

WEST DURANGO DISTRICT LAND USE PLAN

I. PURPOSE OF THE PLAN

La Plata County, like many other Southwestern Colorado communities, has been experiencing considerable growth in recent years. Population growth rates of over 3% per year have been recorded between 1992 and 1996. Until the adoption of this land use plan, development proposals in the West Durango Planning District were considered on a case by case basis. The case by case review did not provide an opportunity for citizens, the Planning Commission, and County Commissioners to consider the cumulative impacts that individual projects could have on the County. This land use plan was prepared in order to provide the citizens and County with a framework for evaluating development proposals with the perspective of how the project relates to the Planning District and County as a whole. This plan will also provide the citizens and County the opportunity to begin to shape future development within the District to insure that it is compatible with the current lifestyles, businesses, homes, and natural features. The Plan is intended to provide citizens with more predictability about what kinds of communities, commercial developments, recreational areas, residential areas, and agricultural areas may exist in the future within the District.

This Plan was created under the premise that it would provide landowners with general guidance and positive incentives for developing their property. Development proposals submitted to the County for review by the La Plata County Planning Commission will be reviewed for conformance with this plan's goals, objectives, and Land Use Classification Map, which were developed by the District's residents. This is not to say that the plan cannot be changed. However, it is important that changes to the plan be considered outside the context of the details of a specific project. Therefore, if a specific application is not in conformance with the Plan, this application should be preceded by a plan amendment to bring it into conformity. It is the policy of the Planning Commission that projects that are not in conformance with the Land Use Classification Map will be recommended for denial.

Plan amendments will be reviewed and approved by the Planning Commission at a public hearing prior to consideration of the project by the Planning Commission. Issues to be considered when reviewing plan amendments include:

- Road Capacities
- Water and Sewer Availability
- Visual Impacts
- Wildlife Impacts
- Conformance with Goals, Objectives and Vision of Plan

II. GENERAL CHARACTERISTICS OF THE WEST DURANGO DISTRICT

The West Durango Planning District lies in the west-central part of La Plata County. Stunning views of the La Plata Mountains describe its northern features with its southern border following Wildcat Canyon's narrow corridor opening to the fields and gentle slopes of Bodo Wildlife Area and Ridges Basin. Rolling hills covered by stands of ponderosa, piñon, juniper and scrub oak make up the biggest portion of the West Durango Planning District.

The edge of the City of Durango service area (near the intersection of Wildcat Canyon Road and State Highway 160) borders West Durango Planning District's eastern edge, which follows the boundaries set by Bodo Wildlife Area, Ridges Basin and the Southern Ute Indian Reservation. From the city service area, the District extends west on both sides of State Highway 160 and continues about two miles west of the entrance of the Durango West I subdivision. West Durango's southern border continues about 12 miles west of Wildcat Canyon Road (CR141), where it intersects one mile north of the entrance to the Trapper's Crossing subdivision. The 1400-acre Steward Ranch located at the upper end of Lightner Creek includes West Durango's northern boundary that edges Colorado state-owned properties.

Primarily a residential and agricultural area, West Durango's population is currently concentrated in several residential developments. These areas include Rafter J, Shenandoah, Trapper's Crossing, and Durango West I and II. There are numerous private residences along Lightner Creek and an increasing number of homes along Wildcat Canyon Road. With the exception of a few home-businesses scattered throughout the district, there are few commercial properties in the West Durango Planning District.

About three miles west of the Animas River Bridge, Lightner Creek (CR207) branches off State Highway 160 West. Another mile up the Lightner Creek is Dry Fork Canyon including the Bonds and Lemon ranches as well as State and Federal lands. Lightner Creek Valley is picturesque with a village atmosphere in a pastoral setting. It has developed in an orderly fashion with individual homes with gardens, lawns, pastures, ponds and trees. There are apartments, guest cabins, a campground and a mobile home park. There are small rural farms that have horses, cows, goats and a few llamas that reside there part of the year. Some small-scale commercial uses currently exist including an auto sales lot, taxidermy shop and a few other cottage businesses. Altogether, it is a pleasing mixture of people and land uses.

West Durango is considered the "Dry Side" of La Plata County where residences and farms depend on private wells and/or water supplied by Lake Durango Water Company. The Lake Durango Water Company is the major supplier of domestic water to this area, currently serving 766 units with the capacity to serve an additional 255.

Lightner Creek crosses a large area of this District. Some agricultural lands depend on water rights out of Lightner Creek, whose tributaries include Steward Creek, Deep Creek, Dry Fork Creek, Coal Gulch Creek and Wildcat Canyon Creek. Water availability provided from the proposed Animas-La Plata Project may increase residential development throughout the area. Water and fire safety are two issues that are interconnected. The West Durango District is serviced by the Animas Fire Protection District as well as Rafter J Fire Protection District. Water is of key importance to the West Durango District; its availability, or lack thereof, will determine much of the new development that occurs there.

History of the West Durango District

Gold! Spanish explorers with the Escalante expedition of 1776 visited the La Plata Mountains. Escalante was reported as seeking the mines that Cachupin explorers were looking for around 1750-60. Placer gold was discovered along the La Plata River in 1861 by prospectors from California. Enough gold was recovered north of Hesperus to maintain interest for a few years. John Moss, a California miner, and Harry Lightner located the South Comstock lode in June 1873, and A.K. Fleming, A. Root and Robert James located the North Comstock lode. Moss bought Fleming's interest and then sold both to Tibercio Parrott. Parrott City was founded in 1874 and was made the county seat of La Plata County but was replaced by Durango around 1880.

The early history of the West Durango Planning District saw a variety of residents settled in the area since the 1880s. Squatters, homesteaders and other settlers worked the lands in sawmills, the Coal Gulch Mine and gold mines in the La Plata Mountains. When the U.S. Forest Service lands opened up for public stock grazing, many large herds of cattle and sheep were driven to the forest. Lightner Creek is an old recognized stock drive route to the public lands. In the early summertime, there would be thousands of sheep heading for the forest, being driven by their herders. In the fall, the animals would be driven back down to lower altitudes.

