



RESOLUTION NO. 2019-15-PC

**A RESOLUTION OF THE LA PLATA COUNTY PLANNING COMMISSION
ADOPTING THE 2019 JUNCTION CREEK DISTRICT PLAN**

WHEREAS, the La Plata County Board of County Commissioners (“Board”) appointed the La Plata County Planning Commission (“Planning Commission”) pursuant to C.R.S. § 30-28-103; and

WHEREAS, pursuant to C.R.S. § 30-28-106(1), in 2001 the Planning Commission adopted the La Plata County Comprehensive Community Plan (“2001 Comprehensive Plan”) to serve as the master plan for the physical development of the unincorporated territory of La Plata County; and

WHEREAS, in 2014 the Planning Commission initiated a process to update the 2001 Comprehensive Plan and thereby the 2017 Comprehensive Plan (the “Comprehensive Plan”) was adopted pursuant to Resolution No. 2017-03-PC; and

WHEREAS, the County has established 12 separate planning districts based upon geographical areas throughout the county and these districts have developed district plans which establish goals, objectives and policies to help guide future growth based on the unique characteristics of each district; and

WHEREAS, the Comprehensive Plan incorporates these district plans as appendices and these appendices form part of the Comprehensive Plan; and

WHEREAS, on June 12, 1997, by Resolution No. 1997-2, recorded at reception no.729743, the La Plata County Planning Commission first adopted the Junction Creek district plan; and

WHEREAS, after adoption of the Comprehensive Plan and under the direction of the La Plata County Planning Commission, a public process to update the district plans was undertaken, including an update to the district plan of the Junction Creek District; and

WHEREAS, the Junction Creek district plan update process sought input from resource management agencies, service providers, special interest groups, involved citizens, including district planning committees and other interested parties; and

WHEREAS, pursuant to C.R.S. § 30-28-107, the Planning Commission has reviewed and considered the proposed draft of the 2019 Junction Creek district plan update and revisions in accordance with its general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of La Plata County and the Junction Creek District which, in accordance with present and future needs and resources, will best promote the health, safety, morals, order, convenience, prosperity, or general welfare of the inhabitants, as well as efficiency and economy in the process of development, including such distribution of population and of the uses of land for urbanization, trade,

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industry, habitation, recreation, agriculture, forestry, and other purposes as will tend to create conditions favorable to health, safety, energy conservation, transportation, prosperity, civic activities, and recreational, educational, and cultural opportunities; will tend to reduce the wastes of physical, financial, or human resources which result from either excessive congestion or excessive scattering of population; and will tend toward an efficient and economic utilization, conservation, and production of the supply of food and water and of drainage, sanitary, and other facilities and resources; and

WHEREAS, the Junction Creek district plan will allow for more orderly and predictable growth patterns by serving as a guide to the current County Land Use System and addressing the compatibility of land uses; and

WHEREAS, in reviewing and considering the updates and revisions contained in the 2019 Junction Creek District Plan, the Planning Commission evaluated the matters set forth in C.R.S. § 30-28-106(3) and made careful and comprehensive surveys and studies of the existing conditions and probable future growth of the unincorporated territory of La Plata County and, more specifically the area within the Junction Creek District; and

WHEREAS, having undergone the considerations summarized above, and having accepted oral and written public comments, noticed and conducted public meetings, and otherwise encouraged public participation in and awareness of the process of updating and revising the Junction Creek District Plan, the Planning Commission wishes to adopt the 2019 Junction Creek District Plan; and

WHEREAS, the Planning Commission has noticed and conducted a public meeting, in compliance with C.R.S. § 30-28-106(1), to further consider and accept public comment concerning adoption of the 2019 Junction Creek District Plan on November 7, 2019; and

WHEREAS, the Planning Commission need not submit the 2019 Junction Creek District Plan to the Colorado Department of Local Affairs (“DOLA”) Division of Planning for advice and recommendations, under C.R.S. § 30-28-122, based upon a memo from DOLA stating, that due to a lack of resources, DOLA is unable to provide official review or comment as a referral agency on most documents; and

WHEREAS, pursuant to C.R.S. § 30-28-108, the Planning Commission is to adopt the 2019 Junction Creek District Plan by resolution carried by the affirmative votes of not less than a majority of its entire membership, with express reference to the maps and descriptive matter intended by the Planning Commission to form said Plan, and the action taken shall be recorded on the map and descriptive matter by the identifying signature of the Secretary of the Planning Commission; and

WHEREAS, pursuant to C.R.S. § 30-28-109, the Planning Commission is to certify copies of the 2019 Junction Creek District Plan to the Board of County Commissioners of La Plata County, and to the planning commissions of all municipalities within La Plata County.

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**NOW THEREFORE, BE IT RESOLVED BY THE LA PLATA COUNTY
PLANNING COMMISSION:**

1. Pursuant to C.R.S. § 30-28-106(3)(a), the 2019 Junction Creek District Plan shows the Planning Commission's recommendations for the development of unincorporated territory of La Plata County in the Junction Creek and serves as an advisory document to guide land development decisions for the County.

