AGENDA
OURAY COUNTY PLANNING COMMISSION &
THE OURAY AREA JOINT PLANNING BOARD
PUBLIC HEARING/REGULAR MEETING

May 3, 2022 4:00 – 6:00 pm
Meeting to be held at the Ouray County Land Use Office
111 Mall Road, Ridgway, Colorado

Zoom Log In Info:

On the web:  https://us02web.zoom.us/j/86575837908
Via telephone:  1 253 215 8782
Meeting ID:  865 7583 7908

If all agenda items are not covered in this time frame they may be continued until the next regular
meeting. *Times are approximate and subject to change*. If an item is finished early the Planning
Commission will move directly to the next agenda item. If not a Public Hearing, public comment may or
may not be taken during the meeting. Action may be taken at the conclusion of public hearings.

A. 4:00 Public Hearing – The Ouray Area Joint Planning Board will hold a public
hearing to review and make a recommendation to the Board of County
Commissioners for an application made by the City of Ouray for a Public Utility –
Special Use Permit Amendment to update the existing waste water treatment facility
located at 15137 Highway 550.

B. 5:00 Public Hearing – The Ouray Area Joint Planning Board will hold a public
hearing to review and make a recommendation to the Board of County
Commissioners for an application made by the City of Ouray for a Public Utility –
Special Use Permit to construct a fresh water treatment facility and a 1 million gallon
water storage tank at S: 31 T: 44 R: 7, Parcel I.

C. Adjourn Public Hearing

D. 10-Minute Recess to finish Minutes

E. Reconvene

F. Regular Meeting Open:
   a. Approve Minutes
   b. Old Business
   c. New Business

G. Adjourn
Application: Special Use Permit Amendment – Public Utility
Project Name: City of Ouray Waste Water Treatment Facility
Applicant / Operator: City of Ouray, represented by Silas Clarke
Property Owner: City of Ouray
Parcel Size: ~7.7 Acres
Property Address: 15137 Hwy 550
Zoning District: Valley Zone
Case Manager: Bryan Sampson

Request:
The Applicant has applied to the Land Use Department for approval of a Special Use Permit Amendment for the City of Ouray Waste Water Treatment Facility. The purpose of the amendment is to construct a mechanical wastewater treatment plant to meet newly imposed and known future requirements from the Colorado Department of Public Health and Environment (CDPHE) of effluent discharge into the Uncompahgre River. The current lagoons will be replaced with the mechanical treatment plant, measuring approximately 10,900 square feet in size.

History:
It’s unclear when the first waste water treatment plant was put on this property, but Staff did locate a Special Use Permit Application from 7/10/1989 for “the construction of the current sewage lagoons and installation of associated equipment (such as aerators, piping, pumps, valves, etc.”

County Referrals, Outside Agency Referrals, and Public Comments:
The subject application was referred to the following departments or agencies for review-comment:

COUNTY ATTORNEY
The County Attorney expressed no concerns regarding the subject application.

COUNTY ADMINISTRATOR
The County Administrator expressed no concerns regarding the subject application.
COUNTY ROAD AND BRIDGE DEPARTMENT
The Road and Bridge Department did not express any concerns with the application.

COUNTY WEED DEPARTMENT
The Weed Department did not express any concerns with the application.

Notification/Posting Requirements:

On-Site Posting
As required by the Land Use Code, the Applicant will post on-site notice of the in-process Special Use Permit application on the property at least 14-days prior to the date of the public hearing before the BOCC.

Adjacent/Adjoining/Abutting Owners Notification
As required by the Land Use Code, the Applicant will send written notice of the in-process Special Use Permit application to all property owners holding a fee simple interest in property abutting, adjacent, adjoining upon, or directly across a road or street from the proposed use, at least 14-days prior to the date of the hearing before the BOCC.

Planning Commission Notice
The public hearing notice for this application was published on April 14, 2022.

Requirements – Land Use Code:

*NOTE THAT STAFF’S RESPONSES ARE SHOWN IN BLUE

5.2 SUBMITTAL REQUIREMENTS:
A completed Special Use Permit application form, together with any applicable information as described below, and the required fees, shall be submitted to the County Land Use Department at the time of application submittal:

A. Applicants should review the definition for the proposed use in Section 2, Definitions, and demonstrate that the requested Special Use Permit meets the definition criteria.

STAFF RESPONSE: “Public Utility” is defined in Section 2 of the Land Use Code as “Transmission, generation and storage and treatment facilities of providers of electrical, water, gas, and other like services.

B. Existing conditions map.

STAFF RESPONSE: The Applicant submitted a map showing existing conditions and topography at the proposed site.

C. A detailed site plan which includes, but is not limited to, lot lines, easements, road access, all proposed and existing driveways, parking areas and structures, all areas of significant vegetation and all ditches, ponds and waterways. Signature of owner(s) of all property,
authorizing application and proof of ownership satisfactory to the County, and if land included in an application is leased to an Applicant, a current copy of the lease shall be provided. 

(Applicant may redact all proprietary or other confidential information.)

STAFF RESPONSE: The Applicants have submitted a proposed site plan that includes all of the information referenced in this section.

D. If the operator of the Special Use Permit will be someone other than the owner of the property or the Applicant, the proposed operator shall be identified on the application.

STAFF RESPONSE: The City of Ouray is the land owner and the proposed operator of the fresh water treatment facility.

