

RESOLUTION NO. 2019-19-PC

**A RESOLUTION OF THE LA PLATA COUNTY PLANNING COMMISSION
ADOPTING THE 2019 ANIMAS VALLEY 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 October 18, 1993, by Resolution No. 1993-44, recorded at reception no.656079, the La Plata County Board of County Commissioners adopted the Animas Valley Land Use Plan and Map, Neighborhood Zoning Districts Overlay Map, Regulations and Standards; 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, and

WHEREAS, the Animas Valley did not previously develop or have an adopted plan but as part of the recent district plan update process, such a plan has been developed and such 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 Animas Valley district plan in accordance with its general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of La Plata County and the Animas Valley District which, in accordance with present and future needs and resources, will best promote the health,

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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, 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 Animas Valley 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 content in the 2019 Animas Valley 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 Animas Valley 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 developing the Animas Valley District Plan, the Planning Commission wishes to adopt the 2019 Animas Valley 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 Animas Valley District Plan on November 7, 2019; and

WHEREAS, the Planning Commission need not submit the 2019 Animas Valley 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 Animas Valley 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 Animas Valley District Plan to the Board of County Commissioners of

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La Plata County, and to the planning commissions of all municipalities within La Plata County.

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 Animas Valley District Plan shows the Planning Commission’s recommendations for the development of unincorporated territory of La Plata County in the Animas Valley and serves as an advisory document to guide land development decisions for the County.

2. The Planning Commission hereby adopts the 2019 Animas Valley District Plan, including all maps, land use zoning 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 3 to the Comprehensive Plan.

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

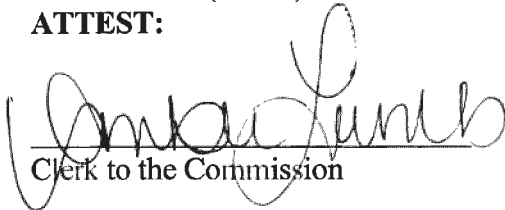
4. Pursuant to C.R.S. § 30-28-109, the Planning Commission directs its Chairperson to certify copies of the 2019 Animas Valley District Plan to the Board of County Commissioners of La Plata County and to the planning commissions of all municipalities within La Plata County by delivery of the 2019 Animas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

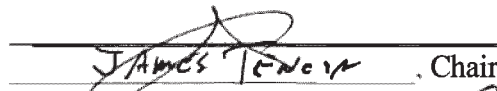

DONE AND ADOPTED IN DURANGO, LA PLATA COUNTY, COLORADO, THIS 7 DAY OF NOVEMBER 2019.

LA PLATA COUNTY PLANNING COMMISSION

(SEAL)

ATTEST:


Clerk to the Commission

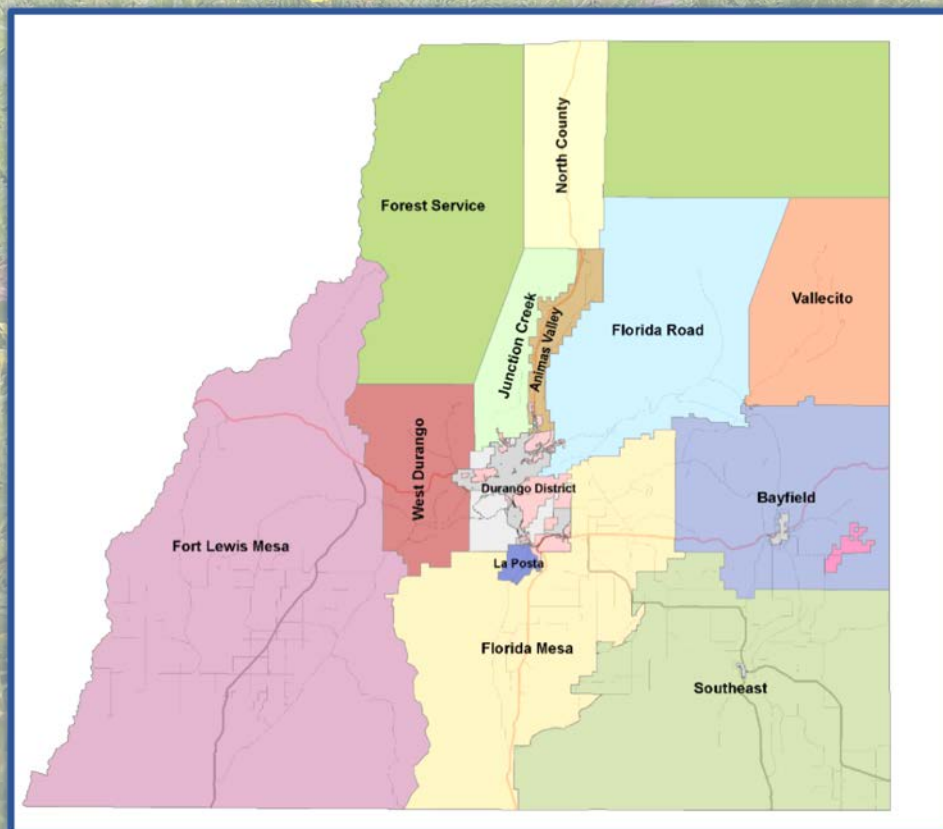

James Tenover, Chair

Charles Munkler, Secretary



La Plata County
Colorado

Animas Valley District Plan

November 7, 2019
Appendices to the Comprehensive Plan



ANIMAS VALLEY DISTRICT PLAN

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ANIMAS VALLEY DISTRICT PLAN

I. PURPOSE OF A 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



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and inclusive planning process that engages community residents and stakeholders. There was 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

Unlike other Districts in La Plata County, the Animas Valley has Euclidean zoning that was codified by the Board of County Commissioners when they adopted the Animas Valley Land Use Plan (AVLUP) into the La Plata County Land Use Code (LPLUC). When the AVLUP was adopted into the LPLUC it became regulatory in nature, rather than advisory.

The Animas Valley District Plan (AVDP) provides residents the opportunity to begin to shape future development within the Animas Valley to ensure that it is compatible with the current and future lifestyles, businesses, homes, agricultural operations and natural features. The AVDP is an opportunity for residents within the Animas Valley to provide more detailed focus than the Comprehensive Plan about what kinds of communities, commercial developments, recreational areas, residential areas, and agricultural operations may exist in the future within the Animas Valley.

The residents of the Animas Valley believe the community has a unique position as the northern gateway to Durango, while also serving as the southern gateway to abundant recreation opportunities in the San Juan Mountains.

The goal is for the Animas Valley to promote its regional history as a more rural and agrarian community on the fringe of the Durango urban center by maintaining a mix of appropriately identified and allowable uses. Quality of the environment is very important with emphasis on retaining open space, natural views, quality of water and aquatic life, wildlife resources (winter range in particular), and a healthy natural environment.

¹ Planning Commission policy memo dated April 4, 2019



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The community believes development locations should continue to be predictable in accordance with the existing AVLUP and occur within the context of the surrounding rural character and the natural environment, while not intruding upon property rights. It is important to the residents of Animas Valley to maintain access to public lands, without creating excessive recreation impacts on trails, wildlife habitat, and private property.

In conjunction with the existing Animas Valley Land Use Plan, the overall guiding principles of the Animas Valley District Plan include but are not limited to:

- Promote continued agricultural and ranching operations
- Preserve the lower density rural atmosphere by maintaining the separation between urban Durango and the more rural Animas Valley
- Ensure new development is in conformance with existing zone Districts and AVDP
- Safeguard the scenic view corridors and the quality of natural and visual resources
- Enhance and protect wildlife habitat and corridors, and riparian zones
- Protect wetlands and ensure the longevity and quality of surface water and ground water
- Provide property owners and residents with a predictable land use 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

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)



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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 mountainous forests, steep cliffs, rugged terrain, narrow valley meadows and the Animas River, Hermosa Creek, and other tributaries create a picturesque setting in this part of La Plata County. These same features also create natural constraints to growth which should be considered when new development is proposed. Steep cliffs flanking the valley create geologic conditions such as landslides, soil erosion, debris fans, flooding, and water quality issues throughout the District. The 416 Fire in 2018 significantly underscored the hazards of wildfire to homes and businesses and the potential personal, social and economic impacts, and dangers associated with post-fire flooding. It is time to take the lessons learned from this emergency into consideration in future planning, as these conditions can affect residents of the Animas Valley for years to come.

