

**AGENDA**  
**OURAY COUNTY PLANNING COMMISSION**  
**WORK SESSION / REGULAR MEETING**

March 18, 2026 2:00 – 4:00 pm  
Meeting to be held at the Ouray County Land Use Office 111 Mall Road,  
Ridgway, Colorado

**Zoom Log In Info:**

**<https://us02web.zoom.us/j/87422031007>**  
**Meeting ID: 874 2203 1007**  
**Mobile: 1.719.359.4580**

**A. 2:00pm – Work Session**

The Planning Commission will conduct a work session to review and discuss possible changes to the Ouray County Land Use Code, Section 2 – Definitions.

**B. Open Regular Meeting:**

- a. Old Business
- b. New Business

**C. 4:00pm – Adjourn (approximate)**

# MEMO

**TO:** Planning Commission  
**FROM:** Land Use Department  
**DATE:** March 9, 2026  
**SUBJ:** March 4 Work Session: LUC Section 2

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The attached packet is in preparation for our upcoming March 18<sup>th</sup>, 2:00 – 4:00pm work session regarding possible revisions to the Land Use Code, Section 2 – Definitions. Note that during each work session Staff will use the '*comment bubble*' feature in Word to keep track of things like straw votes, outstanding issues, and general comments related to the code section. You will see a faint yellow outline in the draft document and a number. The number relates to the 'summary of contents' page that provides a list of all comments in the document. It will be important as we move forward to make sure all desired comments end up in a comment bubble and the corresponding summary.

During the March 4 work session there was significant discussion on the subject to Trade Credits and the High Alpine area. However, the Planning Commission did not directly discuss or consider the current draft definition. The 3/18 work session will begin with a review of the proposed discussion of Trade Credits, then move to Commercial Outdoor Recreation, and then continue with the Section 2 draft as time allows.

Thank you.

**Att.**

**EXPLANATION OF**

**REDLINES FROM**

**2025 BOCC**

**PC WORK SESSION**

## LAND USE CODE – SECTION 2: DEFINITIONS

### ***EXPLANATION OF PROPOSED CHANGES/REDLINES***

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- **ADU and ADLRU related changes:** Certain revisions are shown that were part of the 'bonus adu' concept discussions and also changes recommended by Staff. The increase in distance allowed from an adu was proposed by Staff due to the number of variance requests related to this provision (ie. *property owner wanting a greater distance between pdu and adu*). Staff inserted some questions for discussion on this topic.
- **Accessory Structure - High Alpine Area (SP):** Staff proposed revision that would remove the exemption found in the adopted building code for 'tool sheds, playhouses, and other similar structures under 200sf' for the High Alpine Area. As such, a proposed accessory structure would now trigger a building permit and necessitate 35-acres. Also, accessory structures would be limited to a maximum of 1 per parcel in the High Alpine areas of the County.
- **Average Daily Trip (SP):** This has always been subject to historical practice but not codified. Codifies that 1 ADT is one trip in AND out (ie. not 2 trips).
- **Bed and Breakfast (SP):** Number of maximum rooms revised from four to six. The Land Use Department has received a lot of questions over the years regarding the small number of bedrooms allowed and how that is a limiting factor to running a B&B. Maybe 6 bedrooms is more reasonable but still conservative. Larger facilities could apply for a proposed guest lodge Special Use Permit (up to 10 rooms), Proposed Guest Ranch Special Use Permit (up to 20 rooms), or existing Resort PUD (20+ rooms).
- **Commercial (SP):** 'Commercial Use' is defined in the Land Use Code today but not simply 'Commercial'. This definition should help when there is a question or gray area around what is, and what is not, 'commercial' requiring a Special Use Permit.
- **Commercial Storefront (LP):** Added to clarify the intent of the Colona Zone, for actual retail store-type operations. The previous definition of 'commercial use' within that zone was too broad and muddied the water with multiple types of Special Use Permits that may be a commercial use but not an actual retail-type store.
- **Commercial Equestrian (SP):** Clarifies this is a 'commercial' use.
- **Commercial Outdoor Recreation (SP):** Staff is proposing significant changes here. This definition should be contemplated along with 'Guest Ranch', 'Event Venue', and 'Temporary Use' as all changes here are related. Note that the 'day use' portion of this term has been removed. The attempt here was to create a *realistic* use that might be proposed. An example would be renting horses, skis, atv's, etc along with overnight stay(s)

in a cabin tent. It makes more sense to define something like this, rather than to create it on the fly through a 'temporary use'. The BOCC and PC may want to discuss appropriate thresholds for required permitting, based on potential major impacts to public lands/infrastructure or other factors.

