

Theobald/RPI Study Group
March 19, 2008

Those in attendance included: Rene Tegtmeyer, Ted Collin, John Clark, Alan Staehle, Karen Risch, Heidi Albritton, Don Batchelder, Keith Meinert, Doug Canright, Dick Allison, John Moss, Ken Lipton, Craig Fetterolf, Sarah Coulter

Ken called the meeting to order. Karen had a few questions on the minutes from the past meeting, specifically regarding the IGA discussion. Ken clarified that the group would like to see closer cooperation between the city and county regarding growth issues, and possibly tighten up language within the IGA to make that as clear as possible. When something happens within the municipalities, it is critical that the County be made aware. The minutes were approved unanimously.

Alan discussed the County's current inventory list which includes 5 large binders full of information. He believes that the info contained within the binders is digitized somewhere, but no one is sure where. These books were put together by the Forest Service in the context of the Red Mountain Project. Karen brought some sample maps that Bob Risch had put together which clearly show the mining claims and ownership in the Canyon Creek area, the Red Mountain Project, and the County. These maps are digitized. Karen said that the estimate is around 1200 claims according to the information that the Assessor has provided thus far. She stressed that some of the challenges inherent in examining the mining claims include the fact that there are so many areas of overlap. Alan and Karen came up with a list of questions: How many claims are there that need to be looked at? What are the County rules as applicable to potential building? Septic was discussed, and Doug stated that as long as the system can be engineered the County would have to allow it under current code. The more significant factor may be setback. The definition of 'road' was discussed and how it pertains to access, how these access points are differentiated from mule tracks and trails. The oldest claim always have priority in terms of access, the areas of overlap present unique situations where multiple buildable sites may be found in a small area. Areas that were historically 'unbuildable' are now accessible because of technology; money is the only limitation. The site development permit is used for buildings on these sites. Mary Deganhardt feels that the County can utilize this permit to tighten up the regulations on these potential sites. Utilizing examples from other Counties was suggested, and the County is currently doing this. The County has already held a work session on the development of mining claims, and is endeavoring to get a handle on the scope of the issue. Alan brought up the fact that there is potentially significant impact on the RPI study in that there are potential missed revenues by not taxing these claims as developable sites. However, doing so could create another issue of pushing people towards developing their claims. Lynn suggested that the County come up with a policy statement indicating what areas should be focused on. Keith reminded the group that the Theobald study was a buildout study, and the same assumptions of level of buildout need to be applied to the mining claims. Rene agreed with Lynn that there should be priorities (for example an avalanche slope is not the same as ridgeline). Ted suggested that there must be a common ground in that Theobald could do the whole thing, and then the group could come up with an estimate of actual potential

buildout. It was agreed that this is another scenario, and there will have to be some assumptions made. Keith provided traffic count information on all the jeep roads, and suggested that this information be utilized in this process.

The next action item was to look at new scenarios; Sarah was not present to provide information on whether or not she had gotten a hold of Theobald to discuss this.

Lynn was going to look at maps of conservation easements, she was unable to get the information from the Theobald package, but has secured it through another source, she just needs to get it formatted to take a look at. There have been some new conservation easements recently, and she will make sure to take those into account. We will come back to this at the next meeting.

Sarah, Ken and Lynn met to go over the impact chart, and to find various methods of representing the data in ways that made for easier interpretation. Lynn discussed their new impact chart. The purpose of the chart was to compare the scenarios with the values of the master plan. Lynn has found that the way in which Theobald has integrated the data is quite cumbersome which has made it something of a challenge to pull out the data the group is interested in. How to calculate 'preserving community character' was discussed, and Lynn stated that it was decided to look at building units might be a good indicator. She made note of the fact that in looking at these numbers, the numbers are remarkably similar across the board. She discussed how to translate elements from the Master Plan into factual data that can be analyzed, and assessed in terms of the Study Group's agenda. Her point was that while the data is somewhat cumbersome, if the group can find a way to 'connect the dots' between the philosophy of the Master Plan with a methodical way to analyze the information in the Theobald study, this information study the indicators are listed. Ken discussed the inadequacies of this chart, and the group's desire to utilize a chart format while making the information more meaningful and accessible. Lynn demonstrated how the maps could be zoomed into to see how the indicators look in smaller areas of the County. She has several scenarios loaded onto her computer, and she demonstrated how the scenarios could be examined up close, and also in comparison with each other. Ted reminded the group that the dots on the map are a little misleading when you consider that the size they represent on a map is supposed to be a 5-acre footprint, but when viewed on a map the dots can seem different than what they actually represent. Ken wanted some feedback from the BOCC as far as whether or not this methodology was useful. Sarah reminded the group that the goal of the Study group was to evaluate the information of the Theobald study in relation to the Master Plan.

