, which increases the potential for landslides; and developing homesites in areas of high wildfire potential. The Environmentally Sensitive Areas Map illustrates some of the environmental features found in the Basin.



Blue River Inlet—Green Mountain Reservoir.

### Air Quality

Current air quality particulate matter data shows above average air quality exists in the Basin. Air quality in the Basin is affected by weather patterns and locally and regionally generated contaminants. Generally, local sources of air pollution include dust from unpaved roads and winter road sanding, vehicle exhaust, wood smoke from fireplaces and wood stoves, particulates from gravel crushing operations, and concrete and asphalt plants. The most severe air quality problems may occur on cold winter mornings when inversions occur, trapping wood smoke and vehicle exhaust near the ground. A visible haze may be seen in the Urban/Silverthorne Area on these days.

### Wildlife

The Basin provides important wildlife habitat for a variety of species. Open meadows and uplands are important winter range for elk. Wetland and riparian areas along the Green Mountain Reservoir, the Blue River and its tributaries are important for many small animals, birds, flora and fauna. Alpine tundra areas are important for many small animals, flora and fauna too. The Blue River is a Gold Medal trout fishery. The distribution of wildlife species is usually limited by the amount of suitable habitat available. Land use changes can affect the continuity and quality of available habitat. Land use changes, which do not consider and respect wildlife habitat, can adversely affect the health and stability of wildlife species.

### Water Quality/Quantity

The Basin has two major water features: the Blue River, which flows north through the Basin to the Colorado River near Kremmling in Grand County, and Green Mountain Reservoir at the northern end of the Basin. In addition, there are numerous tributaries to the Blue River, which flow from the Williams Fork and Gore Ranges. Adequate flows and reservoir levels are critical to protecting the value of these water resources. Major water diversions, which affect the Basin, include upstream trans-mountain diversions, municipal and domestic uses in developed areas in the County, and upstream uses of water for snowmaking at ski areas in the County. Primary sources of water pollution in the Basin are soil erosion, urban run-off, and improperly maintained or failing septic systems.

The potential negative impact of land use and development on water quality and quantity is a major concern. Degradation of water quality affects public health, aquatic life, visual impacts and the recreational value of lakes, streams, ponds, and wetlands. Similarly, reduced stream flows due to water diversion can adversely affect wetlands, aquatic life, visual impacts, recreation, and overall water quality.

### Forest Health, Management and Wildfire Protection

#### *Pine Beetle Epidemic*

The County has experienced an epidemic of mountain pine beetles. The area and number of trees affected has

increased significantly since 2002, especially in this Basin. This is the second pine beetle epidemic in the County over the last 20 to 25 years. The root cause of these epidemics is that the majority of the lodgepole pine in the County are over 120 years old and have reached or surpassed the mature age for lodgepole pines. The stands of these lodgepole pines are homogenous in age, dense and the average diameter of many of the trees is greater than 8 inches. These factors combine to make the lodgepole pine forests in the County and Basin susceptible to mountain pine beetle outbreaks.

The pine beetle epidemic could have significant impacts on public safety, community character and visual values of the landscape in the Basin. A byproduct of the beetle infestation will be deadfall and high fuel loading in the forests that compose the vegetative cover in the Basin. These conditions pose an increased risk of wildfires and a resulting change in the appearance of forests.

Additionally, a lot of the new development in the Basin over the last couple decades has occurred in forested areas or on private urbanized lands that are forested and adjacent to federal lands (i.e. the wildland/urban interface). As development in these areas continues to increase, the risk from wildfire to lives, property, and resources increases correspondingly. Therefore, the management of the forest in these areas will affect future landscapes and the aftermath of the epidemic will present many opportunities and challenges.

#### *Forest Management and Wildfire Protection Plan*

In addition to the wildfire risk associated with the browning of the Basin's forests, there are concerns about how these changes may be a detriment to the character of the Basin and the health of the tourism/second home economy that relies heavily on the tree covered mountainsides as the backdrop to our vital communities. To address these concerns, in March of 2005, the BOCC, Fire Chiefs for Lake Dillon, Snake River, Red White and Blue and Copper Mountain Fire Protection Districts, USFS Dillon Ranger District, Upper Colorado River Interagency Fire Management Unit, and the Colorado State District Forester agreed to: 1) develop an integrated strategy for



Forest damage as a result of Mountain Pine Beetle infestation near Slate Creek.

identifying hazardous fuels, 2) establish a strategy and priority for removing these hazardous fuels, and 3) work aggressively to develop markets to use these fuels in beneficial ways. These entities agreed that the most appropriate vehicle to do this was the development of the "Summit County Community Wildfire Protection Plan" (SCCWPP). The SCCWPP was adopted September 11, 2006 and has been revised periodically since.