- **Duplex (SP): Added for clarification, including with ADLRUs.**
- **Dwelling, Single-Family (LP & SP):** Very minor changes here for clarification. Also clarifies that a "Family" can include multiple types of groups of cohabitating individuals with shared expenses, as required under House Bill 24-1007; not just an actual nuclear-type family.
- **Family (LP):** See above.
- **Floor Area/Internal Floor Area (SP):** Changes to clarify what is, and what is not, included when calculating the floor area for a structure. Now clearly includes lofts and similar areas of interior habitable square footage.
- **Flood Zone/Special Flood Hazard Area (SFHA) or Flood Hazard Area (LP):** Clarification made from FEMA definition, based on floodplain regulatory updates.
- **Guest Ranch Modified (SP):** The existing definition of 'Guest Ranch' seems to come from the old idea of a chuckwagon show. This definition doesn't seem to fit the county, nor what people are interested in. The slightly modified Guest Ranch definition is intended to create a more modern, reasonable definition. The intent here is that this is the more conservative approach to modernizing this use/definition.
- **Guest Lodge New (SP):** This definition takes an entirely new look and a more liberal approach to the idea of a 'guest ranch', now referred to as a 'Guest Lodge'. This is a whole new concept and the definition is intended as a discussion starter. Previous SUPs for this type of permitting have been a poor fit under other types of Special Use Permits.
- **Event Venue New (SP):** This definition is intended to address the number one question the Land Use Department receives regarding commercial uses. *Can I hold events and weddings on my property?* The County currently has a use that allows overnight lodging and weddings through an approved SUP for a B&B and a Temporary Use SUP to host weddings. The idea is that it would be a much clearer process to have someone apply for a 'Guest Lodge' and 'Event Venue' in order to provide these services.
- **Historically Significant Structures (SP):** This definition is meant to define this type of structure and to address requests to restore or renovate such structures in compliance with applicable building code requirements.
- **Individual Rental Sleeping Unit (SP):** This definition is intended to clear up any ambiguity on what is meant by this term in the definition for B&B. It is also intended to clarify and codify that you cannot have a large bedroom with 40 beds/persons for example.

- **Minimum Fireflow Water Supply (SP):** Called out due to the fact that Tri-County Water has made it very clear that their existing fire hydrants may or may not meet minimum requirements and that they will not install any new hydrants. So, this creates a bit of a standing conflict. This term also does not exist elsewhere in the Code. May need engineering recommendations if PSI and GPM requirements for firefighting purposes are retained within a definition of “water supply” (see below). Recommend moving to a broader definition of “water supply,” with the narrow requirement of minimum fireflow water supply requirements contained within.
- **Water Supply (LP):** This term appears throughout PUD/Subdivision procedures, in both state statute and the Code. Clarified to include proper Division of Water Resources referrals under statute, and to be consistent with state statute. The prior reference to “minimum fireflow water supply” does not appear anywhere else within the Code, so this term needs updating. The Land Use Department also recommends obtaining engineering recommendations for G.P.M. and P.S.I. on minimum fireflow water supply, as part of determining “water supply” for PUDs and Subdivisions.
- **Public Utility (SP):** Clarified to refer to permitting for only major projects. Legal exception also added to be consistent with certain PUC-regulated projects that have “pre-empted the field” for local regulation, as required under state law.
- **Primary Dwelling Unit (SP):** Staff made an attempt to clean up this definition but admittedly it needs more work. It has been the historical practice that newly constructed homes may “switch” and become a PDU, instead of an ADU, with construction of larger homes and use of smaller older homes as an ADU (if within square footage limitations) once the new PDU is complete. This historical practice does not affect overall density; only square footage of allowed new construction.
- **Special Use (LP):** Definition intended to clarify what is allowed by a Special Use Permit.
- **Special Event (LP):** Definition intended to clarify what is allowed by a Special Event Permit. These have been informally permitted by the BOCC for many years, and regulations should be on the books (see Section 3). Specific regulations would clarify what has previously been an informal/courtesy process (outside the specific context of short-term rentals). The BOCC and PC may want to discuss appropriate thresholds for major events, such as 100+ people, occupancy limit thresholds, or hourly limitations.
- **Temporary Use (SP):** The changes proposed here are to establish something that is not already addressed in another use/definition and to ensure that these permits are used for very narrow purposes, rather than something that is wide open and to-be-defined as part of an SUP application and process.
- **Trade Credit (SP):** Today there is no definition in the LUC for ‘Trade Credit’. The intent here is to establish a clear definition of this term and to also establish the policy that Trade Credits may not be bought or sold outside of the purposes described in Section 24. In