The mining town of Porter was located in Wildcat Canyon 5.5 miles southwest of Durango. Both sides of the canyon at Porter were mined. There were two boarding houses, a school and houses for the miners on both sides of the creek. A line of coke ovens were on the southeast side of the old road. Otto Mears constructed the Rio Grande Southern Railroad in 1890-91 from Telluride to Durango to transport coal from Porter to the smelter in Durango.

In order to cut costs for the main Rio Grande Southern Line, the Galloping Goose Train began passenger service in June 1931 from Durango to Dolores and then on to Telluride. It wound around the mountains of Lightner Creek and Wildcat Canyon and headed west to Telluride. By 1951, the Galloping Goose had stopped operations. Transportation systems have continued to play an important role in the development of the West Durango District. With the beginning of construction of Colorado Highway 160 in 1952, this area became better connected with both the City of Durango and other regions of the state. Prior to the creation of Colorado Highway 160, Wildcat Canyon Road (CR141) served as the major connection between Durango and the western part of La Plata County.

The Perrins Peak coal operation was started in the early 1900s by G.C. Franklin, an organizer and president of the Boston Coal and Fuel Co. He also constructed 5.2 miles of railroad from a junction of the Rio Grande Southern to his mine off the Lightner Creek Road. The mine was the leading coal producer until 1906 when it was sold to Calumet Coal and Fuel Co. The mining camp flourished with 50 to 200 people living in 11 homes, 15 cabins and a boarding house. The mine ceased operation in 1926.

During more recent times, the West Durango Planning District has experienced growth in residential uses with the creation of numerous residential subdivisions. Many of the residential subdivisions previously served as working ranches and agricultural operations. The Durango West I and II subdivisions were originally known as the Ismay Ranch. This site currently sustains approximately 695 residences and is

continuing to grow. The Shenandoah subdivisions, with approximately 45 residences constructed, were formerly utilized primarily as a sheep ranch by the Farmer family. The area that is today known as the Rafter J and King Mountain subdivisions was formerly the Brown family's ranch and now includes over 172 residences. This residential growth has added to the diversity of the area's residents. Many long-established residents are scattered throughout the district with a number of new residents bringing different backgrounds, experiences, lifestyles and occupations to the West Durango District. Mutual respect for different views has grown from this mix.

Overview of Key Issues:

The West Durango District Planning Group has been meeting for more than two years discussing and searching for solutions to many different issues and problems. This group examined important issues such as water, fire safety, rural character, trails, open space, roadways, etc. All of these issues are of extreme importance and are addressed within the Issues, Goals and Objectives, Section III. The following are descriptions of a few of the most crucial issues and the group's discussions surrounding them.

Key Issues of the West Durango District

Preserving Our Rural Lifestyle and Open Lands

Many discussions centered around the characteristics of a rural way of life. It is the strong desire of this group to preserve that rural way of life that has drawn many of the area's residents. This rural lifestyle was characterized as life outside the traffic, noise and confined spaces of the city. Working ranches and scenic vistas are some of the natural features that this group associated with a rural lifestyle. The use of clustering techniques for new development, natural screening of new development from views and the support for the creation of a community center are some of the ways this group believed would continue to foster the sense of rural lifestyle that is important to all.

Water & Waste Issues

Future residential densities are a function of water and sewer. The Lake Durango Water Company currently supplies domestic water to the major subdivisions in the area with the anticipation of expansion. Higher residential densities are envisioned for areas where central water and sewer services may become available. Individual wells in many parts of the district are relatively unreliable from both a water quality and quantity standpoint. The majority of the West Durango District is included in a Water Critical Area as defined by the State for purposes of well permits. Some residents choose options such as cisterns for primary and backup water supplies. The West Durango Planning Group recognizes the crucial impact of water on development, fire safety and agricultural lands. The Animas-La Plata Project and reservoir is by far the single largest potential influencing factor in the future of water for the West Durango District. However, the future of this project and its water uses are uncertain. In order to promote the wise use of water resources, this group discussed their support for alternatives such as water-saving fixtures,

native landscaping, gray water irrigation systems and composting toilets. Additionally, this plan does not support new development that would result in the pollution of surface and/or groundwater. Where the geology will allow, this plan discourages the addition of new lagoon septic systems due to their potential for pollution and difficulty maintaining such systems. A major concern includes the enforcement of current County and State regulations of well and septic system permits. The West Durango Planning District supports strict enforcement and monitoring of water and sewer systems.

- **Educating the Public on Life in Rural and Water Critical Areas**

The key to successful implementation for many of the goals and objectives of this plan comes through the education of residents, developers, Realtors, etc. This group envisions the creation of an informational brochure outlining many of the group's concerns and how residents may address these issues. Issues such as living with wildlife, wildfire/defensible space, State and County "Right-to-Farm" laws, domestic animals in wildlife areas, ditches and water rights, and light pollution are a few of the concerns to be included in this brochure.

- **Affordable Housing**

Affordable housing is a serious concern in all parts of the county. The popularity of life in southwestern Colorado has sent land and home prices skyrocketing. The West Durango District Planning Group realized that in order for development projects to offer housing at reasonable prices, they must receive sufficient density. One of the goals of this group is to provide a plan that includes a variety of densities and encourages different housing types. The anticipated outcome would be a mix of residential uses that does not price out the majority of county residents. Density bonuses are envisioned for projects that provide affordable housing, as defined by the La Plata County Land Use Code.

