

INTRODUCTION



OVERVIEW

Land use planning is intended to give residents, property owners and community leaders a means for creating a shared vision for the future development of their community. Authority for planning is granted to counties by the State of Colorado under Section 30-28-106 of the Colorado Revised Statutes. In part, the statute reads:

“It Is the Duty of a County Planning Commission to Make and Adopt a Master Plan for the Physical Development of the Unincorporated Territory of the County”

The La Plata County Comprehensive Plan is an advisory document which establishes a framework for planning in the County. Planning is not intended to be a static, one-time event, but an ongoing process that reflects changing conditions in the community. While the comprehensive plan establishes the framework, the ongoing planning process sets forth the specific actions to carry out the plan so the community can work together to achieve its desired future.

The comprehensive plan establishes a number of goals, objectives and policies to guide planning in the coming years. The broader and more generalized Goals express the vision or aspiration of the County’s residents, while the Objectives create a measurable means toward reaching the expressed Goals; and Policies identify how the County anticipates fulfilling the Objectives. A prioritized list of “action items”, or tasks, in the plan provides an organized set of items for focused pursuit by the County (and are identified in association with the various elements, or chapters of the Plan).

The Comprehensive Plan Is Advisory and Intended to Guide Planned Growth While Protecting the Environment And Enhancing the Lives of County Residents. The Comprehensive Plan Also Seeks to Recognize Diverse Perspectives on Land Use and Private Property Rights Expressed by County Residents.

This introduction includes a brief look back at several planning efforts in La Plata County over the past several decades. It provides an overview of the Plan’s purpose, its structure and its layout. It documents the planning process used during the preparation of the Plan. It presents a brief overview of other government entities that influence the Plan. It recognizes that changes may occur to the land use regulatory process in Colorado which could affect the content and direction of the Plan in the coming years. Finally, it provides a detailed summary of our history and how the area has transitioned from its original inhabitants to the current residents.

PLAN BACKGROUND

In La Plata County, the process of planning has been underway for many years. Early iterations of the comprehensive planning process included a master plan prepared and adopted in 1984. It was replaced by a follow-up planning process undertaken in the late 1980s which resulted in the 1990 adoption of the “La Plata County Comprehensive Land Use Plan: Element 1-Policy Plan”. Both

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of these plans were based on the philosophy that land use regulation should be kept to a minimum except when the health, safety, and welfare of County residents was at stake. Since that time, there have been other exercises and long-range planning efforts by the County to reinforce its evolving vision of future growth.

The 1990 Plan was the precursor to what today is known as the “La Plata Land Use Code”, the permitting system by which development is regulated in La Plata County. The primary emphasis of the land use code is to mitigate the impacts of the new development rather than having restrictive land use classifications. The intention was to establish standards for new development to ensure impacts to neighbors are mitigated while allowing flexibility in the use of one’s land.

Goals *express the vision or aspiration*

Objectives *create a measurable means toward reaching the expressed Goals*

Policies *identify how the County anticipates fulfilling the Objectives*

Tasks *list specific action items to help achieve Policies & Objectives*

As the mid-1990s approached, however, a county-wide survey indicated that attitudes toward land use regulation in the unincorporated County were shifting. This new sentiment suggested that mitigating the impacts of development was only addressing part of the issue. It was felt that without some type of county-wide organization of what types of uses went where, providing essential services in the County would become more difficult and expensive as more development occurred. As a result, a new comprehensive planning process was undertaken. By 1997, the County had established 10 planning districts, eight of which established land use plans to guide growth by identifying preferred land uses types and densities within their districts. And by 2012, the County had added two additional district plans for a total of 12 planning districts with 11 plans. These Plans, therefore, are part of this Comprehensive Plan and are located within its appendix.

The district planning process identified a vision of what each of the districts should look like in the future. Goals and objectives were established; preferred land use types, locations, and densities were mapped; and district review groups were established to watch over implementation of each Plan. While each Plan has its own unique vision, goals and objectives, several prevailing themes tie them together. These include such things as retaining rural character, accommodating new growth, protecting the environment, respecting private property rights, and ensuring housing affordability.

