

PAGOSA DAILY POST

Blue Sky vs. The Plan, Part One

Bill Hudson | 8/14/08

As you drive east out of Pagosa's old downtown, across the First Street bridge, you pass through a blatantly commercial area usually referred to as "The River Center," named after the biggest commercial building of the lot. Across from the River Center building is an older, slightly run-down lodging facility called the San Juan Motel. I'm not sure, but I'm guessing this area was developed during the 1960s, judging from the architecture.

Continuing east for a city block, you pass two gas stations and then the Junction Restaurant, and you sense that you have left Pagosa Springs. If you look back over your left shoulder, you might catch a glimpse of the stone monument sign that reads "Welcome to Pagosa Springs... the Best of Colorado."

Then you are at the junction for which the Junction Restaurant is named — the junction of Highway 84, coming up from Santa Fe and Chama, New Mexico, and the road you are already on, Highway 160, coming from Durango and headed east over spectacular Wolf Creek Pass to Del Norte and then perhaps turning off to Salida, Colorado Springs, or Denver.

But if you hang a right turn onto Highway 84, you realize that Pagosa Springs has not really come to an end, despite the fact that you've already passed the "Welcome" sign, over your shoulder. Highway 84 begins with a somewhat disheveled industrial area on the right — a "performance" auto shop, a welding shop, some storage units — and on the left, the old sawmill site now vacant and ready for a possible big box store, and the rarely-used Archuleta County Fairgrounds and the Red Ryder Rodeo grounds.

It's not a very attractive area, and you hear occasional complaints from community activists that we need to "clean up the entrance to our town." Of course, the "we" in that statement is not entirely clear. "We," the residents of Pagosa Springs, do not own the properties in question — with the possible exception of the County Fairgrounds — so "we" have no real way to affect the way the area looks, except by passing and enforcing "junk ordinances."

Wait, I take that back. There is, perhaps, another way we can influence the way that area looks. We could encourage some wealthy developers to come in and buy up some of the property in the area — and then build a very attractive subdivision there. There is nothing that makes a property owner clean up his yard — even a property owner like Archuleta County — nothing makes him clean up his yard like watching his next door neighbors clean up their yards first. They call it, "keeping up with the Joneses."

That attractive new subdivision, of course, ought to meet the criteria of the Town's recent Comprehensive Plan. And here is where we run into a bit of a problem — a problem with a long, complex history.

But before we get into the problem of the Comprehensive Plan, let's continue our drive down Highway 84, just past the Fairgrounds. On the right, we continue to pass a mix of industrial and residential uses, and on the left, a solitary ranch-style home — a modest home, fronting a huge 96-acre pasture of rolling meadows. Then, just before we come to the prominent hill where Archuleta County has located its Road and Bridge shop and offices, we find a little dirt road on the left and a monument sign that says "Tierra Del Oro," a phrase that might be translated as "The Land of Gold."

This is a crucial little road, it seems, dividing an open meadow from an industrial County shop, and leading to

trouble.

Tierra Del Oro is a pretty typical Archuleta County subdivision from the late 20th Century. The real estate laws of Colorado allow a developer to buy up a large tract of land — say, perhaps, a former cattle ranch — and chop it up into 35 acre parcels. As long as the parcels are 35 acres or larger, the developer has no obligation to supply water and sewer to the parcels — thus potentially saving millions of dollars in development costs. Once the parcels drop below that crucial 35-acre size, all kinds of additional development regulations kick in, and the project gets exponentially more expensive to build out.

Such parcels are sometimes marketed as “ranchettes.” They are generally too small for a working ranch, and generally too big and expensive for a typical working class family, so they are often bought up by wealthier retired folks, who may live here only part of the year. Often these “ranchette” owners keep horses as recreational pets.

Tierra Del Oro is one of the many tracts of 35 acre parcels that were developed during the later half of the 20th Century in Archuleta County and throughout Colorado. You can view a typical example of one such Tierra Del Oro property, with a home and a pond, listed for sale on the [RealEstate.Yahoo.com website](https://www.realestate.yahoo.com) for \$1.1 million.