E. A detailed written narrative explaining the proposed operation or use that includes, at a minimum, statements addressing the following issues or concerns:

1. Description of proposed use.
   i. STAFF RESPONSE: Submitted by Applicant - See Exhibit B

2. The proposed use will not create undue danger in surrounding areas, will not cause water pollution and will not create unreasonable amounts of offensive noise, vibration, smoke, dust, odors, heat, glare or other objectionable influences beyond the boundaries of the property on which such use is located. (At the discretion of the BOCC, a written plan may be required indicating methods to be used to minimize smoke, odors, dust and similar environmental problems, which might result from the operation of the proposed use.)
   i. STAFF RESPONSE: The Applicants have stated in their narrative that the proposed facility will not create undue danger in surrounding areas, and will not cause water pollution, create unreasonable amounts of offensive noise, vibration, smoke, dust, odors, heat, glare or other objectionable influences beyond the boundaries of the property. They also state that the mechanical treatment plant “will greatly reduce the unsightly visual impacts that exist and reduce odors that currently exist”. It is the opinion of Staff that odor is the only item in this section that may be an issue, but is in agreement with the Applicant that the removal of the lagoons, and the conversion to a mechanical plant will greatly reduce the odors that currently exist from the operation today.

3. The proposed use has legal access; potable water, sewage disposal and all other utilities necessary to serve the proposed use.
   i. STAFF RESPONSE: Legal access, potable water, sewage disposal, and all other necessary utilities are available for the proposed facility.

4. The proposed use will comply, if applicable, with the provisions of the Visual Impact Regulations found in Section 9 of this Code.
   i. STAFF RESPONSE: See Exhibit C for draft calculations. This proposal is for a 10,900 square foot building. Staff generally considers the visual impact regulations to be a two-part regulation; first being the point system and the second being skyline break.
1. **Point System:** Staff has run the point calculations on this structure and it appears that it can comply with the point system. Blending will, however, be necessary and dark muted colors are preferred to achieve this. Any additional screening that can be provided by the applicant would also be beneficial.

2. **Skyline:** The property benefits from the large backdrop of the surrounding mountains and staff does not anticipate any possible skyline break from Highway 550 corridor.

(5) The proposed use will not unreasonably impact wildlife or significant wildlife habitat.

   i. **STAFF RESPONSE:** This is an amendment to an existing facility – it is Staff's opinion, the updated facility will have little or no additional impact on wildlife or significant wildlife habitat.

(6) The proposed use will not alter, restrict, inhibit or interfere with historic irrigation practices, headgates, ditches and ditch rights-of-way.

   i. **STAFF RESPONSE:** The Applicant has stated that the facility will not alter restrict, inhibit, or interfere with any irrigation practices, head gates, ditches, or ditch ROW's.

(7) The proposed use is not located within any area subject to identified geohazards, including, but not limited to rockfall areas, avalanches, landslide, potentially unstable slopes, slopes greater than 30 percent, alluvial fans, colluvial slopes, talus slopes, shale, faults, expansive soils or ground subsidence. *(If the proposed use is located within areas subject to the effects of geological hazards, the Applicant shall present satisfactory evidence that such hazards will be avoided. If avoidance is not possible, evidence shall be provided that hazards will be mitigated. The County may require qualified professional geologic or engineering certification that the proposed land use can be located or developed in a safe manner.)*

   i. **STAFF RESPONSE:** Staff is not aware of any geologic hazards that would affect this property.

(8) The proposed use/property has no known chemical or other contamination. If the property is contaminated, a mitigation plan must be presented that would satisfactorily resolve the contamination.

   i. **STAFF RESPONSE:** Staff is not aware of any chemical or other contamination at this location.

(9) The proposed use is compatible with the community character and surrounding land uses within the area for which the request is being proposed.

   i. **STAFF RESPONSE:** In Staff's opinion, the proposed use isn't just compatible with the community character and surrounding land uses, but rather necessary to maintain it.

(10) Statements addressing any potential material adverse effect on the surrounding area.
i. STAFF RESPONSE: Staff is unaware of any potential material adverse effects that the proposed facility would cause or generate.

(11) Statements addressing any possible impacts on existing infrastructure beyond what would be created by a use by right. *(If potential impacts are identified, evidence shall be provided that such impacts will be mitigated as provided by this Section.)*

i. STAFF RESPONSE: Again, this is an amendment to an existing facility. Staff does not anticipate any further demand on infrastructure than what currently exists.

(12) If the property/use is located within a Planned Unit Development, current letter from the Homeowner’s Association approving the proposed use.

i. STAFF RESPONSE: Not applicable

(13) If located within a PUD, proof of notification that the HOA has been notified of an application and a statement that the use is not otherwise prohibited is required.

i. STAFF RESPONSE: Not applicable

(14) Weed mitigation and/or revegetation plan shall be required if applicable. *(May require meeting and on-site review by County Weed Manager.)*

i. STAFF RESPONSE: Staff is suggesting a condition to approval that the Applicant shall consult with the Weed Manager to assess the potential need for a Weed Management Plan.

(15) Additional information may be required as deemed appropriate by Staff for the specific application.

i. STAFF RESPONSE: Staff has not requested any additional information from the applicant at this time.

5.7 OUTSIDE AGENCY REVIEW

STAFF RESPONSE: Staff has not referred the application of any review by outside agencies.

5.11 TERMS, CONDITIONS AND RENEWAL OF SPECIAL USE PERMITS:

A. Special Use Permits may include terms and conditions to address concerns regarding the health, safety, and welfare of the citizens of the County. The BOCC may place conditions on the Special Use Permit in order to ensure compatibility with surrounding uses and to ensure that impacts are properly mitigated. The BOCC may specify the term of the Special Use Permit and may require periodic review.
B. The BOCC may provide any term of years for the Special Use Permit, may provide for a limitation on renewals, or may otherwise establish a termination date for a Special Use Permit, but if no term is provided in the BOCC resolution approving the application, then the Special Use Permit shall be approved for two years from the date of the BOCC resolution.  

