

JUNCTION CREEK 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 Junction Creek 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 and Safety Considerations
- Visual Impacts
- Conformance with Goals/
Objectives/Vision of Plan
- Wildlife Impacts
- Water and Sewer Availability and Impacts

II. RELATIONSHIP TO 1986 JUNCTION CREEK AREA LAND USE PLAN

A previous plan was prepared for a portion of the Junction Creek Planning District. The Plan titled *Junction Creek Area Land Use Plan , September 29, 1986* included properties along CR 204. Properties along CR 205, East of Chapman Lake, were not included in the 1986 plan. The 1986 plan was developed in response to a request by Durango Estates Subdivision for central sewer service from the City of Durango. The plan was developed in conjunction with La Plata County and the City of Durango. The plan was ultimately adopted by the City and the County Planning Commission, but not the Board of County Commissioners. The plan addressed the impacts of extending central water and sewer up CR 204 to serve the Durango Estates subdivision and other properties in the plan area. The plan also addressed such issues as, land use densities, environmental constraints, road capacities, schools, and fire protection.

In light of changed conditions and the fact that the 1986 Plan was never officially adopted by the County, this plan is being created to assist La Plata County officials in the review of development proposals within the Junction Creek Planning District. The plan boundaries were developed in consultation with the City of Durango. This plan addresses many of the same issues that were contained in the 1986 plan, such as traffic safety, environmental constraints, public lands issues, and maintenance of rural character. This plan encompasses a broader planning area, which includes the Chapman Lake Subdivision along CR 205 as well as Falls Creek and High Meadows subdivisions. The number of properties anticipated to be served by City Services is more limited under this plan. This plan does not anticipate the extension of City Services beyond the existing mobile home park on CR 204.

III. GENERAL CHARACTERISTICS OF THE JUNCTION CREEK DISTRICT

The Junction Creek District encompasses myriad forests, mountainous terrain, meadows, lakes, creeks, National Forest with people living together with the wildlife that abounds there. The area is surrounded (except where the City of Durango adjoins it to the south) by government owned land. This is primarily National Forest land, but includes B. L. M. and other government land. The entire District is like a huge box canyon with the only access via County Road 204, which leads to County Road 205. These are narrow, winding, two-lane, paved roads shared by motorized vehicles, bicycles and pedestrians.

The District comprises Falls Creek Ranch and High Meadows subdivisions to the north (which are substantially developed), along with Sailing Hawks (about half developed), and the Jacob's Cliffs and Durango Estates subdivisions on the south side. There is a mobile home park within the District just north of the Durango City limits. The remainder of the homes are located on property ranging from less than one acre to the 70-plus acre Balliger Ranch, with the majority in the 1 to 3 acre sizes. Most residents who live in the District commute daily by auto into the city of Durango and vicinity to work or do business or shop. Others are retired or work in their homes.

Hidden Valley, also known as the Durango Archeological Area, is on U.S. Forest Service land, and is home to "Esther's Cave," a historic Anasazi dwelling. Privately owned Chapman Lake is the only natural lake more than an acre in size at this altitude in La Plata County; it is home to an unusual aquatic

and wetland community including: turtles, frogs, and other animals restricted to semi-arid environments. Much of the District is considered to be in the “water critical” area. It is unknown how many aquifers supply this area. The extent to which they could be interdependent, their current usage, and whether or not they are under stress is also largely unknown. The Junction Creek watershed is classified as an “over appropriated” watershed by the State Division of Water Resources. Accordingly, significant restrictions on the issuance of new well permits exist. This factor may limit new or additional development. The Falls Creek drainage and the area east of Chapman Lake are not classified as over-appropriated and therefore well permits may be more readily available in these parts of the District. Sailing Hawks and Falls Creek Ranch have central water systems, all other dwellings use individual wells as their water source and all are on septic for their sewage disposal.

The District has fire protection services through the Animas Fire Protection District. The District has a fire house with one pumper truck and one fire foam-fog truck (partially purchased by the Junction Creek District land/homeowners). It is located at Falls Creek Ranch and is partially served by volunteers who live in the near vicinity.