PLAN PURPOSE AND STRUCTURE

While the district land use plans share common themes, there are a number of county-wide issues that are either inadequately addressed in the district plans or were not addressed during the district planning process at all. *While the comprehensive plan is intended to incorporate and uphold the intent of the district plans, it is also intended to provide further detail and guidance to the overall growth management system of La Plata County.*

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The Comprehensive Plan Consists of the Following Plan Sections & Elements:

- Introduction
- Growth Trends
- (1) Land Use Element
- (2) Infrastructure Element
- (3) Housing Element
- (4) Environmental Element
- (5) Agriculture Element
- (6) Airport Element
- (7) Public Safety Element
- (8) Extractive Resources & Renewable Energy Element
- (9) Recreation & Tourism Element
- (10) Historic Preservation Element
- (11) Plan Implementation
- Appendix

Elements 4 and 11 each summarize topics that have already been addressed through separate planning processes. The *La Plata County Transportation Plan* and the *La Plata County Trails Plan* were each adopted in 2000 and are housed within the Plan’s Appendix. Element 3: *Land Use*, also incorporates by reference, the District Land Use Plans.

Each primary plan element (chapter) is organized with an overview and background of identified issues; goals, objectives and policies; general analysis; and key points

Within each plan element certain issues have been highlighted for recognition as highlighted facts or recommendations (Key Points). These key points help to clarify significant aspects of each element for the reader.

Action Items from the various objectives and policies are located in a categorized list associated with each element within the “*Implementation*” Section; and assist by recognizing specific actions that could be taken to implement the Plan. An Implementation Table is included as a matrix within the Appendix, and should be utilized to assist in the tracking and management of action items.

PLAN PREPARATION HISTORY

La Plata County’s 2001 comprehensive planning process actually began in the mid-1990s with Phase I, the creation and adoption of the district land use plans. Phase II of this program was initiated in 1999 by identifying approaches for dealing with issues of county-wide concern, those that overlap the district plans and ultimately affect the cost of living and/or quality of life of all County residents.

Over the course of the following two years, planning staff, in conjunction with a planning

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consultant, worked with the Planning Commission, the Board of County Commissioners, and the public to establish a set of working papers which helped to set the stage for the Plan’s main elements. The working papers titled “*La Plata County Comprehensive Plan: Framing the Discussion*” were widely distributed during the fall of 2000. Nearly one-hundred written and oral public comments were collected during that period and modifications were made to reflect those comments.

From the background research, public input, and the guidance of the Planning Commission and Board of County Commissioners, a draft Plan was written and presented to the Planning Commission for review/discussion and process direction in early June 2001. Five additional work sessions were held with the Planning Commission and Board of County Commissions between June and August to finalize the draft Plan. The draft Plan was then distributed to local media outlets and widely publicized for public comment. The Planning Commission ultimately adopted the 2001 Plan in August of that year.

The Comprehensive Plan Also Seeks to Recognize Diverse Perspectives on Land Use and Private Property Rights Expressed by County Residents.

In 2009, La Plata County embarked on a long-range planning project to replace its adopted Comprehensive Plan, with the assistance of a consultant. That effort was extensive and well attended by the public, and included more than 120 public meetings and monthly meetings with a 21 member working group. The draft Plan was presented to the Planning Commission in April 2011 for their consideration and adoption. After nine months of public hearings, the Commission voted to terminate their review of the draft Plan in December 2011.

In 2014, the Board of County Commissioners met with the Planning Commission and expressed an interest in updating the adopted 2001 Comprehensive Plan. The Planning Commission shared that interest, and therefore began by directing staff to perform the necessary organization, that year, for an upcoming major project to update the existing Plan. Included with this established project are designated monthly public meetings during which the Planning Commission provided input and direction, reviewed work product, and accepted public comment. Each designated monthly meeting focused upon a subject of the existing Plan.

RELATIONSHIP TO OTHER PUBLIC ENTITIES, PLANS AND REGULATIONS

The Comprehensive Plan and its implementation tools are intended to be used in conjunction with a number of other public entities, and their plans and regulations. Following is an overview of a number of those public entities and their relationship to the updated 2001(2015) La Plata County Comprehensive Plan.

Local Municipalities:

The City of Durango and the Towns of Bayfield and Ignacio all have adopted comprehensive plans

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which include, among other things, land use and transportation elements which overlap into lands regulated by La Plata County. The County also enters into a multitude of agreements with these entities regarding issues ranging from road maintenance and land use to revenue sharing.