- **Management of West Durango's Network of Roads**

The West Durango District includes an array of County and State roadways. The importance of these roads as connections within the District, to the County and ultimately the State, cannot be understated. The condition of many roads is quite good with sufficient care and manageable traffic. However, other roads such as Wildcat Canyon receive traffic far exceeding its limits. Additionally, single access in and out of Durango West II and Lightner Creek are recognized as potential fire safety hazards. This group believes that the improvement of County Road 211, better enforcement of speed limits and bicycle path connections, among other ideas, may begin to mitigate the dangerous conditions that exist on some roads. Available roadway capacity and improvement projects are a factor in determining how and where development may occur. Lightner Creek Road (CR207) is a winding mountain road that currently meets the needs of the area's residents. However, if development were to occur along CR207, the road would require significant upgrades based on the impacts of the proposed development. Road width, right of way, shoulder width, blind driveways and grade are issues that must be addressed when new development is proposed along Lightner Creek. Any development proposed in this area has the responsibility to pay for its impacts. Development agreements may be enacted to upgrade

Lightner Creek and other county roads where the developer is reimbursed for additional expenses paid over time as other new developments are created. This may provide an equitable way for road improvements to be financed. Approximately one mile up Lightner Creek Road, Dry Fork Road branches off to the north. This road currently services the Bonds and Lemon ranches as well as providing access to Forest Service, DOW and BLM lands. If any development were to occur on these private parcels, significant improvements would be necessary to bring this road up to County standards. The impacts of development on CR207 and Dry Fork Road must be considered as well as impacts on State Highway 160 prior to new development approvals. The intersection of Highway 160 and CR207 is dangerous, with inadequate acceleration and deceleration lanes and is a shaded, icy and poorly drained curve in winter. Therefore, the impact of new development must be examined very closely.

Vision: West Durango Planning District of the Future

The citizens of West Durango in La Plata County have a strong sense of place, of history and a value for the vast land resources that surround us. We want to maintain a community of mixed rural and developed areas that includes a diversity of neighbors. As we enter the 21st Century, we will work together to:

Preserve the beautiful natural setting and resources while maintaining a sound economic base;
Respect the individual rights of people; and

- Manage growth in a way that ensures the character of the area, residents' safety and equity for citizens.

III. ISSUES, GOALS AND OBJECTIVES

AFFORDABLE HOUSING

A. Goal: Encourage a diversity of housing, including "affordable" housing and more multi-family homes/development.

Objective 1. Institute inclusionary requirements to the subdivision regulations to ensure new developments include some affordable housing.

Objective 2. Encourage the Board of County Commissioners to consider a requirement that homes over 8000 square foot include caretaker's units of no more than 1000 square feet that are attached to the home.

Objective 3. Change County subdivision regulations to make it easier to build second caretaker's units on the property.

Objective 4. Encourage large scale resorts to provide employee housing. Examples of some large scale resorts in the area include Tamarron, Purgatory, etc.

Objective 5. Encourage alternative forms of housing, i.e., co-housing, co-ops, etc.

B. Goal: Encourage affordable housing development in areas that take advantage of central services.

Objective 1. Request that the City of Durango designate a portion of land adjacent to West Durango Planning District for affordable housing, due to this area's potential for central water and sewer services. This area may include lands east of Lightner Creek and north of Highway 160 that may be annexed by the City of Durango. This assumes that safety problems with the intersection of Highway 160 and CR207 are resolved)

Objective 2. Encourage the city to allow alternative types of home ownership, i.e. co-housing.

II. COMMERCIAL DEVELOPMENT

A. Goal: Ensure that any proposed commercial development in West Durango is an asset to the community and accomplishes the following objectives:

Objective 1. Ensure that any proposed commercial development is built in areas designated for commercial development or in existing commercial areas.

Objective 2. Ensure that any proposed commercial development encourages clustering techniques near developed population centers.

Objective 3. Ensure that any proposed commercial development blends in with the rural character of the area.

Objective 4. Ensure that any proposed commercial development is safe for vehicular traffic and pedestrians.

Objective 5. Ensure that any proposed commercial development meets the criteria and design guidelines set by the group for desirable commercial development.

B. Goal: Establish a community center in West Durango Planning District.

C. Goal: Revise traffic regulations to strengthen safety when developing in West Durango Planning District.

III. COMPATIBILITY

A. Goal: Educate citizens on compatibility issues.

- Objective 1.** Utilize existing programs such as CSU Extension Office to offer residents education on weed control.
- Objective 2.** Utilize County weed control program to educate residents.
- Objective 3.** Create a brochure educating residents on ditches and other agricultural/non-agricultural compatibility issues.
- Objective 4.** Educate residents on wildlife issues.
- Objective 5.** Support alternative, natural, and or non toxic methods for dealing with weed control.

B. Goal: Animal control.

- Objective 1.** Support existing County animal control ordinances to protect wildlife and agricultural animals.
- Objective 2.** Encourage better enforcement of existing County animal control ordinances.
- Objective 3.** Include animal control in a brochure regarding rural life.
- Objective 4.** Carry out educational efforts related to animal control through a brochure and the media.
- Objective 5.** All new development should be encouraged to institute covenants regarding pet control.

C. Goal: Educate current/future landowners on fencing issues.

- Objective 1.** Utilize educational brochure to educate people on fence laws, wildlife fencing and their responsibilities.

D. Goal: Develop methods to mitigate noise problems in West Durango Planning District.

- Objective 1.** Institute noise limits on excessive noise through an ordinance.
- Objective 2.** Develop education program that encourages dog owners to handle their barking dogs appropriately.
- Objective 3.** Encourage developers to include educational efforts in covenants, e.g., life in rural areas brochure.

E. Goal: Create architectural guidelines.

Objective 1. Utilize commercial and residential design guidelines that promote structures (non-agricultural) that are compatible with surrounding topography and vegetation. Include height, color, and design in the guidelines.

F. Goal: Encourage County to be more diligent in regulating and mitigating accumulated junk.

Objective 1. Support the creation of junk/trash ordinances.

Objective 2. Encourage County to increase law enforcement and code enforcement personnel.

Objective 3. Institute a dump and recycling program to decrease junk.

IV. COMMUNITY FOCUS

A. Goal: Develop a multi-purpose building that fosters a sense of community in the West Durango Planning District, e.g., meeting room, day care center, fire station, etc.

V. COMMUNICATION AND CITIZEN INVOLVEMENT

A. Goal: Continue citizen education and involvement in land use issues in West Durango Planning District.

Objective 1. Continue West Durango Planning District and utilize as a referral source that will review and comment on developments in the District.