2. The Planning Commission hereby adopts the 2019 Junction Creek District Plan, including all maps, land use classifications, and descriptive matters the Planning Commission intends to form part of the plan, attached hereto as Exhibit A, by the affirmative votes of not less than a majority of its entire membership, and directs that such Plan shall be Appendix 9 to the Comprehensive Plan.

3. The Planning Commission hereby directs the Chairperson and Secretary to sign the 2019 Junction Creek District Plan pursuant to C.R.S. § 30-28-108.

4. Pursuant to C.R.S. § 30-28-109, the Planning Commission directs its Chairperson to certify copies of the 2019 Junction Creek District Plan to the Board of County Commissioners of La Plata County and to the planning commissions of all municipalities within La Plata County by delivery of the 2019 Junction Creek District Plan and this Resolution to each.

**DONE AND ADOPTED IN DURANGO, LA PLATA COUNTY, COLORADO, THIS
7 DAY OF NOVEMBER 2019.**

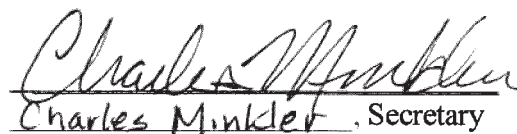
LA PLATA COUNTY PLANNING COMMISSION

(SEAL)

ATTEST:


Clerk to the Commission


James Tenora, Chair


Charles Minkler, Secretary



La Plata County
Colorado

Junction Creek District Plan

November 7, 2019
Appendices to the Comprehensive Plan

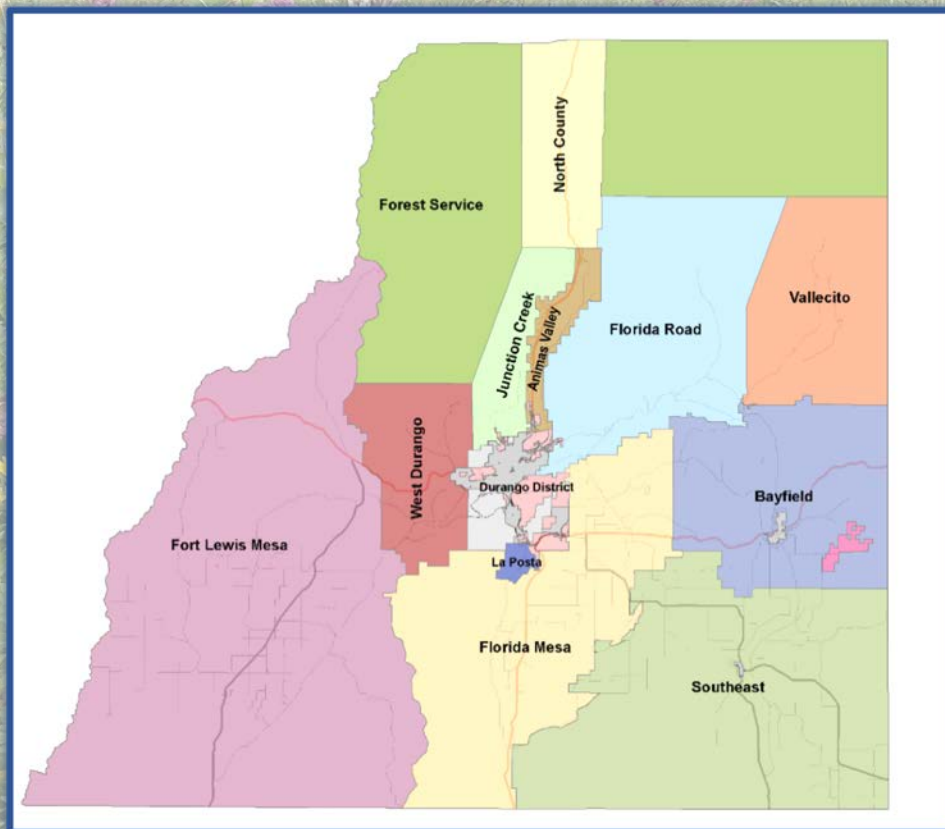


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I. PURPOSE OF DISTRICT PLAN

a. Purpose and Authority

The La Plata County Comprehensive Plan is a public document, officially adopted by the County's Planning Commission, which establishes a vision and framework for the future of La Plata County.

District plans are intended to provide more detailed analyses of physical attributes, opportunities and constraints of a particular geographical area within the County than that provided by the more generalized comprehensive plan. Twelve planning districts that encompass distinct geographical areas in the County are illustrated in the map above. District plans recognize and attempt to capture the distinct character and values of each of the distinct geographic areas in the County. Public input, especially from local residents of the District, property owners, and business owners and public agencies was critical in the development of the District plan. Pursuant to C.R.S. § 30-28-106, district plans are made and adopted by the La Plata County Planning Commission and are appendices to the Countywide La Plata County Comprehensive Plan.

b. Planning Process and Application of a District Plan

The comprehensive plan is a guiding visionary document. As an appendix to the La Plata County Comprehensive Plan, this District plan is intended to be consistent with the intents and purpose of the Comprehensive Plan.

