

**BILL'S RANCH NEIGHBORHOOD**  
**SUBBASIN PLAN**



# **BILL’S RANCH NEIGHBORHOOD SUBBASIN PLAN:**

*“My vision of the Bill’s Ranch Neighborhood in 20-years would be an area which has been thoughtfully built-out to recognize the historic character while continuing to provide for a quaint, quiet and idyllic mountain experience unique to the county.”*

-- Anonymous Homeowner in Bill’s Ranch

**The narrative contained herein serves to explain some of the background and important considerations in developing the Bill’s Ranch Neighborhood Subbasin Plan, and provides a summary of significant elements and policy direction presented. The narrative does not serve as a goal or policy/action in its own right, or the basis for any determination as to applicable master plan goals and policies, and is for illustration and guidance only.**

## **I. Purpose and Intent**

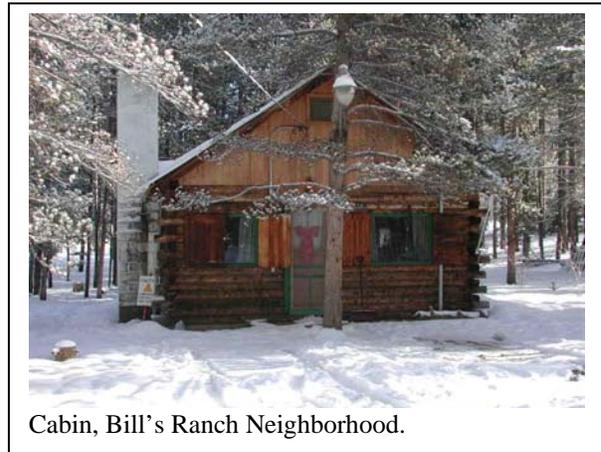
The purpose and intent of the Bill’s Ranch Neighborhood Subbasin Plan is to:

- Provide a policy foundation to recognize and preserve the unique character of the neighborhood.
- Address neighborhood interests and values as the area continues to evolve and develop.
- Identify reasonable improvements to upgrade the availability of services to improve the health, safety and welfare for residents and visitors.
- Provide maps that illustrate the location and distribution of land use designations, recorded easements and rights-of-ways, and interstitial lands.

## **II. Background**

A deed of trust, signed by President Taft, shows that the land in the Bill’s Ranch area (approximately 145 acres) was deeded to Jane Tomas in 1910. Jane was the mother of Bill Thomas. The area subsequently became known as Bill’s Ranch and remains so today.

Bill raised cows on the property. In 1930 as part of a marketing plan to sell milk from the cows, Bill offered lots to be developed as cabin sites to Denver area residents. Thereafter cabins came to be in Bill’s Ranch with the first one (Dexheimer) constructed in 1931.



Cabin, Bill’s Ranch Neighborhood.

Other significant points of reference in the history of the ranch include: moving the Ophir Lodge (formerly the Frisco Hotel on Main Street) to the area circa 1929, building Bill’s Lake circa 1934, developing and running the “Boy’s Camp,” and catering to the passenger train that ran along the current Recpath (aka Temple Trail) that stopped frequently. Over time property interests and boundaries in Bill’s Ranch developed to create confusing land ownership patterns and roadways. This is primarily because Bill granted his original cabin sites via deeds that were not surveyed properly (Source: a portion of the above information derived from 1992 Bill’s Ranch Neighborhood Master Plan).

Today Bill's Ranch Neighborhood remains a heavily wooded area located between the Town of Frisco and Ophir Mountain and encompasses 93.6 acres. The habitat/vegetation of the area is primarily mature lodgepole pine intermixed with high quality wetlands. It is bordered by the Town of Frisco to the north and west, National Forest System lands to the south, and the County Commons PUD and Ophir Mountain Village to the east (i.e. county and CDOT shops). The county's Recpath bisects the southern portion of the neighborhood.

An eclectic mix and size of single-family homes and cabins are found throughout the neighborhood. The density permitted by the R-2 zoning allows for a total of 151 units (including further subdivision potential). As of June 2004, build-out was at 68.2 percent as 103 units had been constructed in the neighborhood.