STAFF RESPONSE: Due to the nature of this proposal Staff is recommending an indefinite term to this Special Use Permit – not to expire until such time that the facility becomes obsolete and/or inoperable.

C. Not less than sixty (60) days prior to the expiration of a Special Use Permit, the holder of the permit may request an extension of the permit for another term. An application to extend the term of a Special Use Permit shall provide information demonstrating compliance with the terms and conditions of the permit and requirements for the activity. If staff finds that all terms, conditions and requirements have been met, then staff shall extend the Special Use Permit for a two year term. If staff finds that any terms, conditions or requirements have not been met, then the term of the Special Use Permit shall not be extended except upon review and approval by the BOCC after a public hearing. Any Special Use Permit for which an extension has not been granted by the land use staff or by the BOCC shall terminate automatically at the end of the term of years provided in the approving resolution or at the end of two years where no term of years has been specified. A temporary extension may be granted by the land use staff pending review and decision by the BOCC as to an extension.

STAFF RESPONSE: The Applicant is aware of this provision, but if an indefinite term is granted by the BOCC, then these provision become not applicable.

D. If the Applicant fails at any time during the term of the Special Use Permit to meet the requirements and conditions established for the permit as set forth in the resolution approving the permit, the BOCC, subject to review and public hearing, may revoke any approved Special Use Permit.

STAFF RESPONSE: The Applicant is aware of this provision

Planning Commission Recommendation:

The Planning Commission review is scheduled for May 3, 2022.

Staff Conclusions and Recommendations:

It is the opinion of the Land Use Department that the subject application meets the conditions and provisions found in Section 5 of the Land Use Code for approval of an amendment to a Special Use Permit for a Public Utility - to operate a waste water treatment facility. Staff is recommending that the Planning Commission forward the subject application to the Board of County Commissioners with a recommendation of approval and subject to the following conditions:

1. This Special Use Permit shall not expire until such time that the facility becomes obsolete and/or inoperable. If any amendments are required in the future, the Applicants are responsible for obtaining approval of a Special Use Permit Amendment from Ouray County.

3. The Applicant shall maintain the subject property and all associated structures.
4. The Applicant must at all times remain in compliance with the Land Use Code and all Ouray County adopted Ordinances, paying special attention to: Ordinance No’s.: 1992-01 (Noise), 1995-01 (Rubbish), 2002-01 (Open Fires), 2007-01 (OHV’s).

5. All trash and bear attractants shall be kept in bear-proof containers or in a locked building or structure and removed each night.

6. Prior to breaking ground, and following construction, the Applicant shall consult with the Ouray County Weed Department to establish whether a weed management plan is required.
Exhibit List

Exhibit A – Vicinity Map & Aerial Photo
Exhibit B – Application Materials Submitted
Exhibit C – Draft Visual Impact Calculations
Exhibit D – Public Notice
Exhibit E – Public Comments Received
Exhibit B
Application Materials Submitted
Parcel #: 451724100019  Job Site Address: 15137 HIGHWAY 550
City: OURAY  Zip Code: 81427
Legal Description of Property: Qtr. Sections:  Section: 24  Zone: VALLEY
Town: A4  Range: B  Subdivision Name: N/A
Filing: N/A  Lot Name/Number: LOT 1  Directions to job site from nearest County Road: WEST OFF OF HIGHWAY 550, APPROX. 0.1 MILE FROM (NORTH OF) CR 14 INTERSECTION

*Parcel number is available from the Ouray County Assessor’s Office – (970) 325-4371 or online at www.ouraycountyassessor.org

Owner(s) Name: CITY OF OURAY
Mailing Address: PO BOX 468  City/ST/Zip: OURAY, CO 81427
Phone: 970-325-7211  Email Address: info@cityofouray.com

Authorized Agent’s Name: SILAS CLARKE, OURAY CITY ADMINISTRATOR
Mailing Address: PO BOX 468  City/ST/Zip: OURAY, CO 81427
Phone: 970-325-7060  Email Address: clarkes@cityofouray.com

Brief Description of Request (see requirements on reverse of this form):

SPECIAL USE PERMIT APPLICATION FOR CITY OF OURAY'S PROPOSED WASTEWATER TREATMENT FACILITIES (UPDATED)

I certify that I am the landowner or an agent authorized by the landowner and am hereby making application for approval of the above request. I further understand that if there are extenuating circumstances concerning this application, there may be additional fees required to process my application, and that the County will advise me of additional fees and receive my approval before proceeding with my application. I hereby certify that I have read this application completely and that all information provided is correct to the best of my knowledge. All laws, regulations, and ordinances governing the scope of the project contemplated by this application will be complied with, whether or not specifically described within this application. I understand that providing false or misleading information may result in any permit(s) issued being revoked. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating the scope of the project contemplated by this application.

I understand that this application may be open for public inspection as required by the Colorado Open Records Law (C.R.S. 24-72-202, et seq.) and that my personal information contained on this application may be available to the public for review.

[ ] If you are listing a business entity (LLC, Inc, Corp., etc.) as the property owner, you must check this box to confirm that the business (and any other associated members) has granted you approval to apply for this permit.

Signature of Owner(s) or Agent

Date

Form Rev. 8/2020

Page 1 of 2
The City of Ouray is in the process of updating the wastewater treatment facility (WWTF). The current facility is located on Parcel #451724100019 (see Exhibits A, B, and D) just north of the City of Ouray municipal limits, along Highway 550. Ouray’s existing wastewater treatment facility consists of two (2) lagoons which will be replaced as part of the project along with construction of a new facility on-site (see Exhibit C). Ouray’s wastewater treatment facility serves approximately 788 customers and will continue to be the wastewater treatment facility for the Ouray community and many county community members.