other words Trade Credits may not be bought or sold as a type of *currency*, and should remain tied to the applicable parcel as intended.

- **Tundra (LP):** Added to provide clarification that development in the High Alpine will require wildlife biology (or similar) assessment by a qualified third-party professional. This will fully implement other code sections that are protective of the high alpine tundra ecosystem/watershed, like Section 13.11(l)(2) (no high alpine site development permits for within the tundra), Section 13.11(l)(7) (expert referral process) and Section 24.B.3 (residential, non-mining, and commercial development prohibited within tundra). This will also ensure that a proper scientific assessment occurs during the site development process, since we do not have wildlife biologists with this kind of expertise on staff. This could avoid ad-hoc assertions by any permittee of “this is not in the tundra” without supporting scientific data/assessments.
- **Yurt/Yurts (SP):** Added to provide clarification on what exactly qualifies as a “yurt”, which is typically an accessory structure used for camping that does not require a building permit if no excavation occurs and there are no features that trigger permitting. The BOCC and/or PC may want to consider limiting yurts to one (1) yurt per parcel in the Alpine zone or all zones in Section 3 below, at their discretion, unless otherwise permitted through the Special Use Permit process or as a campground (would require future revisions to the Campground regulations in Section 11).

**LAND USE CODE**

**SECTION 2**

**CURRENT REDLINE**

**DRAFT VERSION**

**W/COMMENTS**

## SECTION 2 DEFINITIONS

**RED OR BLUE TEXT IS NEW OR MODIFIED!**

Words and terms used in this Code shall be interpreted in accordance with the following definitions:

**ACCESSORY DWELLING UNIT (ADU).** A structure - requiring and receiving a certificate of occupancy, subordinate to the primary dwelling unit on a property, and subject to the following conditions:

- A. Parcels less than 3-acres in size may include an ADU with a maximum size of 800 square feet and must be located within 100-feet of the primary dwelling unit.
- B. Parcels 3-acres or more in size may include an ADU, with a maximum size of **1200-1300** square feet and must be located within **300-1000** feet of the primary dwelling unit.
- C. For parcels 35-acres or greater in size that have current ‘agricultural’ status with the Ouray County Assessor, ADUs used as **units for employees** are allowed a maximum of **1200-1300** square feet **for a single-family ADU**. Any additional dwelling units shall not exceed a density of one ADU per 35-acres.

For this use, the term “units for employees” shall mean an ADU on a parcel, with agricultural status that may be occupied solely by a current employee or employees, and their immediate family, of the farming or ranching operation where the unit is located.