Part of the District is in an unstable geological hazard area, with much of the terrain in at least 30 percent slopes. There are a variety of home sites, from the valley bottom to the canyon walls. A floodplain danger exists in the valley.

Vision

The residents of the Junction Creek Planning District believe our community is a very special place and that it provides a unique rural, riparian area to be valued by the whole community.

We want to retain its rural character and uncrowded country feeling and would like to maintain a community with very low residential density. We envision the area remaining as socially and economically diverse; where people know and are tolerant and accepting of each other. It is an area where different groups of people can live comfortably. We want to maintain a strong sense of community, where the residents have a mutual respect for each other and the land. We believe that the quality of the environment is very important. We want to retain the open spaces, natural views, water and wildlife resources and a healthy environment where children can be independent, safe and self-reliant.

We believe development should occur within the limits of the natural environment, not exceeding the availability of water resources and not intruding upon a diverse wildlife and ecological system. We believe in access to public lands, without creating excessive recreation impacts on trails and wildlife habitat. We feel that improvements to the existing roads should be made only for safety considerations, as far as sight distance, curves, grades, etc., due to the excessive speed already seen on the thoroughfares. Adding shoulders to the narrow roads would improve pedestrian and cyclist safety. Wildlife corridors, riparian areas, wetlands and water quality are critical to the future environmental character.

We believe our rural character should be protected by insuring low impact development, and avoiding the extension of urban infrastructures into the District. We want to avoid negative impacts of growth, such as crime, to maintain a secure, safe and healthy rural neighborhood. We want to retain and

improve ease and safety of access to urban services, especially good schools. We do not envision commercial development occurring within the Junction Creek area.

IV. DISTRICT GOALS AND OBJECTIVES

A. Goal: To maintain the rural, low density, neighborly atmosphere of the Junction Creek area.

Objective 1. To emphasize low-impact, low-density residential development.

- Action a.** Implement a three acre minimum density to offset infrastructure stress and the need for central services.
- Action b.** Define “compatibility,” including consideration of density, architectural, environmental, historical, and cultural compatibilities.
- Action c.** Develop a multi tiered set of land use tools (current standards: 3 acre lots allow for individual septic and well; 1 acre lots require one central service (water or sewer); 10,000 ft. lots require both central services).

Objective 2. To restrict commercial development and signage.

- Action a.** Allow for continued use and establishment of home occupations, provided these do not affect neighbors..
- Action b.** Allow for the establishment of day-care homes serving up to 6 children or senior citizens.
- Action c.** Any commercial lodging development should address the constraints described in the goals of this plan.
- Action d.** Bed and breakfast, day-care homes, and home occupations should be the only type of commercial activities allowed in the District.

Objective 3. To guide development within the constraints of the natural environment.

- Action a.** Determine gross density for specific areas. Cluster developments should be encouraged in order to maintain open spaces.
- Action b.** Development must be guided away from steep slopes, unstable geologic hazards, wetlands, flood plains, and other sensitive areas.
- Action c.** Utilize proper set backs and avoid creating silhouettes along hilltops or ridge lines.
- Action d.** Look at each site, keep in mind the “spirit” of the plan is to blend in, not stand out.
- Action e.** Limit tree removal on building sites to the absolute minimum required for construction and fire safety.

Objective 4. To avoid/discourage developments that will cause light, noise, visual, and air pollution.

Action a. Require light fixtures that do not cast light on adjacent properties.

Action b. Require utilities located underground, or if underground is not feasible, try to make aesthetic (non-visible) as possible.

Action c. Adopt guidelines for attractive compatible buildings and signage.

Action d. Require developments to be sighted in such a way as to preserve important visual resources of the site. For example, new developments should respect the following criteria when applicable:

- Located in wooded areas so as to be screened from roadways.
- Set back from road to preserve rural character.
- Located near other subdivided lots and/or houses.
- Located so buildings are set back from ridge tops or do not intrude above horizon lines.
- Located so as to avoid steep slopes (30%>).

B. Goal: To maintain a socially diverse community that sustains a safe neighborhood for raising children.

Objective 1. To encourage development that attracts diverse social and economic groups.

