

Rural Living in Pitkin County



View from the Sundeck, Aspen Mountain

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Introduction

Each year many people living in metropolitan areas decide to make a lifestyle change and move to rural areas. Others invest in second homes in rural areas to escape the urban environment for short time periods. Pitkin County is high on many peoples' lists for both vacation and permanent residences. Their decision to move to Pitkin County may be based upon past vacations spent at one of the County's four world-class ski resorts - Aspen Mountain, Aspen Highlands, Buttermilk, or Snowmass, or their decision may simply be driven by the diversity of recreational opportunities, cultural amenities and spectacular scenery found in the Roaring Fork, Crystal, and Fryingpan River Valleys.

It is important to have realistic expectations when moving from an urban to a mountainous rural area. Vacation spots that are idyllic in the summer months may be snowbound and inaccessible to cars and trucks during the winter. A second home location that appears lush when snow-covered during the ski season may be dry and dusty during the heat of summer. Services taken for granted in metropolitan areas, like residential mail and newspaper delivery, may not be available. The County does not provide curbside pick-up of trash or recycled materials; you will need to haul your refuse to the landfill or contract for these services. Emergency equipment may be far from your residence and unable to travel your roads. The local school bus route may be several miles away. The availability, accessibility and range of health care services (particularly those associated with medical specialists and in-home services) will not be the same as the typical urban environment. As you look for a place to make a new home, you should not only consider the natural environment, but the private and public services that you feel are essential to your way of life.

We are providing you with the following information to help you make an informed decision about moving to Pitkin County. We encourage you to contact the County Departments and other resources listed at the end of this document if you have any questions about the material, or would like to learn more.



Development Options

■ **Restricted High Density Development.** Pitkin County's land development policies are geared toward preserving the rural character of the County, and guided by the [Pitkin County 2006 Land Use Code](#). To promote environmental sustainability, it is the policy of the County to implement the [Ecological Bill of Rights](#), section 1-60-180 of the Code. Higher density development is only permitted within an urban growth boundary ("UGB"). Outside the UGB (in the "Rural Area"), lower density residential uses, agricultural/ranching operations, and open space land uses are promoted. The entire County is zoned and the land uses permitted and prohibited in any given zone district reflect this UGB/Rural Area dichotomy. Thus, one of the first things anyone thinking about buying property should do is to determine the property's zoning and whether it is located inside or outside the UGB.

■ **Development Rights & Development Potential.** Not all parcels of land in the County automatically come with a development right. Development rights can be obtained for some parcels (*e.g.*, through growth management competition or acquisition and use of [Transferable Development Rights](#) ("TDRs")) and cannot be obtained for others (*e.g.*, where a parcel was created as a result of an illegal subdivision of land). Similarly, very large residences will not be approved on all parcels of land in the County. Currently, the "base" house size in the County is 5,750 sq. ft.; in the UGB, "base" house size is generally 15,000 sq. ft. A property's zoning, lot area, available [Growth Management exemptions](#), and prior County land use approvals are among the other factors that may enter into the calculation of permissible floor area (*e.g.*, in the "Rural/Remote" Zone District residences are restricted to 1,000 sq. ft.). Thus, it is important to verify not only the development

potential of your parcel of land, but also the actual square footage that you will be allowed to build.

■ *Caucuses and County Master Plans.* The County has adopted a series of [Master Plans](#) covering specific regional planning areas. These plans were developed with the assistance of the local neighborhood caucus groups and area residents. You should familiarize yourself with the Master Plan covering your property, as the Master Plans contain specific recommendations for future growth and development and sometimes include recommendations for property rezoning that may be adopted by the County in the future. There are currently nine recognized caucuses that are regularly consulted by the County on land use planning and other issues affecting their geographic areas. You may want to contact the [caucus](#) for your area for its perspective on local issues that you are concerned about.

