

Study Group
March 5, 2008

Those present included: Don Batchelder, Doug Canright, John Clarke, Ted Collins, Lynn Connaughton, Sara Coulter, Craig Fetterolf, Brandon Hatter, Ken Lipton, Keith Meinert, Chris Pike, Karen Risch, Alan Staehle, ReneTegtmeyer, and Sheelagh Williams. Bill Fugazzi was absent and has not been responding to phone calls or email from Ken and Craig. The assumption is that he will not be participating.

Ken called the meeting to order at 4:04. He asked if there were any additions or comments to the minutes. Corrections. Page 1, s/b stakeholders not stockholders. Page 3, water rights s/b sell water rights. Throughout, Sara s/b Sara. Sara made the motion to approve the minutes, Craig seconded, and the motion carried. Ken collected Code of Ethics/Code of Conduct from those present and will turn them over to the commissioners. Agenda revision: review assumptions and scenarios.

OLD ACTION ITEMS:

1. Sara will follow up with Theobald to determine his thresholds for the primary and secondary indicators listed on the chart, and find out which came first.....the chicken or the egg?

Sara: Page 9 Table 5, is a qualitative comparison of the goals in master plan and indicators in the study. + and ++ were indicators of primary and secondary values. Not intended to be thorough.

2. Sara and Lynn will follow up with Theobald and Western State to see if there is any possibility of the help of graduate students or research assistants to tackle the mining claim project.

Lynn: No calls back from Theobald, may be spring break. Got a call from David Cintan of USFS to see if had data. USFS and BLM have no plans to survey mining claims. Busy in west end with new uranium claims.

Alan Q: Any need to look at huge study (5 thick volumes) on mining claims in County files? Not entirely accurate but may provide some info.

Craig: What are we looking for?

Lynn: Info which will tell us how many buildable lots are there.

Karen: County and USFS have some info. Bob has maps generated from county GIS info showing overlapping patented mining claims.

Doug: Site Dev Permit is used to manage development. Non-conforming lots exist. County has significant discretion on granting permit based on impacts to wildlife, geohazard, wildlife. Can clearly put limitation on building.

Ken: We need to focus on what kind of recommendations we would make to BOCC regarding additional work for Theobald.

Karen: Inclusion of mining claims was considered but there were technical limitations of the type and amount of data.

Alan: County could provide number of patented claims within ¼ mile of any road.

Ken: 14,000 acres of mining claims in Ouray County. Not sufficient to just turn this over. What are the assumptions that we'll turn over?

Lynn: There are various types of claims that range in size from 5 acres mill patents to 20 acres lode patents. One option is to assume a 2.5 acre building envelope.

Ken: We need to look at accessibility. Some may not be accessible or entirely vertical.

Karen: Ask County Assessor for the number of claims.

Sara: What's an accessibility model?

Lynn: Hasn't confirmed with Theobald but thinks it involves looking at the slope.

Alan: Anything is accessible if someone is willing to pay.

Ken: Lack of easements may be an issue for many lots.

Alan: If there's a mining road, there's an easement.

Doug: The USFS won't enforce this.

Alan: But the property owner can and will.

Ken: We will need to address this issue in our recommendations. We need to formulate exactly what needs to be looked at and put it in the final recommendations. We can't solve the issue in this committee.

Ted: This might be a good task for a graduate student.

Rene: The economics of building are important if there is access.

Sara: Email to Theobald with detailed question. Theobald's response is that he was waiting for this to come back. He'd like to talk to Lynn about how it might be done.

Karen: Q for Doug, County is hiring a GIS person, can this person put claims against geography?

Doug: Not sure if all the claims are there.

Alan: Emergency planning (fire plan maps) was able to get digital mining claim info.

3. Incorporate issues/comments regarding water issues into the final recommendations

4. Follow-up on furthering understanding/data regarding mining claims and incorporate this info into final recommendation

5. Alan will provide Sara with information regarding the wildfire hazard information that the County now has so that Theobald may utilize this data.

Alan: Done. Sara sent on to Theobald.

6. The County may invite Theobald to a future meeting for further study discussion.

Sara: Can't come until the summer but would do a conference call at any time.

7. The County or Theobald will provide Lynn the data needed to create the overlays for the group.

Lynn: Got the info which is phenomenally complex and has no metadata, but has figured out how to make maps. There are notes which may provide insight into thought process during map development.

8. The group will incorporate the methodology used in this process into the final recommendations so that it can be clear how/why this study group is doing what it is doing.

9. The group will make sure that a more clear and streamlined version of the table discussed will be incorporated into the final recommendations.

10. Info/ data dealing with mining claims will be added to the baseline data, and will to be taken into account in the various scenarios.

**11. Keith will contact Bob Risch about possibly participating as a member for the City of Ouray.
Done.**

INDICATOR DISCUSSION:

Sara developed a new chart that shows impacts of scenarios on values, taking impacts from the executive summary, documenting the impacts. Color (green, yellow, red) show degree of impact. She solicited help in deriving the information to complete the chart. Consensus was that this is a valuable tool and that individuals can provide input but that the group will review and agree on the contents.