Objective 2. Educate homeowners' associations about the County's agency referral system and how the association may register to be notified.

Objective 3. Encourage developers to work with neighbors early on in the development process, prior to submittal.

Objective 4. Create an educational brochure on relevant land use issues for distribution through the County and private entities.

Objective 5. Include information in master brochure regarding wildlife and land use issues. Distribute through the County Planning Department, County Building Department, Realtors and homeowners' associations.

VI. FIRE HAZARD GOALS

A. Goal: Promote activities and education that reduce fire hazards in West Durango Planning District.

- Objective 1.** Forest management should be part of all subdivision planning and should be a continuing effort.
- Objective 2.** Educate all homeowners in subdivisions, including Minor Exempt Subdivisions (MES), regarding fire prevention and healthy forest management.
- Objective 3.** Include wildfire mitigation in all covenants.
- Objective 4.** Educate landowners regarding fire mitigation techniques and encourage them to take actions regarding fire mitigation. (This was not a consensus item. Some members see this as an opportunity for more intrusion by bureaucrats.)
- Objective 5.** Develop and implement alternative methods for getting rid of slash and other fuels.
- Objective 6.** Strongly suggest covenants that include fire resistant/proof materials on houses and roofs.
- Objective 7.** Devise ways to maintain and recruit fire fighters.
a. Annual training funded by the County for people not currently part of the volunteer fire departments.
b. Explore tax rebates for volunteers.
- Objective 8.** Review fire protection standards for Minor Exempt Subdivisions (MES).
- Objective 9.** Require that all central water systems provide adequate capacity for fire hydrants and fire suppression.
- Objective 10.** Encourage local fire groups to be established in subdivisions.
- Objective 11.** Advise subdividers of single access in and out of Lightner Creek and Durango West II.

VII. INITIAL DEVELOPMENT & LAND USE GOALS

- A. Goal: Ensure that any future revisions to this plan establish predictability, respects property rights and respects public safety issues.**
- B. Goal: Develop a new resident and land buyer education program that includes Realtors and developers.**

VIII. LIGHTING

- A. Goal: The County should encourage developers to mitigate light pollution in the County planning process through covenants. Ensure that issues are addressed such as: a) down casting lighting; b) using the latest technology; c) location of lighting; and d) spreading out street lights in country subdivisions so they are not city-like.**

Objective 1. Include light mitigation information to individuals who are applying for a building permit.

Objective 2. Educate homeowners via the homeowner's associations regarding light mitigation techniques.

IX. MINING

- A. Goal: Ensure harmony between surface and subsurface/mineral interests.**

Objective 1. The West Durango Planning Group should be included with the County in a cooperative dialogue with mining and oil/gas development in nearby districts. West Durango Planning District should be an "agency" notified of mining and oil/gas development in adjacent planning districts.

Objective 2. Maintain (or improve if possible) water quality when and if mining occurs.

Objective 3. Ensure mining companies make a positive contribution to West Durango for impacts in the area.

Objective 4. Encourage County to study mining mitigation on a county-wide basis and closely monitor the activities of state agencies related to mining in the County. Avoid pollution and negative impacts similar to that occurred at Summitville.

Objective 5. Require a disclosure statement for new home and land buyers that outlines mineral and surface rights.

Objective 6. Include mining and surface rights information in the educational brochure.

X. OPEN SPACE

- A. Goal: Encourage the preservation of open space through voluntary incentives.**

- B. Goal: Support the State in encouraging tax incentives for agricultural, wildlife, and open space lands preservation as well as other monetary incentives.**

XI. ROADS

- A. Goal: Assure that West Durango roads would be brought to and kept up to County engineering standards, taking into consideration future growth, safety, traffic speed and enforcement of traffic regulations.**

Objective 1. Create development impact fees to fund road improvements.

Objective 2. Require pavement for subdivision roads.

Objective 3. Create an area road study to address current and future road improvements.

Objective 4. Lower speed limits.

Objective 5. Provide better street signs.

Objective 6. Consider road impacts (traffic volumes, signage, traffic flow etc.) prior to approval of new development.

- B. Goal: Improve Wildcat Canyon Road (CR141) to increase safety.**

Objective 1. Enforce speed limits and traffic regulations, which may include the addition of new traffic police staff.

Objective 2. Lower speed limits.

Objective 3. As development continues around Rafter J/King Mountain, require additional emergency access.

- C. Goal: Expand bike paths to increase safety**

Objective 1. Creation of a bike path separate from Wildcat Canyon Road (CR141) working in cooperation with public lands management agencies.

Objective 2. Include landowners and area residents in the creation of any bike trail plans.

- D. Goal: Expand road system (especially CR211) to reduce impacts on Wildcat Canyon Road (CR141).**

Objective 1. Assure that the County improves CR211 within the next five years.

Objective 2. Build a new road from Highway 160 to CR125.

E. Goal: Manage traffic better at major intersections, specifically Rafter J/King Mountain at Wildcat Canyon Road (CR141); Durango West I and II at Highway 160; Wildcat Canyon Road at Highway 160; and Highway 160 and CR207.

Objective 1. Assure that the County addresses and corrects the safety problems at the intersection of Rafter J/King Mountain and Wildcat Canyon Road (CR141).

Objective 2. Creation of acceleration/deceleration lanes for Durango West I and II/Highway 160 intersection.

Objective 3. Improvement of acceleration/deceleration lanes for Wildcat Canyon Road (CR141)/Highway 160 intersection.

Objective 4. Cooperate with the State in the creation of acceleration/deceleration lanes for CR207/Highway 160 intersection.

Objective 5. Address the issue of pedestrian safety throughout the West Durango Planning District.

F. Goal: Make Rafter J/King Mountain, Durango West II and Lightner Creek safer by improving secondary accesses and egress.

XII. SCHOOLS

A. Goal: Ensure that there are adequate schools in West Durango Planning District.

Objective 1. The County and the West Durango Planning Group asks the Durango 9R School Board to anticipate needs for school sites in the area; identify those potential sites; and establish good communication and coordination between the County and the School District to plan for growth.