The City is close to completion of 75% engineered design for the new wastewater treatment facility. The new mechanical wastewater treatment plant is necessary to meet all newly imposed and known future requirements of the Colorado Department of Public Health and Environment (CDPHE) standards for effluent into the Uncompahgre River. The total square footage of the newly designed plant is 10,900 square feet. This footprint may be adjusted slightly as the City moves towards full designed plans of the new facility.

The proposed use will not create undue danger in surrounding areas, will not cause water pollution and will not create unreasonable amounts of offensive noise, vibration, smoke, dust, odors, heat, glare or other objectionable influences beyond the boundaries of the property on which such use is located. The City of Ouray conducted an Environmental Assessment (EA) and Colorado Department of Public Health and Environment (CDPHE) has provided a Finding of No Significant Impact dated February 17, 2022 to illustrate the WWTF update will not have unreasonable effects on surrounding areas (see Exhibit H). The WWTF has legal access directly from Highway 550 and has potable water, sewage disposal and all other utilities necessary to serve the proposed use. There will be minimal visual impacts from the proposed WWTF (per Section 9 of the Ouray County Land Use Code, Visual Impact Regulations). The City is striving to visually blend the structure with the environmental surroundings. Finalized colors will be determined in the near future; however, Ouray City Council has previously discussed the use of a combination of tans and reds for the structure. Exhibit I, attached hereto, illustrates the proposed wastewater treatment facility although does not illustrate the final facility or colors at this time. The proposed use will not significantly or unreasonably impact wildlife or habitats within the area (see Exhibit H). The City has access to all required and applicable water rights for the proposed WWTF and this update will not alter or interfere with historic irrigation practices at this site (see Exhibits E, F, and G). The updated WWTF site is not located within any area subject to identified geohazards. The City of Ouray will be decommissioning the current wastewater lagoon system in accordance with all applicable CDPHE mitigation regulations; there are no known chemical or other contaminants at the proposed site. The proposed use is compatible with the community character and surrounding land uses within the area for which the request is being proposed. There is no known material adverse effect expected on the surrounding area. The new wastewater facility will be designed, constructed, and operated in compliance with all applicable state and federal regulations and guidelines.
treatment process will greatly reduce the unsightly visual impacts that exist and reduce odors that currently exist. The property is not located within a Planned Unit Development or a Homeowner’s Association. There are no anticipated weed mitigation measures required for the updated WWTF.

The City of Ouray is respectfully requesting for the review of this special use permit application per the 2002 Intergovernmental Agreement (IGA) for the Ouray Area Joint Planning Board.

The City is coordinating closely with the Colorado Department of Public Health and Environment (CDPHE) and the Environmental Protection Agency (EPA) on this project to ensure all timelines and requirements are understood and maintained to the best of all entities’ abilities. In order to meet deadlines set by the EPA and CDPHE the City must apply for the project’s special use permit (SUP) at this point in the process to ensure construction can begin during the spring of 2022.

**ATTACHMENTS:**

Exhibit A: WWTF Vicinity Map
Exhibit B: Site Plat (Reception No. 176825)
Exhibit C: Proposed WWTF Site Plan (Preliminary - JVA Engineers)
Exhibit D: Ouray County Assessor Property Information
Exhibit E: Warranty Deed (Reception No. 145164)
Exhibit F: Lease to Purchase Agreement (Reception No. 177730)
Exhibit G: Special Warranty Deed - Purchase of Property (Reception No. 231396)
Exhibit H: CDPHE Finding of No Significant Impact (Dated 2/17/22)
Exhibit I: WWTF Draft Facility 3D Renderings (Preliminary - JVA Engineers)
BOUNDARY ADJUSTMENT SURVEY AND PLAT
LOCATED IN LOT 7 SECTION 24, T44N, R8W, N.M.P.M.
OURAY COUNTY, COLORADO

In accordance with G.S.P. Section 38-44-112, the undersigned agree that the boundaries, as indicated on this plat, is hereby established and permanently established in the boundary between their respective properties. Unit property lines are subject to changes and conveyance to the other party of such title as the property as may be on the other party’s side of the agreed boundary, as shown.

[Signature]
[Name]
[Title]

[Signature]
[Name]
[Title]

STATE OF COLORADO
COUNTY OF OURAY

The foregoing signatures were acknowledged before me this 13th day of MAY, 2023, by the undersigned, in the City of Ouray, County of Ouray, State of Colorado, who is a Notary Public in and for the State of Colorado.

Notary Public

COUNTY OF OURAY

The foregoing signatures were acknowledged before me this 13th day of MAY, 2023, by the undersigned, in the City of Ouray, County of Ouray, State of Colorado.

Notary Public

APPROVED OF COUNTY COMMISSIONERS
Approved by the County Board of Commissioners this 13th day of MAY, 2023.

[Signature]
[Name]
[Title]

APPROVED OF CITY COUNCIL
Approved by the City Council on this 13th day of MAY, 2023.

[Signature]
[Name]
[Title]

APPROVED FOR RECORDING
Approved for recording this 13th day of MAY, 2023 in the Office of the Clerk and Recorder, County of Ouray.

