



~ Agenda ~
Final
For a Regular Meeting of the
PLANNING COMMISSION

1101 East 2nd Avenue
Durango, CO 81301
<http://co.laplata.co.us>

Thursday, November 1, 2018

6:00 PM

County Board Room

I. Call to Order

II. Approval of Agenda

III. Approval of Minutes

1. Planning Commission - Regular Meeting - Aug 2, 2018 6:00 PM

IV. Public Comment

Individuals may be limited to 3 minutes unless otherwise noted by the Chair.

Public Hearing of the following requests:

V. Other Business

1. PROJECT #2017-0160 AREA PLAN UPDATE - GENERAL TOPICS

As part of the overall updating of the Area Plans, there will discussion of the overall process for the updating of the area plans. The public is encouraged to attend and provide comment.

Staff: Jason Meininger/Daniel Murray

2. PROJECT #2018-0140, FLORIDA ROAD AREA PLAN UPDATE

Review the existing Florida Road Area Plan and discuss changes as part of the overall updating of the Area Plans. There will be discussion of edits to the plan based on existing conditions, public meetings, survey comments, and matrix comments. The public is encouraged to attend and provide comment.

Staff: Jason Meininger/Daniel Murray

3. PROJECT #2018-0220, FLORIDA MESA AREA PLAN UPDATE

Review the existing Florida Mesa Area Plan and discuss changes as part of the overall updating of the Area Plans. There will be discussion of edits to the plan based on existing conditions, public meetings, survey comments, and matrix comments. The public is encouraged to attend and provide comment.

Staff: Daniel Murray/Robby Overfield

VI. Adjournment

NOTICE is further given that all persons may appear and present oral & written testimony regarding these projects prior to or at public hearing and the Planning Commission may continue a project until a recommendation decision is reached. Complete files for projects listed on this agenda are maintained and available for review at the La Plata County Planning Department office located at 211 Rock Point Drive., Durango, CO 81301. Interested persons may visit the Planning Department office during regular business hours to review the files or ask any questions, or call (970) 382.6263. The policy of La Plata County is to not discriminate against the disabled in the provision of service. For special assistance, please call the Planning Department.



Planning Commission

211 Rockpoint Drive
Durango, CO 81301

Meeting: 11/01/18 06:00 PM
Department: Planning Department
Category: Area Plan Update
Prepared By: Amber Lamb

Initiator: Daniel Murray

Sponsors:

DOC ID: 4579

SCHEDULED

OTHER BUSINESS (ID # 4579)

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As part of the overall updating of the Area Plans, there will discussion of the overall process for the updating of the area plans. The public is encouraged to attend and provide comment.

Staff: Jason Meininger/Daniel Murray



Planning Commission

211 Rockpoint Drive
Durango, CO 81301

SCHEDULED

OTHER BUSINESS (ID # 4580)

5.2

Meeting: 11/01/18 06:00 PM
Department: Planning Department
Category: Area Plan Update
Prepared By: Amber Lamb
Initiator: Daniel Murray
Sponsors:
DOC ID: 4580

PROJECT #2018-0140, FLORIDA ROAD AREA PLAN UPDATE

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Staff: Jason Meininger/Daniel Murray
Review and provide comments to staff.

**Planning Commission**

211 Rockpoint Drive
Durango, CO 81301

Meeting: 11/01/18 06:00 PM
Department: Planning Department
Category: Area Plan Update
Prepared By: Amber Lamb

Initiator: Daniel Murray

Sponsors:

DOC ID: 4581

SCHEDULED**OTHER BUSINESS (ID # 4581)**

PROJECT #2018-0220, FLORIDA MESA AREA PLAN UPDATE

Review the existing Florida Mesa Area Plan and discuss changes as part of the overall updating of the Area Plans. There will be discussion of edits to the plan based on existing conditions, public meetings, survey comments, and matrix comments. The public is encouraged to attend and provide comment.

Staff: Daniel Murray/Robby Overfield
Review and provide comments to staff.

Citizens of Florida Mesa

Final Vision Statement 10/23/2018

The vision for the Florida Mesa District Land Use Plan is to maintain the rural and aesthetic qualities that first attracted residents to the area. Land use changes are guided by existing water, sewer, and road access, and by compatibility with adjacent properties. Water availability is of paramount importance in directing growth, and future growth must consider the long-term water availability and carrying capacity of the Mesa. Cumulative impacts to county roads are accounted for when considering new development. Development is directed away from areas with minimal existing infrastructure and commercial land use is directed to areas already designated by the current plan (Grandview to Elmore's, 172 to 220, Airport). Private property rights are supported while ensuring that land use changes adequately address impacts to other property owners. Visual impacts are considered to help maintain the "gateways" into Durango for tourism and travelers along highways and scenic routes. Natural resources such as waterways, wildlife, wildlife habitat and corridors, riparian areas, established forests, and public open space are consciously maintained.

Florida Mesa District Plan 2018

October 27, 2018 Version

- I. Table of Contents
- II. Purpose of District Plan: The Florida Mesa Planning Group recognizes the need to establish a **Visionary Long-Range Plan** for planning and growth of our district.
- Preamble
 - Authority
- III. Overall Guiding Principles
- **Vision Statement:** The vision for the future of Florida Mesa respects the inalienable right of all persons to acquire, possess and protect property. This vision includes preserving the rural and agricultural character while accommodating growth. To accomplish this, the Florida Mesa Land Use Plan recognizes the need for future diverse growth which may occur where infrastructure can support such growth and when development complies with applicable standards. A landowner's right to make a living with their private property is paramount, valued and respected.
 - **Property Rights / Regulation** Property rights, liberty and opportunity are inseparable. Well-defined and strongly protected property rights are directly linked and benefit our community. A land use system that respects private property rights gives individuals the exclusive right to determine how to use their resources. Property users take full account of all the costs and benefits to best utilize those resources. The process of weighing costs and benefits encourages efficient outcomes, which translates into higher standards of living for all. Private property rights are critical to the economic vitality of our Florida Mesa district and community. Property rights are the basis of exchange and the extension of ownership to capital goods. This provides the basis for the development of free markets that are essential for long-term economic growth and thus prosperity.
- IV. Overview of District
- Topography / Landscape / Critical Lands – **is this something that should come from GIS in the form of mapping or does this need a narrative? A group member is working on drafting a paragraph narrative regarding physical characteristics for this section – mapping to be added too.**
 - **Area Neighborhoods:** Smaller and clustered neighborhood areas which encourage additional central service improvements, clustered development and leave more land outside the clusters in larger parcels are desirable. Neighborhood areas are being identified for use in several areas of this plan. Generally, neighborhoods cluster around improved or soon to be improved intersections, some existing higher density and commercial.