Objective 2. When appropriate, encourage land owners for a period of "time certain" to donate land for schools.

XIII. TRAILS

A. Goal: Establish a trail system that achieves the following objectives:

Objective 1. Connects communities safely to Durango.

Objective 2. Provides incentives for developers to build trails to public lands, Durango and communities in West Durango Planning District.¹

¹ The type of trail access is to be determined by the land management agency in conjunction with the La Plata County Planning Department, to protect the interests of affected landowners.

- Objective 3.** Connects communities to each other in West Durango Planning District.
- Objective 4.** Provides liability protection for landowners who have trails on their properties.
- Objective 5.** Reduces conflicts between trail users.
- Objective 6.** Coordinates with Trails 2000, the City of Durango, and/or appropriate public agencies to implement all of these goals.

XIV. VISUAL CORRIDORS

A. Goal: Use incentives and develop standards, e.g. public benefit criteria, to encourage the preservation of and/or improvement of view corridors.

- Objective 1.** Height restrictions, e.g., design criteria should be applied
- Objective 2.** Limit building on ridgelines.
- Objective 3.** Have Planning Department include building envelopes to protect view corridors.
- Objective 4.** Encourage development to occur outside of meadows and to be screened in view corridors.

XV. WATER

A. Goal: Recommend the following objectives:

- Objective 1.** A sliding rate scale for central water systems be instituted in order to promote water conservation.
- Objective 2.** Monitor the rates of Lake Durango Water Company through Public Utilities Commission mechanisms.
- Objective 3.** Create strategies for wise use of water including:
 - a. fixtures
 - b. native plant use
 - c. landscaping
 - d. heavy uses of commercial and recreational water
 - e. gray water systems
- Objective 4.** Develop an education program that encourages wise use of water.

B. Goal: Make a recommendation to the Colorado Department of Health and Environment and San Juan Basin Health to:²

Objective 1. Allow homeowners to develop gray water irrigation systems.

Objective 2. Require developers to establish a functional gray water irrigation system.

Objective 3. Allow black water systems such as composting toilets.

C. Goal: To establish and/or augment water development programs and plans.

Objective 1. Identify areas for future central water or expansion of central water.

Objective 2. Encourage La Plata County Board of County Commissioners to adopt 1041 powers to regulate water and sewer systems locally.

Objective 3. Protect the existing water rights.

D. Goal: To have safe, clean drinking water that tastes good.

Objective 1. Recommend to the State Health Department that they ensure the delivery of high-quality, safe drinking water in a timely manner.

a. Ensure septic/sewer systems are properly regulated and operated.

b. Do not allow grandfathering of existing polluting systems.

Objective 2. Encourage San Juan Basin Health to hire a new compliance person to ensure safe water.

Objective 3. Establish a water education program to improve water quality regarding septic, lagoons systems, etc.

Objective 4. Verify that standards set by Colorado Water Quality Control Commission are being met and are a consideration for increasing density.

Objective 5. Do not support development that results in the degradation of surface and groundwater quality.

E. Goal: To establish a water education program to improve water quality.

F. Goal: Consider the impact of development on wetlands.

Objective 1. Continue to coordinate with the Army Corps of Engineers regarding referrals for wetlands in land development projects.

² The creation of these types of alternative waste systems are supported so long as they do not result in the contamination of surface and groundwater.

Objective 2. Educate homeowner associations regarding wetlands and natural drainages through the appropriate coordination with the Army Corps of Engineers.

Objective 3. To the maximum extent possible locate development away from riparian areas.

G. Goal: Do not over-regulate private wetlands.

H. Goal: Continue to monitor and stay informed of A-LP as it impacts land use decisions in the West Durango Planning District.

I. Goal: Manage water resources to avoid pollution and waste of water.

J. Goal: Encourage County planning process to work with developers to avoid injury to water (water rights, quality and quantity) and to try to find answers to problems associated with Water Critical Areas.

XVI. WILDLIFE

A. Goal: Promote the co-existence of wildlife and development through education of residents.

B. Goal: Assure that there is good habitat for wildlife.

Objective 1. Protect riparian habitat by encouraging a 100-to 250-foot setback from the 100 year flood plain for new development, whenever possible.

Objective 2. Encourage clustered development (including permanent open space) through the planning department and Public Benefit Criteria especially in migration and winter range areas.

Objective 3. Encourage developers to buffer densities/development from public lands.

Objective 4. Encourage wildlife corridor connections between major wildlife areas.

IV. DESCRIPTION OF THE PLAN

The proposed land use plan is based on a vision for the West Durango District that will evolve over the next 10 to 20 years. The following section discusses the land use classifications that are included in the Land Use Classification Map that accompanies the text of this plan. The Land Use Classifications/Descriptions Table contained in Section V of this Plan also discusses the various land use classifications, compatible land uses, their locations and the approximate densities. These classifications are based upon the goals and objectives set forth in the Section III and are guided further by a desire to maintain compatibility with adjacent and neighboring existing uses. Development proposals must be reviewed for consistency with the Plan's goals, objectives and Land Use Classification Map.

Over the past 2 and a half years of development of this plan the group discussed the need and appropriateness of commercial development in the District. An area on the south side of Highway 160 across from the entrance to Durango West II was originally designated as an area of *Local Commercial* to service the needs of area residents. This property was originally planned as an intense commercial site at the time the design for the Durango West II subdivision was created. However, many area residents commented that there was no need for Local Commercial on this site due to their close proximity to Hesperus and the City of Durango. While there were comments both pro and con regarding Local Commercial on this site, the overwhelming majority were not supportive of such a designation. Therefore the Local Commercial classification was removed from the District Land Use Plan and Map.

1. Country Tourist/Dude Ranch

This classification describes many of the historical uses of the Steward Ranch, Bonds and Lemon properties in the far north and northwest areas of Lightner Creek. These properties have served as short-term lodging, cabin rental, guide services, horseback rides, temporary movie sets and other small commercial uses incidental to the dude ranch operation (meals, souvenirs, accessories, etc.). The expansion of these uses under this classification is anticipated³. Properties within this classification may be converted to residential uses at an underlying residential density of 1 unit per 10 acres without plan amendment.