Although district plans are advisory, not regulatory, they represent the more specific vision and goals of the residents in the District. The plans serve as: (1) a foundation and guide for land use regulations and maps; (2) a guide and resource for recommendations relating to local initiatives such as water protection, recreation or open space and housing; (3) a source for planning studies to develop courses of action on a specific need; (4) a resource for the development of regional plans or regional programs; (5) a source of information for local boards, commissions, organizations, residents and business; and (6) a long-term guide by which to measure and evaluate public and private proposals that affect the physical, social and economic environment of the community.

With respect to land use proposals that require approval, La Plata County Land Use regulations often require a finding of "consistency with the Comprehensive Plan", of which this plan is an appendix. Therefore district plans perform an important function in the compatibility analysis as required by the County's performance-based zoning system and the district plan's goals, objectives, policies and land use classifications, or Euclidian zoning classifications in the Animas Valley, are relevant to reviewing such development applications. Other planning documents such as those identified as references to the County's Comprehensive Plan should also be considered.

Citizen participation helps guide the Planning Commission in making decisions and promotes community understanding of planning needs and issues. A successful plan requires a thorough and inclusive planning process that engages community residents and stakeholders. There was



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effective participation by the residents, property owners, and business owners of the District, which led to the submittal of a draft plan by residents of the District. Although some parts of a draft plan may not have been incorporated as part of this District plan, the submitted draft informed the foundation of the adopted plan and more thoroughly captures the unique character of the District and communicates to residents, developers and others the type and locations of future development the community will support.

This plan is not a static document; it is expected to change as conditions and expectations change over time. Review by County staff, the Planning Commission and community members shall occur on a periodic basis, and as often as every 3-5 years¹.

II. OVERALL GUIDING PRINCIPLES

a. Vision

The residents of the Junction Creek 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.

Our goal is to retain its rural character and uncrowded country feeling and we would like to maintain a community with very low residential density. It is an area where different groups of people can live comfortably. There is a strong desire to maintain a strong sense of community, where the residents have a mutual respect for each other and the land. The quality of the environment is very important with emphasis on retaining open spaces, natural views, water and wildlife resources and a healthy environment where children can be independent, safe and self-reliant.

The community believes development should occur within the limits of the natural environment and should not exceed the availability of water resources and should not intrude on diverse wildlife and ecology. Wildlife corridors, riparian areas, wetlands and water quality are critical to the future environmental character. It is important to maintain access to public lands, without creating excessive recreation impacts on trails and wildlife habitat.

Improvements to the existing roads should be made only for safety considerations, such as sight distance, curve radius, grades, adding shoulders for pedestrian/cyclist safety and taking into account the excessive speed seen on the roads.

Rural character should be protected by ensuring low impact development and avoiding the extension of urban infrastructures into the District. There is a desire to avoid negative impacts of growth to maintain secure, safe and healthy rural neighborhoods. The District wants to retain and improve ease and safety of access to urban services in the City of Durango, especially schools. The District wants to limit commercial development within the Junction Creek District.

¹ Planning Commission policy memo dated April 4, 2019



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The Planning Commission should consider consistency with the Junction Creek Plan. Issues to be considered when reviewing plan amendments include:

- Road Capacities and Safety Considerations
- Wildlife Impacts
- Wildfire Mitigation
- Visual Impacts
- Water and Sewer Availability and Impacts
- Conformance with Goals/Objectives/Vision of Plan

b. Property Rights

As recognized by Section 3, Article II of the Colorado Bill of Rights, all persons have certain natural, essential and inalienable rights, among which may be reckoned the right of enjoying and defending their lives and liberties; of acquiring, possessing and protecting property; and of seeking and obtaining their safety and happiness. One of the essential elements of property is the rights to its unrestricted use and enjoyment and that use cannot be interfered with beyond what is necessary to provide for the welfare and general security of the public morals, health, safety or welfare.² Within this context, Colorado counties have the authority to adopt and enforce ordinances and resolutions regarding health, safety and welfare issues as prescribed by law,³ including, but not limited to, the ability⁴ to regulate uses of land for trade, industry, recreation⁵ and the authority to plan for and regulate the use of land resulting in changes in population density based on the impact of development on surrounding areas and the community.⁶ Such regulations are valid unless it is clear that there is no foundation in reason and there is no substantial relation to the public health, the public morals, the public safety or the public welfare.⁷

III. OVERVIEW OF DISTRICT

The Junction Creek area's land use planning began with the Junction Creek Area Land Use Plan, dated September 29, 1986, which included properties along CR 204. Properties along CR 205, East of Chapman Lake (aka Turtle Lake), were not included in the 1986 plan. The 1986 plan was created in conjunction with La Plata County and the City of Durango and was developed in response to a request by Durango Estates Subdivision for central sewer service from the City of Durango. The plan was adopted by the City and the County Planning Commissions, but not by the Board of County

² *City & County of Denver v. Denver Buick, Inc.*, 141 Colo. 121, 347 P.2d 919 (1959)

³ C.R.S. § 30-11-101(2)

⁴ C.R.S. §§ 29-20-101 *et seq.* and 30-28-101 *et seq.*

⁵ *Bd of Cty Comm'rs v. Thompson*, 177 Colo. 277, 284, 493 P.2d 1358 (1972).