■ *Required Land Use Reviews.* Because of the importance of preserving scenic vistas, open space and environmental resources, including wildlife habitat, most development in Pitkin County undergoes a site-specific review by the County's [Planning Department](#). This "Environmental Protection and Natural Hazards Review" is also meant to identify any areas on a site that could prove hazardous for development (*e.g.*, unstable slopes, avalanche areas, the 100-year floodplain) and measures that might be taken to avoid or mitigate for the natural hazard. Some parts of the County are also subject to [Scenic View Protection Review](#), in order to protect scenic corridors. The Planning Department can provide you with additional information on the factors it will review in connection with your proposed development. It can also assist you in finding and interpreting conditions of development that may have already been imposed upon a property under prior County land use approvals. Additionally, if you are thinking about purchasing property because of its proximity to open fields and pastureland, or for its scenic views, remember to check with the Planning Department on the development potential of surrounding areas.

■ *Identifying the Area for Development.* During the Environmental Protection and Natural Hazards Review, an "[activity envelope](#)" for all development activity (Landscaping, access, structures, septic field, etc.) is identified on a parcel. Any development outside the activity envelope, such as land clearing, site grading, and landscaping, is typically prohibited. It is important to consider all of the improvements you desire to make on a property as you go through the review process. Some improvements, such as the construction of berms and ponds, may also require you to obtain a [Clearing, Grading, Grubbing & Earthmoving Permit](#) from the County.

■ *Building & Zoning Permits Required.* Zoning approval is required for the establishment of temporary and permanent structures in the County (including [signs](#)). Most construction also requires a building permit, a construction

management plan, and inspections prior to occupancy. The County [Zoning Office](#) and [Building Department](#) can provide you with specific information on the permitting process.

■ *Covenants.* Most people moving from metropolitan areas are familiar with Homeowners Associations (“HOAs”) and their roles and responsibilities, as well as subdivision or planned unit development (“PUD”) covenants limiting the uses of a property. When you are doing due diligence on a property it is important to understand how requirements imposed by an HOA interface with County requirements, since the County is frequently not a party to covenants. For example, the setbacks imposed under a subdivision’s covenants may be less restrictive than those imposed under the County’s Zoning regulations, or a subdivision’s covenants may permit more square footage on a property than the County Land Use Code would allow. In such instances, you should not assume that the requirements in the covenants would control when you are seeking your Planning, Zoning and Building Department approvals.



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Special Easements and Right-of-Ways

In urban areas it is not unusual to have third party utility or driveway access easements crossing a property. In Pitkin County, you may encounter other types of easements, licenses and right-of-ways that you may not be familiar with.

■ *Easements & Open Space.* Pitkin County [Open Space and Trails](#) protects and maintains over 14,000 acres of land in the County. Other organizations, such as the Aspen Valley Land Trust and Roaring Fork Conservancy, are also active in preserving open space for agriculture, wildlife and recreation. Some of these lands remain in private ownership, subject to conservation easements. Conservation easements generally do not provide for public access, although there are exceptions. You will want to familiarize yourself with the terms of any “conservation easements,”

“fishing easements,” “trail easements,” or similar third party property rights on or in proximity to your property.

If your land has important “conservation values,” the County Open Space and Trails Program may be interested in working with you to permanently protect these resources. “Conservation values” may be important wildlife habitat, scenery, recreational, or agricultural resources. The Open Space and Trails Department works with landowners to purchase appropriate easements, where warranted, and significant tax benefits are also available for the donation of land, conservation and trail easements. For more information, or for assistance interpreting existing conservation and/or trail easements, please contact the Open Space and Trails Department.

■ *Mineral Rights.* The County is rich in mining history. Recently, oil and gas exploration and drilling has become an issue in the County. Most property owners do not own the mineral rights below their land. This is what is referred to as a “split estate” or “severed estate.” If someone owns (or leases) the mineral rights to oil and gas beneath your property, they have the right to enter your property and search for minerals, and if minerals are discovered, they have the right to remove them. The rights and protections available to surface owners in these circumstances can be complicated, but important to understand, if third party mineral exploration and development is a possibility on your property.