The focus of the SCCWPP is reducing the risk of wildfire and the devastating impacts that wildfire poses to the public safety and welfare as well as the detrimental impact to soil and water resources. Key components to the SCCWPP include: 1) providing accurate and balanced

public information and education; 2) identifying areas for fire hazard reduction efforts and implementing strategies for reducing risk from wildfire<sup>1</sup>; and 3) developing markets for wood products. Due to the heightened impacts of the epidemic in the Basin, as compared to other basins in the County, it is suggested that implementation/funding of the SCCWPP (i.e. forest management and wildfire protection efforts) should prioritize or focus on the rural areas in the Basin.

Between 2006 and 2009 approximately 160 acres of private lands were treated for fuel reduction including: Mesa Cortina, Summit County Open Space in Mesa Cortina and Willowbrook, Wildernest, Ruby Ranch, Hamilton Creek, Eagles Nest, Pebble Creek, Rock Creek and Ptarmigan. However, in the larger countywide picture it is estimated approximately 35,000 acres in County and 75,000 acres of Forest System lands still need to be selectively treated (a total of approximately 110,000 acres).

<sup>1</sup> The SCCWPP identifies key "focus areas" where community resources should be concentrated to reduce potential damage from wildfire. Lands identified as focus areas in the Basin include: Salt Lick Gulch, Mesa Cortina, Ptarmigan, Pebble Creek Ranch, Boulder Creek Ranch and Sierra Bosque.

The Summit County Wildfire Council administers a grant program to assist local homeowners' associations and neighborhoods in preparing and implementing fuel reduction projects. From 2006 – 2009 the County contributed \$81,000 per year in funding toward the program. In 2010 the County increased its contribution to \$250,000 per year (a byproduct of voter approved 1A funding). After matching state and federal funds, along with private / homeowner association monies, it is felt there will be close to 1 million annually to use toward fuel reduction projects and programs in the County. Development and implementation of the SCCWPP through the Wildfire Council is a great example of a cooperative/collaborative effort and a model for other jurisdictions in the state.

#### *Wildfire Mitigation – Forest System Lands*

A key player in shaping wildfire mitigation efforts in the County is the U.S. Forest Service. In the Basin, as of 2010 there were three projects that had been initiated by the Forest Service to address forest health and wildfire. These projects timelines vary based on funding and available resources and are as follows:

- 1) **Wilderness Stewardship:** The Forest Service has been actively engaged in conducting fuel treatment around the Wilderness Area / subdivisions.
- 2) **North Summit WUI (Wildland-Urban Interface) Fuels Treatment:** The project is intended to salvage dead and dying lodgepole pine in the wildland-urban interface between Wilderness and Sierra Bosque (primarily west of Highway 9). The proposed treatment areas/units focuses on 400 – 600' interface buffers.
- 3) **Lower Blue Forest Health Project (Salvage and Fuels Project):** The project is intended to enhance forest health on Forest System lands north of Sierra Bosque subdivision to the County line. The project would implement salvage, regeneration and fuel reduction treatments on approximately 4,000 acres of lodgepole pine within the lower Blue River watershed. The purpose of the project is to create conditions that would increase lodgepole pine and aspen regeneration following the mountain pine beetle epidemic and to reduce the continuity of future heavy fuel loading over the long-term by removing dead, dying and susceptible trees through salvage.

#### **Goal H. Preserve and protect environmentally sensitive areas within the Basin.**

- Policy/Action 1. Plan and manage growth so that development does not degrade existing environmental quality or detract from natural features.
- 1.1 While respecting underlying zoning and density and according to established County design standards and regulations, require that new development employ design and construction techniques that, to the maximum extent possible, minimize impacts to critical fish habitat.
  - 1.2 Modify the requirement to avoid disturbance within 25 feet of wetlands and streams to be greater than 25 feet depending on site-specific considerations and potential environmental impacts, and exempt agricultural operations.
  - 1.3 Avoid the placement of buildings and structures in floodplains, and steep sloped areas, as per requirements of the Development Code.
  - 1.4 Take into account both the immediate and long-range cumulative impacts of proposed uses to environmentally sensitive and geologically hazardous areas, and wildlife habitat and travel corridors when adopting master plan policies and development regulations.