2. Residential

Existing and proposed residential development densities vary considerably throughout the District. A variety of residential land use classifications are included in the Plan. It must be noted that the residential densities contained within land use classifications are intended to be used for the purpose of calculating overall density for Class II projects, Subdivisions and Minor Exempt Subdivisions. Minimum lot sizes are determined via the land use code and the subdivision requirements contained within.

If redevelopment of an existing residential site were to occur within the West Durango Planning District, this plan supports that redevelopment at a density similar to that previously existing regardless of the designated land use classification.

Bed and Breakfast inns, generally defined as self-contained, small-scale, short-term lodges with no more than 10 guest rooms that do not cater large functions such as receptions or parties. Bed and Breakfast inns proposed in the West Durango Planning District should be considered on the merits of the proposed project, regardless of its location in the District. However, issues such as sufficient parking, compatibility with the area, and road impacts must be addressed for this plan to support Bed and Breakfast inns. In keeping with the rural atmosphere of the District Bed and Breakfast inns are subject to the Commercial, Bed and Breakfast Inn and Multifamily design guidelines found in the Appendix.

³ Expansion of these uses must be in compliance with the La Plata Land Use Regulation System.

Home occupations are acceptable in all residential classifications, providing the use appears to be residential in nature and the impacts are minimal such as no outside storage, minimal signage and lighting, and minimal traffic generation.

a. Medium Density Residential

Lands intended to accommodate medium density residential development, 6 units per acre maximum, are identified in the area south of the Durango West I subdivision. In general, areas of the Durango West I subdivision have been developed at this density. The concept here is to radiate denser development from a dense core to less-dense areas such as *Suburban* and *Large Lot Residential* classifications. These designations are in accordance with this plan's intention of locating denser residential development in developed areas that possess necessary infrastructure (water, sewer, roads) capable of supporting such development.

b. Suburban Density Residential

This category includes existing subdivided lands. Lands in this category are classified with a maximum density of 2 units per acre contingent upon the ability to meet subdivision standards contained in the land use code including, water, sewer and access requirements. Lands within this classification include areas surrounding Durango West I and II as well as some areas in Lightner Creek. *Suburban Density Residential* areas include existing residential subdivisions as well as room for expansion at comparable densities where water and/or sewer services are available and can be extended.

c. Large Lot Residential

The density range envisioned for this classification is 1 unit per 3-to 10-acres. Development densities within this range are determined through utilization of the Plan's Public Benefit Criteria.⁴ Generally, existing subdivided land within the 1 unit per 3-to 10-acre density has been classified as *Large Lot Residential*.

d. Residential 3

This classification has a density of 1 unit per 3 acres. This is a residential classification applied to some properties within the Lightner Creek area. This is consistent with much of the existing development within Lightner Creek. Within the Lightner Creek area, the Public Benefit Criteria do not apply. It has been recognized that a large portion of Lightner Creek and Dry Fork has limited development potential due to critical lands.

⁴ The Public Benefit Criteria is the mechanism used to determine overall project density for the *Large Lot Residential* and *Ag/Rural Residential* Classifications in the West Durango District, with the exception of the Lightner Creek area.

When calculating densities for projects in this classification, critical lands must be identified.⁵

e. Residential 10

This classification has a density of 1 unit per 10 acres. This is a residential classification applied to some properties within the Lightner Creek area. This is consistent with much of the existing development along Lightner Creek. Within the Lightner Creek area, the Public Benefit Criteria do not apply. It has been recognized that a large portion of Lightner Creek and Dry Fork has limited development potential due to critical lands. When calculating densities for projects in this classification, critical lands must be identified.

f. Agricultural/Residential 35

This classification has a density of 1 unit per 35 acres. This is a residential classification applied to some properties within the Lightner Creek area. This is consistent with much of the existing development along Lightner Creek. Within the Lightner Creek area, the Public Benefit Criteria do not apply. It has been recognized that a large portion of Lightner Creek and Dry Fork has limited development potential due to critical lands. When calculating densities for projects in this classification, critical lands must be identified.

g. Affordable Housing Classification

⁵ Critical Land designation only applies to unsubdivided land. Environmental conditions on subdivided land are regulated through the approved subdivision plan and land use code. Critical Land designation on the Land Use map only partially or generally portrays the Critical Land constraint areas. Specific analysis may be required to define location of Critical Land boundaries.

In an attempt to achieve the West Durango District's goal to encourage a diversity of housing, including affordable housing and more multifamily homes/development, this classification was created. This classification is an overlay category for all residential classifications in the District. In addition to a project's base density determined by the District Land Use Plan, District Land Use Classification Map and/or Public Benefit Criteria, a 10 percent density bonus will be given to residential projects that meet the definition of affordable housing within the La Plata County Land Use Code.⁵

h. Agricultural/Rural Residential

The majority of unsubdivided private lands within the District has been classified as *Agricultural / Rural Residential*. The overall development densities envisioned under this classification are 1 unit per 10 to 20 acres. Development densities within this range are determined through utilization of the Plan's Public Benefit Criteria. Minimum lot sizes are determined via the land use code and the subdivision requirements contained within.

The *Agricultural / Rural Residential* density designation is prescribed to preserve, insofar as possible, agricultural production and ensure development that maintains a rural character. The *Agricultural / Rural Residential* density land use classification encourages cluster development, and credit for higher densities is granted to projects that achieve clustering.

Consideration for cluster development locations include:

- development tucked in vegetation and trees;
- cluster development set back from ridgelines and hilltops;
- adjacent to areas already subdivided into non-agricultural parcels;
- in other non-agricultural areas of the District.

Where possible site design should visually screen structures while preserving as many trees as possible. In areas lacking vegetation, landscaping should be established to screen new development. However, all landscaping should not create fire safety hazards and fire mitigation techniques should be implemented in the site design.