■ *Water Rights.* In Colorado, water rights are not automatically part of ownership of any parcel of land; water rights can be bought and sold separately. Colorado follows a prior appropriation system of water law. At the heart of this system is the principle that the first user to divert and put water to a beneficial use has a prior right to that water, as compared to later water users. Under the prior appropriation system, the prior user is also entitled to divert all of the water necessary to meet their prior water right before a junior user is entitled to divert any water. Under this system of water law, a landowner does not have the automatic right to use the water from any rivers or streams appurtenant to the property. If water rights are being conveyed with your property, you will want to review their legal value and your entitlement to the water, as well as the physical supply.

■ *Ditches.* Irrigation ditches traverse the County. The fact that a ditch crosses your property does not mean that you have the right to pump water from the ditch. Once again, you will need to review the water rights conveyed with your property. Even if you are an upstream water rights owner on a ditch, you should not assume that you have the right to change the location or dimensions of the ditch as part of the development of your property, since such changes could damage downstream water rights owners.

If there is an active ditch on or near your property, consider the possible hazards. Flow levels may change abruptly without warning. A ditch that is not culverted or piped may leak and cause hillsides to slump or affect foundations and on site waste water treatment systems. You should also be aware that ditch owners have the right to enter private property to undertake work that is reasonably necessary to inspect, operate, maintain and repair the ditch.



Ashcroft

Historic and Archaeological Resources

■ **Historic Structures.** The preservation of historic and archaeological resources factors into County decisions on development on many parcels of land. The County Land Use Code provides development incentives to property owners that maintain historical structures on their property. Development in the town of Redstone is subject to special [historic preservation design guidelines](#) in order to maintain the unique character of that town. If you have questions about the historical or archaeological significance of a structure on your property, you should contact the County's Historic Preservation Officer for additional information.

■ **Mining Claims.** Mining has occurred throughout Pitkin County. In fact, your parcel of land may be an old mining claim, particularly if it is located above the City of Aspen. Mining sites can carry special hazards with them, such as open mine shafts and ground subsidence. The Colorado Department of Natural Resources' [Division of Minerals and Geology](#) can assist you with questions on the environmental and physical hazards associated with abandoned mines.



Access and Transportation

Where practical, the County seeks to retain existing unpaved roads as a reflection of the region's rural character and also tries to preclude winter road maintenance from extending further into remote areas. When purchasing property in a rural area it is important to identify any issues associated with access, such as the following:

- **Variable Road Conditions.** Road conditions in rural areas can be extremely variable. Unpaved roads generate a lot of dust, often "washboard," and can become muddy and very slippery when wet. In severe weather roads can become impassable. You may need a four-wheel drive vehicle to travel on your road, or even a snowmobile during the winter months. It may be necessary to contract for grading and snowplowing services, or to rent or own special equipment to clear and regularly maintain your private road in addition to your driveway.

- **Road Maintenance.** Extreme weather conditions can severely damage or destroy roads and bridges. Residents served by private roads and bridges can end up with large bills for repairs and/or reconstruction after floods or other natural disasters. Determine whether your private road or bridge was properly engineered and constructed. Even with proper engineering, periodic road maintenance should be expected. Review the County's [Asset Management Plan](#) for a list of County roads and consult with County [Public Works](#) if you have questions about County maintenance or improvement of roads and bridges in your area. You should also be familiar with the terms of any Subdivision Improvements Agreement affecting your property, as these agreements often contain requirements for future road upgrades that may be an expense to you in the future. Even if your road is on the list of roads maintained by the County, Public Works' resources are limited and you should not expect to be "plowed out" immediately after a snowstorm.

- **Construction Access.** If you plan to build, be sure that large construction vehicles will be able, and/or allowed, to navigate the roads and any

bridges to your property. Rural residences can be much more costly to build due to the extra expenses associated with delivering building materials and equipment to a remote site.

