

North County District Land Use Plan

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NORTH COUNTY DISTRICT LAND USE PLAN

I. PURPOSE OF THE PLAN

La Plata County, like many other Southwestern Colorado communities, has been experiencing considerable growth in recent years. Population growth rates of over 3% per year have been recorded between 1996 and 2007. Until the adoption of this land use plan, development proposals in the North County Planning District were considered on a case-by-case basis. The case-by-case review did not provide an opportunity for citizens, planning staff, the Planning Commission, and County Commissioners to consider the cumulative impacts that individual projects could have on the County. This land use plan was prepared in order to provide the citizens and County with a framework for evaluating development proposals with the perspective of how the project relates to the Planning District and County as a whole. This plan will also provide the citizens and County the opportunity to begin to shape future development within the district to ensure that it is compatible with the current lifestyles, businesses, homes, and natural features. The Plan is intended to provide citizens with more predictability about what kinds of communities, commercial developments, recreational areas, residential areas, and agricultural areas may exist in the future within the District.

The overall intent of the North County Planning District is to promote:

- ❖ the importance of open space preservation
- ❖ the protection of our view corridor with its cultural heritage
- ❖ future growth that occurs in a compact pattern with a mix of residential commercial and retail to enhance the surrounding community
- ❖ a range of housing choices to provide options for all incomes and ages
- ❖ connectivity for pedestrians, equestrians, bicyclists and motorists
- ❖ development designs that are socially responsible, environmentally friendly and economically sound and protect the air quality

This Plan was created under the premise that it would provide landowners with general guidance and positive incentives for developing their property. Development proposals submitted to the County for review by the La Plata County Planning Commission will be reviewed for conformance with this plan's goals, objectives, and Land Use Classification Map, which were developed by the District's residents. This is not to say that the plan cannot be changed. However, it is important that changes to the plan be considered outside the context of the details of a specific project. Therefore, if a

specific application is not in conformance with the Plan, this application should be preceded by a plan amendment to bring it into conformity¹. It is the policy of the Planning Commission that projects that are not in conformance with the Land Use Classification Map will be recommended for denial.

Plan amendments will be reviewed and approved by the Planning Commission at a public hearing prior to consideration of the project by the Planning Commission. Issues to be considered when reviewing plan amendments include:

- ▶ Road Capacities
- ▶ Water and Sewer Availability
- ▶ Wildlife Impacts
- ▶ Conformance with Goals / Objectives
- ▶ Vision of Plan
- ▶ Compatibility with the District Plan
- ▶ Air Quality
- ▶ Natural Resource Protection
- ▶ Open Space
- ▶ Visual Impacts
- ▶ Density
- ▶ Workforce Housing

¹ Plan Amendment standards &/or definitions

II. GENERAL CHARACTERISTICS OF THE NORTH COUNTY DISTRICT

The North County District lies on both sides of U.S. Highway 550, an All American Byway as well as the San Juan Skyway, as it winds northward through the Animas Valley from Baker's Bridge. This is a particularly scenic area of La Plata County and the area along the highway is currently included in the Corridor District under the La Plata County Land Use Code while the areas further removed from the highway are classified as part of the Federal District. The vast majority of the land is owned by the United States Forest Service and a relatively small portion is privately owned and is, or potentially will be, developed. The private lands are generally very close or immediately adjacent to U.S. Highway 550 and, therefore, any development has more of a visual impact to the community and those traveling on the highway. Colorado's largest wilderness area, the Weminuche, is found here in North County and contains over 400,000 acres of pristine terrain.

A. UNIQUE AND DISTINCTIVE FEATURES

The area is visually dominated by the Hermosa Cliffs, which rise sharply to the west, and by the San Juan Mountains including the rugged Grenadier Range and the Needles and West Needles Mountains, which are seen to the east. Some of the peaks are in excess of 14,000 feet in elevation, nearly 8,000 feet higher than the town of Durango. The private lands within the District range from an elevation of about 6,800 feet at Baker's Bridge to over 9,000 feet in the Durango Mountain Resort area. The North County contains four major natural environments - the Foothills, Montane, Sub-Alpine and Alpine zones. The North County area has cooler temperatures and receives much more snowfall than most other areas of the county and is generally thought of as a high country environment in contrast to the valley and mesa areas found elsewhere in the county. The high elevation and colder temperatures make the area poorly suited for most agricultural activities, other than cattle grazing and timber harvesting. The forest areas consist of large stands of aspens as well as mixed conifers including ponderosa pines to the south, which give way to spruce and fir at the higher elevations. Most of the conifer stands are of mixed ages and it is not uncommon to find individual trees in excess of 200 years old. An abundance of wildflowers are found within the forests and throughout the numerous open high alpine meadows.

The Durango & Silverton Narrow Gauge Railroad follows the Animas River through the North County on its way to Silverton. In addition to the Animas River, several smaller streams and creeks traverse the District, including Cascade Creek, Little Cascade Creek, Hermosa Creek, Elbert Creek, Lime Creek, Purgatory Creek, and Goulding Creek. The Hermosa Creek Trail is one of the more popular hiking/biking trails in the area. The Durango Mountain Resort area has numerous hiking and mountain biking trails and was the site of the first World Mountain Bike Championships in 1990. Electra Lake, Haviland Lake, Columbine Lake, Lake Purgatory, and a number of smaller ponds are also found in the North County adding to the area's popularity as a haven for fishing enthusiasts.

The North County District has a diversity and abundance of wildlife including mule deer, elk, black bear, mountain lion, Rocky Mountain bighorn sheep, river otter, beaver, wild turkey, blue grouse and various small mammals, neo-tropical bird and other species. A number of wildlife species that have been designated as species of special concern, threatened and/endangered also migrate through or make the North County District their home. These species include the

Canadian lynx, Bald Eagle, the Peregrine Falcon and the Colorado River Cutthroat Trout. The Colorado Division of Wildlife primarily manages the wildlife in La Plata County and across the state of Colorado.