Action a. Promote a tax code that does not increase gentrification so affordable property and taxation levels are maintained.

Objective 2. To promote mutual respect and caring that encourages and strengthens trust, tolerance, and acceptance.

Action a. As an educational strategy, inform potential land buyers of this plan, working with the Board of Realtors.

Objective 3. To limit the impact of social change—preventing crime and promoting safety and security.

C. Goal: To protect the quality of the natural environment.

Objective 1. To protect riparian and wetland areas.

Action a. Seek wetlands conservation.

Action b. Review, clarify, and if necessary, revise the building setbacks from flood ways in La Plata Land Use Code.

Action c. Require buffering (setbacks for berms, vegetation, etc.) between differing

land uses and environmental conditions, especially wetland and riparian areas.

Action d. Conduct flood plain/ floodway analysis.

Action e. Inventory wetlands.

Objective 2. To maintain supply and quality both of domestic and natural waters.

Action a. Based on accurate information, create water use restrictions and limits for developments and in home businesses.

Action b. Encourage water conservation regarding lawns.

Action c. Conduct regular water quality tests at the lakes and streams in the area to monitor and evaluate water conditions.

Action d. Require new developments to implement erosion control measures.

Objective 3. To encourage retention of open spaces and scenic vistas

Action a. Protect views of cliffs and mountain sides.

Action b. Establish view corridors in areas of particular scenic value and encourage developments within corridors to respect vistas and open spaces, though thoughtful site design.

D. Goal: To maintain high quality wildlife habitats.

Objective 1. To encourage community education about wildlife, especially among recreationalists.

Action a. Provide information to recreationalists and others, specifically on wildlife tolerance, trail etiquette, loose dogs, etc.

Action b. Develop guidelines for wildlife protection (such as acceptable fencing types, setbacks from riparian areas, and appropriate landscaping materials).

Objective 2. To insure the protection of wildlife corridors.

Action a. Explore the possibility of purchasing land for winter range.

Action b. Maintain wildlife habitats and encourage new developments to allow wildlife to move freely throughout the project.

Action c. Identify critical wildlife corridors

Action d. Identify winter wildlife habitats.

Action e. Avoid trail impacts in riparian areas.

Objective 3. To encourage the preservation of sizable open tracts of land and discourage development pressures.

Action a. Maintain lower overall residential density.

Action b. Develop detailed land use guidelines.

Action c. Initiate riparian and wildlife education.

Action d. Prohibit fencing where not absolutely necessary.

Action e. Secure funding for the purchase of appropriate properties, especially valuable as habitat or migration corridors.

E. Goal: To maintain an appropriate level of infrastructure development to support low density, rural neighborhood development.

Objective 1. To discourage the development or extension of sewer services

Action a. Monitor ground water quality to enable a proactive stance and establish standards for water quality.

Objective 2. To discourage the extension of an arterial transportation route through the community.

Action a. Avoid extension of roadway easement idea through “notch.”

Action b. Research ownership status and easement status of the road through the notch.

Action c. Ensure that no County road plans include the establishment of an Animas connection to the valley.

Objective 3. To establish an adequate transportation system that will provide safety for residents and those accessing public lands.

Action a. Prohibit improvements that will result in increased speeds, i.e., do not allow line-of-sight improvements or straightening improvements.

Action b. Leave natural barriers to control speed.

Action c. Avoid the use of urban road standards for the District’s rural setting. Adopt rural road standards with minimum impacts appropriate for the area and its steep terrain. For instance, require road widths no wider than necessary for the normal and emergency access. This would minimize the cut through the trees and meadows.

Action d. Add shoulders for safety.

Objective 4. To establish a safe hiking/biking trail system, on public land, that is sensitive to the natural environment, particularly wildlife.

Action a. Work with the FS to create safe parking at Colorado Trail head and enforce parking within the designated area, i.e., respecting private properties.

Action b. Explore the possibility of a bike path along Junction Creek Road.

Action c. Critically assess pros and cons of Barnes Mountain and Animas Mountain Trails Westside connection

F. Goal: To protect the quality of public lands

Objective 1. To maintain appropriate recreation access and use, avoiding social and environmental conflicts among users

Action a. Explore the possibility of specific use designation on trails.

