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RESOLUTION NO. 2017-7-PC

**A RESOLUTION OF THE PLANNING COMMISSION OF LA PLATA COUNTY,
COLORADO, UPDATING THE DURANGO DISTRICT PLAN**

WHEREAS, C.R.S. § 29-20-102 provides that it is the policy of this state to provide broad authority to local governments to plan for and regulate the use of land within their respective jurisdictions to provide for planned and orderly development and a balancing of the basic human needs of a changing population with legitimate environmental concerns; and

WHEREAS, C.R.S. § 30-28-106 provides that it is the duty of a county planning commission to make and adopt a master plan, with accompanying maps, for the physical development of the unincorporated territory of the country; and

WHEREAS, C.R.S. § 30-28-108 provides that a county planning commission may adopt the county master plan as a whole by a single resolution or, as the work of making the whole master plan progresses, may adopt parts thereof and that the commission may amend, extend, or add to the plan or carry any part of it into greater detail from time to time; and

WHEREAS, C.R.S. § 30-28-109 provides that the county planning commission shall certify a copy of its master plan, or any adopted part or amendment thereof or addition thereto, to the board of county commissioners of the county and to all municipalities within the county; and

WHEREAS, the La Plata County Board of County Commissioners and the City of Durango entered, in December 2013, into the 2013 Temporary Intergovernmental Agreement Regarding Joint Land Use Planning Between the City of Durango, Colorado and La Plata County, Colorado (the "Temporary Joint Land Use IGA"), effective January 1, 2013, which provided a framework to regulate the use of land identified on the Joint Planning Area Map (the "JPAM"); and

WHEREAS, the La Plata County Board of County Commissioners and the City of Durango executed the First Amendment to the Temporary Joint Land Use IGA on August 20, 2013, in which the JPAM was amended; and

WHEREAS, on December 12, 2013, by Resolution No. 2013-005, recorded at reception no. 1075682, the La Plata County Planning Commission adopted the City of Durango 2007 Comprehensive Plan as the Durango District Plan, as applied to the unincorporated properties designated at Exhibit 2 to Resolution No. 2013-005; and

WHEREAS, Resolution No. 2013-005 reflects the agreement between La Plata County Planning Staff and City of Durango Community Development Staff that the most appropriate way to address planned development and land uses in the JPAM is through the application of the City of Durango 2007 Comprehensive Plan to properties subject to the Durango District Plan; and

WHEREAS, upon the Temporary Joint Land Use IGA's expiration by its terms on March 31, 2014, the La Plata County Board of County Commissioners and City of Durango entered, on April 1, 2014, into an Intergovernmental Agreement between La Plata County, Colorado and the City of Durango, Colorado Regarding Joint Land Use Planning (the "Joint Land Use IGA"), which likewise designated the JPAM; and

WHEREAS, the City of Durango adopted, on April 8, 2017, the City of Durango 2017 Comprehensive Plan (attached to this Resolution as Exhibit B), which incorporates by reference all the City of Durango's area plans; and

WHEREAS, on May 4, 2017, the Planning Commission adopted, by Resolution No. 17-3-PC, the 2017 La Plata County Comprehensive Plan, which incorporated the Durango District Plan (as adopted by Resolution No. 2013-005, recorded at reception no. 1075682) as Appendix 5; and

WHEREAS, the amendment of the Durango District Plan by adoption of the City of Durango 2017 Comprehensive Plan is necessary to protect the health, safety, and welfare of the community;

WHEREAS, the City of Durango's 2017 Comprehensive Plan extends to properties outside of the JPAM, but for the purposes of the Durango District Plan, the effect of the City of Durango 2017 Comprehensive Plan is limited to those areas identified on Exhibit B to this Resolution; and

WHEREAS, the La Plata County Planning Commission held a duly noticed public hearing on the 2nd day of November 2017, regarding the La Plata County Planning Department's request for the amendment of the Durango District Plan, as identified in the Staff Report for Project No. 2017-0222, Durango District Plan Update, and at such hearing, heard testimony and received competent evidence that the Durango District Plan should be amended as identified in Exhibits A and B.

NOW, THEREFORE, BASED ON THE EVIDENCE AND TESTIMONY PRESENTED AT THE PUBLIC HEARING CONDUCTED THIS 2ND DAY OF NOVEMBER 2017, BE IT RESOLVED BY THE LA PLATA COUNTY PLANNING COMMISSION OF LA PLATA COUNTY, COLORADO, AS FOLLOWS:

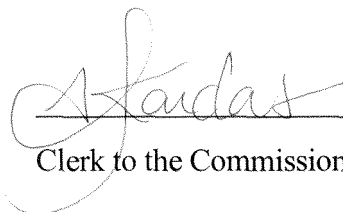
1. The Durango District Plan is hereby amended by the adoption of the City of Durango 2017 Comprehensive Plan, attached as Exhibit A hereto.
2. Exhibit B, attached hereto, shall be limited in applicability to only those properties identified in Exhibit A.
3. The Durango District shall serve as the predominant plan for any areas it covers, overlaps, or shares with any other plan map. Any other plan map sharing coverage by the Durango District, shall be replaced by the Durango District.


4. Subsequent to the effective date, this amendment to the Durango District Plan shall be certified to the La Plata County Board of County Commissioners; the City of Durango; the Town of Ignacio; and the Town of Bayfield for any further action that is deemed appropriate by the respective jurisdictions.


**APPROVED AND ADOPTED IN DURANGO, LA PLATA COUNTY,
COLORADO, this 2nd day of November 2017.**

**LA PLATA COUNTY PLANNING
COMMISSION**

ATTEST:


Clerk to the Commission


JAMES TENGRA, Chair


_____, Secretary