



Memorandum

TO: Town Council

FROM: Community Development Department

DATE: July 3, 2018

SUBJECT: An update to the 1994 Comprehensive Open Lands Plan, pursuant to Section 12-3-7, Amendment, Vail Town Code. (PEC17-0049)

Applicant: Town of Vail, represented by Braun Associates, Inc.
Planner: Chris Neubecker

I. Purpose

The purpose of this memo is to present the recommendations of the draft 2018 Open Lands Plan Update, specifically Chapter 2, Environmentally Sensitive Lands. For a copy of the draft 2018 Open Lands Plan Update, please select the following link:

<https://www.vailgov.com/openlandsupdate>

II. Environmentally Sensitive Lands

The draft 2018 Open Lands Plan Update identifies 16 parcels as Environmentally Sensitive Lands which should be considered for either acquisition by the Town of Vail or another form of protection. For the purposes of this plan, Environmentally Sensitive Lands are those properties containing riparian areas, wetlands, geologic hazards, steep slopes, wildlife habitat, or act as neighborhood buffers. Environmentally Sensitive Lands were identified in the 1994 Comprehensive Open Lands Plan as a priority, and the feedback from the community during the recent public planning process confirmed this as a priority. To date, 30 of the 51 Action Items in the 1994 Plan have been completed, or have been achieved in other ways.

The 1994 Plan also suggested the use of conservation easements or the Designated Open Space program to protect lands. To date, the Town has used the Designated Open Space process to protect 57 parcels, totaling 533 acres. During the planning process, we heard support from the community for stronger methods of protection, including more discussion on conservation easements.

During the planning process, 106 private, undeveloped properties were identified and studied for potential protection. Of these 106 parcels, 16 are identified in the draft plan

for protection. Of the privately owned lands studied, those identified for acquisition or protection include parcels that:

- Are located adjacent to Gore Creek or one of its tributaries; or
- Benefit wildlife habitat by providing movement corridors or other benefits; or
- Are inaccessible due to terrain or ownership, or where access would have negative impacts on the land; or
- Include steep slopes or other environmental hazards.

Protection of Environmentally Sensitive Lands can take a variety of methods. In addition to outright acquisition by the Town, other potential forms of protection might include conservation easements to protect the land, rezoning of the property to limit its development potential, or requiring clustering development onto one smaller portion of the parcel leaving other parts undeveloped. Each of these scenarios would involve discussions between the Town of Vail and the property owners to consider the best approach for protection.

III. Recommended Action Items and Implementation Steps

Chapter 5 of the draft 2018 Open Lands Plan Update includes a list of Action Items for consideration. These Action Items include actions that the Town should take to implement the Plan, including acquisition of lands, acquisition of easements, construction of trails, and/or development or use of public lands or facilities.

Action Items in the draft plan relating specifically to **Environmentally Sensitive Lands** include:

- Action Item #2 – Steep land behind Cortina Lane with no legal access.
Purpose: Protect environmentally sensitive land from development.
Recommendation: Acquire parcel or work with land owner on conservation easement or other measures to eliminate development potential.
- Action Item #5 – Corner lot at intersection of Buffehr Creek Drive and Chamonix Lane.
Purpose: Protect creek corridor land from development.
Recommendation: Acquire parcel or work with land owner on conservation easement or other measures to eliminate development potential.
- Action Item #8 – Undeveloped lot on Matterhorn Circle.
Purpose: Protect land from development and maintain wildlife movement.
Recommendation: Acquire parcel or work with land owner on conservation easement or other measures to eliminate development potential. Prior to purchasing this parcel, monitor the site (with game cameras) to better understand how wildlife may use this parcel.
- Action Item #10 – Steep lot above Sandstone Drive.
Purpose: Protect environmentally sensitive land from development.

Recommendation: Acquire parcel or work with land owner on conservation easement or other measures to eliminate development potential.

- Action Item #12 – Parcel along Middle Creek east of Dobson Ice Arena.
Purpose: Protect environmentally sensitive land from development.
Recommendation: Acquire parcel or work with land owner (ERWSD) on conservation easement or other measures to eliminate development potential.
- Action Item #13 – Small parcel of land on Gore Creek at International Bridge.
Purpose: Protect environmentally sensitive land from development.
Recommendation: Acquire parcel.
- Action Item #17 – Small parcel of land immediately adjacent to the Vail Golf Course.
Purpose: Protect environmentally sensitive land.
Recommendation: Acquire parcel.
- Action Item #19 – Steep lot in the Booth Falls neighborhood, with limited access and within rockfall hazard area. Very limited development potential.
Purpose: Protect environmentally sensitive land from development.
Recommendation: Acquire parcel or work with land owner on conservation easement or other measures to eliminate development potential.
- Action Item #20 – Lot at end of Lupine Drive with existing pond.
Purpose: Protect environmentally sensitive land from development.
Recommendation: Acquire parcel or work with land owner on conservation easement or other measures to eliminate development potential.
- Action Item #21 – Property owned by the Bighorn Mutual Sanitation and Recreation Company, including pond across Columbine Drive from East Vail Fire Station
Purpose: Protect environmentally sensitive land from development.
Recommendation: Acquire parcel or work with land owner on conservation easement or other measures to eliminate development potential.
- Action Item #22- Large, steep parcel with no current legal access, behind Columbine Drive and Nugget Lane. Property is within debris flow, avalanche, and rockfall hazard areas.
Purpose: Protect environmentally sensitive land from development.
Recommendation: Acquire parcel or work with land owner on conservation easement or other measures to eliminate development potential.
- Action Item #23 – Property owned by Colorado Department of Transportation (CDOT). Property has potential for development. Property is bisected by Bighorn Creek.
Purpose: Protect environmentally sensitive land from development.
Recommendation: Acquire parcel.

- Action Item #24 – East Vail Housing parcel, owned by Vail Resorts.
Purpose: Protect environmentally sensitive land from development or mitigate development impacts on environmentally sensitive land.
Recommendation: Acquire parcel if not developed by the land owner. If a development application is submitted and approved, work with the land owner to establish a conservation easement on the approximately 17 acres of Natural Area Preservation (NAP) property, and further mitigate for wildlife and other environmentally sensitive issues on the approximately 5 acres of developable property.

IV. Input from Town Council and Next Steps

The Community Development Department requests that the Town Council provide feedback on any elements of the Environmentally Sensitive Lands section of the draft 2018 Open Lands Plan Update that may need to be modified. Staff will take your suggested plan refinements, and will return with edits during meeting #6. At that time, we will present the final draft of the plan.

The next meeting will focus on Use of Town Owned Lands, currently scheduled with the Town Council on July 17, 2018.

V. Attachments

- A. Public Comment received since June 5, 2018

2018 Update to the 1994 Comprehensive Open Lands Plan