■ *Factors Affecting Visibility.* The lack of streetlights and other outdoor lighting can make night driving very difficult for some people. Visibility in rural areas can be particularly bad during periods of dense ground fog or blowing snow, making it even harder to see deer, elk and other animals that may be on the roads.

■ *Legal Access.* If your access crosses someone else's property, verify that you have the legal right to use that access in the future. Also remember to investigate any public access easements that may cross your own property. You may need to obtain legal advice on easements or license rights. If your property is undeveloped, you must establish that you have legal access to it in order to obtain the County land use approvals and building permits needed to develop it.

■ *Driveways & Vehicles.* Before a new driveway can be constructed, you will need to be assigned an address and a County [Access Driveway Development Permit](#) must be issued. If you are accessing your property off of a State Highway, you will also need to obtain a [CDOT State Highway Access Permit](#). Questions concerning driveway standards should be addressed to the [Planning Engineer](#). Consult the Community Development website for information on [obtaining a property address](#) and remember, once you establish residency in Pitkin County (*e.g.*, you've resided in the County for 90 days), you have 30 days in which to [register your motor vehicles](#) with the County.

■ *Parking on Roadways.* Parking is not allowed on any County roads, County Right of Ways, or on other County properties (other than parking lots) without the prior written consent of the County. Many parts of the County are serviced by a single primary access road, which may also be steep and narrow. If your guests or construction workers park in the public right-of-way, other area residents or emergency vehicles may be unable to reach their destinations. This is a problem that the County takes very seriously, and you may find yourself explaining to workers or guests why their vehicles have been towed. If you foresee a need for parking in the public right-of-way, contact County Public Works about a [Revocable Right of Way Parking Permit](#). Additionally, if the off-site parking is needed because you're hosting a public fundraiser on your property, a film shoot, or similar activity, you may need to obtain a [Temporary Commercial Use/Special Event Permit](#).

■ *Airlines & General Aviation Services.* The [Aspen/Pitkin County Airport \(Sardy Field\)](#) provides airline and general aviation services to the region. As in other mountain communities, you will need to be prepared for abrupt changes to your travel plans caused by inclement weather. Three commercial airlines serve the airport year round, with service to major cities across the United States. Flight

schedules and destinations change seasonally, so planning ahead on travel plans is key. The airport's hours of operation are restricted to the period from 7:00 a.m. to 11:00 p.m. and only certain types of aircraft are allowed to use the airport after sunset.



Utilities and Communications

Because it is the policy of Pitkin County to locate future urban development within the UGB, the County does not generally support the extension of public utilities, such as municipal water and sewer lines, outside the UGB. Thus, utilities traditionally available in urban areas may be unavailable on your property. Following are some facts to consider:

- *Onsite Wastewater Treatment Systems.* Where sewer service is unavailable, you will need to use an onsite wastewater treatment system approved by the County [Environmental Health & Natural Resources Department](#). Soil type, depth to ground water or bedrock, stream setback requirements, and slope are all important factors in determining the location, cost and type of system you will be able to use. Contact the Pitkin County Environmental Health & Natural Resources Department for information on [permitting requirements](#). If there is already an onsite wastewater treatment system on, or servicing your property, you will need to verify that it is still functioning correctly and adequate for any plans you may have for future development. Be sure your system is installed and cleaned by a [contractor licensed in Pitkin County](#).

- *Wells.* If you will be using a well for your water supply, you will need to obtain a [well permit](#) from the [Colorado Division of Water Resources](#). Costs to establish a well that yields an adequate quantity and quality of water can be high and should be considered in connection with your due diligence review on a property. If you will need to use an onsite wastewater treatment system, it is also important to establish that the property is large enough to accommodate this system and a well. Systems must be separated from wells by 100' or more. All applicants

for building permits for dwelling units shall be required to show proof of adequate water supply (in terms of both quantity and availability) for domestic and fire protection purposes, and for irrigation purposes, if applicable. Additional information may be required in areas with mapped surface or groundwater depletion/recharge issues.