⁶ *Wilkinson v. Bd County Comm'rs*, 872 P.2d 1269 (Colo. App. 1993)

⁷ *Nectow v. City of Cambridge*, 277 U.S. 183, 48 S. Ct. 447 (1928)



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Commissioners. The 1986 Plan led to an intergovernmental agreement between the City and County. The agreement described future infrastructure and services in relation to development approvals. In 2005, Durango purchased approximately 178 acres of land along CR 204, known as Dalla Mountain Park, for open space preservation, which has been incorporated into the City.

The County adopted the Junction Creek District Plan in 1997. The current Junction Creek District Plan boundary abuts the City's planning boundary as reflected in the City's 2017 Comprehensive Plan. The unincorporated areas within the City's planning boundary are part of the Durango District Plan as adopted by the County Planning Commission. The unincorporated areas included in the Durango District Plan are also included in the Joint Planning Area established through the intergovernmental agreement between the City and County.

Unique and Distinctive Features. The Junction Creek District encompasses diverse landscapes on public and private lands from the mountainous terrain and forests to the meadows, lakes and creeks all with abundant wildlife resources. The District is a destination for bicyclists, hikers and people visiting the National Forest lands and is home to an estimated 595 residents surrounded by this natural environment.

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 intersects with County Road 205 a few miles north of Durango. These are narrow, winding, two-lane, paved roads shared by motorized vehicles, bicycles and pedestrians.

The District encompasses Falls Creek Ranch and High Meadows subdivisions to the north (which are substantially developed), along with Sailing Hawks subdivision, Durango Estates subdivisions, and the mobile home park in the southern part of the District. The remainder of the homes are located on parcels ranging from less than one acre to the 70-plus acre Balliger Ranch, with the majority of parcels in the one to three acres size range. Most residents who live in the District drive daily into the City of Durango and vicinity to work, do business and 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. Chapman Lake is the only natural lake more than an acre in size at this altitude in La Plata County and it is home to an unusual aquatic and wetland community.

The Colorado Division of Water Resources classifies the Junction Creek watershed as a "potentially over-appropriated" watershed. Accordingly, there are significant restrictions on the issuance of new groundwater well permits, which may limit new or additional development in the Junction Creek watershed. 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 this part of the District. Sailing Hawks and Falls Creek Ranch have central water systems; all other dwellings use individual



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groundwater wells and onsite wastewater treatment systems (septic systems).

Durango Fire Protection District, which has a station at Falls Creek Ranch, provides fire protection and other emergency services including ambulance and rescue. The District has a firehouse 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.

Parts of the District are in unstable geological hazard areas and there are many areas of steep slopes and floodplains. There is a variety of home sites, from the valley bottom to the canyon walls.

IV. POPULATION

La Plata County has been experiencing continued growth since the 1990's increasing in population from 32,466 in 1990 to an estimated 55,619 in 2017. This growth has been seen in the Junction Creek District as well and will continue to see growth according Colorado State Demographer forecasts. Junction Creek currently has an estimated population of 595 and is forecasted to grow an estimated 182 people to a population of 777⁸ over the next 20 years using the estimated average growth rate of 1.53%, which correlates with the State Demographer's estimates. If growth were to remain at the existing rate of 1.1%, the District would grow an estimated 131 people and if the growth were to exceed the projected average and grow at a rate of 2%, the District would grow an estimated 238 people. To accommodate this anticipated range of growth, an approximate 55 to 99 units will need to be added to the Junction Creek District over the next 20 years, which equates to an average of 3 to 5 units per year.

V. KEY ISSUES

Growth

Future development should be carefully reviewed for compatibility with surrounding uses and preserve existing open space and views. Future development should be respectful of the District's rural character and minimize any impacts that could alter the rural character of the immediate area and of the District as a whole. Any new development should also minimize impacts to the natural areas within the District.

⁸ This was calculated using an estimated 1.53% growth rate with an average household size of 2.4; household size and county population data are from the U.S. Census and Colorado State Demographer



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Infrastructure

County Roads in the Junction Creek District are rural roads and slower speeds and should be encouraged. Road improvements to increase safety for cyclists and pedestrians would be beneficial to the community. There is no existing sewer or water infrastructure in the District and this has helped in maintaining rural character. Any proposals for developing central, shared or community water and/or sewer infrastructure should be reviewed to determine if it would promote higher density or higher intensity development that would negatively impact the rural character.