Southern Utes and Ute Mountain Utes:

La Plata County includes approximately 208,835 acres of Southern Ute and Ute Mountain Ute Tribal lands and trust lands located in the southern portion of the County. Recognized as sovereign nations by the Federal government in the late 1800s, the regulatory function of La Plata County government does not apply to tribal lands. None-the-less, issues that transcend political boundaries require a degree of interaction and cooperation. This interaction has led to a number of formal and informal agreements between tribal and non-tribal interests.

Federal and State Land Management Agencies:

With approximately 41 percent of land in La Plata County controlled by Federal and State land management agencies (Forest Service, Bureau of Land Management, Bureau of Reclamation, Colorado Division of Wildlife, and the Colorado State Land Board) the coordination of activities and sharing of information is critical. Whether it be information of plans for controlled burns or plans for a new development proposed near interface lands, coordination will help to ensure that comprehensive planning policies and strategies are met.

Colorado Department of Transportation and Other State Agencies:

Activities of the Colorado Department of Transportation (CDOT) and other State agencies can have significant ramifications for the residents of La Plata County. Upgrades and expansion projects to state highways within the County will have a lasting effect on traffic and development patterns throughout the County. The coordination of County land use and transportation goals with those of CDOT will help to ensure consistency between the two entities' efforts.

Other State agencies include the Colorado Department of Public Health and Environment and the Department of Natural Resources. The Department of Natural Resources includes a number of divisions related to the Plan elements including the Geological Survey, Parks & Wildlife, Reclamation, Mining & Safety, the Oil & Gas Conservation Commission, Forestry, Water Resources, the Water Conservation Board, and the State Land Board.

THE CHANGING LANDSCAPE IN COLORADO

With significant population growth expected to continue in the coming decades, the debate over the effects of growth and its impact on residents' quality of life have risen to primary importance. This debate has led to a number of citizen and legislative efforts to change how land use is regulated in Colorado.

This Plan has attempted to address the most common aspects of community development comprehensively. It has not, however, attempted to anticipate and incorporate all aspects of any potential constitutional or statutory changes that may occur in the coming years. As a result, this

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Plan may require significant modification in the coming years if major changes to the land use regulatory process in Colorado occur. Also, on a cyclical basis, the County should continue to maintain this Plan with current interests, issues and necessary adjustment for consistency with statutory mandates; as well as evolving, effective planning practice, in order to keep the Plan intact and in effective working order for the County.

HISTORY AND STORY OF PLACE¹

Southwest Colorado has a rich and long standing cultural tradition. The remains of people attributed to Archaic (7500 B.C.-500B.C.), Basketmaker (500 B.C.-750 B.C.) and Pueblo periods have all been found here. The Utes have been in the area at least since the 1500s.

The region lured many explorers in search of gold, silver and other opportunities for wealth. In 1776, Fathers Dominguez and Escalante traveled through the area in search of a route from Santa Fe to the California missions. Much of their route later became the Old Spanish Trail, which was used between 1830 and 1840 by Santa Fe traders on their way to California. The area was part of Mexico until the Treaty of Guadalupe Hidalgo ended the Mexican War in 1848, and the United States claimed jurisdiction. The Colorado Territorial legislature created La Plata County in early 1874. Encompassing present day La Plata, San Juan, Montezuma, and Ouray Counties, this massive region soon proved unmanageable and was redrawn in 1876 to include the equivalent of modern day Montezuma and La Plata Counties. The county further reduced to its current size in 1889, when Montezuma became its own county.

Ownership Patterns-Living Legacies in the County

In 1874 the Brunot Agreement between the Utes and the United States opened land to non-natives. Under the terms of the agreement, the Utes would receive annual payments of \$25,000 in exchange for 3.5 million acres of their land, including all of present day La Plata County. Congress ratified the Agreement on April 29, 1874, and went about its usual course to establish a federal presence in the area through Indian agencies and military posts. The U. S. Government built the Los Pinos Indian Agency near present day Ignacio in 1877. The Fort Lewis military post moved from Pagosa Springs in 1880 and operated for ten years from a site on the La Plata River, about 11 miles south of present day Hesperus.