#### **Goal I. Protect the environment through a program that includes voluntary activity, education, incentives, regulation, enforcement, restoration, monitoring, acquisition, and intergovernmental and regional coordination.**

- Policy/Action 1. Provide further education and information to residents and visitors on the many important environmental features, values, and functions occurring within the Basin while maximizing protection of the Basin's environmental resources and wildlife.
- Policy/Action 2. Preserve and enhance the existing water quality of the Blue River and Green Mountain Reservoir.
- 2.1 Utilize the established water quality standards for the Blue River and the Green Mountain Reservoir to implement strategies to maintain those standards.
- Policy/Action 3. Preserve and enhance the value of the Blue River as a Gold Medal trout fishery.
- Policy/Action 4. Encourage management of outflow from Dillon Reservoir in a manner, which reduces short-term fluctuations in streamflow.
- 4.1 Pursue adequate streamflows to protect and enhance aquatic life and recreational activities for the Blue River below Dillon Dam and Green Mountain Reservoir. Use the UPCO (watershed approach to the Upper Colorado River Basin) to identify what those streamflow values should be.
- Policy/Action 5. Support the efforts to continue to implement, maintain and fund the Summit County Community Wildfire Protection Plan to minimize risk of wildfire occurrence, reduce potential loss of property and valued ecological resources in the Basin.
- 5.1 Support the implementation of programs, strategies and priorities outlined in the Summit County Community Wildfire Protection Plan, specifically:
- Public information and education.
  - Reduction of wildfire risk and promotion of fuel reduction efforts.
  - Development of markets for wood products.
  - Preventative spraying for select areas.
  - Post beetle planning and remediation.
  - Associated mapping.
  - Establishment of wildland/urban interface area boundaries that reflect wildfire risk in the Basin.
  - Coordination with homeowners associations and individual property owners to develop forest management plans.

## **Transportation**

The major transportation system in the Basin is Colorado State Highway 9, which connects the Basin from Silverthorne and I-70 in the south, to Grand County and Kremmling in the north. A system of County roads connects areas within the Basin to State Highway 9. Ute Pass Road is an important link between the Basin and areas in Grand County including the Henderson Mill. Numerous trails throughout the Basin provide pedestrian and equestrian access to public lands. Additionally, State Highway 9 is a designated bike route and is part of the "Transamerica Bicycle Trail." This cross-country route totaling 4,450 miles was established in 1973 and has been promoted by the Adventure Cycling Association (originally called Bikecentennial) since 1976.

Additional traffic and the expansion of the existing roadway network to accommodate future traffic may not be consistent with the desired character of the Basin. Improvements to the existing transportation system north of Ute Pass Road on State Highway 9 may significantly alter the rural character of the valley. The goals and policies/actions of the Plan attempt to provide for improvements such as passing and turning lanes in appropriate locations that are necessary for public safety issues. Improvements such as the expansion of State Highway 9 to become a four-lane highway, "freeway" signage, additional lighting, screening or sound barriers to minimize noise

and light impacts are inappropriate and inconsistent with the rural character of the Basin.

The County's role in the Lower Blue transportation system is primarily related to the construction and maintenance of dedicated County roads. The County also reviews development proposals to ensure impacts to all roads and impacts from road construction are mitigated. CDOT is responsible for the maintenance of State Highway 9, the Basin's major arterial. Traffic on State Highway 9 is not only affected by local Basin resident use, but is also heavily influenced by commuters from Grand County coming to the County to work, and by visitor traffic going to and coming from destinations in the north such as Steamboat Springs in Routt County, Granby, and other Grand County locations.

**Goal J. Improve the transportation system in the Basin to ensure safe and efficient transportation between all inhabited areas in the Basin.**

Policy/Action 1. Examine proposed improvements to the transportation system in the Basin for consistency with the Basin's rural character.

1.1 Explore and consider the opportunity to provide for transit stops in any future improvements to State Highway 9 and local roads.

Policy/Action 2. Develop a comprehensive and efficient transportation system while maintaining a road system that is consistent with the rural character of the Basin.

2.1 Work with the BOCC, CDOT, and property owners to improve State Highway 9 from Silverthorne north to the County line in an effort to provide adequate shoulder widths, safe passing zones, parking, and turnout areas and turning lanes where necessary in a manner that is compatible with the Basin's rural character.

2.1.1 The intent of improvements to State Highway 9 should be to increase safety and not to increase capacity.

2.2 Evaluate the State's short-term and long-term improvement plans and provide input that meets the safety issues and rural character of the Basin.