Areas where residential clusters are *discouraged* include:

- on prime agricultural/ranch land,
- in locations or layouts that would compromise irrigation systems for agricultural/ranch lands,
- in floodplains, drainage ways and riverbanks,
- on ridgetops, steep open hillsides and open meadows that are highly visible from major roadways.

⁵ This "overlay" affordable housing classification would not become operational until the County creates or designates an organization to qualify homebuyers or renters as meeting the income requirements for such housing. In addition, the County must create a mechanism to track the resale value of the affordable housing to ensure that it is available to other qualified applicants in the future and that the property is not purchased for speculative reasons.

3. Critical Lands

This classification is an overlay category that identifies areas possessing significant constraints to development. This category encompasses lands with slopes over 30 percent, lands with potential landslides and unstable slope hazards,⁶ lands within 100-year floodplains and wetlands.⁷

The base density for lands in this category is 1 unit per 35 acres. If *Critical Lands* within a proposed development are protected and permanent development exclusions or dedicated open space, such as conservation easements, are established, a density bonus may be granted to transfer development to more suitable portions of a project. Such density bonuses should not exceed 1 unit per 17.5 acres of critical lands. e.g., if *Critical Lands* are protected, allowable densities are 1 unit per 17.5 acres versus 1 unit per 35 acres if *Critical Lands* are developed.

The *Land Use Classification Map* identifies the general location of some of the District's *Critical Lands*. In most cases, however, site specific studies must be conducted to determine the location and extent of these lands. *The Land Use Classification Map* identifies the general location of slopes over 30 percent, and lands classified as *Landslides* and *Unstable Slopes*. Floodplains and wetlands are not currently designated on the *Land Use Classification Map*.

4. Agricultural / Timber / Public Recreation / Wildlife

Lands within this category are primarily used for agricultural, recreational, timber harvesting and wildlife habitat purposes. This land use designation recognizes these uses. A public lands overlay has been assigned to properties in this classification that are under public ownership. Public lands, whether currently being used for agriculture/timbering/public recreation/wildlife or having no specific designated use, are assigned an underlying residential density of 1 unit per 35 acres. That is not to say that this designation is in any way a permanent open space designation. However, this will give the community and the County maximum flexibility if a land exchange or another land use is proposed for this public land in the future.

5. Scenic Vistas

Scenic Vistas are considered to be open lands visible from county roads with specific scenic qualities such as views to distant mountain peaks, large open vistas, views of river corridors, etc. Special attention to the maintenance of scenic qualities is encouraged within the *Scenic Vista* area.

⁶ The location of potential landslides and unstable slopes was determined using the County's Geologic Hazard Maps, circa 1976.

⁷ Wetlands are those areas as defined by the U.S. Army Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1, January 1987.

6. Public and Community Facilities

This land use designation identifies public and community facilities. Schools, fire stations, etc. are included in this designation. In general, *Public and Community Facilities* are suitable in all land use designations except *Critical Lands*. It is difficult to predict the exact location of future Public and Community Facilities, therefore, these facilities may be considered at locations throughout the district.

7. Tribal lands

Trust and allotted lands owned by the Southern Ute Tribe or Ute Mountain Ute Tribe and/or their members are identified on the Land Use map. Land use planning on these lands is done by the respective tribe.

V. LAND USE CLASSIFICATIONS / DESCRIPTIONS

Land Use	Resid. Density / Size Restrictions	Description
Agricultural/ Timber/Public Recreation/Wildlife	1 unit per 35 acres	Public land that is used primarily for agricultural, forestry or land/water recreation uses. Public lands transferred to private ownership retain a maximum density of 1 unit per 35 acre.
Medium Density Residential development	6 units per acre	Single-family and attached (townhouse, patio, etc.) units. Central water and sewer required.
Suburban Density Residential	1 unit per ½-3 acres ⁸	Lots less than 1 acre in size require both central water and sewer; lots from 1 to 3 acres require either central water or central sewer.
Large Lot Residential	1 unit per 3-10 acres ⁹	Private land that can be developed at a density of 1 unit per 3 to 10 acres. Will typically be served by wells and septic systems.
Residential 3	1 unit per 3 acres	Applied to some private lands within the Lightner Creek area that may be developed at a density of 1 unit per 3 acres. Critical Lands within this area are an important consideration for any project (Public Benefit Criteria do not apply to lands in the Lightner Creek area).
Residential 10	1 unit per 10 acres	Applied to some private lands within the Lightner Creek area that may be developed at a density of 1 unit per 10 acres. Critical Lands within this area are an important consideration for any project (Public Benefit Criteria do not apply to lands in the Lightner Creek area).
Ag/Residential 35	1 unit per 35 acres	Applied to some private lands within the Lightner Creek area that may be developed at a density of 1 unit per 35 acres. Critical Lands within this area are an important consideration for any project. (Public Benefit Criteria do not apply to lands in the Lightner Creek area).
Agriculture/Rural Residential	1 unit per 10-20 acres	Private land that can be developed at a density of 1 unit per 10 to 20 acres. Will typically be served by individual wells and septic system. Public Benefit Criteria apply here.

⁸ Density contingent upon compliance with County Subdivision regulations and land use Code. criteria.