In 1891, Congress passed the Hunter Bill, which allowed the Utes to choose land that tribal members could individually own and to hold some lands in common. The Mouache and the Capote Ute Bands (now the Southern Ute Tribe) accepted these terms and tribal



¹ Prepared by Jill Seyfarth, Cultural Resource Planning, Oct 2009

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members selected allotments in 1896. The Weeminuche Band (now the Ute Mountain Ute

Tribe) opted to continue to retain their lands in common. The available lands, located in a 15-mile wide band stretching across the southern one third of the county, became known as the ‘Ute Strip’. Remaining unallotted lands were opened to homesteaders in May 1899 and created a small homesteading rush. Mormon settlers and others established town sites on the west side of the county. The towns of Kline, Redmesa and Marvel were thriving by 1916.

Unclaimed lands (about 200,000 acres) were returned to the Southern Ute Tribe in 1938. The mix of Ute Tribal, individual Ute and individual non-Ute ownership in the southern 1/3 of the county is the legacy of the Ute Strip. Federal actions related to Ute agreements created other lasting legacies. The 6,000-plus acre military reservation established for Fort Lewis is now owned by the State of Colorado. The old military fort was turned into an Indian School and then into a public school that evolved into a college that moved to Durango in 1956. Fort Lewis College is tuition-free to Native Americans, a stipulation of the transfer of the old military reservation from federal ownership to the State of Colorado. Ignacio was eventually founded near the Los Pinos Agency, and two large federal water projects (Vallecito Lake and the Animas-La Plata Project) have been developed to address irrigation issues and to meet historic Ute water claims.

Homesteaders and prospectors flocked to the region north of the Ute Strip. The first prospectors followed John Moss from California to the mouth of La Plata Canyon in 1873. Since they were there before the Brunot Agreement had been signed, Moss negotiated an agreement with Ute Chief Ignacio that allowed the miners to use a 36 square mile area in exchange for numerous blankets, livestock and gifts. The miners worked their way up La Plata Canyon with varying amounts of success over the years and leaving a series of privately owned claims within the canyon. A large



gold strike in the 1930s brought one last flush of prosperity to the La Platas. The region never enjoyed access from a railroad and the small, isolated mining camps that had been established near the mines faded away.

The fertile valleys of the lower Animas and Pine Rivers attracted the county’s very first farmers and ranchers. Other early claims were filed in modern day Hay Gulch and Thompson Park. Later homesteaders settled on the mesa tops and developed irrigation ditch systems to bring water to their lands. Frank Hall noted in his 1895 *History of Colorado* that within the first 30 days after the ratification of the Brunot Agreement “...every acre of available land in the (Animas) valley had been located and staked off in ranch claims.”

The northern, higher-elevation claims along the river drainages were mostly used as “summer range” for sheep and cattle. The northern one third of the county had few homestead claims, but was used for livestock and logging. Alarmed by the growing desecration of unregulated logging

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and grazing on public lands in the west, Congress passed the Forest Reserves Act in 1891. The act empowered the President to withdraw designated lands from the public domain. The withdrawn lands, called reserves, could then be managed to protect their natural resources, including timber and grasses. In 1905 President Theodore Roosevelt signed legislation to create the San Juan Forest Reserve (now the San Juan National Forest). The legislation placed more than 3.7 million acres in Southwest Colorado under federal conservation programs. About 41% of La Plata County is in federal ownership, much of which was the land located within the designated forest reserve.

Towns, Transport, and Industry

Several early towns sprang up to serve the early settlers, including Hermosa (1876), Animas City (1876), Los Pinos Indian Agency (1877) and Pine River (1877/1878). Wagon roads connected the area from Tierra Amarilla, Del Norte (via Silverton) and Rico (via Rockwood). No one had even mentioned the word railroad in this very remote country.

The arrival of the Denver and Rio Grande Railroad (D&RG) in 1881 and its subsequent connection to Silverton in 1882 brought accelerated and intensive change by providing easy (for the times) transportation and freighting, as well as access to the outside world. The D&RG also invested capital and created the City of Durango. The D&RG was instrumental in establishing a smelter in Durango to process the ores from the mines, almost guarantying a prosperous community. When the Ute Strip opened for homesteading, farmers and land speculators filed for homesteads and carved new towns along the railroad including Tiffany, Allison, Oxford (first known as Grommet) and Falfa (formerly called Griffith). A second railroad, the Rio Grande Southern, arrived in 1890, providing connections to the mines around Rico and Telluride. In 1905, the Denver and Rio Grande added a Farmington branch connecting Durango to Farmington, New Mexico. By 1892, the railroad operations, coal mining, agriculture and the smelter were major county industries, followed by lumber and the precious metal mining in the La Plata Mountains. Tourism was a small but steady part of the economy. In the 1890's the D &RG advertised a four day 1,000-mile-loop rail excursion through scenic southwestern Colorado. An exhibit at the Columbian Exposition in Chicago in 1893 of the Mesa Verde's Ancestral Puebloan ruins drew new groups of sight seers as well.