In the future new neighborhoods could be identified as utility and infrastructure investment and development. The boundaries of these neighborhoods are approximate and deliberately left general instead of fully defined. Land may be influenced by more than one neighborhood or none at all.

Area Neighborhoods that cluster around existing higher density and an intersection:

1. Elmore's / Falfa – intersection of 160 / 234 / 172 and north along 234, east along 160 to drop off, combined with Falfa area – intersection of 172 / 220 / 221, south to the 302 / 172 / 307 intersections, including 308 and north to 160 along bench, including west of 172 along top of ridge
2. 160 East – intersection of 160 / 225A and south of 160 including subdivisions off 222
3. Florida North – 225 / 228 intersection and lands that feed through that intersection area
4. La Posta North / Tribal – La Posta Road area north of Bondad area – area substantially tribal property, Animas river corridor and subdivisions along east side of Animas River to bench
5. Airport – commercial / industrial area
6. Farmington Hill – intersection of 550 / 220, north to city line, west to drop off, east to top of ridge, south along 550
7. Longlane – intersection of 550 / 302, north and south along 550, west to drop off and east along 302, including top of ridge to first 90° turn, south to
8. Sunnyside – intersection of 550 / 218, north and south along 550, west to drop off, east to Florida River
9. Bondad – intersection of 550 / 318, south to state line, east up 310, west and north including southern portion of La Posta Rd., north along 550 to top of hill

History: Narrative taken, in part, from the CDOT US 550 and CR 302 North and Gap - Historic Architectural Survey and Evaluation La Plata County – need to confirm if this text is available for use in District Plan. Daniel is researching how to cite this or if it simply needs to be rewritten.

Agriculture is the primary theme in the history of the Florida Mesa and can be divided into several periods: Pre-Homesteading (1874-1899, north of Ute Strip and present-day US 160); Homesteading (1899-1919); Pre-World War II (1919-1945, consolidation of initial homestead claims); Post-World War II (1945-1963, population growth); Modern Irrigation (1963-present; begins with completion of Lemon Dam). In 1874, the Brunot Agreement with the Southern Utes officially opened to settlers what was to become La Plata County. Early non-Native American newcomers were more interested in what they could mine from the mountains than farming the desert-like mesas to the south. The arrival of the D&RG in 1881, however, opened up this previously isolated region. The railroad facilitated settlement of the area as well as shipment of materials and livestock out of the county. The earliest development on the Florida Mesa was open range ranching north of the Ute Strip and north of present-day US 160 (Seyfarth and Lambert 2010).

Homesteading on the Ute Strip—unallotted Ute lands located on the northern half of the Florida Mesa—was opened in 1899. The Ute Strip was a 15 mile by 73 mile strip of lands along the southern portions of La Plata, Archuleta, and Montezuma Counties. The federal government first offered 160 acre allotments to each head of a Ute family. Any land in the Ute Strip not allotted by 1898 was returned to a pool to be available to Euro-American homesteaders. The Ute Strip was officially opened for homesteading on May 4, 1899, with homesteaders making claims by “running for the land” or filing a claim in Durango. However, the land rush was minimal compared to other land rushes and much of the land was not claimed. After the initial rush, land parcels were advertised and marketed (Seyfarth and Lambert 2010). With the Indian Reorganization Act of 1934, all unclaimed land on the Ute Strip was returned to the Southern Ute Indian Tribe.

By the 1920s the Florida Mesa had been established as a prime agricultural location mostly in part due to the complex network of irrigation ditches and canals and the tenacity of the early homesteaders. However, the irrigation systems remained at the mercy of periodic droughts and floods due to fluctuations in snowpack. In 1911, a severe flood season throughout southwestern Colorado resulted in washed out bridges, roads, and ditches. Conversely, droughts in the 1920s caused many ditches to run dry (Seyfarth and Lambert 2010). The Bureau of Reclamation began feasibility studies in the 1930s for construction of the Florida Project to stabilize the availability of irrigated water on the Florida Mesa. Construction on Lemon Reservoir was completed in 1963 and provided supplemental water for 19,450 acres of agricultural lands (Florida Ditch Company 2017). (Now named the Florida Consolidated Ditch Company)

Between 1900 and 1960, the population of La Plata County increased from 7,016 to 19,225. The 1950s brought a developmental boom associated with oil and gas development. In 1956, 16 oil production firms had offices in La Plata County. The influx of newcomers also brought expanded residential development with over 800 new homes constructed between 1955 and 1960 (Seyfarth and Lambert 2010). This population boom also affected rural areas of the county, with homeowners seeking residential properties in rural areas for the appeal of rural living without an agricultural focus. Ranchers and farmers began selling off or subdividing their landholdings for residential construction not tied to the agricultural history of the area. This trend continued throughout the second half of the twentieth century and twenty-first century as La Plata County’s population grew to 55,623 in 2016 according to the U.S. Census Bureau.

End CDOT Narrative

Historically, Florida Mesa has been the largest and most productive agricultural area in the County. As such, the essential character of Florida Mesa has been very rural with large land holdings used for farm and ranch purposes. But some of the factors, which make it valuable for agricultural purposes, such as the availability of waterer, relatively flat cleared ground and large areas under single ownership, make the Mesa attractive to residential development.