■ *Lack of Traditional Utilities.* Traditional telephone service and natural gas and electric services are not available to every region in Pitkin County. Your property may require you to utilize unfamiliar energy sources, such as propane or solar cells. All new development in the County is encouraged to use alternative energy systems and is required to incorporate energy conserving systems and techniques under the [Aspen/Pitkin County Energy Conservation Code and the Efficient Building Program](#).

■ *Television, Radio, Cell Phones.* If you have spent much time in the mountains, you already know that cellular telephones will not work everywhere. Many of the rural and remote areas of the County also present a challenge for television and FM radio stations. The County owns, maintains and operates eight [translator sites](#) to enhance the television and radio reception of residents in remote areas. Coverage can vary, depending upon your location, and a rooftop antenna is recommended to obtain the best signal.

■ *Undergrounding Utilities.* If there are aboveground utility lines on your property, the County may require them to be undergrounded in connection with new development.



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The Natural Environment

The topography and geomorphology of Pitkin County are typical of Colorado's Western Slope – spectacular mountain ranges draining and eroding into broad river valleys. Like the rest of the Colorado Rocky Mountain region, the County's climate is characterized by fairly low humidity and intense sunshine, year-round.

■ *Variable Weather Conditions.* Elevations in the County range from 6,625' to 14,265' and snow can be expected at any time of the year. Like the rest of the Rocky Mountains, the weather in the County can change quickly and dramatically. Temperatures can plummet unexpectedly in a matter of minutes – something that may be hard to believe until you've experienced it. Mountain living requires you to be prepared for abrupt changes in the weather at all times of year.

■ *Hidden Environmental Hazards.* A property's physical attributes can be both positive and negative. The peace and quiet associated with living in a remote canyon may be appealing, but the location may also expose you to avalanches, mudslides and rockfall hazard. North-facing slopes and canyons may not see any direct sunlight during the winter months, making your daylight hours seem even shorter and spring thaw arrive very late. A property at the base of what appears to be a scenic dry gulch in the winter may be subject to flash floods in the spring and summer, with snowmelt and heavy rain storms.

■ *Wildfire Hazard.* While trees and shrubs are an amenity, they can also provide fuel for forest fires, particularly on steep slopes. An assessment of a property's wildfire hazard is one of the components of the County's Environmental Protection and Natural Hazards Review. Wildfire mitigation is mandatory. Property owners have the option of following the requirements for mitigation imposed by the County Land Use Code, or obtaining site-specific recommendations from one of the County's [certified wildfire experts](#). Property owners may need to comply with special requirements for roofing material in severe wildfire areas, and wood shake/shingle roofs are prohibited throughout the County. In severe wildfire areas, your home design may also have to comply with other special structural requirements. Additionally, it may be necessary to install an in-house sprinkler system and/or a water storage tank or pond accessible to the local fire department on a property. The local fire department may also require modifications to an existing driveway, or construction of a turn-around area, to ensure that emergency vehicles can access a residence safely.

■ *Drought/Semi-Arid Environment.* Colorado, like other western states, has been experiencing drought conditions over the last few years. This has raised the risk of wildfire and resulted in the loss of substantial numbers of trees and other vegetation (from both drought and insect damage) in what is already a semi-arid environment.

Open burning is a big concern for all of the fire departments in the County and should be a concern for every property owner as well. For several years now the Sheriff's Department has imposed a "burn ban" in the County when the combination of high winds, low humidity and dry fuels has created a critical fire danger situation. These bans prohibit more than just open burning and the use of

fireworks. When they are in effect the situation is so critical that smoking is prohibited, except within an enclosed vehicle or building, and even using a chainsaw without a spark-arresting device is disallowed. The imposition of “burn bans” is a safety precaution that is likely to continue for the foreseeable future.