The home was built in 1995, and boasts the following description on the Yahoo website:

"Seven Pines Ranch, located near the fairgrounds! Indoor 45'x90' insulated riding arena with 9 - 12'x12' indoors stalls, hay storage in upper part of barn and irrigated pasture land. This ranch has 1/2 CFS Park Ditch Water Rights and 1CFS Class "A" that will transfer with the sale of this property. Ponds, Pagosa Peak views, outdoor riding arena, round pen, hot & cold water horse wash rack, 7 outdoor pens and large ponds water the lawn. The home is a builder personal home with wood floors... The barn also has a worker's quarters upstairs..."

Note the reference to water rights, something that often comes with a ranchette that was once part of a working cattle ranch or farm. The “insulated riding arena” is also not atypical of 35-acre ranchettes.

We are going to park our car, for a moment, at the graveled entrance road to the Tierra Del Oro subdivision, and look back to the north, at that rolling 96-acre meadow that fronts on Highway 84. This meadow was once part of the same huge ranch out of which Tierra Del Oro was carved, but it was not chopped up into three 35-acre parcels as it might have been. It doesn't have the secluded feel of the Tierra Del Oro parcels, which are set back from the highway. This parcel is a place where Pagosa Springs might imagine a different type of development.

If the developer is careful, this parcel — now known as Blue Sky Village — is big enough for a small neighborhood. Possibly a mixed use neighborhood with some small shops and businesses included, the kind of neighborhood where people can walk to work from their single family home or from a cozy apartment. Maybe a working class neighborhood, with quarter acre lots and maybe some multi-family dwellings — very different from the second-home ranchettes of Tierra Del Oro, just over the hill.

Maybe the type of neighborhood that developers have avoided building for the past 30 years. Something similar, in fact, to the type of small town neighborhoods that make downtown Pagosa Springs' so oddly attractive.

Then again, maybe the homes will not be affordable to working class families. Maybe land costs and building costs have risen to a point where local families can't afford to buy in Pagosa Springs — without government subsidies. Maybe Blue Sky Village will simply be another type of second-home, retiree neighborhood.

For four years, the owners of this 96-acre meadow — Prime Property Investment of Colorado LLC — have been working toward some type of neighborhood development, investing hundreds of thousands of dollars into

planning and engineering. They are very close to approval from the Town of Pagosa Springs. On Tuesday, the Town Planning Commission recommended that the parcel, now known as Blue Sky Village, be annexed into the town.

But nothing is yet certain. We still have the problem of the contradictory and restrictive language in the Town's Comprehensive Plan — a plan that giveth, a plan that taketh away.

Blue Sky vs. The Plan, Part Two

Bill Hudson | 8/15/08

As I mentioned in [Part One](#), the owners of the 96-acre Blue Sky Village property on Highway 84 — Prime Property Investment of Colorado LLC — have been working toward approval of their project for four years. More on that process later; first I want to talk about the Town of Pagosa Springs and the contradictory and restrictive language included in its recent Comprehensive Plan.

Those built-in contradictions have their roots in Pagosa Springs' long history, starting back in the 1880s.

If we stood at the site of the proposed Blue Sky Ranch in 1885, we would likely find nothing but rolling hills and perhaps a faint wagon trail heading south toward Chama, New Mexico. Some of the land in our view — the habitable, high desert land surrounded by the majestic San Juan Mountains — had long been used by the aboriginal Utes, Navajos and Apaches. Much of the land was still unclaimed by U.S. citizens acting under the authority of the United States.

A mile away to the west, Pagosa's first settlers were building wooden structures along the San Juan River on the former site of an army post named Fort Lewis, with a view of the remarkable Pagosa Hot Springs. Land was remarkably cheap, I can imagine — probably the mere price of filing a land claim and erecting a building to fix your claim. No one was telling anyone else what kind of building they were allowed to build or where they could build it. Stores and workshops and livery stables and residential homes sprung up side by side.