[Signature]
[Name]
[Title]

JOSI

45.31 Acres (includes deletion of 1 acre to City of Ouray)
Account: R000174

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Legal Summary Lot: 1 Tract: 1 & 2 S: 24 T: 44 R: 8 PT OF SW1/4NE1/4 & TRACT 1 & 2

Mining District

Transfers

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* Estimated
WARRANTY DEED

THIS DEED, Made this 15th day of May, 1989, between

RICHARD P. JOSSI and GAIL M. JOSSI

of the *County of Ouray and State of Colorado, grantor, and THE CITY OF OURAY, COLORADO, a municipal corporation, whose legal address is 320 6th Avenue, Ouray, Colorado 81427

of the *County of Ouray and State of Colorado, grantee;

WITNESSETH. That the grantor, for and in consideration of the sum of

FIFTY-FIVE THOUSAND DOLLARS AND NO/100--------------------------------- DOLLARS,

the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and

by these presents does grant, bargain, sell, convey and confirm unto the grantee, his heirs and assigns forever,

all the real property, together with improvements, if any, situate, lying and being in the

*County of Ouray and State of Colorado, described as follows:

A TRACT OF LAND LOCATED IN LOT 7 OF SECTION 24, TOWNSHIP 44 NORTH, RANGE 8 WEST, NEW MEXICO PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH BOUNDARY OF THE EXISTING CITY OF OURAY WASTE WATER TREATMENT PLANT PROPERTY WHENCE THE N1/4 CORNER OF SAID SECTION 24 BEARS NORTH 16° 39' 07" WEST 2163.04 FEET; THENCE SOUTH 30° 04' 43" EAST 80.47 FEET; THENCE SOUTH 64° 40' 22" EAST 144.93 FEET; THENCE SOUTH 39° 51' 00" EAST 165.42 FEET; THENCE SOUTH 01° 20' 52" WEST 85.02 FEET; THENCE SOUTH 45° 51' 18" WEST 94.76 FEET; THENCE NORTH 87° 46' 46" WEST 490.37 FEET; THENCE NORTH 50° 34' 20" WEST 58.26 FEET; THENCE NORTH 01° 30' 27" WEST 190.07 FEET; THENCE NORTH 10° 55' 44" EAST 101.60 FEET TO A POINT ON SAID SOUTH BOUNDARY; THENCE NORTH 76° 55' 22" EAST 243.55 FEET ALONG SAID SOUTH BOUNDARY; THENCE NORTH 81° 55' 22" EAST 63.93 FEET ALONG SAID SOUTH BOUNDARY TO THE POINT OF BEGINNING, COUNTY OF OURAY, STATE OF COLORADO.

If in Denver, insert "City and" in this blank.

also known by street and number as:

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever, of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances unto the grantee, his heirs and assigns forever.

And the grantor, for himself, his heirs, and personal representatives, does covenant, grant, bargain and agree to and with the grantee, his heirs and assigns, that at the time of the ensealing and delivery of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, except
easements, rights of way and interests of governmental entities along with the 1989 taxes due in 1990 which second party assumes and agrees to pay.

and the above bargained premises in the quiet and peaceable possession of the grantee, his heirs and assigns, against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the grantor shall and will WARRANT AND FOREVER DEFEND. The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above.

[Signature]

Richard P. Jossi

Gail M. Jossi

STATE OF COLORADO,

County of [County Name] ss.

The foregoing instrument was acknowledged before me this 15th day of May 1989, by Richard P. Jossi and Gail M. Jossi.


Witness my hand and official seal.

[Notary Seal]

Notary Public

Address
LEASE AGREEMENT WITH OPTION TO PURCHASE

THIS LEASE is entered into as of this December 3, 2001 by and between the CITY OF OURAY, hereinafter referred to as the "City" and Richard P. Jossi and Gail M. Jossi, hereinafter referred to as "Lessors".

WITNESSETH:

WHEREAS, Lessors are the owner of the property described on Exhibit A hereto,

WHEREAS, The City is desirous of leasing such property and obtaining an option to purchase the property,

NOW, THEREFORE, FOR AND IN CONSIDERATION OF THE MUTUAL COVENANTS AND AGREEMENTS CONTAINED HEREIN, THE PARTIES HERETO AGREE, as follows:

1. Lessors do hereby lease to the City the real and personal property, located in Ouray County, Colorado, as described on Exhibit A hereto.

2. The term of this Lease shall commence on December 1, 2001, and shall terminate on February 15, 2006, unless sooner terminated as hereinafter provided.

3. The City shall pay rent to Lessors as follows:


4. It is understood and agreed by the parties that the obligations of the City to make the rental payments specified in Paragraph 3 hereof shall extend only to the extent that the money is appropriated by the City Council each year and available for that purpose. This Lease is not intended, and shall not be construed, to create a debt of the City, or a financial obligation which extends beyond December 31 of any year.

5. The demised land described in Paragraph 1 above consists of vacant land, which the City accepts in its present condition.

6. The City shall have the exclusive use of the demised premises during this lease for uses associated with the City's Waste Water Treatment Plant.

7. The City is a governmental entity and is tax exempt. However, if any ad valorem, real property or personal property taxes shall be assessed and determined to be due upon the demised premises or upon any improvements constructed thereon, the City shall pay such taxes.
8. Lessors shall deliver any tax notices to the City upon receipt thereof. The City will hold harmless and indemnify Lessors for any damages adjudged against the City or Lessors arising out of the operation and maintenance of the demised premises by the City, excepting, however, any damages resulting from the acts whether negligent or otherwise of the Lessors, their agents or employees.

9. Upon completion of the term of this Lease, the City shall have the right to purchase the demised premises for $1.00. In the event the City shall fail to exercise this option at the end of the Lease, the Lessors may give written notice to the city of termination of the Lease and Lessors' intent to take possession of the demised premises. If the following receipt of such notice the City fails to exercise this option to purchase within sixty (60) days thereafter, then this Lease shall terminate and the Lessors may take possession of the demised premises.

10. The City shall have the right to maintain the demised premises and to construct any improvements thereon as it shall see fit. All improvements on the premises shall be the property of the City at all times during this Lease. In the event this Lease is terminated for any reason, without the City exercising its option to purchase, the City shall have 180 days after the termination of the Lease to remove such improvements. Any improvements which the City has not removed within 180 days after the termination of this Lease, may be disposed of by Lessors as they see fit. Lessors may also elect to retain such improvements at such time in which case they shall become the sole property of Lessors.