Through the years the county has been involved in acquiring or dispersing property interests in Bills Ranch. The year and type of significant property transaction are listed below:

- 1984 – The county entered into an easement agreement with James and Audrey Temple for a "paved recreational trail" along the historic railroad grade through Bill's Ranch (present location of Temple Trail). This easement was superseded by the grant of a fee simple acquisition in Temple Trail and surrounding land in 2003.
- 1992 – The county gained title to interstitial lands north of Temple Trail and east of 7th Avenue via a Quit Claim Deed from Richard Blumenhein.
- 1999 – The county sold interstitial lands as part of the process to complete the Block 7 Subdivision Exemption Plat. In exchange, the county received trail covenants from the owners of Lots 126, 128, and 130 that limit residential access from the Recpath.
- 2002 – Summit County's Open Space Program received the donation of Lot 183 from High Plains Petroleum Corporation.
- 2003 – The county was deeded title to Tracts A, B, C, D, and E in Block 8, the rights-of-way for Temple Trail through Block 8 (area east of 7<sup>th</sup> Avenue), and interstitial lands lying west of 7<sup>th</sup> Avenue including Temple Trail from James and Audrey Temple. Per deeds, Temple Trail is to be used only for (a) pedestrian and non-motorized vehicle traffic, (b) utilities, (c) emergency services, (d) maintenance, (e) local residential access, and (f) any other governmental purposes.

It is the intent to continue to recognize the residential land uses and protect the neighborhood from encroachment or intrusion of high density or non-residential development that is not consistent with the established character of the area.

- *For more background information and history on the Bill's Ranch Neighborhood reference: History of the Land: The Fiester Preserve; Gaug, Maryann (2004), The Continental Divide Land Trust.*

### **III. Neighborhood Issues**

As part of the master planning update process, a number of issues were addressed and received considerable attention.

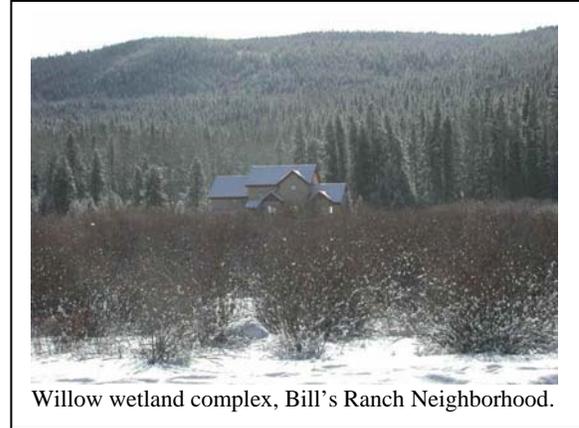
#### Land Use and Open Space

The land use pattern found throughout Bill's Ranch is low-density residential dwelling units. The zoning is primarily R-2, no more than 2 dwelling units/acre. One Planned Unit Development (Bill's Ranch, Block 8) exists and is 10.8 acres in size. There are several open space properties and easements owned and managed

by the county within the neighborhood. These public open space areas consist of stream corridors, wetlands and undeveloped land. It is the intent to continue to protect these lands from development and keep them in public ownership.

### Wetlands

There are a number of wetlands in the Bill's Ranch Neighborhood that are of high quality and function and that pose a development constraint on undeveloped properties. The Countywide Comprehensive Plan proposes the adoption of strengthened, flexible and incentive based wetland regulations. A Development Code amendment to this effect has been proposed and a phased work program adopted. If the Development Code amendment and phased wetlands program is to proceed, the protection and preservation of quality wetlands in Bill's Ranch would be significantly enhanced while allowing for future development to occur.



### Roads

The current roads and access ways serving the lots within Bill's Ranch do not meet County Road Standards for local access roads. Currently, roads in Bill's Ranch are maintained by the Bill's Ranch Home Owners Association (HOA) and there are no county plans to physically upgrade the roads in the neighborhood. An option is the formation of a Local Improvement District to facilitate the improvement and maintenance of the roads. Because of the narrowness of rights-of-way the county would not take over maintenance.

There has been ongoing discussion between the county, Bill's Ranch homeowners and HOA on the closure of Miner's Creek Road (8<sup>th</sup> Avenue to Stellar Jay Road). Issues revolve around traffic flows, fluctuating volumes and maintenance. There are two factors that distinguish Miner's Creek Road from other roads in Bill's Ranch. The first is that Miner's Creek Road connects the County Commons facilities with the Town of the Frisco. The second is that this road provides important emergency access to the Bill's Ranch area. As long as the road is rough, traffic volumes are minimal. As soon as significant improvements are made to the road, traffic volumes are likely to increase.

Closing this connection would eliminate an important connection between Bill's Ranch, the Town and the County Commons. To help mitigate or address issues associated with the road the county has committed to providing limited improvements and maintenance including: grading, application of mag chloride, snowplowing, culvert steaming and signage work. The county should continue to work with the area residents and HOA to provide this maintenance or assistance.

### Historic Resources

The unique character of the Bill's Ranch Neighborhood is in part attributed to the architecture of some of the existing structures (i.e. old, rustic, authentic cabins). However, the county has limited authority in preserving historic structures. In an effort to help provide incentives to preserve historic structures or enable a viable use, the county's Development Code was amended in 2004. The Development Code amendment allows historic structures, constructed prior to 1960, to be used as detached accessory apartments per a conditional use permit approval.