In order to reduce possible impacts to and conflicts with wildlife in this area, proactive measures are recommended to be incorporated, and implemented, into land use planning. These proactive measures include: minimizing the amount of fencing in areas of big game migration routes and seasonal ranges; using fencing specifications established by the Colorado Division of Wildlife to help construct fencing that allows wildlife to move over and under it safely; controlling pets at all times to prevent any harassment of any wildlife species; landscaping with vegetation that is least desirable to deer and elk; utilizing bear-proof trash containers to collect trash; and keeping all possible food enticements for bears (e.g., trash containers, BBQ grills, hummingbird and bird seed feeders, compost piles and pet food dishes) cleaned up and properly stored away to prevent any attraction or conflicts with bears.

Durango Mountain Resort is a year-round alpine resort located 25 miles North of Durango. Lauded as one of the most scenic places in the nation, DMR attracts over 400,000 visitors annually. DMR includes the Purgatory Ski Area, with 11 lifts and 1200 acres of skiable terrain within a 2500 acre permit on U.S. Forest Service land. In 2002 DMR received approval of a Master Plan and 25 year development agreement to develop 1659 residential units and 410,000 GSF of commercial uses on the 600+/- acres of private land adjoining Purgatory Ski Area.

Another significant presence in North County is the Glacier Club Community at Tamarron, a private residential golf community situated on 730 acres. In 2002 an Amended Development Agreement and Master Plan was approved by La Plata County that allows, in addition to the 407 residential units and 18 holes of golf and golf amenities already developed, an additional 9 holes of golf and golf amenities, a new clubhouse, and 473 single-family residential units to be developed. A secondary access road, a new clubhouse, outdoor swimming pool, and the 9 additional holes of golf were opened in 2004. It is currently anticipated that approximately 236 lots and 237 townhomes will be developed, up to the total approved density of 880 units.

1. Population Characteristics

The growth rate in North County has been less than in other areas of the county. There are few sources of year round employment in the district and nearly all of the seasonal employees at the two major resorts commute from Durango. Many of the full time residents of North County commute to work in Durango. Also, many of the property owners in the district are part-time seasonal residents. However, the number of year-round residents is increasing and at various times of the year over 1,000 people find work in the north county.

2. Land Use Characteristics

Recreation — Recreational uses include downhill and cross-country skiing, snowshoeing, snowmobiling, snowcat and heli-skiing hunting and fishing, biking, hiking, camping, guide services and horseback riding, golfing, sleigh rides, tennis, all of which take place on public and private lands.

Residential — There is quite a mix in existing residential development ranging from a single-family home on 100+ acres, to low density neighborhoods of 5 to 35 acre tracts, to 1 acre tract subdivisions, to multi-unit condominium projects and high-rise resort accommodations. There has been substantial new residential development.

Commercial — Two major concentrations of commercial facilities presently exist within the resorts of Tamarron and Durango Mountain Resort and are primarily for the convenience of their guests. These facilities include restaurants, shops and other services and tend to be open only during the particular resort's high seasons. Needles Square is a neighborhood commercial center, which serves as the major year-round facility for the local population. It also serves a substantial number of visitors and highway travelers with a country store, gas station, liquor store, as well as other facilities. Other commercial areas are located at Silverpick Village and at the entrance to Haviland Lake.

Lodging — Major lodging facilities and condominiums are located at Durango Mountain Resort and Tamarron. Smaller facilities such as Silverpick and Needles Townhomes also offer overnight accommodations. The Nugget cabin and private homes are also available for overnight rental.

Agriculture — Due to the high altitude and short growing season, agricultural activities are limited to cattle grazing and timber harvesting. Cattle operations typically use both private and publicly leased land for grazing. Timber harvesting on both public and private land also occurs in North County producing saw timber and firewood for commercial sale.

Public Lands — Approximately seventy percent of the District is held in public lands, which are primarily managed by the United States Forest Service.

Open Space — The North County Plan considers Open Space as the most important criterion in determining density approval. (See Public Benefit Criteria, Sections V & VI) The North County Plan defines Open Space as predominantly undisturbed land (weed control and trails are allowed) which is owned by a single entity or multiple entities with undivided interests.

Both Animas Conservancy and La Plata Open Space Conservancy have existing and potential projects in the district, including lands near Electra Lake and Durango Mountain Resort.

3. Infrastructure -

Roads and Transportation — North County is served by U.S. Highway 550, which is primarily a two or three lane highway with a four-lane stretch from the Needles Store north to Durango Mountain Resort. The Colorado Department of Transportation estimated 2002 traffic Average Daily Trip (ADT) counts as 5040 ADT from Shalona Lake to Electra Lake, 3860 ADT from Electra Lake to Durango Mountain Resort and 2830 ADT from Durango Mountain Resort to the Molas Pass area. County Road 250

serves the southernmost part of the district, and County Road 200 provides an access to Rockwood. Various Forest Service roads provide access to the National Forest. Most other roads are private, serving individual properties and subdivisions. Maintenance varies on the private roads, and many, having been constructed prior to existing County Regulations; do not meet standards as to material, width, grade, or emergency access. Subdivisions are responsible for their own road maintenance.

Some of the private lodges offer van or bus service for their guests, providing transportation to the ski area, town and the airport. Durango Transportation, a private company, offers taxi and charter bus service.

Water — All domestic water in the District, either individually or in piped distribution systems, comes from well water. Well production is very inconsistent ranging from one gallon per minute to as much as one hundred gallons per minute within relatively close proximity. Well depths also vary significantly from very shallow to over five hundred feet in depth. Groundwater is considered to be hard but of good quality. Much of the North County is classified as *water critical*, requiring an augmentation plan for more than one well per 35 acres. Irrigation may not be appropriate due to impacts on other residents and well permits may be limited in number and scope. There are, however, various adjudicated water rights for domestic and irrigation purposes that can be purchased.

The Purgatory Metro District operates a system of wells, water treatment facilities, storage tanks, and distribution lines. Water taps can be purchased by properties within the Metro District. The system currently serves properties in the immediate vicinity of the Durango Mountain Resort.

The Elbert Creek Water and Sanitation District was formed in the 1980's, but has not extended any infrastructure to date. The Needles Townhomes, Silverpick Water Utility, Twilight Peaks Subdivision, Rockwood, Farview, Needles Square and Tamarron Resort all operate their own private water systems. Lake Haviland Ranch also is on a private system serving just that property. In addition to serving its own development, the Tamarron system also provides water for Rockwood Estates and the Village at Rockwood.

The Lake Purgatory subdivision operates a community water system during the summer months only and does not guarantee the potability of the water. Individual wells are required to provide water on a year round basis in the Lake Purgatory Subdivision. Compliance for the water system is required by the Colorado Department of Health.