11. Lessors may assign their interest under this Lease, but shall not allow any lien or other encumbrance to be imposed upon the demised premises or this Lease which would create any interest or encumbrances in priority to that of the City under this Lease. At all times, the City's interest in the leased property pursuant to this Lease, shall take precedence over any other interest, lien or encumbrance in the demised premises created by Lessors or by law on account of their acts or failure to act after the date of this Lease.

12. Lessors warrant that they are the owners in fee of the demised premises, free and clear of all liens and encumbrances except:
   
   a. 2001 taxes payable in 2002, which shall be paid by lessor through December 1, 2001.
   
   b. Easements for existing public utilities and easements of record.

13. Upon execution of this Agreement, Lessors shall execute their good and sufficient general warranty deed conveying the land, which is the subject matter of this Lease to the City. Such deeds shall be held in escrow until such time as the property is purchases by the City pursuant to the terms of this Lease, in which event the deed shall be delivered to the City, or until the Lease is terminated and possession of the demised premises is retaken by Lessors in accordance with this Lease, in which event the deed shall be returned to Lessors.
14. No waiver of any breach of any one or more conditions and covenants of this Lease by the Lessors or the City shall be deemed to imply or constitute a waiver of any succeeding or other breach under this lease.

15. All notices or checks required to be given to the Lessors or the City hereunder shall be mailed to at the following addresses:

City: City of Ouray  
c/o City Administrator  
City Hall  
P. O. Box 468  
Ouray, CO 81427

Lessor: Richard and Gail Jossi  
P. O. Box 623  
Ouray, CO 81427

Notice shall be effective when deposited in U.S. Mail, certified, return receipt requested, addressed to the above address or any other address written notice of which address change has been given in writing to the other party.

16. The Lessors shall warrant title and defend the City in the enjoyment and peaceful possession of the premises during the term of this Lease.

17. The Lessors may cancel and terminate this Lease and repossess the premises in the event any of the installments provided for is in arrears and remains unpaid for a period of thirty (30) days after giving written notice to the City of intention to so terminate. In the event of any other breach or default by the City, Lessors may give a written notice demanding that such default or breach be cured. Sixty (60) days thereafter, all rights of the City hereunder shall terminate unless the default as stated in the Notice shall have been cured.

18. The City may cancel and terminate this Lease effective as of the end of any lease year for its convenience and at its discretion for any reason. In such event the City may remove any improvements upon the demised premises within sixty (60) days following the end of the lease year.

19. This agreement shall be recorded and the cost thereof paid by the City.

20. Both parties hereto acknowledge and agree that they have not relied upon any statement, representations, agreements or warranties except such as are expressed herein and that no amendment or modification of this Lease shall be valid or binding unless expressed in writing and executed by the parties hereto in the same manner as the execution of this Lease.

21. The City will not sublet or assign its interest hereunder unless it obtains the written permission of Lessors, which permission shall not be unreasonably withheld.
CITY OF OURAY
By [Signature]
Mayor

LESSEES:
By [Signature]
Richard P. Jossi
By [Signature]
Gail M. Jossi

STATE OF COLORADO ) ss.
COUNTY OF OURAY )

The foregoing instrument was acknowledged before me this 13th day of
December, 2001, by Arthur G. Fox, Mayor, and Kathy Elmont, Clerk, of the City of
Ouray, Colorado.

Witness my hand and official seal.
My commission expires: 06-24-03

(SEAL)

By [Signature]
Notary
Address

STATE OF COLORADO ) ss.
COUNTY OF OURAY )

The foregoing instrument was acknowledged before me this 6th day of

Witness my hand and official seal.
My commission expires: 06-24-03

(SEAL)

By [Signature]
Notary
Address
EXHIBIT A

A tract of land located in Lot 7 of Section 24, Township 44 North, Range 8 West, New Mexico Principal Meridan, County of Ouray, State of Colorado, described as follows:

Beginning at a point on the existing City of Ouray waste water treatment plant property, defined by a Rebar and Cap, LS 31160, whence the N1/4 Corner of said Section 24, bears N20°01'22"W, 2186.20 feet; thence S81°55'22"W, 130.00 feet; thence S30°04'43"E, 80.47 feet; thence S64°40'22"E, 144.93 feet; thence S39°51'00"E, 165.42 feet; thence S01°20'52"W, 85.02 feet; thence S45°51'18"W, 94.76 feet; thence N67°48'50"E, 229.70 feet, to the westerly R.O.W. of Highway 550; thence N40°29'40"W, 448.61 feet, along said R.O.W., to the point of beginning.
ORDINANCE NO. 9, 2001

AN ORDINANCE OF THE CITY OF OURAY, COLORADO, AUTHORIZING THE CITY TO ENTER INTO A LEASE WITH OPTION TO PURCHASE A TRACT OF LAND ADJACENT TO THE WASTE WATER TREATMENT PLANT FOR $50,000, AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OURAY, COLORADO as follows:

SECTION 1:

The City is hereby authorized to enter into a Lease with option to purchase the property described on Exhibit A hereto with Gail M. and Richard P. Jossi for $10,000 a year for five years. The Mayor, Administrator, and Clerk/Treasurer are authorized and directed to execute said Lease and take other action as necessary to implement the transaction.

SECTION 2:

The City Council hereby finds that this Ordinance is necessary to the immediate preservation of the public peace, health and safety and that an emergency exists because the City needs the property for purposes related to the proper operation of its waste water treatment plant, and that this ordinance needs to take effect as soon as possible in order to acquire the property.