Florida Mesa is at a developmental crossroads. Much of the District Plan crafted in the 1990’s was never implemented. Growth projections for La Plata County indicate that Florida Mesa

will be heavily relied upon to provide new areas both for reasonably priced housing and economic diversity. However, lacking significant infrastructure for water and sewer and the funding for access improvements, growth and development are likely to continue to be expensive and produce unattainably priced housing, while county regulations on low-impact commercial development do not encourage economic diversity.

Agricultural, tribal, state and federal lands continue to provide beautiful, scenic and pastoral vistas, passage for wildlife, setbacks for gas wells, locally raised food, produce and other commodities. Agricultural landowners struggle with drought, regulations and neighbors. Newcomers to Florida Mesa, attracted by the natural beauty of agricultural lands do not always have a full appreciation of the difficulty of farming and ranching and the need to protect water rights.

Through the 90's and the 00's, development was scattered across the mesa and larger lot subdivisions were encouraged, sometimes with open space required. The result has been widespread development along the county roads with large, expensive homes. Most homes on the mesa are served by well and ISDS with access taken from a county road, often in combination with a subdivision road (HOA maintained). In contrast attainably priced development along or close to the state and federal highways has been lacking.

There has been only minimal expansion of central services through the Grandview area and along the north portion of CO 172. Some subdivisions have been able to provide central water and sewer, but most have not. The three primary roadways, US 160, CO 172 and US 550 have all seen improvements, but all are in need of additional planned improvements but lack funding to proceed. The county roads are substandard and county management believes there are insufficient funds to improve or properly maintain the roads.

V. Background - **Planning Staff will write this section**

- Current, Past & Projected Demographics
- Population Distribution

VI. Overview of Key Issues relevant to District

- Past and Future Growth: The previous Florida Mesa District plan was not successful in guiding growth in several important areas; attainably priced housing, clustered growth which leaves large areas of pastoral agricultural land intact, providing for any sort of commercial development or economic opportunity, being responsive to changing conditions such as the expansion of and improvements / changes to infrastructure, being responsive to changing cultural trends and improvements in the housing industry, supporting the financial viability of agricultural lands, supporting the county's tax base. This plan seeks to re-vision the future of Florida Mesa in a manner which addresses the need for long term planning, supports continuing and new agricultural operations of all sizes, recognizes the needs of an expanding population, sets the stage for code flexibility and responsiveness to changing conditions and substantively increases economic diversity and opportunity on all land uses, all without

excessive regulation, which will interfere with success of the plan and strength of code revisions.

- Large landowners and agricultural producers generally resent and would rarely choose excessive governmental regulation, while small lot / subdivision owners have chosen to purchase into a situation where there is already a higher level of oversight and regulation. Both types of property exist extensively across the mesa. The philosophic dichotomy between the two can only be resolved through understanding that regulation can not be added to the large and agricultural landowners against their will and preserving the elements desired by the small lot owners should occur through smart planning instead of regulation.
- Water, both domestic and irrigation water, is the primary concern expressed by many of the residents of Florida Mesa. Growth served through expansion of central water lines is preferred over drilling many new individual wells. How this affects development, assessment of and protection of the water table and how existing wells are impacted, water rights and theft of irrigation water, protection of irrigation water and how irrigation water does or does not maintain the water tables are all topics of much discussion.
- Much of Florida Mesa is impacted by the tribal checkerboard reservation, which is not subject to any county land use restrictions or review
- Mineral extraction is not being protected at the county level and in the case of gravel, is not being encouraged even though the county benefits substantially from gravel extraction both economically and through local availability of gravel.
- The county claims that most roads are substandard and failing. The issue is how this affects development proposals and locations and locating future growth with an attempt to push towards state and federal highways.
- Florida Mesa is extremely diverse, not only geographically but on private lands, also diverse in terms of types of housing, types and location of development, platted subdivision with HOA's and larger open lands, newcomers and old-timers. Most importantly, these characteristics are changing and society is shifting all the time. Generally, the people of Florida Mesa prefer to see "compatibility" in the more general and broad terms encompassed by agricultural / residential / light commercial taken as a whole and considered compatible with each other, instead of using compatibility as a subjective development standard based on parcel size.
- The people of Florida Mesa hope to preserve long view sheds through clustering development and by supporting agricultural uses financial viability, not by restricting the land uses of large land owners, which unfairly and unreasonably targets those owners.
- Florida Mesa will provide a significant portion of anticipated new development. Future development should include a significant diversity of housing pricing to provide options for all people and to discourage major commute issues (and therefore safety and environmental issues) on the state and federal highways.

VII. Land Use Classifications / Zoning

- Distinction between Land Use Planning, Land Use Code and Zoning. In general, the group is leaning towards the following regarding directing growth and development in the Florida Mesa District
 - There should be no zoning or mapping of most of the land use categories as this is extremely difficult to change later, even with changing existing conditions. Instead, parcels should fall into the most appropriate category as described below based on current use. This most appropriate category can change over time as central services and infrastructure expands or as the property owner changes how the land is utilized. Not mapping or zoning individual parcels streamlines the process for determining most appropriate category and therefore development standards that must be met. This conception offers enhanced flexibility and predictability in land uses.
 - (Needs a name – base category for all land) Residential, Agricultural, Mixed Use and Light Commercial areas should not be designated and should be assumed to exist everywhere not controlled by HOA covenants. Heavy commercial areas and industrial areas should be more tightly designated.
 - Development standards in the code should be utilized to control the design of appropriate development.
 - The Code needs a mechanism for individual parcels as they transition from one Land Use category to another, if zoning or a land use designation map are being utilized.
 - The Florida Mesa Planning group strenuously objects to zoning (any form of zoning and any form of the legal application of zoning upon privately owned land) of any part of the Florida Mesa District.
 - If the BOCC proceeds with the concept of zoning or land use designations, the Florida Mesa Planning group requests that the vision, spirit and detail of this District Plan remain in full effect and that the lands are zoned consistent with the Uses as proposed herein.
- Uses **Proposals**
 - Residential: Residential descriptions must recognize state statute regarding designation of mobile home, mobile home parks and group homes (cite CRS_____). On site economic opportunities should be encouraged. Not restricting lot size will encourage denser development with more area retained as open lands and therefore more attainably priced development and preservation of rural character. Multi family is allowed on any residential land provided it meets code and state water / sewer regulations. Code needs revision and definitions on what constitutes multifamily, residential, short & long (monthly or longer) term rental units. etc.