A locally designated historic district could be the first step to govern historic assets or resources. Establishing a historic district for Bill's Ranch would be valuable to help preserve and promote the historic heritage as well as enhance the visual character of the neighborhood.

### Recpath Easements

The Bill's Ranch homeowners would like to preserve an adequate buffer zone of at least 25 feet along the Recpath/Temple Trail. The different setback requirements that are applied to development adjacent to the Recpath are:

- The width of the Temple Trail, per the Bill's Ranch Block 8 PUD, is sixty-feet (with a couple exceptions) and extends from 7<sup>th</sup> Avenue to Bob White Way; making setbacks 30 feet from centerline.
- Setback distances from property lines in the Bill's Ranch Neighborhood for residential structures are 25 feet front and rear and 15 feet sides.
- Setbacks distances from hard and soft surface trails are a minimum of 10 feet.

### 7<sup>th</sup> Avenue Connection to Peak's Trail

Tract D of Bill's Ranch, Block 8 PUD was dedicated to the county as a non-motorized access between 7<sup>th</sup> Avenue in the Town of Frisco and the surrounding National Forest System lands south of Bill's Ranch. The southern boundary of Tract D abuts the National Forest, while the eastern boundary of Tract D abuts the church parcel. The existing Tract D provides access to two natural surface routes on the National Forest System lands: a steep double-track route that connects to Rainbow Lake and the Peaks Trail, and a single-track route known as the "Bear Claw Trail" that also connects to the Peaks Trail.

The Bear Claw Trail has recently been rerouted to avoid the parking lot behind (south) of the existing church building. Since both of the routes connect to the Peaks Trail and the steep double-track exists on an unsustainable grade, the preferred route between 7<sup>th</sup> Avenue and the Peaks Trail is the Bear Claw Trail. Therefore it should be recommended to the U.S. Forest Service to designate and approved the Bear Claw Trail as the preferred or "system route." For legal public access to occur the U.S. Forest Service needs to designate and approve this alignment/connection as a system route as part of the update to their Travel Management Plan; targeted to be completed by 2006.

### Town of Frisco Paved Pathway Master Plan

The Town of Frisco Paved Pathway Master Plan suggests a connection between 8<sup>th</sup> Avenue and Peak One Boulevard along the north edge of Bill's Ranch on what is called Miner's Creek Road. Due to a lack of rights-of-way and land this is not physically practicable at the moment. Moreover, there are two existing developed, non-motorized routes that connect the Town of Frisco to the County Commons. These include the Recpath and Water Dance subdivision connections. These routes should continue to be recognized and used instead of pursuing the development of an additional route through Bill's Ranch on Miner's Creek Road.

### Title Problems—Interstitial Land Sales

Interstitial lands are irregular pieces of land owned by the county that exist between private parcels. The interstitial lands are a result of early survey errors or were not part of a recorded subdivision plat. Interstitial properties exist throughout Bill's Ranch as a result of deeds that were issued for the original cabin sites and subsequent surveying (refer to Bill's Ranch Neighborhood Land Use Map). Thus, a

number of lots in Bill's Ranch have title problems.

To help mitigate the problems a specific land division study area for the neighborhood was created in 1988 under Colorado Revised Statute 30-28-303. The statute establishes the ability to process subdivision plats for the purposes of correcting legal descriptions on irregular, divided areas in Bill's Ranch. There have been no attempts to initiate an area-wide replat to solve these legal description problems per the statute. However, there has been a number of replats initiated and conducted on a block-by-block basis.

Interstitial land sales that have occurred in Bill's Ranch have gone through the subdivision exemption or platting process. The processes assist owners in clearing title problems by vacating and adjusting lot lines to reconfigure existing unplatted lots. In addition, the process enables landowners to create conforming lots that were previously nonconforming and possibly eliminate the need to apply for a minimum lot size variance to develop the property.

#### **IV. Goals, Policies/Actions**

##### Land Use and Open Space

**Goal A. Allow for residential development and the protection of open space in a manner, which preserves the existing character of the Bill's Ranch Neighborhood.**

Policy/Action 1. Where appropriate, require existing lots smaller than 20,000 square feet and in common ownership to combine with adjacent parcels.

Policy/Action 2. The county shall retain public open space and essential rights-of-way designated on the Bill's Ranch Neighborhood Land Use Map.

Policy/Action 3. Provide suitable protection and management of county property interests, open space areas and rights-of-way identified on the Bill's Ranch Neighborhood Land Use Map.

3.1 All lands identified as public open space shall be managed as such with a focus on: the preservation of natural conditions, viewsheds, wetland values and the protection of water resources.

##### Natural Landscape

**Goal B. Encourage and promote a healthy forest.**

Policy/Action 1. Minimize the threat of wildfire and pine beetle infestation through the development of a neighborhood-wide forestry management program or silvicultural prescription.