Other properties within the North County depend on individual private wells. Water supply appears to be generally sufficient in the District and is not yet viewed as a significant constraint to development providing sufficient water rights are present or augmentation plans are approved. However, much of the District is classified as "Water Critical," so in the future water may not always be obtainable. However, as properties within the district are developed with individual wells or private central water systems, it appears that it will become more difficult to create an economically feasible district-

wide water system.

Existing streams and other surface waters have occasionally been tested in recent years for bacteria (coliform and others) and in general are considered unsafe to drink for humans without treatment.

Sewage Disposal — There are several central sewage systems in the North County District. The Purgatory Metro District operates a sewage disposal plant consisting of outdoor lagoons with eventual discharge into the Cascade Creek drainage. Durango Mountain Resort's proposed expansion calls for a new waste treatment plant to replace the current plant. Existing lines serve as far south as the Silverpick complex. Sewage taps are available for purchase for properties within the Metro District,

The Needles Townhome HOA operates a private sewage treatment plant which discharges into the Elbert Creek drainage. The Needles Townhomes, the Needles Country Store complex, The Olde Schoolhouse restaurant, the Twilight Peaks subdivision, Two Dogs, and Castle Rock are all connected to this system which has no existing uncommitted capacity to serve additional users.

The Elbert Creek Water and Sanitation District was formed in the 1980s for the purposes of providing central water and sewer services within the district, thereby protecting groundwater from possible contamination. The district's boundaries include parcels on both sides of the highway from a point north of Hotter Pond southward below Twilight Peaks Mountain Village. The District includes a 176acre parcel north and east of the Irma J Ranch. This district does not operate any sewage treatment facilities nor does it have any current plans to develop such infrastructure within the foreseeable future. The existing Needles Townhomes central sewage treatment system is located within this district and it is possible that the district could purchase this system as part of a district-wide system. The district has not pursued this option.

Tamarron Resort operates a sewage disposal plant which discharges into the Elbert Creek drainage. Lake Haviland Ranch, located just north of the entrance to Haviland Lake, also maintains and operates a private central sewage disposal system, which includes open lagoons.

The Hermosa Sanitation District's sewage disposal system, in the next district to the south, serves many of the residents along the Highway 550 corridor in the Animas Valley. Their lines are presently planned to stop several miles south of Baker's Bridge and will not be available to the North County in the foreseeable future.

Other properties in the North County utilize Individual Sewage Disposal Systems (ISDS, generally a septic tank and leach field). Many such properties were developed on parcels as small as one acre or less before existing standards were adopted which now require a minimum parcel size of three acres, under optimal site and soil conditions, if a property has both a well and septic system.

It appears that sewage disposal is a serious constraint to future development due to the

existence of the various central systems and the option of using ISDS on lots of at least 3 acres (one acre with central water).

Utilities — Electricity is provided to area residents by La Plata Electric Association. Telephone, cellphone and wireless service are provided by Qwest and various other providers. Internet service is available through a variety of providers and means.

Natural gas pipelines now extend as far north as the Rockwood area and Tamarron Resort. Residents/businesses north of Tamarron who use gas must have individual propane storage tanks, which are refilled by tank trucks. Television service is primarily provided by satellite in the areas north of Tamarron. Durango Mountain Resort has underground propane gas infrastructure.

Trails — Numerous hiking/biking/equestrian trails exist throughout the District. Most of them are located on National Forest Lands. Popular trails include Elbert Creek Trail, Hermosa Creek Trail, Goulding Creek Trail, Pinkerton-Flagstaff Trail, Purgatory Trail, Worlds Trail, Colorado Trail and the Castle Rock Trail. Trail connectors and new trails are identified and developers are encouraged to use the Trails Plan 2000 when planning new development in the district. Trails Plan 2000 was adopted by the Planning Commission and shows general areas where trails and trailheads are desired. Work has been done on some connecting trails and new public trails have been provided in the Two Dogs and Castle Rock Subdivisions and as part of the Durango Mountain Resort expansion plans. Numerous snowmobile trails in the district are groomed by locals throughout the winter.

Emergency Services — The Hermosa Cliff Fire Protection District joined with the Durango Fire and Rescue Authority (DFRA), which now provides fire protection and emergency medical services. There are three fire stations in the North County Planning District: one just north of Tamarron, one across from the entrance to Durango Mountain Resort and the main station located across from the entrance to Electra Lake. Only the Hermosa Cliff Station near Electra L. Road is staffed 24 hours a day

Water supplies for fire protection purposes in some of the earlier subdivisions are inadequate based on national fire standards and in many areas no fire hydrants exist at all. The fire district apparatus includes several tanker trucks which can be used to shuttle limited amounts of water to the site of a fire if necessary, however, this is not as effective as having adequate water supplies readily available at the site. DFRA encourages the development of dry hydrants in conjunction with existing ponds, large cisterns or new water sources to help mitigate this issue. Automatic fire sprinkler systems in new construction, which are proven to minimize loss of life and property damage and reduce the demands on a district's fire fighting resources and an area's water supplies. Since January 1, 1996, a regulation has been in effect within the District that requires the installation of automatic fire sprinkler systems in new residential construction for houses in excess of 3,600 square feet in size or when certain other conditions exist. Also, all new commercial buildings that are over three stories or have inadequate access must be equipped with sprinklers. In practice, the DFRA requires all new residential and commercial construction to have automatic sprinkler systems.

Another area of concern for the fire district is the development of homes within the forest. The fire district requires that each homeowner provide defensible space and will work with them in developing a plan.

All development and re-development shall be in accordance with DFRA regulations.

The lands within the national forest are primarily the responsibility of the Forest Service, which has its own trained fire fighters. In the event of a major fire, wherever it may be located, the various fire protection agencies provide mutual aid to each other.

Police — The area is served by the La Plata County Sheriff's Department and the highway is patrolled by the Colorado State Patrol.

Schools — The North County is part of Durango School District 9R. Elementary school children are bused to the Animas Valley Elementary School, and middle school and high school students are bused into the City of Durango. Elementary school students face bus rides of over an hour each way for those children living at the north end of the County while middle school and high school students can spend even longer times on the bus. In addition to the public school system, several private and parochial schools are available in the Durango area.