- D. Parcels created through a court-ordered partition that do not comply with underlying zoning are limited to one dwelling unit and no ADU is allowed.
- E. The construction of any ADU must comply with all County standards and regulations; and
- F. The gross land area utilized by all accessory structures shall not exceed 10% of the gross land area of the parcel, except in the Colona Zone.
- G. **New** driveways (i.e. access to County Roads) for the sole purpose of accessing an accessory dwelling unit are prohibited.
- H. Property owners may apply for an *appeal* or *variance* per the provisions of Section 12 of the Land Use Code regarding the prohibition on new driveways and/or the primary dwelling unit/accessory dwelling unit proximity limitation.

**ACCESSORY DWELLING LONG-TERM RENTAL UNIT (ADLRU).** A structure containing two individual dwelling units, or a duplex, constructed on a legal, conforming parcel. Only one ADLRU per lot or parcel that is at least 3-acres in size. Ownership of ADLRU may not be severed or transferred into fee-simple ownership and must be rented to a verified income-qualified renter for at least 9 months per calendar year. Accessory dwelling long-term rental units (ADLRUs) constructed as part of a duplex are exempted from Sections 15.5C, 15.5D, and 15.5E of this Code (County Road Standards), as may be amended. ADLRU's may be one of the following implementations:

1. A new, stand-alone structure, not to exceed 2000-square feet, containing 1 to 3 bedrooms, located no more than 1200-feet from a legally permitted primary dwelling unit with a valid Certificate of Occupancy (C.O.).
2. Constructed and attached to an existing, legal, permitted, and accessory dwelling unit (ADU) with a valid C.O. Newly implemented ADLRU may be 1 to 3 bedrooms

**ADLRU - Questions for discussion:**

- What happens if an ADLRU is not rented for 9-months per calendar year to an income qualified renter?
- What happens if the person or entity managing affordable housing in the county goes away?
- What additional incentives *could be implemented*:
  - o County pre-developed architectural and structural plans for duplex. No 'plan check' fee. Could be a LEED certified duplex.
  - o A custom, discounted building permit fee structure and expedited permit processing for ADLRU's.
  - o No 'Road Impact Fee' or reduce fee for ADLRU implementation.
  - o In a simple, detached 'duplex' scenario; After 5 years the 'income qualified renter' requirement sunsets. 1 unit can be rented 'long term rental' and 1 unit can be rented as an STR with a valid STR permit.

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**ACCESSORY STRUCTURE – HIGH ALPINE AREA (ZONE).** Non-occupied structures (i.e., *not a dwelling unit or other 'occupied' structure*),. All such structures in the High Alpine Area/Zone (of the County require a building permit regardless of size or type of proposed foundation and, are limited to one (1) such structure per parcel. Exceptions to building permit requirements for tool sheds, playhouses, and similar structures that may be found in the adopted building code(s) do not apply to the High Alpine Area of the County.



**AGRICULTURAL STRUCTURE.** For the purposes of applying for an ‘Agricultural Exemption Permit, the term *Agricultural Structure* shall mean...

**AVERAGE DAILY TRIP (ADT).** One vehicle entering and exiting a property (ie. *round trip*), business, or residence equals one (1) Average Daily Trip or *ADT*. Note: *This definition applies to Sections XX of this Code and is not an ADT or ‘Average Daily Traffic’ as referenced in the Road Standards section of this Code.*

**BED AND BREAKFAST.** A business within a building containing no more than **six (6)** ~~four (4)~~ individual rental sleeping units, which offers meals in connection with such lodging and which is designed for short-term rental to tourists and transients.

**CAMPGROUND AND RV PARK.** A parcel of land **including divided into** two or more sites for rental occupancy by **people** using travel trailers, truck campers, motor homes, or tents for overnight or short-term duration (120 days maximum) **and as may be permitted and further defined in this Code.**

**COMMERCIAL.** For profit activities or uses that occur upon, or subject to, payment of a fee, transfer of any real or personal property, or any other form of consideration, whether monetary or otherwise. This shall include, but are not limited to, a use characterized by the selling of tangible goods, merchandise, or services, directly or indirectly to the **consumer.**

**\*\*NOTE: Do planning commissioners or BOCC want exceptions for bona fide educational, governmental, and non-profit uses as determined within reasonable discretion of the Land Use Department?\***

**COMMERCIAL STOREFRONT USE.** ~~A use characterized by the selling of tangible goods, merchandise or services directly to the consumer.~~ A retail, permanent structure establishment, characterized by the selling of goods and merchandise, and services directly to the consumer.