The scenic value of the Animas Valley contributes to quality of life for residents and to the experiences enjoyed by visitors. The Animas Valley is bisected by U.S. Highway 550, an All American Byway as well as the San Juan Skyway, with County Roads 203 and 250 on the west and east sides respectively; this is a particularly scenic area of La Plata County. The Durango and Silverton Narrow Gauge Railroad (DSNGRR) parallels U.S. Hwy 550 until just north of Hermosa. The historic rail route carries an average of 197,000 riders annually, all of whom travel through the Animas Valley and contribute to the local economy.

The Animas Valley has a long history of agriculture. Evidence of Native American agricultural activity and the presence of historic ranches and buildings such as the Grange are illustrations of this history. Agricultural uses have continued in the Animas Valley as smaller-scale orchards, farms and ranches. Despite its close proximity to the urban center of Durango, the Animas Valley retains its mostly rural character, which is greatly valued by Animas Valley residents and property owners.

The vast majority of the land within the District is privately owned with higher density development on the west side, lower density development and agricultural operations on the east side. This constraint of lower density development on the east side is due in large part to the natural constraints such as the geological hazards and floodplain as well as the lack of central water and sewer. A significant number of the private parcels along the District boundary border U.S. Forest Service Lands. These lands are defined by dense forests and mountainous terrain, which provide a multitude of recreation opportunities including biking, hiking and horseback riding. In December 2014, the U.S. Senate passed the Hermosa Creek Watershed Protection Act thereby setting aside

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



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37,400 acres as a wilderness area and 70,600 acres as a special-management area around Hermosa Creek, north of Durango.

The Animas Valley Land Use Plan established zone districts in the Animas Valley when the Board of County Commissioners adopted it into the La Plata County Land Use Code. These zone districts were created with guidance from Animas Valley citizens and existing land uses at the time. Much of the development in the Animas Valley has remained along the U.S. Hwy 550 corridor between Hermosa and Trimble Crossing where the zone districts allowing higher density are located. The middle of the Animas Valley has a large portion of land that is in the River Corridor zone district, which generally follows the floodplain around the Animas River. Large lot residential zone districts border the River Corridor on the east side along County Road 250 contributing to the maintained rural agricultural character in the Animas Valley.

The west side of the Animas Valley contains larger subdivisions and local commercial areas where development density is higher. These higher density developments include The Dalton Ranch, The Ranch, Estancia and several mobile home and RV parks located along U.S. Hwy 550. There are also a few existing local commercial areas that are in the same vicinity as the higher density residential developments such as Trimble Crossing, Durango Hot Springs Resort and Spa, and the greater Hermosa area including Cometti/Mead Lane. Most of the existing infrastructure in the Animas Valley, central water and sewer, exist where these larger subdivisions and local commercial areas are located. Animas Water Company provides domestic water along the west side of the valley from Durango north to Baker's Bridge (the northern edge of the District), serving 1,106 customers. Hermosa Sanitation District provides wastewater treatment to over 1,500 customers from Waterfall Village to Hermosa on the west side of the valley. Both services are close to serving half of their total capacity as of 2019.

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 Animas Valley as well and will continue to according Colorado State Demographer forecasts. Animas Valley currently has an estimated population of 4,264 and is forecasted to grow an estimated 1,305 people to a population of 5,569⁸ 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 938 people and if the growth were to exceed the projected average and grow at a rate of 2%, the District would grow an estimated 1,706 people. To accommodate this anticipated range of growth, an approximate 391 to 711 units will

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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need to be added to the Animas Valley over the next 20 years, which equates to an average of 20 to 36 units a year.