B. MAJOR RELATIONSHIPS OF THE DISTRICT TO DURANGO

Numerous factors are responsible for a constant interaction and interdependence between the North County and Durango. Many of the North County's residents work in Durango while many of the seasonal employees who work at the Durango Mountain and Tamarron resorts actually live in Durango and commute to the North County. There are no supermarkets or large stores in the North County, so the local residents must travel to Durango to do the majority of their shopping. North County school children are bused to schools located in either the valley or in the city of Durango. During the winter, Durango skiers travel to the North County for skiing at Durango Mountain Resort or in the backcountry. Likewise, the summer brings Durango residents to the cool of the mountains in the North County for camping, hiking, biking, fishing and other outdoor activities.

Much of La Plata County's economy is based on tourism and the North County Planning District contributes heavily to the region's attractiveness to visitors. The District is commonly identified as a "Resort" area. This is due to the presence of the Durango Mountain Resort and Tamarron Resort complexes and the abundance of recreational opportunities. Durango Mountain Resort ski area is a major employer and helps bring needed visitor revenue into the county during the slower winter months. Cross-country skiing, snowmobiling, and other winter sports are also popular attractions. Durango Mountain Resort attracts summer visitors, albeit in lesser numbers, to its alpine slide, chairlift rides, mountain biking, and its popular Music in the Mountains concert series.

Tamarron is nationally recognized for its golf course and overall resort amenities. Like Durango Mountain Resort, Tamarron is one of the major employers in the county. In the spring,

the Ironhorse Bicycle Classic brings in bike riders for the annual bicycle race/tour from Durango to Silverton. Throughout the spring/summer/fall, road and mountain biking, hiking, jeeping, and fishing draw many visitors as well as locals to the North County. In fall, tourists viewing the spectacular autumn color changes and the start of hunting season bring many out of state visitors to the area, which helps to sustain the off season economy.

III. DISTRICT GOALS AND OBJECTIVES

A. GOAL: Preservation of scenic view corridors and visual integrity of the District, located as it is on The San Juan Skyway and a Great American Byway. View corridors are identified on the North County District Map and are to be protected.

Objective 1. Maintain views of trees, meadows, ponds, wetlands, wildflowers, mountain vistas, cliffs and open space.

Objective 2. Encourage development to be low impact.

Policy 1. Encourage clustered development and avoid placement in open meadows, on ridge tops, or other areas where it will interrupt the natural tree line or obscure major topographical features.

Policy 2. Encourage development to be placed on the site in such a way as to preserve important visual resources of the site and/or retain large portions of the properties in uninterrupted open space, with special attention to County and DOW maps identifying wildlife habitat, view corridors, and sensitive areas. Encourage subdivision roads to be built outside of meadows and buffered from public roads.

Policy 3. Set residential and commercial buildings back 100' from public roadways, per County Land Use Code so as to maintain visual and physical separation between development and public roads.

Policy 4. Require utilities to be located underground or, if not feasible, to be visually unobtrusive and not on ridgelines.

Policy 5. Entrance gates and other developed features such as mailbox stops, waste disposal containers, fountains and man-made ponds must be shown on plans &/or plats. Developed features must be placed along tree lines rather than in view corridors and dedicated open space.

Policy 6. All new commercial development should be required to meet all design guidelines from Appendix 1 of this plan. Special concern shall be given to site planning, setbacks, parking lighting, building massing, signage and snow removal.

B. GOAL: Preservation of a quality of life centered around a rural lifestyle, open space, and a feeling of distance from urban problems. Preserve culture and ranching heritage of the area.

Objective 1. Maintain land uses that promote country lifestyle, contiguous open space and wildlife habitat.

Policy 1. Support cattle grazing operations by encouraging new developments to maintain historic accesses to grazing lands and provide adequate fencing and use of gates/cattle guards. Ensure that open range and fence laws are adhered to.

Policy 2. 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.

Policy 3. Discourage gated developments, which can create a feeling of alienation. Where gates are necessary, they should be set back, hidden from public view and use fence styles and materials culturally common to the district in order to have a low visual impact. Barbed wire is preferred. The use of similar fence and gate styles is encouraged to discourage a patchwork or fragmented look throughout the North County.

Objective 2. Preserve historic and cultural elements, such as the historic town of Rockwood.

Objective 3. Encourage architectural styles that are compatible with the District's mountain setting.

C. GOAL: Preservation of open spaces and especially sensitive areas, for maintenance of environmental quality and contiguous wildlife habitat.

Objective 1. Maintain the area's ecological integrity and diversity.

Policy 1. Require new development to maintain wildlife habitat and keep corridors open for wildlife to pass through. In these areas, avoid excessive cross-fencing. Follow all Department of Wildlife fence height recommendations and utilize DOW guidelines for wildlife management, i.e., adequate migratory corridors, bear-proof trash containers, pet control, etc.

Policy 2. Adhere strictly to all federal wetland regulations.

Policy 3. Encourage additional buffering zones around existing wetlands, above the

legal requirement.

Objective 2. Utilize funding mechanisms for the purchase of important wildlife properties and planning incentives for preservation and maintenance of environmentally significant land as open space.

Policy 1. Encourage conservation easements and the use of other tools developed by the Community Development Dept.

Policy 2. Require proper monitoring plans and enforcement of environmental regulations for water quality, erosion, and wildlife.

Policy 3. Encourage easements for trails and access to public lands.

Objective 3. Control noxious weeds in accordance with state and local (county) regulations.

Policy 1. Require all new development to include and implement a noxious weed mitigation plan.

D. GOAL: Promote compatibility of land use with adjacent uses, the surrounding environment, the indigenous character of the area and North County District goals and objectives. (See Appendix I)

Objective 1. Cluster commercial and high-density residential development and avoid scattered, haphazard or linear development. Promote village ambiance and encourage use of radiating density concept.

Policy 1. Limit new commercial development to existing commercial centers. Keep commercial areas "*community friendly*" and encourage pedestrian usage.

Policy 2. Encourage small businesses that will benefit the community, i.e. country tourist land uses, cottage industries that provide services and jobs for local residents.

Policy 3. Encourage the use of natural materials (i.e. wood sidings, log, stone) and natural colors (earth tones, muted hues that blend in). Avoid steel or concrete block buildings and use of bright, un-blending colors.

