

CONCERNED CITIZENS OF CUSTER COUNTY (C4)

Minutes of General Meeting, June 27, 2007, Cliff Lanes, 7:00 p.m.

Welcome and opening remarks (Joe Arbuckle). Opened the meeting at 7:00 p.m. Introduced Board members and thanked them and Committees for all their good work.

Update on Commissioners meeting, June 5, 2007 (Joe). Subdivision regulations had not been discussed. County Attorney John Naylor's assessment of opinions of experts on draft county resolutions on minor subdivisions and cluster development were put in Commissioners' in-boxes. Subdivision regulations are on agenda for next Board of Commissioners (BOCC) meeting, July 3. C4 orientation also on July 3 agenda, at C4's request, to introduce C4's purpose, describe current activities, and deliver message of intent to be a positive influence in county and of assistance, if desired.

Humboldt LLC requested an extension to the 90 day requirement in the Zoning resolution; did not go before the Planning Commission on 5 June—status? (Joe). Action is pending, presumably at Planning Commission level, after email request for extension was received in Zoning Office on May 29.

C4 orientation meeting with BOCC, July 3, 10:00 AM (Joe). Time on agenda was changed to 10:30 a.m.

Joe asked for any questions. There were none.

Potential and/or real action areas: (Joe)

- 1. get involved with county economic development and Community Action Plan (CAP) – done; still engaged.** C4 has identified possible collaboration with Economic Development Committee (EDC) for Custer County and will be represented at July 30 EDC meeting. Lockett Pitman, to represent C4 on the CAP group addressing a water plan, asked how requests for information are proceeding. Bob Senderhauf replied Upper Arkansas Water Conservancy Board and the State Engineer had been contacted; requests will follow to Round Mountain Water District, Wet Mountain Valley Water Users Association, and the U.S. Geological Survey.
- 2. get involved with town planning efforts (subdivisions and cluster development (CDs)).** C4 is checking with town trustees to see how information may be shared.
- 3. draft a county conflict of interest policy – board will do a draft.** Carol Larson is looking into it.
- 4. coordinate and network with other organizations (Memorandum of Agreement (MOA)).** Lockett is looking into coordinating communication among groups and memberships with mutual interests and direction for the future in the county. A simple, mutual MOA would be prepared. Lockett talked with Sustainable Ways and San Isabel Land Protection Trust, mentioned Dark Skies and American Legion, and asked for further suggestions. A suggestion was given to also have representatives from each town.

5. open C4 web page – done in about a week (C4citizen.com). Joe has been learning how and obtaining technical assistance to create a website, to be named C4citizen.com, which will include such C4 information as its charter, policy documents, position papers, links, etc.

6. draft public policy formation paper – done. Joe explained it could serve as a simple model with alternative ways to approach policy formation; provided some examples involving land use. Stated that all kinds of organizations use such models.

7. ideas to increase county revenue – working a list. C4 is putting together some ideas and has asked Don Paul (a retired planning officer for Arapahoe County) to lead the project. A suggestion was given to include someone from the Chamber of Commerce, which has addressed the need to increase revenue over many years. There was some discussion about working on a possible moratorium on the Tabor law at the county level.

Comments from the floor: 1) Agriculture is unlikely to be able to help. 2) Sales taxes contribute more than property taxes.

Committee reports:

Joe, in Dorothy Nepa's absence, explained that committees are continuing with research and analysis. Proposed that since Board consensus is there is no need for a general meeting in July, the next C4 meeting will be in August. At that time, position papers should be ready to present. There were no objections to the proposal.

- **Cluster development (Patty O'Brien)*.** Reported the committee had contacted Larimer and Routt Counties, at the recommendation of the Colorado Office of Smart Growth. Larimer County has a County Land Use Code defining the purpose, process, and intent (support agriculture, open space, etc.) of CD there. Also have a Rural Land Use Center, with established fees, to help landowners interested in or planning CD. Routt County developed a County Open Lands Plan, which assessed techniques for managing growth and protect open land. Both counties aimed to develop ways to reduce growth of 35 acre subdivisions and provide incentives to landowners who meet county goals. The committee's next steps: a) discuss with each County's planners what they are doing, how it is working, costs, and any cautions or lessons learned for Custer County; b) obtain the draft model land use code for Colorado from the Office of Smart Growth, particularly draft regulations for clustering.

