

## **Patriot's Land Use Code Meeting Summary**

**August 8, 2025**

### **Quick recap**

The group explored concerns about new land use codes in Chaffee County, focusing on how the regulations restrict property rights and development potential while disproportionately affecting long-time farm and ranch families. The discussion concluded with conversations about geothermal plant development in the area, including zoning requirements and alternative site proposals, along with plans for upcoming public hearings and community events.

### **Next steps**

- All attendees: Attend the Planning Commission public hearing on September 2nd at 6 PM to voice concerns about the land use code
- All attendees: Attend the County Commissioners meeting on September 9th at 9 AM to continue voicing concerns about the land use code
- Joe Cooper: Continue preparing for potential litigation against the county regarding the land use code
- Joe Cooper: Prepare to speak for 3 minutes on each of his 10 identified issues at the public hearings
- Blaine: Continue monitoring the State Land Board meeting in Alamosa on August 14th regarding geothermal leasing
- Krystal: Collect email addresses from attendees who want to receive more information. (Only one requested the link to be emailed to her.)
- Tom: Provide links to the online meetings to anyone who requests them
- All attendees: Spread the word and recruit more people to attend the September public hearings
- All attendees: Sign up with their concerns about the land use code on the provided sheet

### **Summary**

#### **Chaffee County Land Use Debate**

The meeting focused on the proposed new land use code in Chaffee County, which opponents argue will increase housing costs and restrict property rights. Blaine and Tom presented concerns about the code's impact on rural land use, noting that only 13% of the county is privately developable. They highlighted that the code was developed without transparency and could lead to land being taken without compensation. Joe Cooper shared his experience with legal challenges against the code, mentioning that he has hired attorneys to explore constitutional litigation. The group discussed the history of the 2-acre minimum lot size and how it was removed last year without proper public input. They emphasized the need for public comment and opposition to the new code, with plans for upcoming public hearings.

## **Chaffee County Land Use Restrictions**

The meeting focused on concerns about a new land use code in Chaffee County, which has significantly restricted property development rights and reduced property values for many landowners. Tom explained that the code, which allows for only one unit per 35 acres in agricultural ranch zones and requires two-thirds of land to be dedicated to public open space for certain incentives, violates constitutional protections against regulatory takings. The discussion highlighted how the code disproportionately affects long-time farm and ranch families, with economic impact studies showing losses of hundreds of thousands to millions of dollars per property. The group noted that while the code was presented as a way to increase affordable housing, it actually reduces the number of developable lots and restricts property owners' ability to pass land down to future generations.

## **Arkansas River Setback Regulation Impact**

Tom discussed the impact of new setback regulations on property owners along the Arkansas River, explaining how the increased setbacks of 100 feet from the high water mark and 50 feet from the pond have resulted in significant loss of usable land and restrictions on property modifications. He noted that while property owners maintain title, they face higher taxes on unusable land and must seek special variances for any changes, with no grandfathering of existing conditions. The discussion highlighted how these regulations affect property values and development potential, with Tom mentioning that before the new code, a 300-acre property could be subdivided into 30 10-acre lots, but now must be divided into 8-9 larger lots due to minimum size requirements.

## **Glitch Review Public Hearing Strategy**

Tom discussed the upcoming public hearing on September 2nd for a glitch review process, where he submitted 10 issues and will have 3 minutes to speak on each. He emphasized the importance of packing the hearing room to force continuations and potentially move the hearing outdoors. Tom outlined the schedule for the hearing and subsequent commissioner meetings, encouraging everyone to attend and speak out against the proposed changes. He also noted a lack of transparency in the public comment process and expressed frustration with the county commissioners' response to their concerns.

## **County Land Use Code Critique**

Tom discussed the county's proposed land use code changes, which he criticized for primarily benefiting the county rather than local landowners. He shared examples of how the code would restrict mining claims and private camping, and highlighted inconsistencies in camping permit regulations. Tom also described Mark Castelli's experience with the rural open space initiative, where he was required to cluster residences and face additional restrictions on campsites. He encouraged community involvement in the code revision process and mentioned the recent non-renewal of Mount Princeton Geothermal's lease by the State Land Board.

## **Geothermal Development and Zoning Discussion**

The meeting focused on the potential development of a geothermal plant in Chaffee County, with discussions centered on zoning requirements and the State Land Board's decision not to renew Mount Princeton Geothermal's lease for the Maxwell State Land parcel. The staff recommendation suggested

pursuing a competitive leasing process due to increased industry interest, despite concerns about the scientific viability of the Maxwell location. Save Our Arkansas Valley expressed opposition to the drilling location while acknowledging the potential royalty income, and the Colorado Energy Office highlighted three alternative sites for geothermal development. The conversation ended with a reminder about an upcoming flag-waving event on the 24th.

Thanks

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