SCENARIO DISCUSSION:

Ken would like to focus on the assumptions associated with each scenario and determine if they are reasonable. Alpine, high mesa and valley zones were the only ones where different different scenarios were analyzed. Karen noted that in the City of Ouray there's the possibility of accessory dwellings. They were not factored in. Ridgway also has this possibility. City of Ouray also allows residential in commercial. Craig noted that Ridgway is contemplating a number of substantial annexations. Lynn noted that Scenario C doesn't include clustering and is not the Open Lands PUD. Why wasn't clustering included in Scenario C? Confusion and lack of detailed information on the part of the stakeholders, per several former stakeholders. Much discussion on what the thinking had been. Don noted that Page 15 Table would not be different because that's just number of units with no regard for clustering impacts. Lynn would like to see additional clustering modeling. Keith noted that the same Table shows the cost/benefit of clustering for other scenarios and could be extrapolated to other scenarios. Craig noted that clustering reduces development costs. Don noted that there may be no way to incentive clustering any further under current code. Keith said that it might be useful to have the info to determine if land use code should be changed to include additional incentives. Alan said there may be other impact fees that result from analysis. Don and Keith agree that the objective of the Theobald was not to generate solutions but to provide information. Lynn noted that the scenarios are a result of what was happening in the County at the time of the study, as will any scenarios recommended by this study group. Is there a need to be proactive and consider clustering on 35 acres lots? There are IGAs between the County and the town/city which could help manage growth. New towns would not necessarily participate in an IGA and the town/city could drop out of the existing IGA at any time. The IGA requires the County to go to the adjacent town/city for a joint planning

committee. But the town/city doesn't have to do a joint planning committee even if a project impacts the county. John said this not a practical idea as a formal IGA modification. County residents outside the town/city can speak up but can't vote. Ken would like the town/city to have to consult with the County but not necessarily follow County's position. Karen noted that the IGA is more advantageous to the County than state law. Ken noted that there's a good cooperative agreement between the town/city and county but that could change as development pressures increase. Rene noted that annexations could have a greater impact than other scenarios. John mentioned that some Ridgway annexation requests (formal and informal) have been denied. Don noted that all annexations (except Weaver) have been within the urban growth area and that growth within the town/city areas does not cost the County as much as growth outside the town/city. Most impacts to county roads come from residents outside the town/city.

Karen noted that there were three items that were not included per Page 9 Table 5 (road impacts on water quality, high wildfire hazard and trailheads) and should be. Alan says that one summer thunderstorm has more impact than all the road traffic. Lynn said there are studies which show that road maintenance (salts, etc) can impact the watershed. Ken said that water quality and wildfire hazard data are now available so could be used. About one third of hikers actually sign up at trailheads. Karen has data from the trailheads (number of hikers, origin). Craig suggested that jeeping also has an impact. Is there data? Alan said the number of vehicles and people is hard to get. Ken suggests using the new chart to document these impacts. Karen suggests that the trailhead data could be used in the road use model. Don thinks that the numbers will be constant regardless of the scenario but should be noted.

Getting back to only running scenarios in the alpine, high mesa and valley zones, is there the possibility that there would be rezoning for higher density. Doug says no. The second assumption is that the existing density is the future density. Is this reasonable? Doug says yes. Parcels that are at least 35 acres and contiguous to other 35 acres were considered as one even if the current ownership is separate. Is this reasonable? Yes. The mining assumption has already been discussed and we have a plan of action. Parcels that have a conservation easement are not subject to further subdivision. Lynn has more detail. The last assumption states that some parcels don't have attributes and the existence of a structure is unknown. Doug says there are definitely parcels with structures that the County doesn't know about.

Craig asked why only the alpine, high mesa and valley zones were included. Because the pressure for development is mostly in those zones.

NEW ACTION ITEMS:

- 1. Alan/Karen/Lynn will look at what mining claim information is available and report back.**
- 2. Sara/Lynn/Ken will work with GIS info to fill out the impact chart.**

3. Recommendations should include notes that additional scenarios may be required to address: 1) Ridgway and Ouray permit accessory dwellings which could have a significant impact on total population, 2) Ridgway is annexing land and there may be other new towns (Loghill/Fairway Pines) and 3) Scenario C is not the Open Lands PUD and does not include clustering so may want to include a new scenario modeling clustering on 105 acres with density bonus and on 35 acres but placing cluster in “best place”. Sara will ask Theobald if he’ll do additional scenarios and what the cost would be.

4. Consider a recommendation to strengthen the IGA so that there’s County input on projects which impact the County or change Land Use department policy so that all town/city project notices go to the Planning Commission.

5. Lynn will provide maps of conservation easements.

6. The report should note that a zoning change in one of the zones not considered could have major impacts.

The meeting was adjourned at 5:55pm.

NEXT MEETING:

March 19, 2008 at 4:00pm at the Land Use building