Mandatory water conservation measures have been instituted along the Front Range and elsewhere in the state. In the County, xeriscaping and the use of drought-tolerant native vegetation are strongly encouraged and frequently mandated in connection with new development. Information on the fundamentals of Colorado Rocky Mountain xeriscaping is available from numerous on-line resources. The County's [Revegetation Guide](#) is a useful source for identifying native plants that are suitable for your particular site conditions.

■ *Noxious Weeds.* Invasive, exotic plants destroy native plants and animal habitat, damage recreational areas, reduce agricultural productivity, and, in some cases, even poison livestock. The spread of noxious weeds is a real problem in the County. Under Colorado law, landowners are responsible for controlling noxious weeds on their property. The County's [Noxious Weed Management Plan](#) can help you identify problematic plants that may be on your property and means to control and eradicate them.

■ *Lighting Restrictions.* The night sky is magnificent when viewed from any part of Pitkin County. It is County policy that development be undertaken in a manner that minimizes the use of artificial light, so that the night sky can continue to be viewed with minimal interference. If you will be building a new residence, or modifying an existing structure, your architectural plans should reflect the County [standards for exterior lighting](#). Among other things, the County's lighting standards restrict floodlighting and prohibit the illumination of driveways.

■ *Safety.* Whether you are using a paved bike trail for a short walk, or hiking into the backcountry, remember that you are responsible for your own safety. If you are cycling on a rural road you still need to “share the road” and obey all traffic laws, the same as in the city. Be sure that you have a good map, sufficient water, basic first aid supplies and the right clothing if you plan to hike very far on one of the numerous trails on public lands. Note that [permits](#) are required for certain uses of [White River National Forest](#) land and self-registration permits are required to be completed at trailheads entering the Maroon Bells-Snowmass Wilderness area. Neither the County, nor the local governments in this region maintain large sheriff, police and fire departments and they are not budgeted for ongoing search and rescue operations. Rather, they rely heavily on a network of local volunteers, like [Mountain Rescue-Aspen](#), a group that assists the County Sheriff's office in

providing search and rescue services in the County. If you are uncertain about the weather conditions or terrain in any public recreational area, check with the land management agency, or another knowledgeable resource first. Avalanche conditions may be found at the [Roaring Fork Avalanche Center](#) website or by calling the US Forest Service at 920-1664.



Wildlife

Pitkin County is located in the heart of the White River National Forest and is home to black bears, mountain lions, elk, mule deer, bald eagles, coyotes, red fox, and many smaller mammals, such as raccoons and skunks. Winters can bring herds of elk and mule deer onto private lands and into residential areas, damaging gardens, fences, and other personal property.

Maintenance of wildlife habitat is an essential component of the preservation and restoration of Colorado's native wildlife and plant diversity. It is County policy that all proposed land uses be compatible with existing wildlife habitat and development is prohibited in certain wildlife habitat areas. County residents are expected to assist in the protection of the region's diverse wildlife population. You should know the following facts:

■ **Animal Safety Regulations.** Dogs can harass and even kill wildlife. State law allows dogs to be killed where necessary to prevent them from attacking livestock or wildlife, and this has occurred in Pitkin County. If you are in important wildlife habitat, dogs may be prohibited on your property. At a minimum, unless they are working ranch animals, they will be required to be kept kenneled or within a fenced area when out-of-doors. You should review the applicable provisions of the Land Use Code and any prior land use approvals and covenants applicable to your property if you plan to bring any household pets with you.

Additionally, there is a ["leash law"](#) in Pitkin County that generally requires any dog off its owner's property to be on a leash no longer than 10' in length, or confined in a vehicle. This leash law applies on all Pitkin County Trails, and dogs are prohibited entirely on some trails and in some parks, such as the North Star Nature Preserve. Unrestrained dogs present a hazard not only for wildlife, but also for cyclists and other trail users. Dog owners are also responsible for removing dog waste. The County's Open Space and Trails Rangers may ticket dog owners who fail to leash their animals or to clean up after them.