Uses by right: Any sort of residential use should be allowed on any residential property provided that it meets code and state regs and does not violate subdivision covenants in platted subdivisions. This includes one ADU on lots under six acres, two ADU's on lots under 10 acres and three or more ADU's on lots over 10 acres. Code standards should dictate ADU grouping design, structural elements, etc. Also including, home offices, home occupations, small farm / home food production operations, inside or under-cover manufacturing and production of items for sale elsewhere, small day care, direct-market business (similar to Ag. Plus Uses by Right. Admin. Approval: Home based businesses (no or low traffic), bed and breakfast, larger child care, assisted living / group home, educational center, accessory rural occupation, weddings / events (similar to Ag. Plus Admin Approval).

1. Residential 1: Residential with central services, with no defined lot sizes. The state already provides regulation on lot size with or without central services. If a parcel has one central service, the lot size can be over one acre, two central services the lot may be less than one acre.
 2. Residential 2: Residential with no central services, with no defined lot sizes except that lot size will be over three acres. Beyond that development standards in the code will control design and lot sizes.
 3. Residential 3: Residential property that was previously platted as a subdivision with covenants and an HOA. This category is separated out because all proposals must meet independent covenants and plat notes and may not be appropriate for Use by Right or Admin approvals.
- Vacant land is an assessment term and has no place in land use categories. It should be assumed that all vacant land is subject to residential / agricultural development
 - Agricultural: (See Colorado definition of Agriculture) All lands assessed as agricultural should have the same lot size and residential standards as Residential. In addition, agriculturally assessed lands should have light commercial allowed, which complies with reasonable code standards. There should be a county use agricultural designation for land used agriculturally but is not assessed agriculturally with the same protections and rights as lands with the assessment. These land uses should be county recognized under the Right to Farm even if they do not have an assessment but are being used agriculturally. Planning Staff has distributed a memo dated October 9, 2018, Re: Agriculture Plus (AG+) Zone District (currently can be found on the La Plata County / Planning website). This memo is herein incorporated in the Florida Mesa Agricultural Land Use with the above and following additions:

1. Ag+ should state that Uses by Right and Admin Approvals are not limited to a specific number and as many as desired may exist without lot restriction.
 2. Ag+ should state that the property owner may allow another person or entity to operate a Use by Right, an Admin Approved or Conditional use on the property and is not criteria for what is or is not allowed.
 3. Add ADU's as described in Residential.
 4. Add clustered development when subdividing to retain the maximum amount of open land still in agriculture. (see C.R.S. §30-28-401)
 5. Add conditional use categories to AG+ that are assumed to be compatible but still need to go through the permitting process for other reasons or those that need a full process including compatibility assessment (for extremely heavy neighbor impact proposals)
 6. Add (where appropriate) - educational centers, seasonal uses, small shops using non-toxic materials such as carpentry, custom furniture & blacksmith, heritage businesses, weddings / events, large animal vets, etc.
 7. If AG+ is modified with any deletions to the existing memo, this section should be modified to leave those deletions in this Plan.
- Mixed Use:
 1. Mixed Use Light: Agricultural and/ or residential mixed with light commercial. Can be proposed on any agricultural or residential 1 or 2 property provided there is enough acreage to accommodate the proposal. Use code to regulate design.
 2. Mixed Use Heavy: Agricultural and/ or residential mixed with heavy commercial. Can be proposed on any agricultural or residential 2 property provided there is enough acreage to accommodate the proposal and, in most cases, provided the use is within or adjacent to a major intersection growth area as defined elsewhere in this plan. Proposals may also be made outside the growth areas, however, will be subject to compatibility assessment. Use code to regulate design.
 - Commercial:
 1. Commercial Light: (neighborhood, low intensity, low impact such as day care centers, senior housing, nursing homes, bed and breakfast, small office groupings, low traffic home based businesses, farm stands, education centers, small shops, short term rentals (overnight up to one month), all Admin Approval listed in AG+ and Residential, etc.). Light commercial should be allowed on any residential or agricultural with a mixed-use application process, if mixed use or Admin Approval if the only use - process to be found in code provisions for that use. Storage proposals MAY fit

into Light Commercial provided that the proposal can demonstrate a limited ADT and is low visual or visually mitigated.

2. **Commercial Heavy:** Heavy commercial (gas stations, fast food, grocery stores, multi retail centers, office complexes, medical facilities, storage with high ADT and high visibility, marijuana retail, etc.). Location should be determined as growth areas by the planning group and typically will be mixed with other uses. Heavy Commercial can be proposed on any agricultural or residential property provided there is enough acreage to accommodate the proposal and, in most cases, provided the use is within or adjacent to a major intersection growth area as defined elsewhere in this plan specifically because these commercial uses result in heavy traffic and should be contained to the major roadways and intersections. Proposals may also be made outside the defined growth areas, however, may be subject to measurable, quantifiable impacts assessment. Use code to regulate design. **DESIGNATION:** Currently the group is considering these areas for multiple instances of Heavy Commercial: Elmore's, Grandview, Bondad, Dgo/LP Airport, with any of the area neighborhood intersections mentioned above for limited instances of Heavy Commercial
- **Industrial:** (group needs more discussion – working on definition – include nuisance law)
 1. **Industrial:** Industrial lands are defined as non-agricultural lands used for an activity related to industry or manufacturing and possibly that which will be using heavy equipment as part of the primary activity both on site and on public roadways. This would include gas processing plants, recycling, landfills, etc. Parcels currently being used for Industrial purposes should be defined by mapping. New Industrial proposal locations can be assumed to be appropriate if made adjacent to the existing uses, or near the Durango / La Plata Airport or Animas Air Park – code should control design. Additionally, proposals can be made for other locations if they are supported by infrastructure, however may be subject to a much higher level of measurable, quantifiable impacts assessment along with other studies and impacts analysis. Use code to clearly define. **DESIGNATION:** Currently the group is considering these areas for Industrial: Durango / La Plata Airport or Animas Air Park and any other neighborhood / area where industrial uses already exists.
 - **Mineral Extraction** – i.e. gravel pits, but not gas pads since they are part of a larger parcel with a separate land use. Industrial 2 is allowable (with the proper code/standards review) on larger parcels

(over 35 acres) of residential, agricultural or vacant land and shall be considered appropriate on larger lots. Proposal can be made for lots of less than 35 acres but may be subject to a higher level of measurable, quantifiable impacts analysis than larger parcels.