**COMMERCIAL EQUESTRIAN ACTIVITIES.** **Commercial** activities related to horses held for educational, instructional, or recreational purposes, including but not limited to horse shows, gymkhanas, training clinics, team roping and rodeos.

**COMMERCIAL OUTDOOR RECREATION.** **Commercial** use of a site ~~for a fee, for which involves daytime~~ outdoor recreational activities, that may include but shall not be limited to: **(1) short-term overnight stay(s) in temporary structures (ex. tent, yurt, teepee, RV, etc.) which shall not exceed two (2) nights, with proper septic; and also** hiking, climbing, cross-country skiing, **backcountry skiing or snowboarding, via feratta,** motorized vehicle rental, horseback riding, **and other activities of a similar nature.** A ‘Commercial Outdoor Recreation’ Special Use Permit may be applied for in conjunction with other related Special Use Permits such as a Guest Ranch or Guest Lodge/Event Venue. ~~where a structure and/or improvement is not required to conduct the use.~~

**\*\*NOTE: Does BOCC and/or Planning Commission want a requirement for permitting here only if the operations have any significant impact to public lands/infrastructure?\*\***

**DRIVEWAY.** A private vehicular right-of-way, **accessing two or no more than two properties**, from a **private or public road**. ~~to a garage, house or other structure.~~

**DWELLING, SINGLE FAMILY.** A dwelling situated on one (1) lot and arranged, designed or intended for occupancy by not more than one (1) Family in compliance with the County building code. The dwelling must function as a continuous enclosure without any impassable separation such as a wall or floor. Dwelling spaces joined by a garage or breezeway are considered to be separate dwellings.

**DUPLEX.** A multi-family dwelling containing exactly two individual dwelling units, not including hotels or lodges. Two dwelling units must be attached, having at least one or more common walls.

**FAMILY.** An individual or group of people, whether related or not, who habitually reside in a single dwelling unit and form a single residential unit, who share common living areas (e.g. laundry, kitchen, living room, garage, etc.) and expenses, and are at least partially dependent upon each other for the care of the residential unit.

**FLOOR AREA/INTERNAL FLOOR AREA.** The total area of a building's enclosed spaces, measuring from the inside of the external walls, including all floors, corridors, and hallways, and other habitable areas including but not limited to interior lofts and mezzanine(s) or similar. Does not include non-habitable storage space such as closets or unconditioned crawl spaces.

**FLOOD ZONE/SPECIAL FLOOD HAZARD AREA (SFHA) or FLOOD HAZARD AREA.** The area that will be inundated by a flood event having a 1 percent (1%) chance of being equaled or exceeded in any given year.

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**STAFF NOTES ON GUEST RANCH:**

There are many options regarding 'guest ranch' and 'event venue':

**Option 1:** No change.

**Option 2:** Slight modifications to 'Guest Ranch' removing the '*shall be principally a working ranch*' requirement and lowering the minimum acreage from 150 to 70.

**Option 3:** Develop a new 'Guest Lodge' definition as well as a new 'Event Venue' definition and split these uses out. An applicant could apply for one or both SUPs to combine the uses and could also apply for an SUP for 'Commercial Outdoor Recreation' for example.

**GUEST RANCH (CURRENT/UNMODIFIED).** A facility renting a maximum of 20 rooms and lodging by the night or week to paying customers, and providing on-site meals, which offers activities associated with western ranching and agriculture to guests as part of the accommodations package. Such activities may include but are not limited to horseback riding, livestock management, roping and other activities typically involved in running a working ranch. The facility shall be principally a working ranch, whose primary purpose is agriculture with the intent to produce income. A guest ranch shall include a minimum of 150 contiguous acres of privately owned land.