⁹ Density within given range is determined by Public Benefit Criteria. Proponent is encouraged to cluster density on smaller lots, creating permanent open space. Minimum lot size is determined by Code and the subdivision requirements contained therein

Land Use	Resid. Density / Size Restrictions	Description
Affordable Housing	10% Density Bonus	This overlay category applies to all residential classifications. A 10 percent density bonus is provided to projects that meet the requirements for affordable housing as defined in the La Plata County Land Use Code ¹⁰ . This density bonus is also contingent upon the project's ability to meet all the applicable requirements of Code for sewer, water, access, etc.
Country Tourist/ Dude Ranch	Underlying res. density of 1 unit per 10 acres	Day use, overnight accommodations, recreational uses and other small commercial uses incidental to dude ranch operation (meals, souvenirs, accessories). Uses may entail the boarding of horses and other pack animals for-hire public rides. May be converted to residential uses at an underlying residential density of 1 unit per 10 acres without plan amendment. Public Benefit Criteria do not apply to lands in the Lightner Creek area.
Critical Lands¹¹	1 unit per 35 acres	land with steep slopes (over 30 percent), landslides, unstable slopes, wetlands and floodplains. If density is transferred to non-critical lands, a density bonus of 1 unit per 35 acres will be granted. Maximum Bonus = a total of 2 units for each 35 acres of critical land that is left permanently undeveloped.
Public and Community Facilities	Per Code	Public and quasi-public uses such as schools, fire stations, government facilities, cemeteries, hospitals and churches, trail heads, recreation facilities. Locations for these facilities may be considered throughout the district.
Tribal Lands	n/a	Trust and allotted lands owned by the Southern Ute Tribe or Ute Mountain Ute Tribe and/or its members. Land use planning on these lands is done by the individual tribe.
Scenic Vistas	n/a	Open Lands visible from county roads with specific scenic qualities as defined by the district. Special attention to the maintenance of scenic qualities is encouraged.

¹⁰This "overlay" affordable housing classification would not become operational until the County creates or designates an organization to qualify homebuyers or renters as meeting the income requirements for such housing. In addition, the County must create a mechanism to track the resale value of the affordable housing to ensure that it is available to other qualified applicants in the future and that the property is not purchased for speculative reasons.

¹¹ Critical Land designation only applies to unsubdivided land. Environmental conditions on subdivided land are regulated through the approved subdivision plan and land use code. Critical Land designation on the Land Use map only partially or generally portrays the Critical Land constraint area. Specific analysis may be required to define location of Critical Land boundary.

VI. PUBLIC BENEFIT CRITERIA

In order to determine the allowable density for a project within the *Ag/Rural Residential (1 unit per 10 to 20 acres)* and *Large Lot Residential (1 unit per 3 to 10 acres)* land use classifications the Public Benefit Criteria have been created. In order to make an objective determination of where a specific project falls within a given density range, that density will be based on the following criteria and percentages. The Public Benefit Criteria apply to the *Ag/Rural Residential* and *Large Lot Residential* classifications in the West Durango Planning District with the exception of the Lightner Creek area.

- 35% Clustering the units so as to preserve the maximum portion of land in contiguous, dedicated open space. This dedicated open space may be owned by a single entity or multiple entities with undivided interests or overlain by an open space easement. (A minimum of 50 percent of site must remain open with the homes clustered on the remaining 50 percent). Where applicable, cluster houses near other houses to maximize clustering on an area-wide basis.
- 25% Preservation of designated wildlife corridors and habitats in consultation with the Division of Wildlife, BLM, Forest Service, or other appropriate agency.
- 25% Structures located to preserve open meadows, structures not located on ridgelines,¹² or within scenic vistas¹³ as seen from public roads, and not within floodplains.
- 15% Granting of trail easements for non-motorized access to public lands where the land management agency is agreeable.¹⁴

Full compliance with all of the above would result in granting of 100 percent of the density range. For example, if the range is 1 unit per 3-10 acres and all of the criteria were fully met, the project would qualify for a density of 1 unit per 3 acres. If only the first two criteria were met (35% + 25% = 60 percent) the project would qualify for only 60 percent of that density range, or 1 unit per 5.8 acres.

If the site does not reasonably allow for compliance with any portions of the PBC, credit for that percentage is automatically granted. For example, if a site has no designated wildlife corridors or habitat, the project would automatically receive the 25 percent for preserving these areas.

¹² A "ridge" is a long narrow, conspicuous elevation of land; a "hilltop" means a knoll.

¹³ A scenic vista is defined as an area seen from public roads that contains scenic qualities such as views to distant mountain peaks, large open vistas, views of river corridors, etc.

¹⁴ The type of trail access is to be determined by the land management agency in conjunction with the La Plata County Planning Department to protect the interests of affected landowners.

VII. APPENDIX

Commercial, Bed & Breakfast Inns and Multifamily Design Guidelines:

I. Site Planning

- . A. Locate new buildings or additions near existing facilities.
- . B. Create large meaningful pedestrian-oriented spaces by grouping buildings together in clusters and thereby preserving large blocks of open space. Outdoor “rooms” require enclosure (walls) on at least two sides. These walls can be formed by a building or the juxtaposition of several buildings or even by landscaping.
- . C. Let the landscape setting dominate the views by encouraging landscape standards within the parcels, i.e., tuck buildings into trees or plant groves of trees to mimic existing landscape.

II. Setbacks

- A. To preserve the rural quality of the road, set the buildings back an appropriate distance from the edge of the road.

III. Parking

- . A. Designate parking and service areas to the rear of the buildings.
- . B. Screen parking areas with hedges, fences, etc.
- . C. Require that landscaping provide shade and buffer cars from neighboring properties.
- . D. Encourage consolidation and sharing of parking lots.
- . E. Where appropriate, create new roads and interconnected parking lots behind buildings to reduce traffic exits off the highway.
- . F. Provide adequate snow storage with parking lots.

IV. Lighting

- . A. Coordinate lighting standards within the district.
- . B. Shield light to preserve the visibility of the night sky.

V. Building Massing

- . A. Architectural Style: Add to/blend with the existing style created within the district.
- . B. Height: Encourage buildings of 2 to 2-1/2 stories to create a strong sense of enclosure and add diversity of uses on upper floors.
- . C. Materials: Use materials that present a sense of permanence, i.e., large log or timbers, rock, large overhangs, etc.
- . D. Roof Pitches: Use pitches within the 8/12 to 12/12 range found in most mountain communities.
- . E. Colors: Use colors that blend with the surrounding landscape
- . F. Sun/Shade/Views: Sun is important factor in the region. Encourage building massing to step back on south sides to allow the sun to reach the ground.

VI. Signage

- . A. On-site signs should be small scale. Signs should be compatible with the District’s country setting, e.g., wood or stone are appropriate. Urban signs such as neon should be avoided.

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