- Marijuana Grow Operations: Should be allowed for proposal on any parcel but should have to go through an impacts assessment and neighborhood (larger than the 500-foot notice, especially where it is visible) compatibility and impacts analysis.
- Other

VIII. Planning Process & Development Standards

- Administration of Land Use Planning – **working on proposed solutions**
- Add definition of Health, Safety and Welfare – does state have a definition?
- Public Benefit Criteria – **needs discussion still – see next**
- Former District Plans have been used regulatorily – will Florida Mesa continue to support this? How? Will we develop new standards or systems? Revise existing?

IX. Goals, Objectives and Actions – **the group is just getting going on goals and actions – even in the areas that have been started, there will be much more to follow in next draft.**

- Atmosphere / Characteristics
 - Goal: Establish neighborhoods
 1. Action: Delineate large neighborhoods
 2. Action: Create electronic information sharing and neighborhood-building functions to revive neighborhood awareness and spirit, giving residents the opportunity for bonding with neighbors.
- Property Rights / Regulations – refer to Florida Mesa vision statement
 - Goal: Acknowledge and respect State Statute and Constitutional protections for property rights
 1. Action: Encourage the county to adopt supporting language in the District Plan Preambles, the Comprehensive Plan and the Code.
- Protecting and/or enhancing the tax base
 - Goal: improve the tax base of the county as a whole
 1. Action: support development that increases tax revenue over the existing land uses provided that it complies with appropriate development standards.
 2. Action: Allow light commercial uses on any property provided that it complies with appropriate county development standards and does not violate plat notes or covenants, if any.
 3. Action: Protect agricultural lands ag assessment by encouraging and supporting ag-related associated uses so that the assessment is not jeopardized.

- Economic stability and opportunity
 - Goal: Adopt land uses as proposed herein
 1. Action: Change current vision of land uses to an overall single land use encompassing agricultural / residential / light commercial.
 2. Action: Provide for significant flexibility and opportunity for residents to utilize their land and home for income.
 3. Action: Provide significant increase in commercial opportunities across Florida Mesa
 4. Action: Provide opportunities for clustered development of small lot, attainably priced housing
- Targeting areas for future residential and commercial development
 - Goal: Increase clustering and reduce mid-sized lot sprawl
 1. Neighborhoods centered around intersections – see elsewhere in this plan
- Diverse land use options for Agricultural and Residential lands
 - See land use descriptions & described elsewhere in plan
- Targeting areas for defined industrial uses
 - See land use descriptions & described elsewhere in plan
- Protection of Agricultural lands, additional county protection ordinances
 - Goal: Maintain and protect the rural atmosphere of the District
 1. Action: Define rural atmosphere
 2. Action: Substantially increase the non-subdivision allowable uses of agricultural land, without requiring a permit
 3. Action: Allow higher density development on ag lands to encourage the maximum amount of land remaining open
 4. Action: Do not impose scenic corridors on agricultural lands.
 - Goal: Strengthening and improve property owner’s financial viability in their continued use of their lands through productive agriculture.
 1. Action: Farming incentives (needs discussion to describe ideas for incentives) other than taxation
 2. Action: Allow housing for family members and ranch hands without subdivision, without complicated permitting (more than one unit)
 - Goal: Support of alternative agricultural uses – see definition of Agriculture for use when identifying applicable lands
 1. Action: County shall support and protect the use of any residential land for agricultural purposes (unless disallowed by covenants or plat notes), even if that property is not agriculturally assessed.
 2. Action: The county shall review development proposals for covenants and plat notes and encourage provisions which allow minor agricultural uses of the property under review.
- Highways, Transportation, Road Capacity

- Goal: Direct clustered residential and commercial growth close to the state and federal highways
 1. Clustered neighborhood intersections with growth adjacent to these intersections along highways and county roads.
- Goal: Improve working relationship with CDOT
 1. County representative from BOCC to work more closely with SW CO CDOT rep. for funding opportunities
 2. Analyze where signage goes so that intersections with county roads are preserved. Look at speed limits signs _____ needs clarification.

Water - Domestic, wells – *review 1995 USGS report*

- Goal: Maintain water tables to serve existing wells
 1. Action: Encourage small lot subdivisions to utilize expanding central water lines and small water systems instead of individual wells for each lot.
 2. Needs discussion – test wells for large subdivisions?
- Water - Irrigation, ditches:
 - Goal: Protect Water Rights
 1. Action: support the development, adoption, implementation of water storage, and water distribution that benefits individual, irrigators, irrigation and canal companies, industrial users, aquatic recreation users, municipalities, public land managers, and private landowners.
 2. Action: Support agency actions that analyze impacts on facilities such as dams, reservoirs, delivery systems, monitoring facilities, etc., located on, or downstream from, land covered by any water related proposal
 - Goal: Recognizes and protect the existence of all legal canals, laterals, or ditch rights-of way
 1. Action: County shall create mapping of all such canals, laterals and ditches for public use in land use planning.
 2. Action: Require that historic and customary beneficial uses take precedence over all in-stream flow use designations established under current Colorado State Law
 3. Action: Work with local, state and federal government to encourage and support state control of water rights and to maintain opportunities for future water right allocations)
 4. Action: Protections for irrigation water ... Ask irrigation water districts for an educational piece to be distributed to title companies, developers, HOA's - to be signed at closing and perhaps through other mechanisms. Look at Gunnison County brochure