INTRODUCED, READ, PASSED and ORDERED PUBLISHED on first reading by the Ouray City Council this 19th day of November, 2001.

CITY OF OURAY, COLORADO

By

Mayor

ATTEST:

Kathy Elmont

City Clerk

INTRODUCED, READ and ADOPTED on second reading this 3rd day of December, 2001, by the Ouray City Council, by a 5-0 vote.

CITY OF OURAY, COLORADO

By

Mayor

ATTEST:

Kathy Elmont

City Clerk

CERTIFICATE OF ATTESTATION

I, Kathy Elmont, Ouray City Clerk, hereby certify and attest that Ordinance No. 9 (Series 2001) was introduced, read and passed by the Ouray City Council on first reading on 11/19, 2001. Said Ordinance was published, in full, in the Ouray County Plaindealer on 11/23, 2001, in full, thereafter introduced, read and adopted by the City Council on 12/13, 2001, and thereafter published in the Ouray County Plaindealer, as required by law.

Kathy Elmont
SPECIAL WARRANTY DEED

The Grantors, RICHARD P. JOSSI and GAIL M. JOSSI, of Ouray County, Colorado, for the consideration of ONE DOLLAR ($1.00), in hand paid, hereby sells and conveys to the CITY OF OURAY, COLORADO, the Grantee, whose legal address is P.O. Box 468, Ouray, Colorado 81427-0468, County of Ouray, State of Colorado, the following real property in the County of Ouray and State of Colorado, to wit:

See Exhibit A attached hereto and made a part hereof.

also known by street address as: 15137 Highway 550
and assessor’s schedule or parcel number: 451724100019

with all its appurtenances and warrants the title against all persons claiming under the Grantors, subject to Statutory Exceptions.

Signed this 10th day of February, 2022.

Richard P. Jossi

Gail M. Jossi

STATE OF COLORADO )
County of Ouray ) ss.

The foregoing instrument was acknowledged before me this 10th day of February, 2022, by Richard P. Jossi and Gail M. Jossi, Grantors.

Witness my hand and official seal.

Beverly Martensen
Notary Public

Notary Public

BEVERLY MARTENSEN
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20044011386
MY COMMISSION EXPIRES MARCH 6, 2023
A tract of land located in Lot 7 of Section 24, Township 44 North, Range 8 West, New Mexico Principal Meridian, County of Ouray, State of Colorado, described as follows:

Beginning at a point on the existing City of Ouray waste water treatment plant property, defined by a Rebar and Cap, LS 31160, whence the N1/4 Corner of said Section 24, bears N20°01'22"W, 2186.20 feet; thence S81°55'22"W, 130.00 feet; thence S30°04'43"E, 80.47 feet; thence S64°40'22"E, 144.93 feet; thence S39°51'00"E, 165.42 feet; thence S01°20'52"W, 85.02 feet; thence S45°51'18"W, 94.76 feet; thence N67°48'50"E, 229.70 feet, to the westerly R.O.W. of Highway 550; thence N40°28'40"W, 448.61 feet, along said R.O.W., to the point of beginning.
FINDING OF NO SIGNIFICANT IMPACT

TO ALL INTERESTED GOVERNMENTAL AGENCIES AND PUBLIC GROUPS:
As required by guidelines for the preparation of environmental impact statements, an environmental review has been performed on the proposed action below:

Project: City of Ouray Wastewater Treatment Facility Improvements
Location: Ouray County, Colorado
Project No.: 143131 W-A
Total Cost: $18,485,000

Project Description

The proposed project consists of replacement of the existing lagoon wastewater treatment facility with a new mechanical facility with expanded treatment capacity. The project will be funded by a Water Pollution Control Revolving Fund loan in the amount of $18,485,000 at an interest rate of 2.5%. The project will increase the user rates by $10.15 per month.

The review process did not indicate that significant environmental impacts would result from the proposed action. Consequently, a preliminary decision not to prepare an Environmental Impact Statement (EIS) has been made. The action is taken on the basis of a careful review of the engineering report, environmental assessment, and other supporting data that are on file in the Water Quality Control Division of the Colorado Department of Public Health and Environment, and are available for public review upon request.

Comments supporting or disagreeing with this decision may be submitted for consideration to:

Matt Alms, Compliance Specialist
Colorado Department of Public Health and Environment
WQCD-GLU-B2
4300 Cherry Creek Drive South
Denver, CO 80246-1530

After evaluation of the comments received, the Division will make a final decision; however, no administrative decision will be taken on the project for at least 30 calendar days after publication of the Finding of No Significant Impact.

Nicole Rowan
Division Director
Water Quality Control Division
Preliminary 3D Rendering, from highway 550 POV. **Colors reflected are not accurate.**
Preliminary 3D Rendering, perspective from just north of property. Colors reflected are not accurate.
Preliminary 3D Rendering, perspective from just south of property. Colors reflected are not accurate.
Exhibit C
Draft Visual Impact Calculations
Calculation for Visual Impact Analysis

Applicant or Project Name: City of Ouray Waste Water Treatment Plant
Address: 15130 Hwy. 550

**IMPACT POINTS**

Size of Structure: Size: 10,900 x .001 = 10.9 Points
Height of Structure: Height: 20' x .300 = 6.0 Points

**TOTAL IMPACT POINTS: 16.9**

**MITIGATION POINTS**

Lot Size
(Only when 7AC or more):

\[
\frac{7.690}{1000} \text{ AC} \times 0.3 = 2.309 \text{ Points (5pts Max)}
\]

Natural Screening:

\[
\frac{15}{\%} \text{ Screening} \times 0.100 = 1.5 \text{ Points}
\]