2.3 Work with CDOT and other local, state, and federal agencies to ensure a suitable shoulder for cyclists is included in future State Highway 9 improvement projects where a grade-separated trail along the Blue River is not feasible.

2.4 Develop continuous pedestrian and transit circulation networks, including an interlinked network of separated pedestrian trails, through the wildland/urban interface areas (e.g., Wilderndest/Mesa Cortina, Ptarmigan) and to the Town of Silverthorne.

2.5 Work cooperatively with CDOT, property owners, and residents to maintain a current data base for road information, conducting traffic counts, and evaluating traffic counts every few years or, if needed, on a more frequent basis to determine if improvements are needed because of changing conditions or circumstances.

2.6 Work with CDOT, the County Sheriff's Department, and the State Patrol to enforce the speed limits on State Highway 9 to improve safety for motorists and bicyclists.

2.7 For proposed rezonings that will increase density, clarify the responsibilities of developers to evaluate off-site traffic impacts, which include additional traffic congestion at intersections and make necessary improvements (e.g., acceleration/deceleration lanes) or provide financial obligations to maintain acceptable traffic flow for access to and from State Highway 9.

- 2.8 If traffic levels on State Highway 9 or other County roads exceed 75 percent of road capacity (e.g., Wildernest/Mesa Cortina area), conduct further analysis of traffic flows to determine which necessary improvements are appropriate.

## Infrastructure



Lower Blue Community Center/Fire Station.

Adequate public services and infrastructure are needed to provide for the public health, safety, and welfare of Basin residents. Moreover, it is necessary to provide public services and infrastructure to support existing and planned levels of development in the Basin. The provision of water, sewer, utilities, schools, fire and police protection, and solid waste disposal are essential in order to serve the needs of existing and future development.

Fire and emergency response protection in the Basin is a particularly difficult issue in some rural locations. The Basin is served by two different Fire Protection Districts, the Lake Dillon and Lower Blue. The Lake

Dillon Fire Protection District service area covers the southern portion of the Basin from the Dillon Dam northward to the northern boundary of the Maryland Creek Ranch. The Lower Blue Fire Protection District service area extends from Ute Pass Road northward to the Grand County line. In between these two districts is a large land area, approximately five miles from north to south, which is not within the boundaries of either Fire Protection District service area (often referred to by emergency responders as “No Man’s Land”).

Minimal resources and reliance on a volunteer force create significant limitations to fire response by the Lower Blue Fire Protection District. Due to these limitations and because of the gap between service areas, the Lake Dillon Fire Protection District routinely responds to emergency calls that are outside of its service area boundary. In case of an emergency or fire, property owners in this area are responsible to pay for a response call to the Lake Dillon Fire Protection District. As growth continues throughout the Basin, there will likely be more demands placed on emergency response services. Hence, concerns exist regarding whether residents can continue to rely on these out-of-service area responses. In updating the 2010 edition of the Plan, there was in-depth discussion on this issue of inadequate emergency service infrastructure in certain locations of the Basin. As a result the Planning Commission stressed the need to address and prioritize the issue as a “very-high” implementation strategy.

Due to these conditions or considerations, the goals, and policies/actions in this section emphasize: locating new infrastructure to minimize impacts, providing adequate emergency response infrastructure in the Basin, evaluating the extension of fire district boundaries, and the scoping of water storage and new fire protection facilities within the vicinity of the Ute Pass Road/State Highway 9 intersection.

### **Goal K. Require that adequate public services and infrastructure precede or complement development.**

Policy/Action 1. In the event that new infrastructure is needed for new urban developments, locate new infrastructure within or adjacent to the development in order to minimize impacts to other neighborhoods and the rural character of the Basin.

Policy/Action 2 Work toward providing and sustaining adequate emergency response infrastructure in the Basin, particularly where gaps between service areas exist.

- 2.1 Where significant fire protection resources are lacking in specific areas, realistic efforts should be made by appropriate agencies to assist homeowner associations or neighborhoods that wish to pursue legitimate fire mitigation projects. To address the gaps in fire and emergency infrastructure:

- Galvanize and coordinate efforts (e.g., creation of task force or advisory committee) to more thoroughly identify or analyze salient issues, and more clearly identify how to create and implement a plan of action.
- Evaluate and extend fire district boundaries.
- Scope the feasibility and location of additional water storage (e.g., ponds and underground tanks) and new fire protection facilities within the vicinity of the Ute Pass Road/State Highway 9 intersection to improve service areas where gaps between emergency services exist.