Water - Interplay of State Law and County Code

- Goal: County shall protect property owner’s reasonable use of the land when state regulation showstoppers to development can be mitigated without harming or infringing upon water rights or violating state law.
 - Action: Revise Code to allow for solutions, revised variance process, that are reviewed and decided above staff level.
- Sewer / Septic / Waste Water Treatment (*one member is looking into state regulations regarding lagoons*)
 - Goal: Improve landowners’ ability to treat waste water on site to protect water tables
 1. Action: County work with SJBH and state to allow the use of lagoons on parcels over 3 acres, which already have a lagoon and need to rebuild
 2. Action: Allow the use of lagoons on parcels over 3 acres for new construction.
 3. Action: Expand use of gray water systems for irrigation.
- Access / Availability of Central Services – *review City of Durango infrastructure plans*
 - Goal: Increase the availability of central services
 1. Action: County should become a central water provider through purchasing available water rights, developing an infrastructure plan and becoming a partner in existing water systems.
 2. Action: Support higher density and commercial development in areas adjacent to existing central services (such as Loma Linda, South Durango Sanitation, Ranchos Florida, Metro Districts).
 3. Work with City of Durango to expand services to Elmore’s and as far south as Falfa.
- Emergency Services
 - Goal: Expand fire and emergency services within the District to maintain an adequate level of protection as the population grows
 1. Action: Require development to provide adequate fire flows or to show nearby water retention / storage to serve clustered development.
 2. Action: County Building Code and development proposal shall be reviewed to ensure that adequate wildfire mitigation measures are included
- Mineral Extraction – **this section needs editing to remove things we can’t control or are outside the scope of this plan – editing tbd:**
 - GOAL: Encourage appropriate mineral and energy resource exploration and development, including renewable energy, in La Plata County
 1. Action: Discourage unreasonable or unfounded barriers to mineral and energy resource exploration and development.

2. Action: Support the retention of existing mineral and energy operations and associated rights-of-way, consistent with sound economic and environmental practices.
 3. Action: Support mineral and energy resource exploration consistent with sound economic and environmental practices.
- GOAL: Ensure compliance with all existing state and federal laws regarding oil, gas and mineral exploration and/or their production.
 - Action: The County shall carefully evaluate proposed revisions of the General Mining Law of 1872 for undue adverse impact on the mining industry in the county.
 - Action: The County will make recommendations regarding any such proposed revisions of gas and oil leasing, and the General Mining Law of 1872, to the appropriate state and federal representatives to influence the outcome to favor the custom, culture, and economy of La Plata County.
 - Action: Monitor for changes in the leasing of federally-owned gas and oil, such as to the availability of leases, restrictions imposed on leasers, and changes in the requirements for development. Also monitor any changes to the rights of privately-owned gas, oil, and mineral rights that would diminish their value or the ability for them to be leased or developed.
 - Impact of tribal lands and Public lands
 - Goal: Recognize impact of being adjacent to unregulated tribal lands.
 1. Action: Allow development consistent with the existing use of adjacent tribal lands
 2. Action: Do not impose scenic corridors on private lands, as scattered tribal lands are unregulated.
 - Wildlife & Stewardship of Land (?): **This section is under review and revision by an individual member**
 - Goal: Protect lands along river corridor from public or governmental encroachment so that the river corridor shall remain open to wildlife.
 - Habitat/Wildlife Goal – FM District Plan encourages the control of predatory animals to reduce property damage, to protect wildlife and the local economy and tax base, including the viability of the agriculture community. FM District Plan is committed to proper habitat management by incorporating science, in the planning, programs, and projects.
 1. Action: Habitat Management Policy - Support predator control efforts to protect private property, human health, and achieve state directed wildlife population goals. Predators can have a negative impact on livestock and wildlife causing an economic loss.

2. Action: Work with government agencies, local cooperators, and other interested parties in the management, maintenance and improvement of habitat, emphasizing voluntary and incentive-based programs
 3. Action: Encourage the use of tools such as grazing, plantings, water development, fire, chemical application, and other best management practices for habitat management.
 4. Action: Support the development and use of new technologies in land use management that are alternatives to permanent reductions in stocking rates.
 5. Action: Work with the Division of Wildlife to support wildlife management objectives and numbers based on what the range conditions and habitat can support. Wildlife habitats should be managed for sustainable wildlife populations that consider obligations for livestock grazing and competing resource management objectives.
 6. Action: Support reasonable and science-based protection and restoration of critical winter range habitat, while respecting private property and considering the economic effects
 7. Action: Supports game herd population objectives and management decisions that will benefit the wildlife resource, while taking into consideration competition between wildlife species and domestic livestock.)
- Stewardship of Land
 - Goal: Improve noxious weed control
 1. Action: Support cooperative effort with State, federal and private land managers to enhance cooperative weed management efforts countywide, coordinated with and primarily managed by the La Plata County Weed Control District
 2. Action: Support and strongly encourage the control of noxious weeds, invasive species, and pests by owners, managers, and users of all private, state and federal lands including easements, right-of-way, and municipalities
 3. Action: Review covenants / HOA's rules for control of noxious weeds, invasive species and pests and require that funding for such control is present and continuing.
 - Goal: Preserve scenic corridors and viewsheds by establishing neighborhoods and supporting clustered development at intersections thereby leaving as more land in open agriculture between neighborhoods.
 - Compatibility
 - Goal: Re-vision the concept of compatibility
 1. Action: See broader land use types instead of lot sizes (residential, agricultural, commercial, industrial – as defined elsewhere in this plan) as compatible.