Policy 4. Encourage structures to be visually compatible with surrounding buildings and topography.

Objective 2. Adhere to the following guidelines that protect residents, property owners, and the environment, and inform potential buyers/ developers:

Policy 1. Ensure compatibility with existing architecture, history and culture.

Policy 2. Promote transitional land uses of intermediate density and intensity as a functional buffer between high and low intensity land uses.

Policy 3. Require buffering (setbacks, berms, vegetation or landscaping) between differing land uses and environmental conditions, as long as the buffering material does not obscure scenic vistas when seen from the highway or neighboring homes.

E. GOAL: Promote local autonomy and sense of community in the North County District

Objective 1. Promote North County as its own community and provide local facilities to maintain the district as a community where residents can live, work and play.

Policy 1. Encourage development of local parks, playgrounds, garbage collection, post office and possibly a community center to serve area residents.

Policy 2. Follow Trails 2000 Countywide plan to develop a trail system to connect different neighborhoods. Such trails are intended for both recreation and as an alternative to driving/riding on the highway, thus promoting more neighborhood interaction and improving safety.

Objective 2 Encourage development, either commercial or residential, that will be an integral, contributing part of the community.

Policy 1. Encourage new development to provide public benefits such as conservation easements, recreation areas, trail systems, needed public facilities, employment, and workforce housing. (See Public Benefit Criteria, (Sec.VI p.23)

Objective 3. Review and update/modify the land use plan every five years, or sooner if circumstances warrant such review by fully informing the residents of proposed changes to land use plans, soliciting their input, and recommending changes to the Planning Commission.

Policy 1. Fully inform the public of proposed changes to district land use plans and solicit maximum public input. Adopt changes only after sufficient public hearings and considerations of the impacts on the District.

Policy 2. Monitor quarterly NEPA updates, which lists all USFS proposed land trades and permit applications for easements across USFS land.

F. GOAL: Limit growth based on the availability of infrastructure and land capability to serve existing and new development.

Objective 1. Review impacts of development, collectively and individually, on existing

infrastructure, property rights, natural resources, water quantity and conditions and air quality.

- Policy 1.** Review all proposed development relative to adopted land use plan, goals, objectives and policies and require mitigation of any adverse impacts prior to approval.
- Policy 2.** Require adherence to all applicable agency regulations and to the County Land Use Code.

G. GOAL: Promote availability of affordable housing in the North County for employees in the North County.

Objective 1. Work with the Regional Housing Alliance and local housing agencies to bring about affordable workforce housing in the North County.

- Policy 1.** Require new developments to provide affordable workforce housing and/or incur an impact fee to provide affordable workforce housing at a ratio of one (1) Employee unit for each ten (10) non-employee residential housing (including lodging) units. Commercial developments should use a ratio of one (1) Employee unit for each 15,000 GSF of commercial space. Any impact fees generated in the North County should be used to provide housing within the North County Planning District.

H. GOAL: Adopt rural road standards, with minimum impacts, appropriate for the area and its mountainous terrain i.e. require road widths no wider than required by code for normal and emergency access to minimize the cut through trees and meadows.

- Policy 1.** Encourage new development to provide internal circulation within and between sites so as to minimize turn movement conflicts along the highway.
- Policy 2.** Contour and curve roads to conform to terrain to maintain rural look, rather than straight lines and grid patterns.

I. GOAL: Maintain and promote the long term stability and economic foundation of tourism and diversified businesses in the North County. Encourage integration between commercial centers and the North County community life for a sustainable harmony and quality of life for North County residents.

J. GOAL: Preserve, monitor and improve air quality

Objective 1. Require adherence to the baseline for air quality, using levels from the DMR test site established in the first year of testing.

- Policy 1** Require new subdivision development to use gas stoves or gas fireplaces, and EPA-approved wood-burning stoves where gas is unavailable, so long as air

quality at the DMR test site shows less than a 5% degradation from base level. No open wood-burning stoves or fireplaces shall be permitted. No burning of coal shall be allowed.

K. GOAL: Minimize traffic by encouraging alternative transportation methods

Objective 1. Develop a non-motorized trail system connecting subdivisions and the resorts.

Policy 1. Require Developers to provide trail easements.

Objective 2. Encourage the use of commuter vans to/from the resorts and possibly neighborhoods and advocate a public transportation system.

IV. DESCRIPTION OF THE PLAN

The proposed land use plan is based on a vision for North County that is constantly evolving. The following section discusses the land use classifications that are included in the Land Use Classification Map accompanying the text of this plan. The Map is an integral part of this plan and cannot be separated from it. No changes may be made to the Map distinct from the text as together they form the complete plan. The Land Use Classifications/ Descriptions Table contained in Section V of the Plan references the various land use classifications. The permitted land uses, their locations and the minimum and maximum densities are based upon the goals and objectives set forth in Section III, and are guided further by the need to maintain compatibility with adjacent and neighboring existing uses. Public Benefit Criteria determines allowable density beyond the minimum for each land use classification. Development proposals shall demonstrate compatibility with the North County Land Use Plan's goals, objectives, and Land Use Classification Map.

A. RESIDENTIAL DEVELOPMENT

The predominant land use on developed private lands within the District is residential. Existing and proposed residential development densities vary considerably throughout the District. A variety of residential land use classifications are included in the Plan. It must be noted that the residential densities contained within land use classifications are to be used for the purpose of calculating overall density within a project. **Actual density will be based on compliance with the Public Benefit Criteria.** Actual lot sizes and dimensions are determined through application of standards in the subdivision requirements of the Land Use Code [LPLUC 102-105(2)(3)]. Buildable areas are encouraged to be placed in accordance with chapters 70-42 (a)(b) and 70-21 of the LPCLUC, which address the enhancement of open space.

A Building Envelope shall be designated on the Plat and Site Development Plans. The building envelope shall not include more than 20,000 square feet or 50% of the lot, whichever is the lesser. The corners of the building envelope shall be clearly marked and staked for inspection during construction. All construction activities shall be restricted to the area of the building envelope and the driveway. All areas outside the building envelope, if undisturbed, will be

counted as open space

Utility easements of not more than ten feet in width for water, sewer, power and telephone shall be provided along at least two lot lines. Where a wider easement will be required to serve the needs of one or more utility providers, the Director shall determine the appropriate width for that easement. Utilities are encouraged to enter the lot via the driveway easement when feasible. Utilities to lot lines: if electric and telephone service are to be provided to the subdivision, then these services shall be installed to the property line of each individual lot within the subdivision [LPLUC 102-106(a) & 102-107(b)].