V. KEY ISSUES

a. Development pressure and management

There have been multiple zoning amendments over the years, some of which were to higher density residential zone districts. Animas Valley residents would prefer to not see non-residential and dense residential zone districts creep throughout the Animas Valley. There is also a concern that an increase in development has the potential to create traffic congestion in the Animas Valley if egress and ingress on highways and County roads are not appropriately addressed, which should be a factor considered during the review of proposed zoning amendments. In the case of non-residential development being proposed in the Animas Valley, it is desired that this development be in areas that are already zoned for non-residential and contain existing non-residential uses. High concentration of Vacation Rental by Owner (VRBO) in neighborhoods and their impact is another concern to Animas Valley residents and should be addressed in future AVLUP updates while also taking into consideration the advantages of and desire for detached Additional Dwelling Units (ADUs).

b. Visual concerns including both natural resources and development

The Animas Valley has a scenic blend of agriculture, river valley, forests and mountains that should be preserved into the future. Maintaining the visual characteristics of the Animas Valley while not imposing view corridors will create the need for clustered or sensitively designed future development, whether residential or non-residential. Some residents believe limiting outdoor storage for non-residential and residential users is a potential tool for combatting negative visual impacts when paired with other strategies. As technology needs and services expand in the Animas Valley, impacts on the scenic views in the Animas Valley by telecommunication towers will need to be mitigated. Many residents are also concerned with dark skies in the Animas Valley being reduced with future development and would prefer that proposals be encouraged to incorporate dark sky sensitive lighting such as full cutoff and dimming lights.

c. Natural resources (geologic hazards, wildlife and aquatic concerns, floodplain, water quality, forest quality)

The Animas River carves through the middle of the Animas Valley and is fed by tributaries on both sides, which means there are multiple hazardous floodplain areas. Most of the floodplain located along the Animas River is in the River Corridor District, which restricts structures from locating in the floodway and reserves the corridor to more agricultural uses. Along with the river, there are the forested mountain slopes on both sides of the Animas Valley, which have associated hazards such as potential mudflows, landslides, debris fans and wildfires. While these areas come



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with natural hazards, they also support a large number of services and wildlife. As more of the Animas Valley is developed, impacts to these natural resources from development will need to be evaluated as well as their location in consideration with potential natural hazards.

d. Agricultural land, forest land and business promotion

Agricultural lands are a substantial portion of the Animas Valley and are a key use that has been indicated as a characteristic that is preferred to remain. Existing and future small-scale agriculture should be promoted as well as agricultural businesses as the agriculture market continues to change to maintain this desired characteristic. Much of the existing zone districts in the Animas Valley on the east side are zoned for larger lots helping to preserve this agricultural characteristic. Forest lands exist around the edges and northern portion of the Animas Valley and provide habitat for wintering wildlife. Beyond their benefits to wildlife, these lands also provide scenic value to the Animas Valley and should be protected.

e. Infrastructure

Development east of Animas River is serviced by wells and septic while the west side has central water and sewer service. This has kept much of the growth along U.S. Hwy 550 and County Road 203. Availability to water and sewer should not be the main determining factor in zoning amendments to zones that allow for higher density residential or non-residential development; compatibility to adjacent zone districts and potential uses should also be considered. Water resources should be properly allocated, including taking ADUs in the valley into consideration, to prevent water shortages. To support the desire of agricultural business opportunities, improvement to technology and phone communications is needed and should be encouraged, but communications infrastructure should be sited and designed to protect the scenic quality of the Animas Valley. Maintaining access to irrigation ditches near new development is also a concern in the Animas Valley.

f. Conformance with Goals and Vision of Plan

As the Animas Valley continues to grow and vacant parcels are developed and redevelopment of other parcels occur, any proposed development or redevelopment ought to be reviewed based on their compatibility with the sentiments of this document and the existing zone districts in the AVLUP. This document represents what the Animas Valley residents envision for their District over the next twenty plus years and residents desire should be a part of the consideration by the Planning Commission when reviewing development proposals or rezones.

g. Rural and Scenic Quality of the Valley and Open Space

As development continues, open space should be maintained and access to public lands should continue while considering private owner property rights. Open space is a characteristic of a rural setting that Animas Valley residents value and which has the potential to shrink as areas are further



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developed. The Animas Valley's existing AVLUP zone districts have helped maintain the rural characteristic of open space with the larger lot size requirements and protections in the River Corridor; and these beneficial outcomes should be considered with any new proposed rezones. Creative solutions for public access to public lands are needed with both future and existing development to protect existing property rights and maintain access for the public to access public lands.