### Visual Quality and View Corridors

The visual quality of the Basin is an important value to residents and visitors. The visual environment of the Basin has many components including natural topography, existing vegetation, stream corridors, and the built environment. Visual quality is changed whenever new land uses are introduced. The changes can range from actual physical change in the landscape, such as siting of buildings, road cuts, utility corridors, and timber cuts to detailed design features such as the design of buildings and roof lines, and use of materials. Inadequate consideration of the visual impact of proposed land uses can lead to degradation of the visual quality of an area.

Visually sensitive lands such as open meadows, irrigated hay pastures, hillsides, ridgelines, river valleys, ranch lands, forestlands, environmentally sensitive areas, and significant view corridors exist throughout the entire Basin. The Basin’s scenic beauty and the community’s desire to protect view corridors warrant the County to consider visual impacts when planning land uses. Due to the high growth and development that has occurred in the Basin, the Plan provides direction for the community and County to work together to protect these scenic resources to the greatest extent possible.

#### Development of the Visually Important Lands Map

Per the Development Code, it is required that identification, prioritization, and mapping of visually important lands and accompanying text that describes strategies to maintain the visual character of those lands, be included in basin master plans. Countywide Comprehensive Plan policies/actions identify how development proposals will be treated within areas designated as visually important.



The Gore Range as seen from across the Green Mountain Reservoir.

As part of the 2006 edition of the Plan, a Visually Important Lands Map was created for the Basin using a Geographic Information System Digital Elevation Model (DEM) based on 300 “observation points” located every tenth of a mile on major road corridors in the Basin: I-70, Ryan Gulch Road, State Highway 9, Ute Pass Road and County Road 30. Major road corridors were used to locate the observation points since this is where the majority of the traffic and travel occurs in the Basin. For most of the people who travel through the Basin, views of the landscape/surroundings are from these major road corridors. Based on this DEM analysis, those areas identified on the Visually Important Lands Map were those most visible from the major roadways or arterials in the Basin and were broken into four equal groupings/categories.

It was felt the prioritized areas that should be protected or mitigated from visual impacts were not necessarily the most highly visible areas in the Basin as seen from major roadways. The areas that need to be protected are those that are less visible, but are invariably closer to major arterials and include open landscapes, ranchlands, and meadows (e.g., the Blue River corridor). Therefore, consideration needs to be given to protecting lands that function as part of a view corridor as seen from major roadways/arterials. For example, in the context of the entire Basin, Pass Creek Ranch is less visible than the Gore Range but has more development potential and is a very good example of the ranching character of the Basin.

## Renaming and Utilizing the Visibility Map

In the context of the aforementioned (i.e. prioritize the protection of the Blue River corridor and lands located closer to major roadways that have development potential), the 2006 edition of the Plan took an approach to utilizing the Visually Important Lands Map that is different from other basin master plans and more fitting or appropriate for this Basin. Therefore, the name/title of the map was changed from Visually Important Lands Map to “Visibility Map”, as the map serves as a resource to objectively evaluate the visibility of each parcel of land in the Basin as viewed from major arterials. Policies/actions in the Plan support using the Visibility Map as a tool that could:

- Assist in visual assessments of individual properties.
- Facilitate and gauge the potential visual impacts associated with identified TDR Sending, Receiving, Neutral and Optional areas (e.g., used when amending the TDR Sending and Receiving Areas Map).
- Aid in the development and evaluation of development plans that make use of sensitive design/clustered/rural land use subdivision-type techniques.
- Assist in the evaluation of timber management prescriptions (e.g., aesthetic concerns in the wildland/urban interface areas) as a result of the Summit County Community Wildfire Protection Plan.

### **Goal L. Protect and preserve the open rural character and visual quality of the Basin and minimize the visual impacts associated with the development of land for residential and other uses.**

Policy/Action 1. Prepare and adopt design standards for the protection of visual quality and preservation of rural character. Require that all new development be subject to these standards in the development review process. Design and construction techniques should, to the extent possible:

- Respect underlying zoning and density.
- Avoid locating structures on prominent ridgelines and steep slopes.
- Avoid or minimize visual impacts adjacent to public roads.
- Utilize existing topography, vegetation, and landscape features to screen development in highly visible areas.
- Blend structures into the tree line or buffer structures with landscaping where feasible.
- Minimize the extension of infrastructure, including roads and utilities, unless the extension avoids visual impacts to a greater extent than if the extension was limited.
- Utilize sensitive site design of lots and building envelopes to minimize disturbance to the overall landscape and provide infrastructure most efficiently.
- Use exterior materials and colors that blend with the landscape.