The word “zoning” had not yet been invented.

The basic structure of Pagosa's downtown was established during this period of free-for-all development. By 1930, most of what we now call “downtown Pagosa” had homes and stores built upon it. Dirt roads also led off to the north, east, west and south, connecting outlying ranches to Archuleta County's county seat, represented by a new County Courthouse. Local residents worked, for the most part, in the ranching and logging industries. The downtown had the necessary amenities for a Colorado mountain town: a grocery store, a hardware store, a barbershop, a clothing and horse-tack store, a movie theater, a drug store, an automobile dealership.

This community had come into being without the benefits of a Comprehensive Plan. The idea that a small town like Pagosa needed a municipal employee called a “Town Planner” had not yet arrived in Colorado. Yet, somehow, that free-form process had created a type of town that people would find themselves striving to preserve in the year 2008.

In the 1970s, something new began to happen to Pagosa Springs and the outlying county areas. Wealthy developers began to buy up big ranches with the idea of subdividing them. The concept was simple, really. Buy up a nice ranch at \$100 an acre, survey it and divide it up into quarter-acre parcels, form a water district and install some water and sewer pipes. Throw down some dirt roads and deed them to the County.

Then sell the lots for \$4,000 each. You could make millions.

That process had been going on in the suburban areas surrounding America's big cities since the 1950s. Surely it could work in Pagosa Springs, with all those nice, big ranches just waiting to be developed?

One of those Pagosa ranches became the Tierra del Oro subdivision, just a short drive south of downtown, out Highway 84. But one large chunk of that ranch, 96 acres fronting on the highway, was set aside as a possible future commercial area. Everyone could see that strip development — single, separate businesses fronting on main highways, with residential tucked back behind in the trees — was the way of Pagosa's future.

At this point in the community's development, we still have no planning in place. That was not due to begin for another two decades. Two decades of subdivided ranches, poor quality dirt roads, and strip commercial development — and a very slowly decaying downtown.

In 2005, a dedicated group of downtown residents assembled themselves for an important task — the creation of the first Comprehensive Plan for Pagosa Springs. The Town had recently adopted a new “home rule” charter, and one of the requirements of the charter was the creation of Comprehensive Plan, to be reviewed every year.

"At least annually, the Council shall hold a public meeting to address any necessary changes or modifications to the comprehensive plan," says the Town of Pagosa Springs Charter. "The comprehensive plan shall serve as a guide for all future Council action concerning land use and development. Future land use and development may vary from the terms of the comprehensive plan only for good cause shown."

This new plan would supposedly help the residents of Pagosa Springs control the way their town grew. Instead of letting the community develop the “old way” — by letting developers do pretty much whatever they wanted — the new Comprehensive Plan (“Comp Plan” for short) would lay down a new vision, reinforced by regulations to be included in a Land Use and Development Code.

The people as a whole — not just the developers — would have control of Pagosa's future.

The Comprehensive Plan volunteers, working with some expert consultants from Fort Collins called Clarion Associates, began looking at maps and photographs, and conducting group brainstorming sessions, trying to get a handle on what they wanted for Pagosa's future.

They ran into a curious situation. It turned out that they wanted two contradictory futures — and they required the new Comp Plan to try and achieve both of them.

Most of us who live in Pagosa Springs moved here from elsewhere, because we found something we liked here — something indefinable, that the new planning professionals called “small town character.” The Comp Plan task force, and the members of the public who attended the numerous workshops were pretty clear that they wanted to hold on to that “small town character.”

This desire was woven into the Comp Plan using wording like this:

“Our town will:

- Be known for and retain our small town atmosphere and unique character;
- Manage growth responsibly, promoting development patterns that support and retain the town's character;
- Broaden community cultural events and venues and continue to support public art suitable for small towns;
- Sustain and enhance the beauty and health of the natural environment;
- Preserve and promote our historic downtown and community heritage...”