VI. GROWTH HUBS

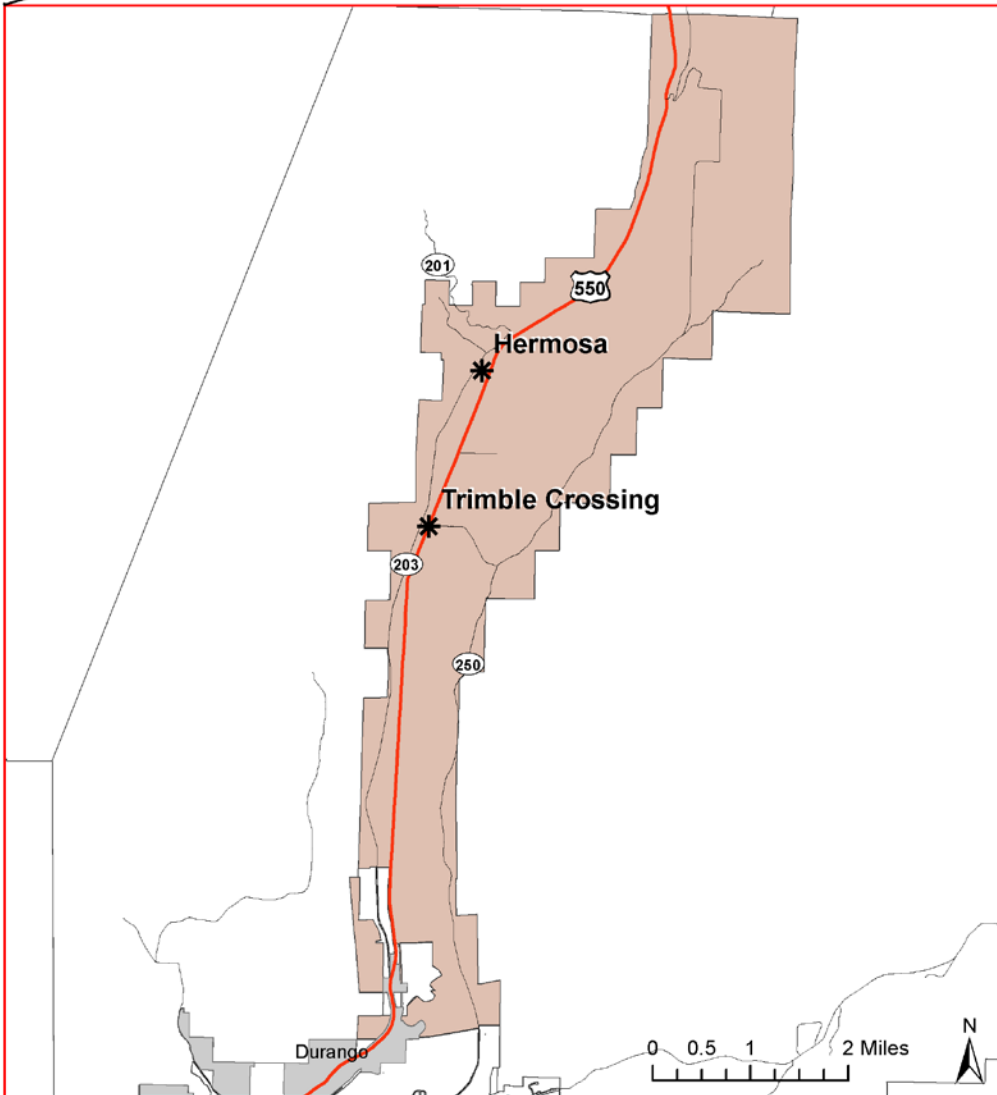
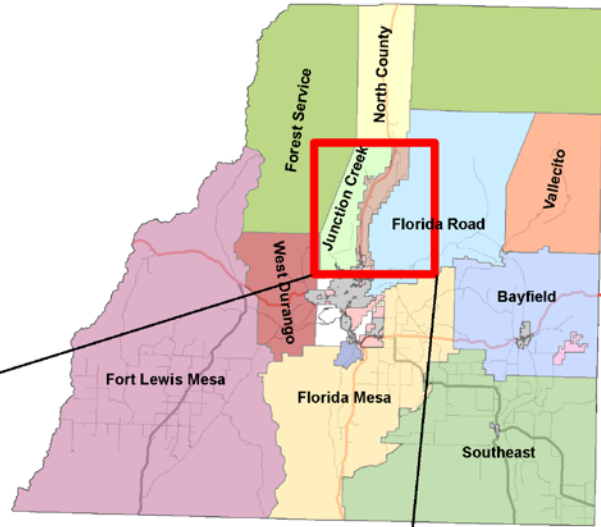
The 2017 La Plata County Comprehensive Plan identifies growth hubs as locations where the County has recognized the opportunity for future development due to the availability of infrastructure, or the potential for expanded infrastructure. These infrastructure components include reliable water supply, 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.