Action b. Explore possibilities for enforcing regulations concerning dogs and bikers.

Action c. Establish adequate parking areas at public land access points.

Objective 2. To support good public and private land planning that avoids negative impacts such as wildfires, hunting near residencies, and protects cultural and natural resources.

Action a. Discourage public land exchanges for private development unless there is clear public interest value.

Action b. Implement use restricted buffer zones on public lands adjacent to private residencies.

Action c. Encourage B.L.M. not to open public land for development.

Action d. Work with U.S. and Colorado State Forest Services to use prescribed burns for residential safety and to improve wildlife habitat.

V. DESCRIPTION OF THE PLAN

The proposed land use plan is based on a vision for Junction Creek that will evolve over the next ten to twenty years. The following section discusses the land use classifications 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 the Plan also discusses the various land use classifications. The recommended land uses, their locations and the approximate densities are based upon the goals and objectives set forth in Section II. They 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, Actions, and the Land Use Classification Map and La Plata County Code.

1. RESIDENTIAL DEVELOPMENT

The predominant land use on developed private lands within the district is residential. Existing and proposed residential development densities vary considerably throughout the District. Several 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 calculating overall residential 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. Class I projects are reviewed via the land use code and not required to conform with this plan in regards to density.

Home occupations are acceptable in all residential classifications, providing the use seems residential in nature and the impacts are minimal such as: no outside storage, minimal signage

and lighting, traffic generation, noises, odors, and on or off street parking. Small scale bed and breakfast type lodging facilities and day-care establishments are permitted within the District, if care is taken to blend them in with adjacent or nearby residential uses with a minimum of impact (noise, traffic, light and glare). The size of lodging establishments may be no larger than five rooms per allowable dwelling unit equivalent, up to a maximum of 10 guest rooms¹. Day-care homes shall be limited to a maximum of 6 children or senior citizens. Home occupations, bed and breakfast type lodging facilities and day-care homes are the only types of commercial activities allowed in the District.

a. CITY ADJACENT RESIDENTIAL

This classification identifies lands in the Southern end of the District that are served, or may likely be served, by City of Durango central water and sewer services and may likely be annexed by the City. Lands in this category are classified with a maximum density of one unit per one (1) to six (6) acres. These lands are given a higher potential maximum density due to the availability or anticipated availability of city services. 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.

b. RESIDENTIAL

The majority of lands that lie on the bottom of the valley are included within this classification. These lands are generally flatter and adjacent or proximate to the District's main roads. These lands generally have fewer development constraints than lands contained with the *Agricultural / Rural Residential* classification. Lands in this category are classified with a maximum density of one unit per three (3) to six (6) 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.

c. AGRICULTURAL / RURAL RESIDENTIAL

Land within this classification is generally located on and above the steep slopes of the valley walls or in the outlying portions of the District, such as Falls Creek and High Meadows subdivisions. The overall development densities envisioned under this classification are 1 unit per ten (10) to twenty (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.

¹ Allowable dwelling unit equivalents are determined through the residential densities associated with the Plan's Land Use Classification Map

2. CRITICAL LANDS

This classification is an overlay category which applies to all land use classifications. The *Critical Lands* classification identifies areas that possess significant constraints to development and public safety hazards. This category encompasses lands with slopes over 30%, lands possessing landslides and unstable slope hazards², lands within 100 year flood plains, and wetlands³.

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, i.e. if *Critical Lands* are protected, allowable densities are 1 unit per 17.5 acres vs. 1 unit per 35 acres if *Critical Lands* are developed.

The *Land Use Classification Map* identifies, in most cases, the general location of some of the District's *Critical Lands*. 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%, and lands classified as *Landslides* and *Unstable Slopes*. Flood plains and wetlands are not currently designated on the *Land Use Classification Map*.

3. PUBLIC AND COMMUNITY FACILITIES

This land use designation accommodates public and community facilities. Currently, one fire station is located within the Junction Creek District in Falls Creek Subdivision. In general public and community facilities are suitable in all land use designations except critical lands.