Fire Mitigation

New development adds to the fire risk in the community with only one ingress and egress being Co Rd 204. Wildfire hazard and mitigation tactics should be carefully considered in reviewing future development proposals to mitigate the added risk. Encourage existing properties and neighborhoods to mitigate fire hazards around structures, internal roads and driveways. Co Rd 204 is a narrow rural road and should be improved to accommodate emergency evacuations.

Preservation of Natural Resources

As growth continues in Junction Creek, the pressure for development to move into sensitive areas and view corridors will increase. Care should be taken to locate structures and improvements in a manner that preserves the existing open space and views to the maximum extent that is practical. Open spaces also provide crucial wildlife habitat. To the extent practical, future development should avoid steep slopes, landslide areas and unstable slopes or if they cannot be avoided, future development plans should mitigate these natural hazards.

Economy

Commercial development does not align with the character of the Junction Creek District and should be minimized because the District possesses a rural character that could be changed or impacted by commercial development. However, home businesses can be beneficial to residents and should be supported including home day care businesses. Small-scale lodging, such as bed and breakfast operations, should also be allowed.

Conformance with Goals and Vision of Plan

Development ought to be reviewed based on their compatibility with the sentiments of this document. This document represents what the Junction Creek residents envision for their District over the next twenty plus years and residents desire it to be a part of the consideration by the Planning Commission when reviewing development proposals or rezones.



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VI. LAND USE CLASSIFICATIONS⁹

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 this Plan also discuss 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 this Plan. 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, Policies, and the Land Use Classification Map and La Plata County Code.

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 land use permitting in the County. Minimum lot sizes are determined via the land use code and the subdivision requirements contained within.

Home occupations are acceptable in all residential classifications, and the District encourages the use to be 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. Home based business and their allowance and intensity are determined by meeting the applicable criteria in the adopted La Plata County Land use code.

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 1 unit per 1 to 6 acres. These lands are given a higher potential maximum density due to the availability or anticipated availability of city services. Much of the City Adjacent residential properties have been incorporate by the City/County Intergovernmental Agreement (IGA) and subsequent Durango District Plan and no longer subject to the Junction Creek District Plan. 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.

⁹ Note: The land use classifications are derived from the existing District Plan prior to November 2019 and will remain in effect until the County revises the land use classifications and system.



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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 1 unit per 3 to 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.

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 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.

CRITICAL LANDS

This classification is an overlay category, which applies to all land use classifications. The *Critical Lands* classification identifies land containing unstable or potentially unstable slopes; floodplain/flash flood areas; expansive or evaporative soil areas and risk of subsidence or upheaval; slopes over 30 percent; avalanche; landslides, rock falls, mudflows, ground subsidence; seismic effects; liquefaction areas; identified wildlife migration corridors and habitats; historical/archaeological lands; and wildfire areas.

The base density for lands in this category is one 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*.



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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.

AGRICULTURAL/TIMBER/PUBLIC RECREATION/WILDLIFE

A large portion of the District is on U.S. Forest Service, BLM, and Colorado Parks & 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.

LAND USE CLASSIFICATIONS/DESCRIPTIONS

Land Use	Res. 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 ¹⁰	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	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	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.

¹⁰ 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.



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<p>Critical Lands¹¹</p>	<p>1 unit per 35 acres</p>	<p>Lands containing unstable or potentially unstable slopes; floodplain/flash flood areas; expansive or evaporative soil areas and risk of subsidence or upheaval; slopes over 30 percent; avalanche; landslides, rock falls, mudflows, ground subsidence; seismic effects; liquefaction areas; identified wildlife migration corridors and habitats; historical/archaeological lands; and wildfire areas.</p> <p>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.</p>
<p>Public and Community Facilities</p>	<p>Per Code</p>	<p>Public and quasi-public uses, such as fire stations, trail heads, recreation facilities.</p>

¹¹ Critical Land designation only applies to un-subdivided 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.



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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 40% of density range).
- 40% Structures located to preserve open meadows, in or against trees if present and not within flood plains or critical areas.
- 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 (40% + 40% = 80%) the owner would qualify for 80% of the range, or 1 unit per 3.6 acres.

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 40% density bonus for preservation of meadows. 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 roads¹². The ridgeline 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).

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



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VII. GROWTH HUBS

The 2017 La Plata County Comprehensive Plan identifies growth hubs as locations where the County has recognized the opportunity for future development due to the availability of infrastructure, or the potential for expanded infrastructure. These infrastructure components include reliable water supply, adequate sewer capacity, and a roadway network that supports increased traffic. Growth hubs may contain development and/or characteristics that are compatible with and already serve as a community hub/activity center. These growth hubs indicate areas that have land use characteristics and existing infrastructure or potential infrastructure to support future development. These areas are not specific to a certain type of use such as residential or commercial. While these areas may be more suitable to support future growth, this is not an assurance that these locations will see future development or that growth is restricted only to these areas.