1.1 While respecting underlying zoning and density, require new roads, parking areas, and utilities be designed to minimize visual impacts. It is desirable that new utility lines be installed underground, with consideration given, but not limited to, geological and engineering constraints. To the extent possible, roadways and parking areas shall be designed to fit the natural terrain.

1.2 Do not permit the use of billboards and off-premise signs due to the unmitigable, significant adverse impacts upon the visual quality and rural character of the Basin, with the exception of directional signs approved by the Lower Blue Planning Commission or BOCC.

Policy/Action 2. Preserve the Basin’s scenic beauty and visual corridors through identification and protection.

Policy/Action 3. Development that will impact areas identified on the Visibility Map shall be evaluated for conformity with the Countywide Comprehensive Plan Design and Visual Resources Element.

Policy/Action 4. The Lower Blue Basin Visibility Map could be used to help evaluate:

- Visual assessments of individual properties.

- The visual impacts associated with identified TDR Sending, Receiving, Neutral and Optional areas.
- Development plans that make use of sensitive design/clustered/rural land use subdivision-type techniques.
- Timber management prescriptions (e.g., aesthetic concerns in the wildland/urban interface areas) as a result of the Summit County Community Wildfire Protection Plan.

## Historical and Cultural Resources

To better understand a community's past it is important to identify historical and cultural resources. These resources are valued by residents and visitors and provide links to the past, enriching the community's character. In the Basin, examples of these sites and features include, but are not limited to, the Town of Naomi, Slate Creek Community Hall, and the Green Mountain Camp.



Slate Creek Community Hall.

Naomi was established at the mouth of Rock Creek during the 1800s. The 1880s were busy times in Naomi as mineral wealth was discovered in the nearby Gore Mountains. Naomi became a shipping point for silver and gold ore and the population eventually grew to 150 residents. In addition, Naomi is where travelers

traveling between Breckenridge and Kremmling would stop at Harry and Sadie Forche's Naomi Hotel and the last stage stop to purchase basic supplies. The Hotel was home to many workers at the Boss Mine and a gathering place for young men and women.

During the 1930s and 1940s, the Slate Creek Community Hall was the focal point of the Lower Blue ranching community. The Hall was used for occasions such as dances, weddings, fundraisers, plays, meetings, and Sunday school. The Hall was moved to its present location near the Ute Pass Road and State Highway 9 intersection, and is still used today through coordination with the Summit Historical Society. The Green Mountain Bureau of Reclamation Camp, another valued and important historic resource in the Basin, is discussed in further detail as part of the Heeney/Green Mountain Reservoir Subbasin Plan portion of the Plan.

The destruction of a significant historical and cultural resource is an irreversible loss. Cooperative efforts among residents, agencies such as the Summit Historical Society, and the government are needed to protect significant historical and cultural resources. Given the significance of these historical and cultural resources, it is the intent of the Countywide Comprehensive Plan and this Plan to promote the protection of such resources and encourage further efforts to educate visitors and residents about the area's rich heritage.

**Goal M. Identify, protect, and enhance the historical and cultural resources of the Basin recognizing that the historic structures, archeological sites, and cultural resources are links to its past and should continue to define the future.**

Policy/Action 1. Identify and explore options for the conservation of significant historical sites within the Basin. In the Basin, examples of these sites and resources include, but are not limited to:

- The Town of Naomi.
- Slate Creek Community Hall.
- Green Mountain Bureau of Reclamation Camp.

1.1 Where voluntary efforts prove deficient, ensure the protection of historical and cultural resources by working with property owners to protect the resource through other means.

Policy/Action 2. Historic, cultural or archeological resources identified in the Basin should be incorporated into the County's comprehensive inventory of historical and cultural resources, as envisioned in the Countywide Comprehensive Plan. When finished the County's comprehensive inventory should be used to identify and consider specific sites to be protected in the Basin prior to development.

## Open Space

Open space is one of the defining features of the Basin. Open meadows, irrigated hay pastures, hillsides, ridgelines, river valleys, ranch lands, forestlands, and environmentally sensitive areas are found throughout the Basin. Different levels of open space values occur on different types of lands - whether public or private. Pristine areas of open space and prominent view corridors generally occur on lands managed by governmental entities such as wilderness areas or on lands purchased by the County. Parks with picnic areas, playgrounds and athletic fields may provide open space values such as recreation and buffers between neighborhoods and communities. Recreational activities are commonly found in association with various types of open space.