**GUEST RANCH (Modified).** A facility renting a maximum of ~~40~~ **20** rooms and lodging by the night or week to paying customers, and providing on-site meals, including the sale or service of alcoholic beverages with a valid liquor license, and which **may** offer activities associated with western ranching and agriculture to guests as part of the accommodations package. Such activities may include but are not limited to horseback riding, livestock management, roping and other activities typically involved in running a working ranch. A guest ranch shall include a minimum of **70** contiguous acres of privately owned land.

**GUEST LODGE (NEW).** A facility renting a maximum of 10 lodging rooms, that may be internal to a single lodging facility or a combination of lodging rooms and separate ‘guest cabins’ which may be single or multi-unit structures. Facility may provide on-site meals including sales of packaged food items and liquor sales with a valid liquor license, for on-site consumption only. Guest cabins must meet all applicable building Land Use and Building codes and may include a ‘kitchenette’ but not a full kitchen as defined by the currently adopted building code(s). A Guest Lodge must include a minimum of 35 contiguous acres. Note: *Use and definition specifically excludes any type of ‘ski resort’, downhill skiing, or snowboarding activities but, may include typical cross country or backcountry skiing or snowboarding activities where no additional permanent structures are required. Guest Lodge use is prohibited in the ‘High Alpine Area’ of the County.*

**HOSTEL.** Do we want to do something here to create a new use???

**EVENT VENUE.** A facility that offers hosting of events such as weddings or other similar gatherings. May offer services including but not necessarily limited to food, beverage (alcohol only with proper licensing), and/or entertainment for on-site purposes or on-site consumption only. Proposed parcel for event venue must include a minimum of 35 contiguous acres. Operation of event venue must comply with all provisions of the ‘Uses Allowed by Special Use Permit’ section of this Code as well as other applicable code sections and are limited to a maximum of fifty (50) guests per event. Event venues shall not offer any overnight lodging, including camping in temporary structures. *(Event Venues are prohibited in the ‘High Alpine Area’ of the County.)*

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**HISTORICALLY SIGNIFICANT STRUCTURES.** A building or structure that is important to the history, culture, or architecture of a region. May be immovable but may also include movable structures such as railroad locomotives or cars. Must be designated or

eligible for designation as ‘historic’ under applicable State or local law and regulations, and/or located within a ‘designated historic district’. Renovation or restoration of any historically significant structures shall be conducted in accordance with any state or local law and regulations (including applicable building codes).

**IGNITION RESISTANT (MATERIALS).** Those products that meet or exceed the standard for being non-combustible, fire-retardant, or fire-resistant. The ~~rating-assessor~~ **Rating Assessor** will determine, using his/her best professional judgment, the degree to which a proposed material and/or proposed assembly shall be justifiably considered “ignition resistant”.

**INDIVIDUAL RENTAL SLEEPING UNIT.** As referenced in the definition for ‘Bed and Breakfast’ in this Code section, an *Individual Rental Sleeping Unit* is a single walled space within a building that has received a Certificate of Occupancy (“CO”), and is intended for overnight sleeping and limited to a maximum occupancy of no more than four (4) individuals. The dwelling unit containing the ‘individual rental sleeping units’ must meet all currently adopted building codes and have a valid Certificate of Occupancy.

~~**MINIMUM FIREFLOW WATER SUPPLY:** A water supply of at least 250 gallons of water per minute for at least a continuous two-hour period, with a residual pressure of 10 pounds per square inch.~~ **A supply of water that is sufficient in terms of quantity, quality, and dependability for the proposed use, as may be further described in this Code, and in state and/or federal law. Determination of sufficient water supply may require engineering, hydrological opinions, and referrals, including but not limited to referrals of any subdivision’s preliminary plan to the Division of Water Resources under C.R.S. § 30-28-136(h)(I). A sufficient water supply shall also require a water supply of at least ### gallons of water per minute for at least a continuous ###-hour period, with a residual pressure of ## pounds per square inch. \*\*\*Note: engineering recommendations needed\*\*\***

**PRIMARY DWELLING UNIT.** The first dwelling unit **to receive a Certificate of Occupancy (C.O.)** constructed on a lot or parcel that allows **an** Accessory Dwelling Unit (ADU) **and/or ADLRU**, or as designated by the **property** owner.