Further discussion included: what the Colorado state law says about CD; incentives; and CD restrictions to in-house well use. Joe mentioned that County Attorney Naylor has recommended delaying consideration of CD until a case before the State Attorney General regarding mandated open space and water is settled.

- **Minor subdivisions (Sue Pitman)*.** The committee interpreted the Master Plan reference to Minor Subdivisions as stating the importance of providing

some sort of incentive to consolidate smaller lots into larger lots, with Minor Subdivision mentioned as only one possible vehicle. The committee looked at the Chaffee County Subdivision Ordinance requirements for Replats and for Boundary Line Adjustments and Eliminations, which provide an expedited process for consolidating smaller lots into larger ones, more tailored to these particular situations than the Minor Subdivision process. Thus, it appears there is at least one way for Custer County to encourage consolidation without having Minor Subdivision Regulations. The committee intends to study the Chaffee County option more thoroughly.

- **Planned Unit Development (PUD) (discuss zone 1 & 2, see slide) (Joe, in Carol Larson's absence).*** Reiterated that C4 has taken a position on PUDs by sending a letter to the BOCC requesting exemption of PUDs from Zones I and II. Explained the slide (copied on the back of the agenda), which illustrates apparent harmony in the wording of the intentions for Zones I and II in the Master Plan (April 10, 2002) and in the Zoning Resolution (March 6, 2002). It then illustrates an apparent conflict with the amended PUD standards in the Zoning Resolution approved October 2, 2002, which allow a 1000% increase in dwelling density.

Comments from the floor:

- 1) The intent of the amendment was for the 1000% increase in density while keeping 75% of the acreage in open space.
- 2) Such density would require water augmentation.
- 3) Developers should pay their way.
- 4) Who determines "low population density?" A definition on this is needed at the county level.
- 5) The trade-off is between more people (to bring in economic development) or more open space.
- 6) Can't have both, so need a balance.
- 7) Young people can't make a living here so are leaving, more now than previously.
- 8) Custer County's problems are not unique but repeated in many small towns.
- 9) Agricultural land here has increasing value for good food (beef); Custer County should "push" that fact. Need to value what we have: good land open space, and good community.
- 10) Need to purchase food here rather than "go down the hill."
- 11) Almost impossible to have 10 houses on 10 or 20 acres with proper sewerage. Developers won't pay their way.
- 12) A moratorium was put on septic systems west of Pueblo because their proximity was too close.
- 13) There are already more than 7,000 little lots for sale in every zone except Zone I, so Custer County doesn't need to create more small lots. Should look at the available "inventory"; if the time comes when more land is needed for houses, "they'll figure it out then." Need to work on saving as much land as possible now, because can't reverse it back again.

- 14) Some count their land as 401 Ks. It's not fair to "confiscate their rights for our pleasure," unless paid for.
- 15) Property values have risen tremendously, mostly due to new people settling in the county. It's not unreasonable for the new arrivals to say, "Let's go slow in seeing how the land gets developed."
- 16) Consider co-ops to pool resources; get investors to buy [open space].
- 17) It all comes back to "smart development." Citizens need to honestly come together, with nothing covert.

Joe concluded it had been a very good discussion.

Water discussion (Lockett, in Wiley Larson's absence)*. Reported several members of C4, including the Water Committee, had attended the June 1 Pueblo meeting of the U.S. House of Representatives Sub Committee on Water and Power. Read Wiley's Summary and Comments, which included observations the Water Committee intends to pursue further. Explained the purpose of the meeting: What can the Fryingpan-Arkansas Project teach us? Stated attendance seemed to represent agriculture and small town interests vs. big cities. For example, the original allocation was for 51% of water to go to cities and 49% to agriculture, but currently 74% goes to agriculture, and cities are claiming their share. The demand for water from the Fry/Ark will increase as population growth continues in cities. Custer County must understand the real impacts on the county coming from the Upper Ark Augmentation ideas.

A good discussion on water followed, including insight on the history and changes over the years.

Adjournment. A motion to adjourn was presented at 8:50 p.m.

Respectfully submitted,
Margaret Karsten, Secretary

* Copies attached to the official Minutes: O'Brien, Pitman, and Wiley Larson reports; slide showing increase in density under Oct 2, 2002 Zoning Resolution amendment; and C4 Treasurer Report as of June 27, 2007 (not presented at the meeting).