1.1 Bill's Ranch homeowners and HOA should develop and encourage implementation of the neighborhood-wide forest management program.

##### Roads

**Goal C. Adequate public easements should be dedicated for all roads at the time of platting and upgrade such roads to improve emergency services.**

Policy/Action 1. Maintain roads in Bill's Ranch to serve the needs of the immediate neighborhood and not to encourage through access to the public.

Policy/Action 2. Continue to work with the county to provide limited maintenance and assistance for the Miner's Creek Road (i.e. grading, application of magnesium chloride, snowplowing, culvert steaming and signage).



Existing Bill's Ranch Neighborhood signage.

Policy/Action 3. Bill's Ranch homeowners and HOA should work with the county to secure thirty feet of rights-of-way where feasible for Miner's Creek and Stellar Jay roads to improve access and maintenance.

Policy/Action 4. Bill's Ranch homeowners and HOA should work with the county to secure twenty-four feet of rights-of-way where feasible for branch roads to improve access and maintenance.

- The above guidelines shall be varied on a case-by-case basis, taking into consideration snow storage requirements, existing and proposed utilities, environmental impact and alternate means of access. In circumstances where less than the desired width is available due to the proximity of existing parcels or structures, the county shall consider accepting the full area between parcels for road purposes.

Policy/Action 5. Encourage Bill's Ranch homeowners and the HOA to secure acquisition of pedestrian easements to facilitate access to the Frisco Elementary School.

### Utilities and Infrastructure

#### **Goal D. Acquire appropriate utility easements at the time of platting.**

Policy/Action 1. Require the dedication of easements for all existing and future utilities and access/roads at the time of platting.

Policy/Action 2. Encourage homeowners to connect their sewer system to the Frisco Sanitation District to decrease septic effluent impacts on local ground and surface water.

### Historic Resources

#### **Goal E. Establish a historic overlay district to govern historic structures, assets or resources in Bill's Ranch.**

Policy/Action 1. Nominate and support the designation of Bill's Ranch Neighborhood as a county historic district.

- 1.1 Inventory the historic resources in Bill's Ranch Neighborhood to provide support for its designation as a historic district.

1.2 Develop a historic overlay district focused on preserving historic structures, providing incentives or flexibility to restore historic structures, discouraging development that might result in destruction of historic structures and encouraging adaptive use of identified historic structures.

Policy/Action 2. To the extent possible, encourage new development that is architecturally compatible with the Bill's Ranch Neighborhood heritage, character and historically significant structures or landmarks.

Policy/Action 3. Bill's Ranch homeowners and HOA should consider initiating a Development Code amendment to specify criteria, incentives, standards, review authority, etc. pertaining to the historic overlay district.

### Trails and Recpath

#### **Goal F. Maintain, preserve and enhance access to trailheads and trail opportunities.**

Policy/Action 1. Maintain adequate signage to direct the general public-to-public access points (e.g., Miners Creek, Peaks Trail and Recpath).

Policy/Action 2. Continue to focus non-motorized access to the County Commons facilities that is provided via the Frisco/County Commons Recpath (i.e. Temple Trail) and Town of Frisco/Water Dance Subdivision Recpath connections.

Policy/Action 3. Work with neighborhood residents to limit motorized access on the Recpath while respecting property rights (e.g., encourage voluntary utilization of alternate access routes).

Policy/Action 4. Encourage additional setbacks from the Recpath/Temple Trail where feasible in order to help preserve the character for users.

Policy/Action 5. Work with the U.S. Forest Service, church, and adjacent neighbors to address motorized and non-motorized trespass issues adjacent to the 7<sup>th</sup> Avenue extension (Tract D of Bill's Ranch, Block 8 PUD). Specifically, secure mutually agreeable, legal public access to the "Bear Claw Trail" south of the church through an alignment approved by the U.S. Forest Service, the church and Summit County Government.

Policy/Action 6. Cooperatively address trailhead access and parking issues on Tract D of Bill's Ranch, Block 8 PUD and the adjacent church parcel.

### Platting and Sale of Interstitial Lands

#### **Goal G: Where appropriate, encourage the platting or sale of interstitial lands in the Bill's Ranch Neighborhood to address title problems, zoning requirements, and land ownership concerns.**

Policy/Action 1. Review and update the "Bill's Ranch – County Policy on Land Sales" to clarify the process and adjust prices.

Policy/Action 2. Encourage platting of interstitial lands to correct title problems and encourage compliance with R-2 zoning requirements.

Policy/Action 3. Where appropriate, the county should consider selling interstitial lands to clear title problems, promote compliance with R-2 zoning requirements and maintain adequate rights-of-way.



Bill's Ranch cabin nestled in a stand of Lodgepole Pine.