4. AGRICULTURE/TIMBER/RECREATION/WILDLIFE

A large portion of the District is on U.S. Forest Service, B.L.M., and Division of Wildlife lands. This category identifies public lands within the District used primarily for agricultural, timber, recreational and wildlife uses. These lands are given a base density of 1 unit per 35 acres to discourage a land trade undertaken for speculative purposes.

² The location of landslides and unstable slopes was determined using the County's Geologic Hazard Maps, Circa 1976.

³ Wetlands are those areas as defined by the U.S. Army Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1, January 1987.

VI. LAND USE CLASSIFICATIONS/DESCRIPTIONS

Land Use	Resid. Density / Size Restrictions	Description
Agricultural/ Timber/Public Recreation/Wildlife	1 unit per 35 acres	Public lands that are used primarily for agricultural, forestry, land/water recreation, or wildlife uses. Public lands transferred to private ownership will retain a 1 unit per 35 acre density designation.
Agricultural / Rural Residential	1 unit per 10 - 20 acres ⁴	Private land that can be developed at a maximum density of 1 unit per 10 to 20 acres. Will typically be served by wells and septic systems.
Residential	1 unit per 3 - 6 acres ⁴	Private land that can be developed at a density of 1 unit per 3 to 6 acres. Will typically be served by wells and septic systems.
City Adjacent Residential	1 unit per 1 to 6 acres ⁴	Private land that can be developed at a density of 1 unit per 1 to 6 acres. Will likely be served by City of Durango central water and/or sewer services.
Critical Lands⁴	1 unit per 35 acres	Land with steep slopes (over 30%), landslides, unstable slopes, wetlands and flood plains. If density is transferred to non-critical lands, a density bonus of 1 unit per 17.5 acres will be granted. Maximum Bonus = a total of 2 units for each 35 acres of critical land left permanently undeveloped.
Public and Community Facilities	Per Code	Public and quasi-public uses, such as fire stations, trail heads, recreation facilities.

VII. PUBLIC BENEFIT CRITERIA

To determine the allowable density for a project within the *Agricultural / Rural Residential*, *Residential*, and *City-Adjacent Residential* Classifications, the County will allocate densities above the lower end of the density range upon demonstration that there is a public benefit in doing so. To make this determination as objective as possible, the density range shall be granted based upon the following criteria and percentages:

- 40% Clustering the units to preserve the maximum portion of the land in contiguous dedicated open space and to preserve wildlife habitats. This space could be owned by a single entity or multiple entities with undivided interests, or overlain by an open space or agricultural easement. (50% open space = full 35% of density range).
- 40% Structures located to preserve open meadows, in or against trees if present and not within flood plains or critical areas.

⁴ 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 the land use code and the subdivision requirements contained therein.

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

20% Project designed so as to protect wildlife corridors and riparian / stream corridors

100% Total

Full compliance with all of the above would result in granting 100% of the density range. For example, if the range is 1 unit per 3-6 acres, and all of the criteria were fully met, the proponent would qualify for a density of 1 unit per 3 acres. If only the first two criteria were met ($35\% + 35\% = 70\%$) the owner would qualify for 70% of the range, or 1 unit per 3.9 acres.

Subdivisions, Minor Exempt Subdivisions, and Class II projects shall be designed in such a manner to prevent the location of buildings or other structures that create a silhouette along the top of a ridge or hilltop as seen from public roads⁵. The ridge line or hilltop silhouette should be composed predominantly of trees and land forms. Building envelopes and plat notes shall be the primary method of implementing this policy on subdivision plats and MES's. Site plan review and conditions of approval shall be the primary method of implementing this policy for Class II projects. It is the applicant's responsibility to demonstrate the project's avoidance of ridges and hilltops to the satisfaction of the Planning Commission using appropriate visual or graphic techniques (e.g., photos, drawings, site visits).

If site conditions do not permit compliance with any specific criteria, credit for compliance will be automatically granted. i.e.: If a site does not possess any open meadows, then the applicant would receive the full 35% density bonus for avoiding ridge lines etc.

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A "ridge" is a long narrow, conspicuous elevation of land, a "hilltop" means a knoll or small hill.