The County has protected thousands of acres of open space through its open space acquisition program, funded by County property taxes. In the Basin recent open space acquisitions have protected the open space character of Green Mountain and lands along the flank of the Williams Fork Range. Lands the County seeks to purchase as open space are defined as lands that are in a predominantly undeveloped state and provide one or more of the following community benefits: extensions to existing undeveloped open space lands; buffers to developed areas; view corridors; access to trails, trailheads, water bodies, or national forest areas; passive recreational uses including trails, unique ecological habitats, historic sites, and agricultural meadows. Some of these open space values on private lands have been permanently protected through voluntary conservation easements or rural land use subdivisions utilizing sensitive site design techniques.



The White River National Forest is an important component of the Basin. National Forest System lands contribute to the character of the Basin as a resource for visual quality, natural resource extraction, wildlife and environmental resource protection, and recreation. Approximately 130,074 acres (76%) in the Basin are National Forest System lands. Included in these areas are 64,400 acres in the Eagles Nest Wilderness Area and 7,900 acres in the Ptarmigan Peak Wilderness Area. Federally established wilderness areas, such as Eagles Nest and Ptarmigan Peak, are partially defined by the Wilderness Act of 1964 as "in contrast with those areas where man and his own works dominate the landscape, as an area where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain." The fragility of these open space areas, and the ease with which they can be permanently changed by development, has long been recognized by the Basin's community. The U.S. Forest Service also manages developed recreation sites such as the Blue River Campground. The Open Space section addresses how open space issues and lands managed by governmental entities should be addressed as growth continues to occur in the Basin.

## **Goal N. Preserve and protect open space values as a means of maintaining the rural character of the Basin.**

Policy/Action 1. Promote the use of a variety of planning techniques, regulations, incentives, and acquisition methods to preserve and protect the open space values within the Basin.

1.1 Encourage the continued use of historic agricultural water diversions to the extent required to preserve and protect open space values.

- Policy/Action 2. Prevent the encroachment of incompatible land uses into areas with open space values in a manner, which is compatible with the existing rural mountain and valley character and wilderness values of the Basin.
- Policy/Action 3. Work with the Town of Silverthorne and property owners to preserve open space values adjacent to the edge of development within the Town of Silverthorne.
- Policy/Action 4. Encourage new development adjacent to National Forest System lands to employ construction techniques, which gradually decrease densities so that lower densities are adjacent to National Forest System lands. Such areas would act as both fire buffers and transitions from an urban to a rural setting.

### Recreation, Trails, and Public Access

Recreation is a significant activity in the Basin. Recreational resources are important for the County's economy and valuable for County residents and visitors. Attractions include the Blue River (classified as a Gold Medal trout fishery), Eagles Nest and Ptarmigan Peak Wilderness Areas, Green Mountain Reservoir, and the Williams Fork Range. Recreational uses in the Basin are best characterized as “dispersed” as there are few developed facilities or organized activities. Examples of developed facilities include the Blue River Campground. Typical recreational activities in the Basin are camping, fishing, hunting, boating, and hiking. Public lands managed by the U.S. Forest Service and Colorado Division of Wildlife provide most of the land base for recreational activities. Private ranch lands are also used for hunting, fishing, backcountry outfitting, equestrian centers, and snowmobile tours.

Trail networks within the Basin are another important recreational resource. Existing and desired trail corridors with access to National Forest System lands could be lost if not identified and protected. A number of key public trails and trailheads are found on the edges of development (wildland/urban interface areas) and in other areas along the national forest and wilderness areas, such as the Gore Range Trail. Hikers, horse riders, and mountain bikers primarily use the national forest trails. Trails entering the Eagles Nest and Ptarmigan Peak Wilderness Areas are closed to mechanized and motorized use.



The Significant Summer and Winter Routes Map shows significant trails identified by the community, as well as future desired trails and connections. Significant routes are intended to provide recreational or transportation access for neighborhoods or the general public, offer high quality recreational experiences to County residents and visitors, serve the greater community by providing recreational access to public lands or easements, or have received considerable historic use. The County shall strive to retain, acquire and protect the identified significant routes, while also recognizing that additional trails may develop or change, some routes may have been mistakenly excluded, or routes not listed in the significant route map may also be

appropriate for County protection, retention or acquisition efforts. In essence, the significant routes map is a starting point from which the County's extensive recreational trail and road network, and their respective access points, can be planned for and protected.