Animas Valley Growth Hubs

Legend

- * Growth Hubs
- COUNTY
- STATE
- US



VII. GOALS, OBJECTIVES, 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: Encourage development to occur in ways, which recognize and respond to the physical and natural constraints of the Animas Valley.

Objective 1.A: Development should be reviewed for natural hazards to avoid.

Policy 1.A1: Guide subdivisions to be designed so that any development that occurs is in areas which avoid natural hazards such as: slopes > 30 degrees, debris fans, rock fall areas, and floodplains.

Policy 1.A2: Encourage structures within the Wildfire Urban Interface (WUI) to be built of fire resistant materials.

Policy 1.A3: Utilize programs such as Firewise of Southwest Colorado to help aid in funding and other wildfire mitigation mechanisms to help achieve a wildfire safe community.

Goal 2: Provide clarity on where future development could occur and what type of future development could occur in specific areas in the Animas Valley.

Objective 2.A: Define the community's desires for the future of the Animas Valley.

Policy 2.A1: The County should retain the existing zone districts.

Policy 2.A2: The County should collaborate with residents to update and increase clarity to existing zone districts within the AVLUP.



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Policy 2.A3: The County should consider revisions to the AVLUP that consist of allowing ADUs on agricultural assessed properties provided they are located on permanent foundations and are restricted from being VRBOs.

Policy 2.A4: Encourage the County to adopt VRBO regulations for single family residences to ensure impacts on neighbors such as parking, noise, trash, and traffic are mitigated.

Objective 2.B: Focus non-residential uses to areas where they currently exist.

Policy 2.B1: The County should work with the residents and property owners to establish future growth boundaries for non-residential development.

Objective 2.C: Ensure future development is supported by the vision and guiding principles of the AVDP as well as compatible with adjacent uses and the surrounding environment.

Policy 2.C1: Zoning amendments should occur only when supported by the vision and guiding principles of the AVDP as well as the Animas Valley residents. Any amendments that propose increased density should be evaluated and carefully scrutinized as to its benefits to the Animas Valley.

Policy 2.C2: Existing adjacent zone districts should be considered when zoning amendments are proposed and whether the proposed zone uses are compatible with the surrounding zone districts and uses.

Policy 2.C3: The County should limit building in areas that have environmental hazards.

Policy 2.C4: Standards to ensure development is sensitive to surrounding environment and scenic views should be created.

Goal 3: Encourage preservation and protection of the natural qualities of the Animas Valley.

Objective 3.A: Maintain primary view corridors to the maximum extent possible, through standards in the adopted AVLUP and best management practices while still accommodating growth.

Policy 3.A1: Non-agricultural structures should be subject to maximum height restrictions.