In other words, one of the primary goals of the Comprehensive Plan was to keep things exactly as they are. If a certain area of town has two-story homes built on 35-acre parcels, then one goal of the Comp Plan was to assure that future housing in that area was similar — two-story homes on 35-acre parcels. If another area of town had residential homes that had been converted to commercial use, we want to make sure that future buildings in that area look the same.

Two big problems with that kind of planning.

As we've already noted, the town had grown up for 125 years without any kind of sensible planning — so here we have a key goal of our new, supposedly sensible Comp Plan *requiring* that we preserve nonsensical development patterns.

The other problem was that America had changed radically in 125 years. In fact, it had changed radically in the past ten years.

Blue Sky vs. The Plan, Part Three

Bill Hudson | 8/18/08

There is a famous quote, often attributed to Dwight Eisenhower, Supreme Allied Commander during World War II — though there is some evidence that Eisenhower borrowed the words from German general Helmuth von Moltke (1800-1891):

“Plans are nothing, but planning is everything.”

When the representatives of the Blue Sky Village appeared before the Town Planning Commission last Tuesday, with a request for annexation into the Town — and with a first draft of their subdivision sketch plan — their plan collided with the Town's own plan.

No permanent damage was done, however, possibly because plans are — as Moltke and Eisenhower assert — nothing.

The Planning Commission, in fact, recommended the approval of the annexation agreement — so the Blue Sky folks, represented by consultants Nancy Lauro and Carl Valldejuli, got a part of what they were requesting. They were then asked to bring in a more detailed sketch plan at the next Planning Commission meeting, with the possibility that slightly more detail might help the Commission make a final decision on the other half of their request.

The two plans that collided on Tuesday — the Blue Sky Village sketch plan and the Town's Comp Plan — actually have a great deal in common. But you would hardly tell that from the hesitant actions of the Planning Commission. The hesitancy resulted mainly from protests from a small handful of property owners who live outside the Town limits — and who, at this point, are not asking to become part of the Town as Blue Sky is.
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Consultants Carl Valldejuli and Nancy Lauro take another look at their sketch plan at last Tuesday's Town Planning Commission meeting, trying to find a way to convince the hesitant Commissioners that their plans meet the goals of the Comprehensive Plan.

The protesters — of whom only a single representative was present at Tuesday's Commission meeting — are property owners in the Tierra del Oro subdivision, a large section of rolling hills that once lay comfortably distant from the center of downtown Pagosa Springs but which suddenly looks destined to be surrounded on two sides by Town annexations — the Blue Sky Village and the Blue Sky Ranch.

So in a way, you could say the collision was between Pagosa As It Was and Pagosa As It Will Become.

As I discussed in [Part Two](#) on Friday, the Town of Pagosa Springs recently adopted a Comprehensive Plan — commonly referred to as the “Comp Plan” — with the aim to help direct the development of the Town into the near future, and during the construction of that Comp Plan, took into consideration a great deal of public input.

The public, for the most part, knew that they had moved to Pagosa Springs because there were certain things they liked about the community. Faced with the rampant growth threatening Pagosa from about 1995 through 2005, these members of the public strongly urged a conservative approach to community growth.

In other words, the Comp Plan became a document largely aimed at preserving what already existed in Pagosa — because to allow change might conceivably destroy what the public loved about the town.

This little town that is so well loved, curiously, had become what it is, essentially without any planning whatsoever, as I noted in Part Two. So what the Comp Plan actually did — in its desire to plan the future of Pagosa Springs — was to require the continuation of an essentially unplanned community. The Comp Plan plans for more of what was never planned.

Perhaps there is a good reason why plans are nothing.

There were certain people involved in the creation of the Comp Plan, however, who were a bit more forward thinking. They realized that Pagosa Springs had changed dramatically in the past twenty years, and that it might change even more radically in the next ten or twenty. These folks suspected that change might even benefit Pagosa.