### Goal O. Work cooperatively to maintain a wide range of recreational activities within the Basin.

- Policy/Action 1. Ensure that access to significant trails and trailheads as identified on the Significant Summer and Winter Route Map is secured and maintained.
- The County shall re-evaluate and update the Lower Blue Master Plan significant routes in the future to reflect: community goals and desires, the USFS Travel Management Plan, changes in use or access, and other changes as deemed necessary (e.g., more accurate GIS data).

- Policy/Action 2. Ensure proper management of the Blue River Corridor, Green Mountain Reservoir, and other heavily used recreation areas in order to protect adjacent private property and environmental values.
- 2.1 Exercise appropriate stewardship practices to manage the Blue River corridor, Green Mountain Reservoir, and other heavily used recreation areas for public recreation, wildlife and open space values.
  - 2.2 Develop and implement a recreation master plan for the Blue River corridor in cooperation with the U.S. Forest Service, Division of Wildlife, and Summit County Government. This recreation master plan should address the following issues:
    - Funding mechanisms to implement the management objectives and implementation strategies as outlined in the Plan.
    - Providing adequate parking, trailhead and day-use facilities with appropriate water and sanitation on public lands (including the development of water rights).
    - Preservation of existing access.
    - Protection of environmental resources.
    - Management.
    - Use conflicts.
    - Carrying capacity.
    - Sustainability.
    - Enforcement.
    - Other issues as appropriate.
  - 2.3 Manage publicly owned lands including trails, Green Mountain Reservoir, lakes, and the Blue River corridor based on ongoing science regarding land capacity and sustainability of recreation and natural resources in consultation with user groups.
    - 2.3.1 Differentiate and separate uses on trails, Green Mountain Reservoir, lakes, and the Blue River corridor so that these uses are sustainable where appropriate.
  - 2.4 In conjunction with property owners, land trusts, and public agencies, aggressively pursue funding from all available funding sources including, but not limited to, Great Outdoors Colorado to preserve recreational values in the Basin.
- Policy/Action 3. Preserve and protect existing access to recreational areas including the Blue River, Green Mountain Reservoir, and public lands.
- 3.1 Coordinate with local, state and federal public land agencies in their planning efforts to ensure compatibility with local plans and provide adequate and appropriate access to public lands.
  - 3.2 Work cooperatively with property owners and the Colorado Division of Wildlife to protect the Blue River corridor for open space values, wildlife, and recreational purposes.
    - 3.2.1 Develop strategies to provide adequate instream flows that support wildlife, fisheries, and recreational activities.
    - 3.2.2 Maintain, but do not increase, the level of public access and use that exists today to protect the natural resource values that define the Blue River Corridor.

3.2.3 Differentiate those portions of the river corridor that are used for recreation from those that hold key open space and wildlife values, and manage these two areas with different strategies and goals.

Policy/Action 4. Develop desired and appropriate recreational facilities for the Basin.

4.1 Work with the U.S. Forest Service and local residents to determine solutions for impacts caused by unrestricted camping.

Policy/Action 5. Work with various government entities to provide trash receptacles and portable toilets at specific locations during high use times (e.g., hunting season). Some of the trailheads and access points that have been identified include:

- Acorn Creek.
- Boat take-outs and put-ins along the Blue River.
- Brush Creek trailhead and Cemetery parking area.
- Eaglesmere trailhead.
- Green Mountain Reservoir.
- Lower Cataract Lake.
- Rock Creek trailhead.
- Surprise Lake trailhead.
- Ute Peak trailhead.

Policy/Action 6. Improve year round demarcation of wilderness area boundaries in problem spots. Specific areas include Elliot Ridge and wildland/urban interface areas.

Policy/Action 7. Create functional trail networks in current wildland/urban interface areas that accommodate higher concentrations of use. A higher density of trails may be necessary to concentrate use and reduce overall impacts to the national forest and wilderness areas as a whole. Examples of urban wildland/interface areas include: Wilderrest, Willowbrook, Ptarmigan, and Eagles Nest neighborhoods.

7.1 Work cooperatively with property owners, the Town of Silverthorne, and land management agencies to retain loop opportunities in wildland/urban interface areas.

Policy/Action 8. Work cooperatively with property owners and the Town of Silverthorne to connect neighborhood subdivisions to regional trail systems.

Policy/Action 9. Work with property owners, the Town of Silverthorne, and other appropriate local, state, and federal agencies to develop and maintain appropriate trails and support facilities for trails (e.g., trailheads, parking areas, and portable toilets), and identify user conflicts to improve open space values and recreational experiences.

9.1 Work with CDOT to ensure a suitable shoulder for cyclists is included in future State Highway 9 improvement projects where a grade-separated trail along the Blue River is not feasible.