Keith expressed that in terms of the chart the group is currently discussing, that this was exactly what he was hoping for from the group. He acknowledged that there are some Master Plan goals which may not fit in such a methodology. He is concerned that a subjective analysis may be necessary in these cases, and that could be problematic as far as explaining the methodology to the public and the BOCC. He is concerned that if it is either too complex or too subjective, that this leaves the results open to interpretation and criticism. Ken addressed these concerns and stated that the group is trying to find measurable data for the various indicators, and some are certainly more problematic than others. Lynn suggested that this might be putting the chicken before the egg. Before coming up with the models, Lynn could put together a model of everything we know (a raw data table). Once she has the raw data, this can be utilized to examine some of the

various indicators that the group is discussing. The group liked the suggestion, and felt that focusing on the known data and staying as objective as possible is preferable. Heidi felt that the current chart should be kept and used at a later point, once Lynn's 'raw data' chart is examined. Some categories are not practical for such an examination, but others are very appropriate and may be made more obvious after a more basic analysis. Don asked how indicators with multiple factors are examined. Lynn responded that the Theobald study already takes those multiple factors into account. The necessity of explaining the group's methodology was discussed. If things are weighted in the analysis, this must be disclosed and explained. Transparency and simplicity must be priorities in the creation of any charts or analysis. The more subjective the process seems, the more open to criticism the results will be.

The next item was a discussion of the assumptions in the Theobald study. Ken asked if there were any changes in the assumptions. Alan had issue with the doubling of the density scenario. It was pointed out that while not politically viable, State law allows it, and it was decided that it was valuable to leave the assumption as is. Ken suggested that the group make the basic assumption that density will constantly be challenged, and it is therefore useful to take this into consideration. Craig voiced concern over a lack of clustering mentioned in the 105 acres scenario. Rene reminded the group that we had already agreed that we would suggest another scenario with the 105 acre with clustering. Don suggested using the assumptions for cluster development on page 7. The group agreed. Ted discussed that the value to the landowner needs to be considered throughout these discussions, as the economic factors are very relevant to the end results of any scenario.

The Urban Growth boundaries were discussed, and Ted pointed out that these boundaries could be changed. Don pointed out that while this is possible, it is very difficult to do so. Ken brought up that this takes us back to an earlier action item, which is to strengthen the IGA's. Keith asked that when this scenario is discussed, that this vulnerability is mentioned and commented upon.

On the Scenic Corridors, Alan mentioned that mining claims were not included in Scenic Corridors at the time the definition was created. He suggested that this might be a hole in current County policy that needs to be addressed. Rene asked that the TDR component and UGB impact also need to be made explicit in the scenic corridors section. He felt that the scenario needed to be more thoroughly explained. Lynn asked if it would be helpful to create an overlay to see the difference between D & F as well as E & F, and it was agreed that it would be. Incentivizing some of these scenarios will probably be necessary, and that should also be spelled out.

Don suggested that on the 1 per 70 scenarios, that it be spelled out what the implications of such an action would be (i.e. Property rights and takings issues). So that the public understands what would be involved under such a policy, it is necessary to make clear what such an action would mean for a property owner.

ACTION ITEMS:

1. Alan and Karen are to summarize the information that they have gathered to be submitted to Theobald to see if this info can be integrated into his study. They will make some recommendations on assumptions as well as their justification.

2. Sarah/Lynn will present her information from Theobald as to whether or not he can integrate the new scenarios.
3. Lynn will present her finding regarding the conservation easements.
4. Lynn will put together a table of raw data to be presented at her discretion. She will keep the group apprised of her progress.
5. The group will suggest another scenario whereby clustering would be considered on a 105 acre site.

April 2nd is the next meeting; both Rene and Craig said that they will not be able to attend. The meeting was adjourned at 6:03pm.