■ *Black Bears.* Black bears can be a real problem in the County when their regular food sources are damaged by drought or a late freeze. Pitkin County requires that all trash be properly stored to help avoid bear/homeowner incidents. Information on acceptable bear-proof trash containers and other suggestions for [discouraging bears from habituating your property](#) are available on the County's website.

■ *Protected Species.* Threatened or endangered species of wildlife, such as bald eagles, may be present on or in proximity to your property. You can check with the [Colorado Division of Wildlife](#) about protected species in your area.

■ *Fencing Requirements.* Fencing can prohibit or interfere with wildlife movement. In wildlife habitat areas, the County has imposed restrictions on the types of fencing that may be used. You should review any prior County land use approvals for your property, as well as the Land Use Code, to familiarize yourself with these fencing requirements.



Elk calves trying to go through a fence along McLain Flats Road while adults jump over.

■ *Feeding Wildlife.* [Feeding wildlife](#) is not only bad for wildlife, it can be dangerous for you. For example, feeding deer can attract their natural

predators, like mountain lions. Furthermore, it is illegal to intentionally feed big game animals in Colorado.

There are other facts to consider when you move in close proximity to sizeable wildlife populations:

■ *Animals on the Roads.* You will need to be mindful of wildlife unexpectedly crossing roads whenever you are driving. Migration corridors traverse a number of roads in the County. When you see yellow road signs advising you that you are entering a migration corridor or that there is an animal crossing ahead, or you encounter temporary lighted signs along Highway 82 indicating “wildlife on the roads,” slow down and take these cautions seriously.

■ *Gardening & Landscaping Issues.* In an area like Pitkin County where wildlife still thrives, expect to share your garden with your wildlife neighbors. A perennial garden that would thrive in an urban setting can be a salad bar for ground squirrels, mule deer and elk. Fruit-bearing trees can attract black bears. The [CSU Cooperative Extension Service](#) and the staff at many of the local nurseries can help you select native plants which are less palatable to wildlife and that are drought-tolerant as well.

■ *Hunting.* A large percentage of Pitkin County is federal land, and many public and private lands in the County are open for hunting. You will need to take appropriate safety precautions when out in these areas during hunting season, such as wearing brightly colored clothing.



Water Resources and Riparian/Wetland Areas

The County strives to have development occur in a way that preserves and protects the region's water resources and that avoids significant adverse effects on water quantity, quality and availability. Riparian and wetland areas, which provide important wildlife habitat, sustain valuable plant communities and play a key role in maintaining the overall balance of ecological systems,

must be conserved and protected and, in some cases, restored in connection with any development in Pitkin County.

With few exceptions, development must occur outside of the 100-year floodplain, riparian and wetlands areas, and County-mandated [stream setbacks](#). If your property is adjacent to a river or stream, you should assume that you will be prohibited from clearing, or otherwise disturbing vegetation in proximity to the waterway, modifying the channel, or otherwise interfering with natural drainage patterns. In those limited instances where the County permits development, you may still need to obtain a County [Floodplain Development Permit](#) and a [Section 404 Permit](#) from the [U.S. Army Corps of Engineers](#). Other state and federal permits may also apply.

Before you clean out or modify any natural or man-made ponds on your property, check with the Planning Department. If the work requires you to move more than 50 cubic yards of soil, a County [Clearing, Grading, Grubbing & Earthmoving Permit](#) will be required. The work may also require Planning approval, if riparian or wetlands areas have developed around the pond. If you are creating a pond (and moving more than 50 cubic yards of soil), you will also need a Clearing, Grading, Grubbing & Earthmoving Permit and you will need to establish that you have sufficient water rights for the storage you propose.