Indeed, since the basic layout of the Town of Pagosa Springs was first assembled in the late 1800s, a number of

things have changed about life in America — and those changes have yet to be acknowledged by some of our outdated planning procedures.

Our families now own two cars instead of two horses, have one-and-a-half children instead of four, and our parents live to be 90 years old instead of 60. During the more recent past, we had gotten used to low-cost gasoline, electricity and natural gas. We'd gotten used to buying food grown in Texas and California and brought here by diesel trucks. We started getting used to living in 3,000 square foot houses instead of 800 square foot ones.

Now, rather suddenly, Pagosa Springs has reached the apparent end of the line, in terms of affordable living.

Ten years ago, we bought gas for \$1.50 a gallon, heated our homes for \$60 a month, purchased bread for 90 cents a loaf, and bought a nice house for \$100,000.

Now gas was headed for \$4.00 a gallon, our heating bill was hitting \$200 a month, bread was close to \$3.00 a loaf and a run-down mobile home was \$149,000.

If we had noticed any of these changes happening, we might realize that we need to seriously rethink the way we are constructing our communities. Some members of the Comp Plan task force recognized that possibility, and added words like “sustainable” and “affordable” and “livable” into our plan for the future.

So the Comp Plan ended up with two very different — and in my estimation, contrary — goals. First, preserve exactly what we have. Second, do things differently to make the town better somehow.

Here's a quote from the resulting 2006 Comp Plan as quoted by the Town planning staff in reference to the proposed Blue Sky Village sketch plan last Tuesday:

“Goal G-6: ‘New private development will fit in with existing residential, commercial and other areas and will incorporate the principles of livable and sustainable design.’”

The Blue Sky Village subdivision — as planned — consists of 96 acres of gently rolling meadow facing on Highway 84, just south of the Rodeo Grounds and just north of the Archuleta County Shop, two commercial developments. To the east is the Tierra del Oro subdivision, a collection of 35 acre tracts ideally suited for horses and privacy.

The proposed Village would include 40 single family lots of about 1 acre each, 12 tracts of multi-family residential, two commercial tracts each comprising 16 acres, and about 19 acres of “open space.”

The design — in its current preliminary form — includes a mixed use area in a 48 acre section nearest the highway. The mixed use area would feature light commercial with residential living spaces on the second floor, or a similar blending of commercial and residential.

This type of mixed use residential development is about as different from the existing Tierra del Oro tracts as one can imagine in America. In some ways, it emulates the kind of development found in the quaint, small town areas of downtown Pagosa — the kind of community that attracted many of us to this town in the first place.

The areas to the north near the Rodeo Grounds would be 1 acre single family lots, evenly chopping up the landscape in a well-spaced manner similar to the 35-acres parcels in Tierra del Oro, but on a much smaller scale.

The place where the two plans are colliding is in the eastern portion between Blue Sky Village mixed use commercial and the Tierra del Oro tracts. Blue Sky wants to put moderate density there; the Planning Commission and Tierra del Oro owners want very low density there.

Actually, there are only two Tierra del Oro property owners who would border on Blue Sky's controversial multi-family area. And as noted, they are not legally Town residents.

The Comp Plan wants Blue Sky to “fit in with existing” while simultaneously incorporating “the principles of livable and sustainable design.”

So, what, exactly, are the principles of livable and sustainable design? And when do we start realizing that the plan is nothing, as Moltke and Eisenhower so forcefully demonstrated in their day?

Blue Sky vs. The Plan, Part Four

Bill Hudson | 8/19/08

In [Part Three](#) yesterday, I mentioned the apparent conflicts in the Town of Pagosa Springs Comprehensive Plan, as personified by a quote used in last week's staff report on the Blue Sky Village.

“Goal G-6: ‘New private development will fit in with existing residential, commercial and other areas and will incorporate the principles of livable and sustainable design.’”