2. Action: Change concept to measurable, quantifiable impacts when applying development standards.
 3. Action: Remove all regulatory language that requires buffers, visual mitigation or restricts development in any manner if based on lot sizes or arbitrary aesthetics
 - Goal: Marijuana Grow and Retail Operations _____
 - Cite state regs somehow....
 - Preservation of Historical and Cultural Resources
 - Goal: Increase recognition and knowledge of historic resources
 1. Action: Public information campaign for non-restrictive designation program
 2. Action: tax incentives for designated properties
 3. Action: Highlight large family farms that do not qualify for Centennial Farm status but retain historic characteristics
 - Property Owner Engagement / Participation, Public Information
 - Goal: Establish neighborhoods
 1. Action: Delineate large neighborhoods
 2. Action: Create electronic contact (utilizing paper mail only when no electronic contact is possible) and keep updated using the assessor's database
 3. Action: Utilize neighborhood contact for multiple information sharing and neighborhood building functions.
 - Goal: Review, revise, update District Plans
 1. Establish a schedule and short-term process
 2. Use state requirements but not more than once every 10 years, utilize census data and schedule for just after census is taken
 - Other
 - Attainably priced housing – Goal: increase multifamily and small lot development. Expansion of central services...
 - Protect lands along river corridor from public encroachment or governmental takings
- X. Glossary of Terms (with sources & references)
- *“Agriculture” means the science and art of production of plant and animals useful to man, including, to a variable extent, the preparation of these products for man’s use and their disposal by marketing or otherwise, and include horticulture, floriculture, viticulture, forestry, dairy, livestock, poultry, bee and any and all forms of farm products and farm production. CRS §35-1-102 (1) Definitions*

Appendices:

- 1) Definitions:
 - a. High Density

- b. Impacts assessment – base on Health, Safety and Welfare measurable and quantifiable standards.
- 2) District Matrix Compilation – insert here
 - 3) Colorado Statute citations will be utilized throughout the plan and each citation will be repeated here with the statutes
 - 4) **Key Issues** as expressed in meetings which took place from February 2018 through December 2018, email communication, survey comments and Matrixes are listed as bullet point below. These are individual opinions which are being incorporated into the plan where ever they may be relevant. For now, not all matrixes comments have been directly transcribed and the compilation matrix should be included as an appendices as well.
 - Growth
 - Maintain rural character, resources and lifestyle
 - Lack of infrastructure is a huge issue
 - Should growth be controlled by the market in combination with development standards or should it be controlled by zoning?
 - Should growth standards should be determined only by water, sewer and access or should compatibility and impacts on neighbors be a factor - an equal or somehow weighted factor? How do we define and equitably apply the standards for compatibility and impacts? Do these questions only apply to land use changes or any development proposals?
 - Should the government be allowed to make all the decisions, or should the landowners be the ultimate decision makers? Who should define the common good – government or the people?
 - Future development should not come at the expense of individual property rights
 - County should initiate all forms of infrastructure, not just roads. County should participate in development of utilities with greater capacity
 - Infrastructure supported growth should correlate with the Comp Plan (which is missing economic vitality, infrastructure – not a comprehensive plan for the future)
 - Planning regulations have discouraged income diversity
 - District Plan developed in the 90’s didn’t function as intended – it was hoped that we would avoid Aspenization, and while it isn’t as bad as that, it isn’t what happened either. Current runaway house and lot prices can be tied back to the failed land use policies that came out of the 90’s.
 - County should be enacting clustering regulations and be reminded that CRS 30-28-401 is an applicable and useful statute.
 - Clustering growth is much better than spreading it across the mesa
 - Growth numbers in the Comp Plan should be viewed with the caveat that housing prices are and will be a major factor in growth
 - Protect instead of restrict private property rights

- Do not allow regulations to infringe on constitutional property rights
- Growth should occur along or close to (within a mile) the major highways and roadways.
- High density growth should occur as close to the city limits as possible with short commutes to town
- Don't turn the mesa into a bedroom community for Durango
- The City of Durango should be encouraged to provide as much as the high-density growth as possible, including building UP - multi story apartment buildings, which keeps housing costs down, reduces commuters.
- City of Durango urban sprawl should be restricted and should be encouraged to improve mass transit systems – avoid urban sprawl!
- Look at minimum lot sizes – needs discussion – there are opinions all over the board without any discussion of true impact of development of larger lots
- If you build it, if the county allows it to be built, they will come, so don't build it – problem solved
- We need good guidelines for development, not zoning
- Land Use Changes should consider existing and planned infrastructure.
- Higher density and commercial development should be confined to the areas already beginning to develop with these uses
- There should be more mixed use (commercial and residential) areas
- We need to figure out how to reconcile substantive vision and definition for residential and commercial growth differences between land owners and government planners
- The county has made development too expensive, especially for commercial development
- We need a grocery store in Grandview
- Permitting system needs to be revamped and zoning should not be a part of it
- More people mean increased crime, poverty and need for services and bureaucracy, which leads to increased taxation
- Make the ADU / addition of a rental units process easier – parts of it are ridiculous such as the requirement to share an electric meter. Rentals are an important source of income for many residents.
- Control growth with strict code regulations
- Don't let Florida Mesa look like San Juan County, NM
- Large projects and large map amendments should be required to notice a larger area
- Agriculture, Right to Farm
 - Preserve the ability of farmers and ranchers to maintain and continue their lifestyle

- Defining agricultural uses, include small family supporting ag uses even without ag taxation designation
- Assessor definition / assessment doesn't include all ag uses and doesn't match the Colorado Statute definition of Agriculture
- Support all ag uses without restrictions other than water, sewer, access
- Ag users are the best stewards of the land without government oversight
- The county should support a broad range of additional uses on Agricultural lands to support and preserve the underlying agricultural economy.
- Keep agriculture functioning in La Plata County
- Development of uncultivated ag land should be as easy and affordable as possible to provide for attainably priced smaller parcels.
- Old ranchers want to sell their rural property, that is not near a highway, to developers who want to make big bucks
- Avoid chopping up ag lands for piecemeal development
- Define rural atmosphere
- Tribal Lands
 - Neighboring tribal lands have different regulations – checkerboarded tribal lands throughout FM district result in significant differences in side-by-side land uses – compatibility issues
 - Establish dialog with tribe to mitigate disturbances and impacts
 - The tribe is the neighbor that doesn't have to comply with any code standards
 - Should we expect county to protect private landowners by working with the Tribe to mitigate development impacts?
 - Tribal lands constitute a significant percentage of the land on Florida Mesa and is outside the jurisdiction of La Plata County regulations
- Public Lands
 - Access through private lands – encourage public lands agencies to improve access to public lands provided it doesn't negatively impact private landowners.
 - Weeds abatement and maintenance
 - There are cross-jurisdictional issues
 - Fire suppression
- Oil, Gas & Mineral Extraction
 - O & G companies have been maintaining roads – if they stop, who takes over?
 - Proposed state setbacks will be entirely at the expense of large landowners and will effectively remove much of the remaining land on the mesa from development possibility