**PUBLIC UTILITY.** **Arterial (i.e. major) transmission lines**, generation and storage and treatment facilities of providers of electrical, water, gas, and other like services, **subject to exemptions under C.R.S. § 30-28-127 for public utilities’ buildings, structures, plants, or other equipment that are regulated and authorized by the Public Utilities Commission.**

**RESIDENTIAL DENSITY.** A statement of the average number of dwelling units per unit of area, usually a number of dwelling units per acre or the number of acres per dwelling unit. Such density shall be calculated by dividing the ~~“allowable-area”~~ **gross land area** of the development by the number of dwelling units.

**SPECIAL USE.** A use allowed in the indicated zoning district only with permission by the County Commissioners. ~~Permission for a special-use~~ **A Special Use Permit application** may be granted or denied in accordance with the basic purposes and intent of this Code, **as well as**

the spirit and intent of the currently adopted County Master Plan, and other applicable laws and regulations.

**SPECIAL EVENT.** Any temporary major event or gathering, including one-time, annual, or semi-annual events that may be organized by third parties, involving the use of land, buildings, or infrastructure within Ouray County for a period of one (1) month or less in any given calendar year. Events that involve any gathering(s) in excess of 400% of occupancy and/or septic limits for any building, structure, or parcel, for four (4) hours or more, or events that expect to involve one hundred (100) or more attendees, or events that significantly impact public lands and/or public infrastructure, as determined within the reasonable discretion of Land Use Staff or other County Staff, shall be presumed to be a Special Event.

**TEMPORARY USE.** Any use of land within Ouray County which:

- A. Will not continue for a period in excess of 180 consecutive days in any calendar year.
- B. Is not residential in nature.
- C. Does not emit or create excessive noise, smoke, dust, light or other pollutant.
- D. Will not permanently alter the land and does not require the use of **new** permanent structures.
- E. Is not inconsistent with the purpose of this Code.
- F. Use may include food trucks, holiday tree sales lots, pumpkin stands, and/or other similar or seasonal uses, excluding commercial outdoor recreational activities which may require a separate type of permitting.

**TRADE CREDIT** (*as referenced in the High Alpine section of this Code*). A development right that may be transferred from one patented mining claim or patented mill site to another patented mining claim or patented mill site in the High Alpine Zone. A Trade Credit is equivalent to the total acreage of the ‘sending parcel,’ e.g., a Trade Credit transferred from a 10.5 acre parcel is equivalent to 10.5 acres for the purpose of qualifying for a building permit or additional allowable structure square footage as detailed in the High Alpine sections of this Code. Trade Credits shall not be partitioned or severed from the underlying parcel unless such action is initiated as part of an application as set forth in the High Alpine section of the Land Use Code., Trade Credits may only be transferred for the purposes outlined in the ‘High Alpine’ section of this Code and may not otherwise be bought or sold. Any transfer of Trade Credits shall be recorded by the property owner(s) on both the donating and receiving parcels (*patented mining claim or patented mill site*) prior to the issuance of any building permit requiring the use of Trade Credits. The use of Trade Credits is further defined in the High Alpine section of this Code.

**TUNDRA.** Alpine tundra ecosystems are typically found above tree-line and are characterized by scattered, stunted tree coverage, generally less than twenty (20) feet in height. Several distinct plant communities are found in the delicate high alpine tundra ecosystem, and typically include: low shrubs, cushion plants, small forbs, lichens, willows, krummholz, and lush meadows of

sedges and grasses. **Assessment and determination as to whether or not an area or site includes tundra shall be made by a qualified wildlife biologist or other qualified professional, as may be allowed by the BOCC and/or Land Use Department.**

**YURT/YURTS. A portable, lightweight round structure where the roof is held up under a combination of tension and compression, with no major center supports needed, and no excavation or ground disturbance occurs as the result of installation.**

# Work Session

**PUBLIC COMMENT**