Home businesses are acceptable in all residential classifications, provided the use appears to be residential in nature and the impacts are minimal, such as: no outside storage, minimal signage and lighting, and minimal traffic generation and low noise levels. Land use code requirements for Home Occupations must be followed.

1. Suburban Density Residential

This category includes existing platted subdivisions. Lands in this category are classified with a maximum density of one unit per acre, contingent upon the ability to meet subdivision standards contained in the land use code. (Including water, sewer, and access requirements). No new Suburban Density is indicated on the North County District map. A Plan amendment would have to be approved for any new suburban density residential areas

2. Large-Lot Residential

The majority of un-subdivided private lands within the District are classified as *Large Lot Residential*. The overall development densities permitted under this classification are 1 unit per 3 to 10 acres. Development densities within this range are determined through utilization of the Plan's Public Benefit Criteria.

3. High Density Residential

High density residential provides housing options and an opportunity to fulfill the needs of the broader community. High-density, multi-family developments are encouraged in areas proximate to existing or planned central water, sewer service and mobility options. This classification is generally located adjacent to commercial areas/job centers and existing high-density development. High Density Residential development shall incorporate appropriate buffering strategies for transition zones between adjacent residential uses or public roadways. Development shall be compatible with surrounding uses and conform to the design guidelines included in the Appendix I. New *High Density* development is not indicated on the District Map at this time, except within the *Resort Classification*. A plan change would have to be approved for new *High Density Residential* areas.

B. SCENIC CORRIDOR

One of the primary objectives of the North County Master Plan is the protection of the significant view corridors and scenic meadows identified in the District. The linear configuration of the district necessitates special attention when considering development projects along the highway corridor. There are key locations along the road where for a measured distance, the vistas open up to spectacular far-off scenery and briefly expand the confines of the narrow corridor. Great care must be given to preserving these unique vistas as identified by the Scenic Corridor Overlay Map.

The State of Colorado has classified Highway 550 through the North County as part of the San Juan Scenic Byway loop through Southwestern Colorado. There is a possibility some of the key view parcels along this corridor may be targeted for purchase by the State and others. In the absence of outright purchase, the Scenic Byway Commission has encouraged La Plata County to establish measures and practices to promote and sustain the Scenic Byway designation.

The *Land Use Classification Map* identifies the general location of specific scenic vistas located along Highway 550. A primary goal of this plan is to preserve the visual and scenic appeal along this corridor. The *Scenic Vista* classification serves as an overlay to all underlying land use classifications. Areas not visible from the major roadways can be excellent areas for future development to cluster. When clustering development in the District, care should be taken to locate structures and improvements in a manner that preserves the unique scenic vistas as identified on the District Map. The public benefit criteria included in Section VI will be used to achieve this goal.

C. CRITICAL LANDS

This classification is an overlay category, which identifies areas that possess significant constraints to development and public safety hazards. This category encompasses lands with slopes over 30%, lands possessing landslides and unstable slope hazards², lands within 100 year flood plains, and wetlands³.

The base density for lands in this category is 1 unit per 35 acres. If Critical Lands within a proposed development are protected and permanent development exclusions or dedicated open space, such as conservation easements are established, a density bonus may be granted to transfer development to more suitable portions of a project. Such density bonuses should not exceed 1 unit per 17.5 acres of critical lands, i.e., if Critical Lands are protected, allowable densities are 1 unit per 17.5 acres versus 1 unit per 35 acres if Critical Lands are developed.

The *Land Use Classification Map* identifies the general location of some of the District's *Critical Lands*. In most cases, however, site-specific studies must be conducted to determine the location and extent of these lands. *The Land Use Classification Map* identifies the general location of Slopes over 30%, and lands classified as *Landslides* and *Unstable Slopes*. Flood

² The location of landslides and unstable slopes was determined using the County's Geologic Hazard Maps, circa 1976.

³ Wetlands are those areas as defined by the U.S. Army Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1, and January 1987.

plains and wetlands are not currently designated on the *Land Use Classification Map*.

D. RESORT

These are areas that combine recreational and resort uses, commercial operations, and various high-density residential developments, including condominiums and town homes as well as less dense residential uses. The *resort* classification has been applied to lands within the Durango Mountain Resort, Tamarron, and Silverpick Resorts as well as some immediately adjacent properties. The commercial uses contained within this category include typical resort-related commercial services, such as restaurants, retail shops, etc. All of the uses described above may not necessarily be appropriate for all land contained within the boundaries of a particular resort area. Planned uses within a resort must be compatible with surrounding uses and the resort's master plan will be reviewed for conformance with the goals and objectives of this plan. Single-phase projects may not be required to submit a master plan; however, compatibility with surrounding uses will be determined at the time of the Class II or subdivision plat review.

Development within this designation shall provide pedestrian-oriented spaces. Building materials and architectural style shall be compatible with the district's mountain setting. Careful consideration must be given to preservation of important natural features such as trees, ridges, and drainages.

All resort lands must meet the Public Benefit Criteria in order to qualify for maximum density.

Additionally any development within the Resort classification must provide Workforce Housing, as defined by the Regional Housing Alliance Goal G.

It is also important to note that resort developments such as Durango Mountain Resort and the Glacier Club are subject to their own development agreements are separate legally binding documents in which a different set of development standards. Therefore, the North County District Plan will not apply to development in the Durango Mountain Resort or Glacier Club boundaries.

E. COUNTRY TOURIST

This category includes smaller scale developments than those in the *Resort* Category or other commercial categories. Bed and breakfasts, small scale lodging facilities and complementary commercial uses that are primarily accessory to the lodging are the main elements of this category., which may also include equestrian features (boarding, horseback rides, pack animals)

F. LOCAL COMMERCIAL

Several commercial sub-areas are designated according to the uses that primarily or historically occur there: the *Local Commercial* areas are in the vicinity of The Needles Store, the entrance to Haviland Lake, and the entrance to Lake Purgatory. The Needles Store is the primary established *Local Commercial* area in the District. There are a variety of uses within the classification that serve visitors and local residents. Since this is the main commercial designation outside of resort areas, development will be carefully reviewed for compatibility

with surrounding uses and measured against the design guidelines included in Appendix 1. Public Benefit Criteria will influence the design. The degree that Public Benefit Criteria are met will determine density of land use.