- Gravel extraction should be promoted – necessary for affordable county road improvement and maintenance and new growth development
- Mineral extraction easements must be protected – we need mapping to know where they are
- Water Service, Water Rights, Domestic Water (**probably the primary concern expressed at meetings and in survey and matrix data**)
 - Water availability should be of paramount importance when contemplating growth.
 - Encourage the county to look at becoming a water supplier
 - Hydrology study would be helpful for determining growth areas
 - Major concern over impacts to water tables from development, irrigation being piped
 - Maintaining the quality and quantity of the aquifer is extremely important, however without any data, it is all a guess / vision
 - Encourage ag use to feed the water table through irrigation
 - Growth & development over the last 25 years hasn't properly supported the continued use of the land for ag and irrigation
 - County should be supporting water storage and transport, which feeds the aquifer
 - Based on climate projections, this area is likely to become more arid in the future. Growth should be limited to existing water infrastructure
- Highways, Transportation, Road Capacities
 - Substandard roads, maintenance, speed and fatalities
 - Road and Bridge needs more of the county's budget for road improvements and maintenance
 - Impact fees
 - Old (pre-1990) subdivisions
 - HOA's create HOA police which create a lot of neighbor conflicts especially over roadways.
 - Should we be identifying scenic corridors – if so, what are the standards to apply? How do we define where and what?
 - Roadway corridors should be utilized for mixed commercial / affordable residential to provide housing for workers.
 - Hwy 160 has gone well beyond capacity, county roads are not handling existing traffic
 - Longer commutes add pollution and noise and add congestion on two-lane highways
 - Future growth should be used to diminishing impacts to county roads
 - Encourage CDOT to improve the three major roads and highways should be 4 lanes
 - Home based businesses should include a significant increased use of the road system

- Short term rentals increase impacts on roads over normal residential and do not provide any benefit to the county for maintenance or improvement of infrastructure
- 225 / 160 needs a stop light
- Power Supply & Transmission
 - Solar farms proposals - encourage the county to address possible negative effects such as soil impacts, erosion, detrimental impacts to soil, ecology, entomology, wildlife and vegetation vs. potential public good. (It was suggested that this is a good place for a cost benefit analysis, however the county doesn't current allow for cost benefit analysis on any development project of any sort.)
- Stewardship, Environments, Impacts (economic, social, cultural, natural) Compatibility
 - Property owners are the best stewards of the land and need to be supported not regulated
 - Make the ADU / addition of a rental units process easier – parts of it are ridiculous such as the requirement to share an electric meter. Rentals are an important source of income for many residents.
 - Compatibility has been weighted too heavily in current planning and encourages neighbor conflicts
 - Compatibility should be repositioned as being neighborly, not the responsibility of planning staff or the government to mitigate neighbor conflicts.
 - Open Space regulations in the past have created HOA maintenance failures
 - Should Compatibility be a development standard? How do we define and equitably apply the standards for compatibility and impacts? Should it be weighted as heavily as the basics (W,S,A)?
 - How do we determine who the impact could negatively affect? How do we determine what is a private or public nuisance?
 - Should we be setting goals and actions surrounding building massing, location when impacts neighbor view, etc.?
 - Use common sense when imposing visual impact mitigation regulations
 - We do not need burdensome architectural regulations such as dictating house color
 - County needs better burning regulations
 - Protect instead of restrict people's right to use their land to provide income
 - Land Use Changes should consider compatibility with the majority of adjacent properties.
 - Change and development should maintain the character and environment of the neighborhood
 - Landowners need to be able to make income from their land in some manner

- Respect and maintain the natural beauty of our area
- Protect wetlands, wildlife, clean water and air
- Prioritize development, maintenance and road improvements over things like public land management and trail infrastructure
- Natural visual buffers (trees not fences) should be required between commercial and residential properties and along roadways
- Sound buffers should be considered when appropriate
- Address marijuana grow facility impacts
- HOA's do not maintain the standards of their own covenants for things such as weed control, aesthetic standards.
- Other
 - Attainable housing is non-existent and all planning regulation (other than water / sewer / access) inhibits development of attainable housing by raising development costs. Note: in survey data, availability / affordability of housing was significantly less important to respondents than other policy topics.
 - Public should be made more aware of ADU process / expand process
 - County isn't effective in long-range planning for attainable housing
 - Marijuana grow facilities are using more water than is permitted
 - Grow facilities are near schools
 - Notice distances should be appropriate to situation – 500' may not be enough if visibility and impacts are farther – look at neighborhoods
 - Should pastoral and scenic views be proposed for protection or as a code standard? If so, how are these determined?
 - How should public input *decisions* be made? Are all residents equal? Do landowners have more authority than renters? Should voting be weighted by number of acres owned or landowners placed in categories of small, medium, large landowners, HOA / Sub vs. non HOA / Sub, Ag, Commercial, etc.?
 - There are other types of corridors, not just scenic along the roadways to consider – do we want to recognize and address them? Define where and what? Visual? Wildlife, Waterways?
 - Visual impacts in the Gateways to Durango areas should be considered and maintained
 - River corridors on private land should never be forced to be made public. Much of the river corridor area on the Mesa is owned by the tribe.
 - Design standards should protect the “architectural and cultural character of our town” (note ...??)
 - Should more storage units be allowed?
 - We need more commercial in the district – around Elmore's would be great.

- City of Durango should have more industrial growth - should develop a better economy, one not based just on tourism
- Land Use change proposals for very large mixed use / residential proposals should require more detailed plans and analysis of infrastructure and compatibility
- Far too much of the county's budget goes in to planning policy, granting or denying entitlements and counterproductive and costly regulations, instead of meaningful spending such as on roads.
- Homebased businesses shouldn't involve heavy equipment
- Oil and gas are a separate property right and isn't being addressed or recognized