Policy 3.A2: Encourage future subdivisions to be designed to minimize the visibility of structures and infrastructure from public roads.

Policy 3.A3: Limit or mitigate the visual impact of structures and other development on hilltops or ridgelines.



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Policy 3.A4: Encourage utilities for new development to be located underground or, if not feasible, to be visually unobtrusive and not located on ridgelines whenever possible.

Policy 3.A5: Strive to maintain the mosaic of rural landscape with existing development and natural features of the Animas Valley.

Objective 3.B: Development should not have negative impacts such as light, noise, visual disturbances, increased traffic and air pollution.

Policy 3.B1: Discourage land uses that would negatively impact surrounding property owners and the natural environment.

Policy 3.B2: The County should ensure that non-residential developments are properly buffered from residential neighborhoods with the use of open space except for cases where it is a mixed-use development.

Policy 3.B3: The County should adopt a Dark-Sky policy in the Animas Valley to reduce light pollution.

Goal 4: Encourage the preservation or expansion of agriculture, ranching, farming and forest operations, and their related businesses.

Objective 4.A: Expand opportunities for value added agriculture.

Policy 4.A1: Farm stands and small businesses should be allowed for the sale of goods or products primarily grown or produced on-site.

Policy 4.A2: Agricultural properties should be allowed to operate home businesses which are not adversely impactful to surrounding properties.

Policy 4.A3: Provide incentives for maintaining land permanently in agriculture and/or open space by exploring programs that take advantage of property and estate tax benefits and conservancy options that make maintaining permanent open space financially attractive.

Objective 4.B: Increase the marketability of the Animas Valley to small-scale agricultural operations.

Policy 4.B1: Agricultural buildings and structures should not be subject to height restrictions.

Policy 4.B2: There should not be any restrictions as to the number of agricultural structures permitted on an agricultural property.



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Policy 4.B3: The County should develop methods which help inform property owners about irrigation rights and ditch maintenance.

Policy 4.B4: Maintain and protect wildlife, forest and riparian habitat, and view shed corridors.

Policy 4.B5: Safeguard wildlife, forest and riparian habitat through development and design considerations which lessen the negative impacts.

Policy 4.B6: Utilize County and Colorado Parks and Wildlife maps and other resources to help identify wildlife habitat, view corridors and sensitive areas.

Policy 4.B7: Development should be encouraged to preserve critical wildlife habitat and maintain wildlife corridors and clustering of development should be encouraged.

Goal 5: Promote growth to not exceed existing infrastructure and encourage future improvements to existing infrastructure.

Objective 5.A: Infrastructure needs should be addressed when new development occurs in the Animas Valley.

Policy 5.A1: The County should ensure developers improve roadways and sidewalks that will be directly impacted by the new development.

Policy 5.A2: The County should ensure that ditch access is maintained when new developments are reviewed.

Policy 5.A3: Encourage new developments to provide public trails and trail easements.

Objective 5.B: Promote a safer community via a multi-modal transportation network.

Policy 5.B1: The County should adopt a multi-modal policy for the Animas Valley.

Policy 5.B2: Encourage traffic calming roadway designs for improvements to existing roads and new roads.

Policy 5.B3: Collaborate with private and public entities to create carpool and public transit initiatives.

Objective 5.C: Limit development in growth hubs to conform to the AVDP vision and existing AVLUP.



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Policy 5.C1: Maintain Trimble Crossing and Hermosa small neighborhood hub character.

Policy 5.C2: Discourage non-residential and dense residential zones from creeping beyond the neighborhood hubs to prevent sprawl.

VIII. 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.

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,



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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.