Additionally, it is envisioned that new developments will combine parking lots in order to minimize entrances / exits from highways and county roads and provide clear internal circulation, lighting, pedestrian spaces, and landscaping and walkways.

Neighborhood businesses are encouraged under the *Local Commercial* classification. These are small commercial operations that require minimum parking, service, and delivery. These types of uses are also encouraged to cluster around existing commercial facilities as shown on the Land Use Classification Map.

Local commercial development may be of mixed use, which may include second floor residential units (over the shops), or bed-and-breakfast type lodging.

G. PUBLIC AND COMMUNITY FACILITIES

This land use designation accommodates public and community facilities. Currently, three fire stations are located within the North County District. Several trailheads are also located in the District. Future public and community facility needs of the District have not been identified. A public park at DMR is envisioned.

H. AGRICULTURE/TIMBER/RECREATION

A large portion of the District is on US Forest Service lands. This category identifies public lands within the District that are used primarily for agricultural, timber and recreational uses. These lands are given a base density of 1 unit per 35 acres in order to discourage a land trade undertaken for speculative purposes.

I. MEADOWS

Along the Highway 550 corridor there are numerous open meadows visible from the roadway. These meadows contribute significantly to the appeal and character of the District. The general locations of these meadows are identified on the *Land Use Classification Map* in order to highlight their importance. When undertaking development in meadow areas, care should be taken to locate structures and improvements in a manner that preserves the meadows to the maximum extent practicable. Any construction spoilage occurring during the development period must be hidden from public view to maintain meadows or open space. The public benefit criteria included in this plan will be used to achieve this goal.

V. LAND USE CLASSIFICATIONS/DESCRIPTIONS

Land use classification density allowed within a given range is determined by the Public Benefit Criteria. Applicant is encouraged to cluster density on smaller lots, creating permanent open space. Minimum lot size is determined by the Land Use Code and the subdivision requirements contained therein. Density is contingent upon compliance with County Subdivision regulations and Code criteria.

Critical Land designation only applies to un-subdivided land. Environmental conditions on subdivided land are regulated through the approved subdivision plan and land use code. Critical Land designation on Land Use map only partially or generally portrays the Critical Land constraint area. Specific analysis shall be required to refine location of Critical Land boundary.

All Land Use classification development with the exception of large lot residential and agriculture must comply with the requirements of workforce housing in accordance with Goal G.

Land Use	Density / Size Restrictions	Description
Agricultural/ Timber/Public Recreation	1 unit per 35 acres	Public land that is used primarily for agricultural, forestry or land/water recreation uses. Public lands that are transferred to private ownership will retain a 1 unit per 35 acre density designation.
Large Lot Residential	1 unit per 3-10 acres	Private land that can be developed at a density of 1 unit per 3 to 10 acres. Will typically be served by wells and septic systems.
Suburban Density Residential	1 unit per 1 -3 acres	Will be served by both central water and central sewer.
High density residential	3 - 12 units per acre maximum	Attached single family and multi-family units. Central water and sewer required. Design guidelines contained in the Appendix should be utilized. Currently only allowed in the Resort classification.
Local Commercial	As per approved Master Plan Subdivision Plat or Class II Land Use Permit	Small-scale commercial development (not malls or large establishments) providing goods and services primarily oriented to the needs of the local and tourist community (e.g., convenience stores, hair salons, video stores, liquor stores, restaurants and gas stations). May include 2nd floor residential units (over the shops), or bed-and-breakfast type lodging.
Country Tourist	1 unit per 3 - 10 acres	Day use, Overnight accommodations, recreational uses and incidental commercial uses such as gift shops, and restaurants. Uses may entail the boarding of horses and use of horses for public rides and pack animals. May be converted to single family residential uses at the designated density without plan amendment.
Critical Lands	1 unit per 35 acres	Land with steep slopes (over 30%), landslides, unstable slopes, wetlands and flood plains. If density is transferred to non-critical lands, a density bonus of 1 unit per 35 acres will be granted (Maximum Bonus = a total of 2 units for each 35 acres of critical land that is left permanently undeveloped).
Public and Community Facilities	Per Code	Public and quasi-public uses, such as schools, fire stations, government facilities, cemeteries, hospitals and churches, trail heads, recreation facilities.

Resort	As per approved master plan, subdivision plat or Class II land use permit	A mix of residential (single and multi-family) and commercial development within approved master planned resorts. In no case shall overall density exceed 2.5 units per gross acre, and Public Benefit Criteria will be used to determine allowable density. Any property located within the Resort classification on the North County Land Use Plan Map which is not subject to a development agreement may apply for development according to the other land use classifications within this table.
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Protected Areas

Meadows	Per underlying land use classification	Open meadows visible from the Hwy. 550 and other public roads. When undertaking development in meadow areas, care shall be taken to locate structures and improvements in a manner that preserves the meadows to the maximum extent practicable. The public benefit criteria included in this plan should be utilized to achieve this goal.
Scenic Corridor	Per underlying land use classification	Identifies the general location of scenic vistas that are located along Hwy. 550. When clustering development in the District care should be taken to locate structures and improvements in a manner that preserves the scenic vistas along Hwy. 550. The public benefit criteria included in this plan should be utilized to achieve this goal.
Open Space	Per recorded legal agreements	Lands which have been deed- or plat-restricted in perpetual undisturbed, visually unimpeded open space; this includes areas used by developers to obtain higher density in development projects. Categories may include active and passive open space.

VI. PUBLIC BENEFIT CRITERIA

In order to determine the allowable density for a project within the North County Land Use Plan Classifications, the County will allocate densities above the minimum density upon demonstration that there is a public benefit in doing so. To make this determination as objective as possible the density range shall be granted based upon the following criteria and percentages:

- 25% Clustering the units so as to preserve the maximum portion of the land in **contiguous, undisturbed** open space and to preserve wildlife habitat. This undisturbed open space shall be owned by one single entity or multiple entities with undivided interests, or overlain by undisturbed open space or agricultural easement. A minimum of 30% of the total acreage must be set aside as undisturbed open space to make a project eligible for any density bonus, which would increase on a sliding scale up to 60%. The full density bonus of 25% can only be accrued when 60% of the land is designated as undisturbed open space and this same land is contiguous to public lands and/or other privately dedicated undisturbed open space, if

such a linkage is feasible. Refer to the La Plata Co. Land Use Code, Sec 70-21, 70-42(a)(b) and 70-21(a).

