

RESOLUTION No. 2012-028

**A RESOLUTION OF THE
BOARD OF COUNTY COMMISSIONERS OF OURAY COUNTY, COLORADO
TO PLAN FOR LAND USE ISSUES AND LAND USE CODE REVISIONS**

WHEREAS, on February 14, 2012 the Board of County Commissioners of Ouray County, Colorado ("Board") adopted Resolution No. 2012-005 containing its list of priorities for modifications and amendments to the Ouray County Land Use Code ("Code"); and

WHEREAS, Resolution 2012-005 specifically provided that the priorities set forth in such Resolution would be revisited in six months to "assess progress and reevaluate priorities"; and

WHEREAS, following adoption of Resolution 2012-005, some of the priority issues have been completed; and

WHEREAS, both staff and the Planning Commission have raised concerns about other items that need to be addressed on an expedited basis, while other items should remain on the priority list for completion as soon as possible; and

WHEREAS, the Board wishes to accomplish the remaining priorities in an efficient manner and with a thorough understanding and evaluation of the issues and ramifications of such revisions, but on a timely basis in order to address the concerns raised by staff and the Planning Commission, as well as the needs of the residents of the County as a whole.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF OURAY COUNTY, COLORADO, AS FOLLOWS:

1. The following topics, code sections and issues may be discussed, researched, reviewed, analyzed and revised in the ensuing six months, in the following order:
 - a. Section 19.7 and 19.8 addressing the responsibilities of the Board of Adjustment and the Board of Adjustment, and ensuring that the functions are provided for in a manner that meets statutory requirements.
 - b. Consideration of Sections 11, 12, 13 and 14 for rescission due to their current lack of validity.
 - c. Revisions to Section 22, Definitions, and related, corresponding sections, to address non-conforming parcels and boundary agreements.
 - d. Revisions to Section 6.12 to simplify the process for final plat amendments
 - e. Section 9 "Visual Impact Regulations", including any related sections, will continue to be examined and evaluated by the Ouray County Planning Commission with a goal of completion during the next six-month period;
 - f. Section 8, "Sign Regulations", possible revisions/amendments.
 - g. Review and discussion of the provisions of C.R.S. § 24-65.1-101, *et seq*, "Areas and Activities of State Interest" will continue to be examined and evaluated by the Board;
 - h. Section 7, "Improvements Standards", possible revisions/amendments.
2. The Board acknowledges that the priorities listed are flexible and that there may be instances in which related/companion Code sections may also require modifications in order to be compatible with amendments proposed in accordance with the list of priorities set forth above.

3. The Board may agree to modify the priorities at any time in order to address unexpected or extraordinary circumstances.
4. These priorities shall be revisited in six months to assess progress and reevaluate priorities.
5. The Board acknowledges that other sections in need of review and amendments include Section 19, "Administration", with a particular emphasis on site development permits; Section 20, "Amendments"; Section 24, "Wildfire Mitigation Regulations"; an evaluation of Section 29, "Oil and Gas Development" and possible modifications required by new legislation and rules adopted by the Colorado Oil and Gas Conservation Commission; consideration of personal care / assisted living facilities; water-related issues and an administrative guide as a companion to the Code.
6. Possible new sections or regulations that the Board acknowledges may be required in the near future include:
 - a. Review of possible Land Use Code changes as may be suggested by the Ouray County Housing Authority as part of the affordable housing plan accepted by the Board on November 2, 2009.

APPROVED AND ADOPTED THIS 25th DAY OF SEPTEMBER, 2012.

Voting for: Commissioners Fedel, Padgett and Willits
 Voting against: None

BOARD OF COUNTY COMMISSIONERS
 OF OURAY COUNTY, COLORADO

F. Mike Fedel

F. Mike Fedel, Chair

Lynn M. Padgett

Lynn M. Padgett, Vice-Chair

Patrick Willits

Patrick Willits, Commissioner



Michelle Nauer

Michelle Nauer, Clerk and Recorder

By: Linda Munson-Haley, Deputy Clerk of the Board