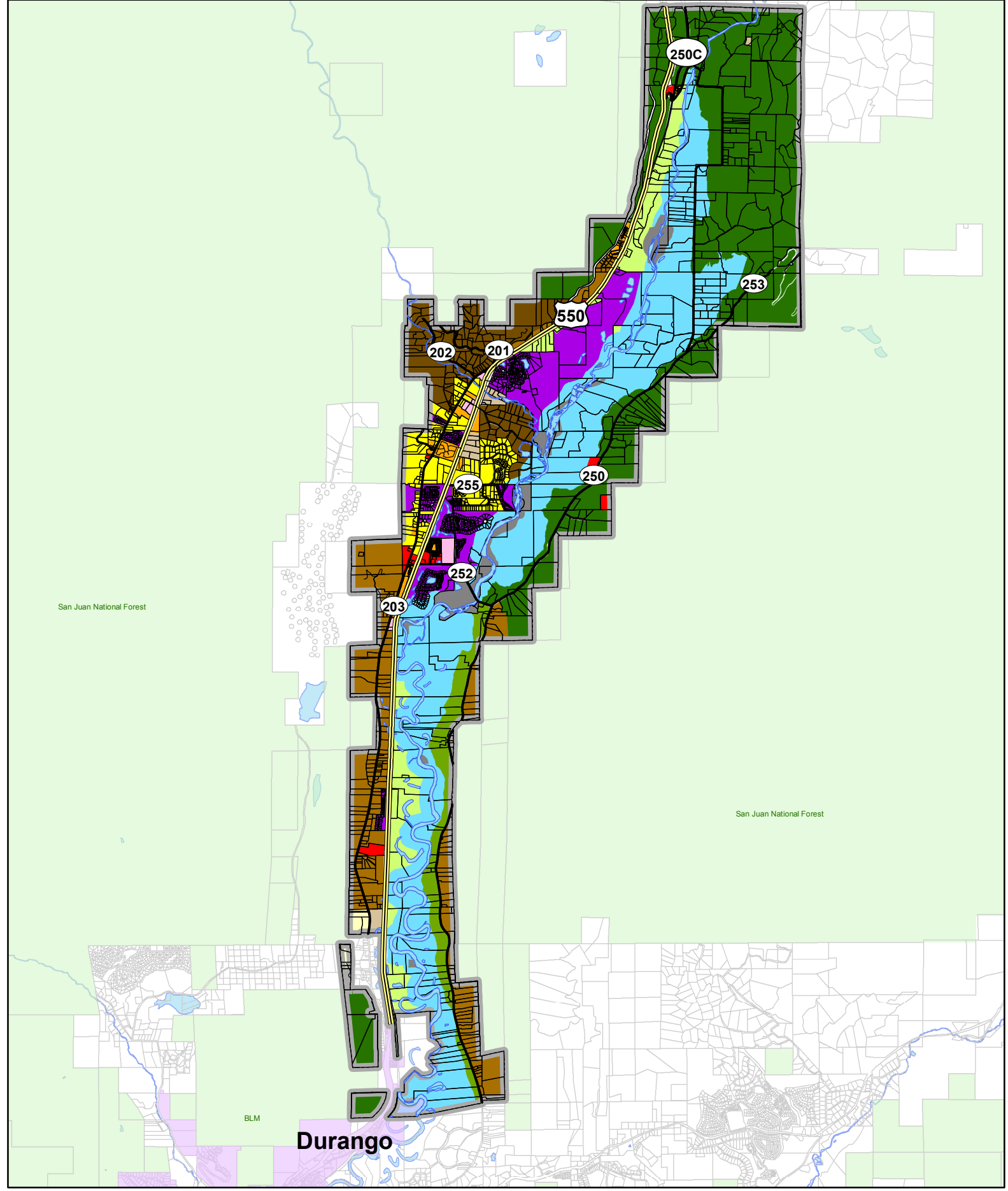
Senior Housing means housing located, designed and priced for persons 55 years or older.

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.

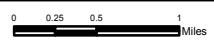
View Shed means the area within view from a specific publicly accessible observation point.





Animas Valley Zoning Classifications

US	1 Acre Single Family Residential	3 Acre Single Family	Industrial
County	1 Acre Single Family Residential Restricted	3 Acre Single Family Residential Restricted	Multi Family Residential
	10 Acre Single Family	5 Acre Single Family	Neighborhood Commercial
	15 Acre Single Family	General Commercial	River Corridor
	2 Acre Single Family	High Density Single Family/PUD	City Limits
			Public Lands



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Drawn By: Planning

Checked by: Planning

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