There are no identified growth hubs in the Junction Creek District.

VIII. GOALS, OBJECTIVES AND POLICIES

Residents, property owners, and business owners of the District provided the direction articulated in the Goals, Objectives and Policies through an extensive public process. Goals, Objectives and Policies can be used to protect the District's unique qualities. Goals, Objectives and Policies also serve as a guide to property owners and developers to help them understand the desired future of the District, to provide general guidance for desired development patterns and to help them make informed land use decisions. Goals, Objectives and Policies are written to provide general policy direction while also providing enough detail to set priorities and guide decision-making.

Goals provide broad statements of WHAT the community aims to accomplish in the future in the District.

Objectives are specific actionable measures for HOW to implement the goals.

Policies articulate specific direction to the Planning Commission and/or the Board of County Commissioners regarding the implementation of a goal or objective.

Goal 1: Maintain the rural, low-density character of the Junction Creek District.

Objective 1.A: Emphasize low-impact, low-density residential development.

Policy 1.A1: Apply best management practices for growth management in areas without infrastructure.

Policy 1.A2: Ensure compatibility of development and uses taking into consideration the density, architectural style, environmental features, and historical and cultural resources.



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Policy 1.A3: Work with the Board of Realtors to educate and inform existing and future property owners about the District plan.

Objective 1.B: Limit and manage commercial development and uses and other non-residential development and uses.

Policy 1.B1: Allow for continued use and establishment of home occupations, provided they are low impact to the surrounding neighbors and community.

Policy 1.B2: Encourage the establishment of day-care home businesses or senior citizen caretakers, as well as small scale commercial lodging such as bed and breakfast operations.

Objective 1.C: Guide development within the constraints of the natural environment.

Policy 1.C1: Development should be guided away from steep slopes, unstable geologic hazards, wetlands, flood plains, and other sensitive areas.

Policy 1.C2: Utilize appropriate setbacks and avoid creating silhouettes along hilltops or ridgelines as seen from public roads.

Policy 1.C3: Balance vegetative visual screening of development with fuels reduction for wildfire hazard mitigation.

Objective 1.D: Avoid/discourage developments that will cause light, noise, air pollution and impacts on scenic views as seen from public roads.

Policy 1.D1: Encourage light fixtures that do not cast light on adjacent properties.

Policy 1.D2: Encourage future development that locates utilities underground, or if underground are not feasible, reduce visual impacts of utilities infrastructure to the extent that is practical.

Policy 1.D3: Encourage development site design that protects important visual resources as seen from public roads by utilizing techniques such as setbacks from public roads, clustered development, and avoidance of ridgetops and steep slopes.

Goal 2: Encourage and maintain best management practices for wildfire mitigation throughout the community.

Objective 2.A: Apply defensible space around homes and structures by thinning dead trees, mowing or grazing tall grass and managing noxious weeds.

Policy 2.A1: Utilize programs such as Firewise of Southwest Colorado for



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funding assistance and wildfire mitigation to help achieve a wildfire safe community.

Policy 2.A2: Promote education of existing and future residents about the risk of wildfire, wildfire hazard mitigation tactics and beetle kill prevention

Policy 2.A3: Work with the Colorado Division of Fire Prevention & Control to use prescribed burns for residential safety and to improve wildlife habitat.

Objective 2.B: Encourage secondary emergency access for wildfire evacuation purposes.

Policy 2.B1: Work with the Durango Fire Protection District, La Plata County Office of Emergency Management and Public Lands officers to determine most effective secondary evacuation route in the event of a wildfire of other disasters and emergencies.

Policy 2.B2: If necessary, obtain easements from willing property owners for the purpose of emergency access through private properties.

Goal 3: Protect the quality of the natural, scenic and visual resources.

Objective 3.A: Protect riparian and wetland areas and take into consideration the impacts of trails on riparian areas.

Policy 3.A1: Work with Army Corps of Engineers to inventory wetlands while seeking mechanisms for wetlands conservation.

Policy 3.A2: Utilize buffering (setbacks for berms, vegetation, etc.) between land uses and sensitive environmental components, especially wetland and riparian areas.

Objective 3.B: Maintain quality and quantity of both domestic and natural waters.

Policy 3.B1: Encourage water conservation with a focus on consumptive uses such as irrigating lawns.

Policy 3.B2: Monitor ground water quality and establish standards for water quality to support a proactive approach to avoid ground water contamination.

Objective 3.C: Encourage retention of open spaces and scenic vistas

Policy 3.C1: Establish view corridors in areas seen from public roads that are of particular scenic value and encourage developments within view



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corridors to follow guidelines to protect the scenic integrity of the view corridors.

Goal 4: Maintain high quality wildlife habitat.

Objective 4.A: Encourage community education about how to reduce negative impacts on wildlife, especially among recreationalists.