That staff report was aimed at helping the Planning Commission make its decision whether to accept a sketch plan by Blue Sky Village — a sketch plan that perhaps incorporated “livable and sustainable” design principles more than it “fit in with existing residential.”

Last month, both the Town Planning Commission and the Town Council had approved a zoning change to 96 acres owned by Blue Sky Village. At that time, it was the clear intent by both commissions that the Village would be allowed dense, mixed use development nearest Highway 84 on the west — but must show a gradual reduction in density as it developed its eastern portion that abuts the Tierra del Oro subdivision — a tract of 35-acre parcels. That intention had been stated as far back as last year, during revisions to the Comp Plan.

Though the Comp Plan is not a regulatory document, the intent of the two Town boards was clearly to respect the existing land owners of Tierra del Oro — by limiting the number of residential units Blue Sky Village could develop in its eastern portion.

In fact, the Planning Commission and the Town Council had approved a Comp Plan revision that split Blue Sky Village — a single subdivision — into two very different densities. The western 48-acre section was designated Mixed Use Residential, a designation that would allow over 600 residential units in the western section. The eastern and northern 48-acre portion was designated Rural Residential, which, with open space requirements, would allow maybe 30 residential units.

In their desire to protect the horse-property owners of Tierra del Oro — who are not within the Town limits, and which was developed before any Comprehensive Plan was ever in place — the two town boards made the density division happen within the Village itself.

The Blue Sky developers were left with figuring out how to build a unified development that allowed 16 units per acre on one half and 1 unit per 5 acres on the other half.

So, what exactly does the Town mean in its Comprehensive Plan when it talks about “livable and sustainable” development? Is there anything “livable and sustainable” about the way Blue Sky is being asked to develop its property?

The Comprehensive Plan includes three pages of definitions, but “livable” and “sustainable” are not two of them. In the big world of community development science, “sustainable” probably has the clearest definition.

An article in *eco-logic* magazine notes that common definition:

“Sustainable Development is defined as *meeting today's needs without compromising the ability of future generations to meet their own needs.*”

To be sustainable, we want to develop our communities so they put the least possible pressure on non-renewable resources like fossil fuels, and we want to keep our soil, air and water as unpolluted as possible. Because of those massive goals, sustainable development must think outside the box of local government. Reducing our use of fossil fuels and keeping our environment clean requires us to consider how our own development patterns are affecting the communities around us, not just our own immediate town.

Generally speaking, sustainable development asks that we cluster our living areas near our existing urban centers, and preserve the outlying agricultural areas — in essence, that we stop allowing uncontrolled suburban sprawl, and really think about what we are doing.

Denser urban development promotes a more pedestrian-friendly town, with increased mass transportation and infrastructure options. Preserving outlying areas as agricultural preserves scenic beauty.

When the Tierra del Oro subdivision was created, Archuleta County was allowing uncontrolled suburban sprawl to happen everywhere in the community. The Town’s Comp Plan asks us to “fit in with” that pattern, while promoting “sustainable” development.

Blue Sky Village brought a sketch plan to the Planning Commission that tried to balance respect for existing development with a movement toward a more sustainable, denser urban core. To do that, they pushed the limits of the quirky zoning they have been handed, and exceeded the density requirements in the Rural Residential areas. Still, their plan’s overall density is far below what it could have legally been, had they made full use of their total allowed density.

The Planning Commission so far seems intent upon making the density transition happen *inside* the Blue Sky Village, and has tabled the approval of the sketch plan until its August 26 meeting — asking Blue Sky for more detailed drawings. The annexation and zoning, however, was approved last week, which perhaps only adds to the confusion.

If Pagosa Springs continues to grow over the next 100 years, Blue Sky Village will one day be in the center of town, and so will Tierra del Oro. Which type of development belongs in the heart of a sustainable, livable city?

As I noted yesterday, plans are nothing; planning is everything. Sticking to a plan that no longer fits your needs, means you have stopped planning. Will the Planning Commission decide to keep on planning — or stick to the plan?