The Depression of the 1930s devastated La Plata County, but was somewhat assuaged by the prolific New Deal programs and the federal support of operations on the county's extensive federal land holdings. One of the New Deal's greatest improvements in rural life came from the Rural Electrification Administration (REA). Under this program the La Plata Electric Association (LPEA) formed to build transmission lines to deliver electricity to the rural areas in the county. By 1939 LPEA had obtained REA loans and constructed 188 miles of line to serve 350 people. Most rural areas received electricity in the mid 1940s. Other federal involvement occurred during World War II when Durango was the home of a radioactive ore processing site that provided some of the uranium for the Manhattan Project; after the war Durango had a vanadium production plant that employed a large percentage of the local workforce.

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A new industry brought growth and money into the county after World War II. The Southern Union Gas Company made a significant find in 1945 at the Barker Dome in northern New Mexico and southern La Plata County. The Stanolind Oil and Gas Company (Standard Oil of Indiana) soon followed with a major find on Southern Ute Lands with their “Ute Indian No. 1” well that had potential to produce 15 million cubic feet of gas per day. In 1956, sixteen major oil production firms had offices in La Plata County. Over 800 new homes were built in the county between 1955 and 1960. After five years of investigation and speculation and no new strikes, the oil companies sent their professionals elsewhere. While field operations continued, the influx of well paid administrative professionals was over by the mid 1960s. Another series of gas wells was initiated in the 1970s along with processing plants to remove liquids from the gas.

The gas field development contributed to an already developing road system in the county. The railroad had been the dominant form of transportation into the 1920s but the rising popularity of the automobile demanded better roads. By 1951, passenger traffic on the train was down to a trickle.

The D&RG discontinued service to Alamosa in 1951, as did the Rio Grande Southern Railroad. The Colorado State Highway Department, now known as the Department of Transportation, initiated a series of expanded and realigned roads that have left a lasting legacy in La Plata County. Highways 160 and 140 were realigned in many places, bypassing small communities. Highway 550 through the Animas Valley was moved east from what is now known as County Road 203 and placed down the middle of the valley.



Other social changes affected the county in the 1950s. A new community hospital district was formed, providing an alternative to Mercy Hospital which also expanded and remodeled in the 1950s. The community hospital district functioned until the late 1980s. After a very lengthy process, the state-mandated public schools consolidation was completed and all rural one-room school houses were closed in favor of larger regional elementary schools. Junior high and high schools were located in Ignacio, Bayfield and Durango. Government agencies employed a growing number of specialists.

Although the county lost its sole remaining rail freighter, it realized a gold mine in the form of visitors coming to ride the train. Part of a general rise in tourism after World War II, ridership numbers on the Silverton train began to rebound. The train between Durango and Silverton survived because of a prevailing American sentimentality about the old west that was also a boon for the numerous “dude” ranches operating in the county in the 1950s. Tourism’s strong foothold in the economy, bolstered after the completion of Vallecito Lake in 1941, expanded further with the opening of the Purgatory Ski Area in 1965. Year-round recreation and sightseeing anchor the local tourism industry, as it has for over 100 years. No longer attracted by the opportunities to live off the land, new pioneers came to mine La Plata County’s recreational and scenic opportunities.



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Starting in the 1960s, the surge from the cities to the suburbs took on its own character in La Plata County, where people with no interest in farming or ranching sought acreage in the country. Ranchers and farmers found themselves with a new opportunity to sell off parts of their land to these new settlers and long held land ownership patterns began to change.

This pattern since the 1960s of dividing agricultural lands into rural residential subdivisions provides a financial injection for the agricultural business, but is difficult to continue in the long term. Regardless, it is anticipated to continue for the foreseeable future. As a result of this conversion, we anticipate seeing a continued decline in traditional agriculture lands and an increase in dispersed residential properties. The continued population increase along with changes in land uses and ownership patterns present both an opportunity and a challenge for the community to address as we move through the 21st century.