Policy 4.A.1: Provide information to recreationalists and others, specifically on wildlife tolerance, trail etiquette, loose dogs, etc.

Policy 4A2: Follow corridor guidelines for wildlife protection from Colorado Parks & Wildlife (such as acceptable fencing types, setbacks from riparian areas, and appropriate landscaping materials).

Policy 4.A3: Identify and maintain wildlife habitat and encourage new developments to allow wildlife to move freely throughout the project.

Goal 5: Maintain a level of infrastructure development that is appropriate for supporting low density, rural neighborhood development.

Objective 5.A: Ensure that transportation infrastructure improvements in the community do not increase potential for high-density development.

Policy 5.A2: Ensure that the future establishment of a road connection to the Animas Valley would be for emergency access only.

Objective 5.B: Establish an adequate transportation system that will provide safety for residents and those accessing public lands.

Policy 5.B1: Ensure that improvements to County Roads will not result in increased speeds.

Policy 5.B2: Adopt rural road standards that minimize impacts, encourage slower speeds, and are appropriate for the area, its steep terrain and its rural character. .

Policy 5.B3: Add shoulders to County roads for safety.

Objective 5.C: Establish a safe hiking/biking trail system on public land that is sensitive to the natural environment and wildlife habitat.

Policy 5.C1: Work with the Public Lands officials to create and enforce safe parking at the Colorado Trail trailhead that respects private properties in the vicinity of the trailhead.



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Policy 5.C2: Explore the feasibility of a bike path along Junction Creek Road.

Goal 6: Maintain and protect the quality and integrity of public lands throughout the District.

Objective 6.A: Maintain appropriate recreation access and use, avoiding conflicts among a diverse group of users.

Policy 6.A1: Explore the possibility of specific use designation on trails with appropriate management agencies.

Policy 6.A2: Explore possibilities to mitigate negative impacts for all users.

Policy 6.A3: Establish adequate parking areas at public land access points.

Objective 6.B: Support good public and private land planning that avoids negative impacts such as wildfires, hunting near residencies, and protects cultural and natural resources

Policy 6.B1: Discourage public land exchanges for private development unless there is clear public interest value.

IX. DEFINITIONS

Affordable Housing means housing for which households with an Area Median Income (AMI) of 80% or lower, as determined by the Department of Housing and Urban Development (HUD), pay 33% or less of their household gross monthly income on monthly housing costs.

Agriculture means the production, keeping or maintenance for sale, lease or personal use, of plants and animals useful to people including, but not limited to: forages and sod crops; grains and seed crops; dairy animals and dairy products; poultry and poultry products; livestock, including beef cattle, sheep, swine, horses, ponies, mules or goats, or any mutations or hybrids thereof, including cattle, sheep, swine, horses, ponies, mules or goats, or any mutations or hybrids thereof, including the breeding and grazing of any or all such animals; bees and apiary products; fur animals; trees and forest products; fruits of all kinds and vegetables.

Attainable Housing means housing for which households with an Area Median Income (AMI) between 80% - 125%, as determined by the Department of Housing and Urban Development (HUD), pay 33% or less of their household gross monthly income on monthly housing costs.

Critical Lands means land containing unstable or potentially unstable slopes ; floodplain/flash flood areas; expansive or evaporative soil areas and risk of subsidence or upheaval; slopes over 30 percent; avalanche; landslides, rock falls, mudflows, ground subsidence; seismic effects; liquefaction areas; identified wildlife migration corridors and habitats; historical/archaeological lands; and wildfire areas.



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Development means the division of a parcel of land into two or more lots; the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any structure or use; any mining, excavation, and landfill or land disturbance; any new use or extension of the use; the extension or alteration of the scope of an existing use.

Economic Growth means an increase in a geographic area's economic output, as measured by comparing year over year indicators.

Growth means the process of increasing in amount, value or importance.

Open Space means any land or area the preservation of which in its present use would serve a variety of purposes, including, but not limited to, the preservation of wild plant and animal habitat; protection of streams or water supply; to offset clustered development; buffering of noise, dust, and lighting glare between adjacent land uses; providing land for recreational uses; avoidance of hazards; and the mitigation of impacts to scenic resources. Depending upon the ownership or dedications upon these open spaces, they may be accessible to the public at large or held by private landowners.

Population Growth means the increase in the number of people that reside within a geographic area.

Performance Based Zoning is an approach to land use planning based on performance standards that regulate the intensity of land use to mitigate adverse impacts on abutting and nearby properties. Performance standards assure conformance within acceptable limitations and are typically applied in two categories: regulating the site (i.e. lot size, setbacks, height, parking, infrastructure, etc.) and regulating the activity, including the intensity or outputs of the use (i.e. noise, glare, odor, traffic, water use, hazardous materials, etc.).

Rural Lands means not urban. Generally characterized by sparsely developed areas where the land is primarily used for farming, resource extraction, low-density residential uses or open space uses.