- 25% Structures not located on ridgelines or skylines or within view corridors as seen from public roads.
- 25% Structures located so as to preserve open meadows, located in or against trees if present and not within flood plains or critical areas. Artificial water features, gazebos, play ground equipment, and entry gates visible from the highway and similar installations are considered structures in this plan.
- 25% Granting of easements for trails and public lands access or other public uses and/or platted areas for parks and/or playgrounds.
- 100% Total

Full compliance with all of the above would result in granting of 100% of the density range. For example, if the range is 1 unit per 3-10 acres, and all of the criteria were fully met, the proponent would qualify for a density of 1 unit per 3 acres. If only the first two criteria were met (25% + 25% = 50%) the owner would qualify for only 50% of the range, or 1 unit per 6.5 acres.

If site conditions do not permit compliance with any specific criteria, credit for compliance will be granted. i.e.: If a site does not possess any ridge lines, view corridors or sites visible from public roads, then the applicant would receive the full 25% density bonus for avoiding ridge lines etc. \

VII. PLAN AMENDMENT PROCESS

The North County Land Use Plan is intended to provide a consistent framework allowing for the appropriate location and phasing of future development. The Plan recognizes the diversity and unique character of the North County and provides assurances to current and future residents on how land may be developed. The Plan is intended to be utilized in the creation and evaluation of proposed development projects within the area. In the event a potential project deviates from the goals, principles and/or objectives of this Plan; the process outlined below shall be followed:

1. Schedule and attend a Pre-Application meeting with the La Plata County Community Development Department.
2. Submit a Plan and Map Amendment Application to the La Plata County Community Development Department.
3. La Plata County Community Development Department will notify the North County District Planning Group of the application for amendment to the North County Land Use Plan. The NCDPG will discuss the proposed amendment and make a recommendation to the Community Development Department.
4. The Community Development Department will schedule a neighborhood meeting to present the amendment and solicit input related to the proposed amendment.

5. The Planning Commission will hold a public hearing and discuss the merits of the proposed amendment.

VIII. APPENDIX I - COMMERCIAL AND MULTI-FAMILY DESIGN GUIDELINES

A. SITE PLANNING

1. Locate new buildings or additions near existing facilities.
2. Create large meaningful pedestrian-oriented spaces by grouping buildings together in clusters and thereby preserving large blocks of open space. Outdoor “rooms” require enclosure (walls) on at least 2 sides. These walls can be formed by a building or the juxtaposition of several buildings, or even by landscaping.
3. Let the landscape setting dominate the views by encouraging landscape standards within the commercial parcels. (i.e. tuck buildings into trees, or plant groves of trees to mimic existing landscape)
4. Minimize “skylining” by the use of the following methods: (1) utilizing existing trees and vegetation; (2) increasing setbacks, using an effective ratio of building height to edge of cliff; (3) planting trees and vegetation to reasonably screen structures where appropriate.

B. SETBACKS

To preserve the rural quality of the road, set the buildings back an appropriate distance from the edge of the road to meet all code requirements.

C. PARKING

1. Designate parking and service areas to the rear of the commercial buildings.
2. Screen parking areas with trees, hedges, modified vegetative berms, stone walls made of natural materials. Fences should be avoided.
3. Require landscape to provide shade and buffer cars from neighboring properties.
4. Encourage consolidation and sharing of parking lots.
5. Create new roads and interconnected parking lots behind commercial buildings to reduce traffic exits off the highway.
6. Provide adequate snow storage with parking lots

D. LIGHTING

1. Use lighting that is compatible with the neighborhood and appropriate to the mountain setting, using the minimum brightness necessary for the purpose.
2. Development shall provide a safe nighttime environment while preserving the dark sky environment of the area and the view of the stars. Fixture style should be consistent with the rural mountain character of the area and of a scale consistent with their function.

- a. Light fixture style, type and color should be consistent and compatible throughout a project.
 - b. In all cases, lighting should not extend beyond its tasks. Full cut-off fixtures are required. Motion detectors and timers are encouraged wherever appropriate.
 - c. Spillover lighting shall not be permitted. Lighting shall reflect away from adjoining properties. Lighting shall be shielded and downcast.
 - d. Use of low wattage, high life lighting products is encouraged; use of photovoltaic or other renewable energy sources is also encouraged.
3. Business lighting should be turned off when the business is closed, except for security lighting.

E. BUILDING MASSING

1. Architectural style: Add to/blend with the existing style created within the district.
2. Height measurements shall be taken based on the existing natural grade and from the lowest point along the foundation wall. Residential use of upper stories of commercial buildings is encouraged. Height shall be determined by County Code.
3. Materials: Use materials that present a sense of permanence (i.e. large log or timbers, rock, large overhangs, etc.)
4. Roof Pitches: Use pitches within the 8/12 to 12/12 range found in most mountain communities.
5. Colors: Building materials and color schemes shall blend with the materials and colors of the surrounding natural landscape of earth tones, rock outcrops and alpine meadow vegetation.
6. Sun/Shade/Views: Sun is an important factor in the region. Encourage building massing to step back on south sides to allow the sun to reach the ground.

F. SIGNAGE

1. Signs should be compatible with the District's country setting (i.e. wood or stone are appropriate - urban signs such as neon or internally lighted signs should be avoided. Lighting of signs should take into consideration section VII-D of this document regarding lighting.
2. Size, location, and number of signs shall meet county code or CDOT standards, whichever is more restrictive.

G. SNOW

1. Roofs should be designed to shed snow away from entrances, decks, walkways and garages.
2. Ample room for snow storage should be provided in parking areas, along roadways and walkways, and between buildings.

H. WATER

1. Encourage wise water use and conservation efforts, which include but are not limited to xeriscaping and gray water recycling principles.
2. Discourage unnecessary water features, pools, and irrigation.
3. Eliminate unfiltered run off from development into wetlands.
4. Strongly encourage hot water circulating systems to be installed in all residential and commercial buildings.