Ranching and Agricultural Operations

Ranching and agricultural operations have been a part of Pitkin County since the earliest settlements. Productive agricultural and ranch land is a limited resource with significant open space, environmental, cultural, and economic value. The County's Land Use Code encourages the preservation and conservation of remaining agricultural and ranch land in Pitkin County. Following are some of the issues that property owners need to be aware of if they are not used to living in proximity to agricultural and ranch land.

■ *Round-the-Clock Operations.* Farming and ranching operations can occur around the clock, especially during critical planting and harvest times. Hay is often cut or baled in the evening hours. The noise and lights associated with these operations may be disturbing to adjacent property owners, but are necessary to get the work done.

■ *Smoke & Dust.* Land clearing and other operations can result in substantial amounts of wind-blown dust. Field and ditch burning creates smoke that adjacent property owners may also find objectionable. You will need to expect and tolerate these types of conditions.

■ *Chemicals.* Fertilizers and herbicides are often used in connection with farming and ranching operations. Some people are sensitive to the odor of these substances or may have allergic reactions.

■ *Livestock Issues.* The smell of animals and manure on a property is also offensive to many people. Pitkin County does not limit the number of animals that can be kept on a property and you may find the number of livestock on adjacent ranchland varying dramatically during the year. Livestock can be dangerous. Children in your care will need to learn that it is not safe to enter pens or pastures where animals are kept.

■ *Cattle Movement.* Colorado is an “open range” state. This means that landowners that do not want livestock on their property must fence them out. If you encounter a cattle gate on a trail or rural road, be sure to leave it open or closed – exactly as you found it – after passing through. Also, be prepared to encounter a cattle drive on the roadways during your residence in Pitkin County; be patient and respect the rancher’s right to be there.

■ *Barns.* In Pitkin County, only buildings that are truly used for agricultural purposes are recognized as “barns” when it comes to qualifying for certain exemptions from floor area restrictions. An indoor riding arena, storage shed for antique cars, or a large party hall is not a “barn.” If you are purchasing property with a building that has been listed as a “barn” and have questions about its designation, contact the County Zoning Office for additional information.

For more information on these issues:

- Aspen/Pitkin County Airport: 970-920-5384
 - Pitkin County Community Development (Building Department, Zoning Department and Planning Department): 970-920-5526/5527
 - Pitkin County Historic Preservation Officer: 970-920-9225
 - Pitkin County Zoning Officer: 970-920-5105
 - Pitkin County Planning Engineer: 970-429-2790
 - Pitkin County Clerk & Recorder: 970-920-5180
 - Pitkin County Engineer: 970-920-5206
 - Pitkin County Environmental Health & Natural Resources: 970-920-5070
 - Pitkin County Health & Human Services: 970-920-5235
 - Pitkin County Open Space & Trails: 970-920-5232
 - Pitkin County Public Works: 970-920-5390
 - Pitkin County TV & FM Translator Department: 970-920-5395
 - Colorado Department of Natural Resources, Division of Minerals and Geology: 303-866-3567 (Main Office – Denver)
 - Colorado Department of Natural Resources, Division of Water Resources: 303-866-3581 (Main Office – Denver); 970-945-5665 (Colorado River Basin – Glenwood Springs)
 - Colorado Department of Transportation – Highway Access Permits: 970-248-7230
 - Colorado Division of Wildlife: 970-947-2920
 - Local Fire Departments:
 - Aspen: 970-925-5532
 - Basalt: 970-704-0675
 - Carbondale: 970-963-2491
 - Snowmass: 970-923-2212
 - U.S. Army Corps of Engineers – Sec. 404 Permitting: 970-243-1199
 - U.S. Forest Service:
 - Aspen District: 970-925-3445
 - Sopsris District: 970-963-2266
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Other Pitkin County phone and e-mail contacts, the Pitkin County Code, as well as additional County information can be found online at www.aspenpitkin.com.

This document is intended to provide a general overview of its subject matter. In all cases, the Pitkin County Code and applicable federal and state statutes and regulations should be consulted on the topics discussed above.

The information contained in this publication is subject to change without notice.

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