Scenic Corridor means the area within view from a defined publicly accessible travel route.

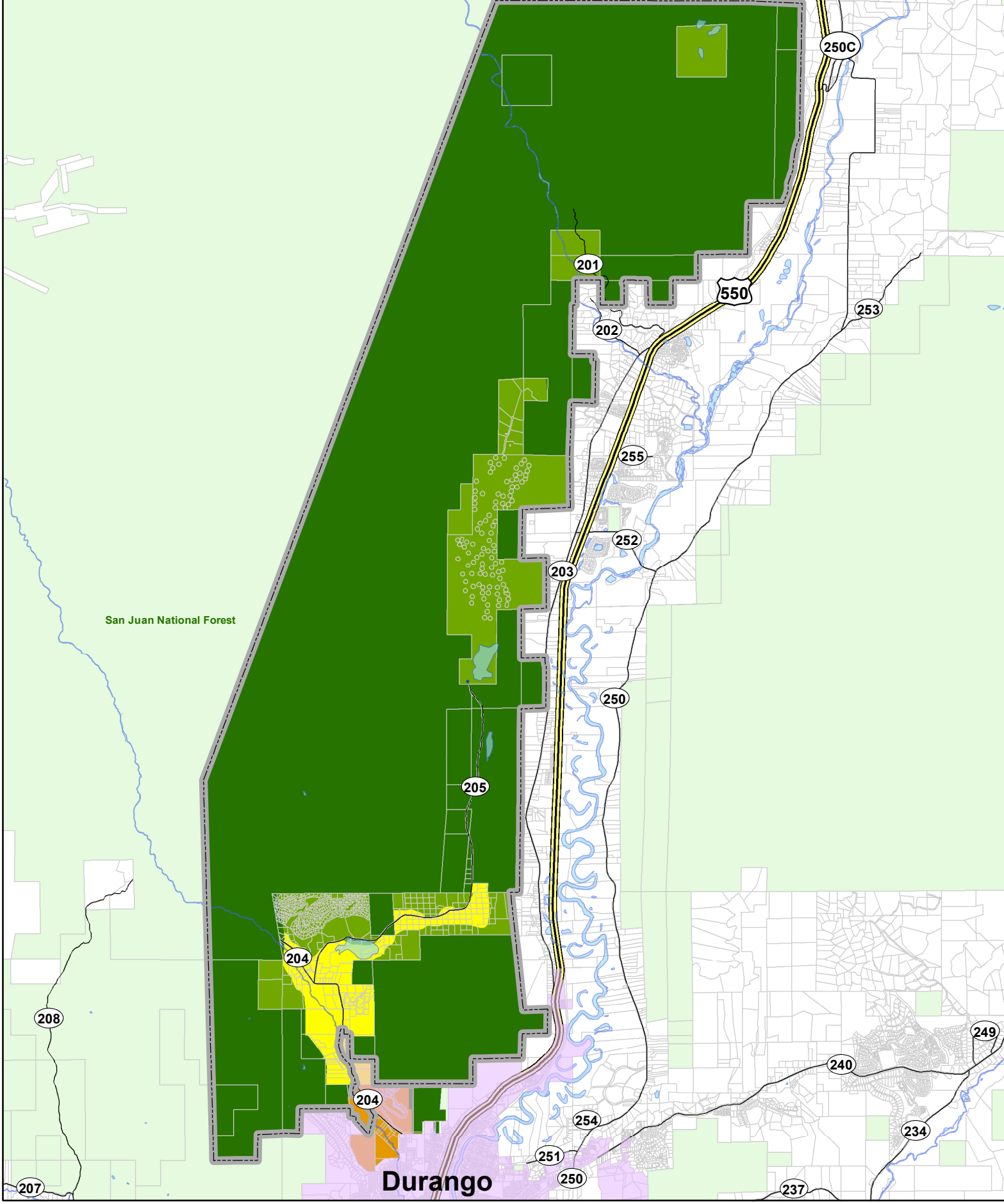
Senior Housing means housing located, designed and priced for persons 55 years or older.

Urban means of, relating to, characteristic of a city. Urban areas are generally characterized by moderate and higher density residential development, commercial development and industrial development, as well as the availability of public services required for that development, such as central water or sewer.

Urban Growth Boundary means an area surrounding existing municipalities or unincorporated settlements that is delineated and regulated by one or more local governments within which urban development is encouraged and outside of which urban development is discouraged or limited.

View Shed means the area within view from a specific publicly accessible observation point.






Junction Creek District

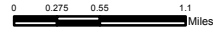
Land Use Classifications

-  COUNTY
-  STATE
-  US
-  Ag/Rural Residential
-  Ag/Timber/Recreation
-  City Adjacent Residential
-  Public and Community Facility
-  Residential 3-6 acres
-  City Limits
-  Public Lands

N



0 0.275 0.55 1.1 Miles



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1 of 1

Drawn By: Planning

Checked by: Planning

Date: 10-25-2019