Blending:

\[\checkmark\] Yes (3 Pts.) or [ ] No (0 Pts) 3.0 Points

Distance View Corridor
(Rounded down to the nearest 1/4 mile):

\[
\frac{\text{miles}}{0.25} \times 0.5 = \text{ Points}
\]

Within Subdivision or PUD:

[ ] Yes (1 Pt.) or [ ] No (0 Pt.) Points

Additional Screening:

\[
\frac{\text{\% Screening}}{100} = \text{ Points}
\]

**TOTAL MITIGATION POINTS: 12.007**

**IMPACT POINTS - MITIGATION POINTS: 4.093 (5.0 OR LESS PASSES)***

**SKYLINE:** Verify whether or not the structure will break skyline – See LUC: [ ] Pass [ ] Fail

\(\text{\checkmark} \text{ NO ISSUES EXPECTED}\)

**SIGNATURE**

**DATE:**

Form Rev. 7/2017
Exhibit D
Public Notice
Crimson Canyons & Mesas National Parks Tour
10 days, departs May - September 2022
Las Vegas - Grand Canyon - Bryce Canyon - Zion - Capitol Reef - Arches & Canyonlands - and more — Experience the red rocks of these 6 iconic national parks. Travel through deserts, forests, mountains, and to the very edge of the Grand Canyon on this tour.

Promo code N7017
1-866-943-9321

Never Paint Again
Nationwide Builders is proud to introduce MT. STATES WESTERN EXTREME COMPOSITE SIDING
Be a part of our 2022 Show Homes Campaign and Save!
5 homeowners in this general area will be given the opportunity to have MT. STATES WESTERN EXTREME COMPOSITE SIDING applied to their home with decorative trim at a very low cost.

This amazing new product has been engineered specifically to combat the harsh Colorado climate, and eliminates constant painting and maintenance costs. Backed with fade and lifetime material warranty, and providing full insulation, summer and winter, this product can be installed on most types of homes. It comes in a wide variety of colors and is now being offered to the local market.
Your home can be a showplace in your vicinity. We will make it worth your while if we can use your home.

Insulated Windows Also Available!
Financing Available WAC "Offer Limited-CALL NOW!"
For an appointment, please call toll free:
1-888-540-0334
Nationwide Builders
3 Generations of Experience - www.nbcindustries.com

Published: Ouray County Plaindealer: April 14, 2022
Legal Notice No. 48398

NOTICE OF HEARING

Notice is hereby given that the Ouray County Planning Commission will hold a public hearing beginning at 5:00 pm on May 3, 2022 at the Ouray County Land Use Office, located at 111 Mall Road, Ridgway CO and via Zoom. (Zoom info published later in the Plaindealer under the PC Agenda.)

The purpose of the hearing is to review and make a recommendation to the Board of County Commissioners regarding an application by the City of Ouray for approval of a Public Utility - Special Use Permit to construct a fresh water treatment facility and a 1 million gallon water storage tank at S1 T: 44 R: 7, Parcel 1.

Application materials may be may be reviewed during regular business hours (Mon - Thurs, 8:00 am to 4:30 pm) at the Land Use Office, 111 Mall Road, Ridgway, Colorado. Comments may be submitted prior to the hearing and should be received no later than April 26, 2022. Comments may be mailed to: Land Use Office, P.O. Box 28, Ridgway, CO 81432 or emailed to: bsampson@ougarycountyco.gov. Alternatively, written and/or oral testimony may be taken from the public during the hearing. Action may be taken on this application following the hearing.

Published: Ouray County Plaindealer: April 14, 2022
Legal Notice No. 48399

NOTICE OF HEARING

Notice is hereby given that the Ouray County Planning Commission will hold a public hearing beginning at 4:00 pm on May 3, 2022 at the Ouray County Land Use Office, located at 111 Mall Road, Ridgway CO and via Zoom. (Zoom info published later in the Plaindealer under the PC Agenda.)

The purpose of the hearing is to review and make a recommendation to the Board of County Commissioners regarding an application by the City of Ouray for approval of a Public Utility - Special Use Permit Amendment to update the existing water treatment facility located at 5137 Highway 550.

Application materials may be may be reviewed during regular business hours (Mon - Thurs, 8:00 am to 4:30 pm) at the Land Use Office, 111 Mall Road, Ridgway, Colorado. Comments may be submitted prior to the hearing and should be received no later than April 26, 2022. Comments may be mailed to: Land Use Office, P.O. Box 28, Ridgway, CO 81432 or emailed to: bsampson@ouarycountyco.gov. Alternatively, written and/or oral testimony may be taken from the public during the hearing. Action may be taken on this application following the hearing.

Published: Ouray County Plaindealer: April 14, 2022
Exhibit E
Public Comments Received
Application: Special Use Permit – Public Utility
Project Name: City of Ouray Fresh Water Treatment Facility
Applicant / Operator: City of Ouray, represented by Silas Clarke
Property Owner: City or Ouray
Parcel Size: 17.4 Acres
Property Address: TBD (S: 31 T: 44 R: 7 PARCEL I)
Zoning District: Alpine Zone
Case Manager: Bryan Sampson

Request:
The Applicant has applied to the Land Use Department for approval of a Special Use Permit to locate a fresh water treatment and storage facility on a 17.4 acre parcel south of the City of Ouray. The Application notes that, due to the very limited elevated and flat property owned by the City of Ouray, this location has been determined to be the best and only solution for the installation of the mandated water treatment facility. According to the application submitted, the need for this facility was necessitated when Colorado Department of Health and Environment (CDPHE) notified the City of Ouray that their drinking water source was “groundwater under the direct influence of surface water”, or GWUDI. The proposed facility consists of a building measuring 60’x100’, and a new storage tank measuring 67’ in diameter and 40’ in height* (holding capacity of approximately 1 million gallons). The new facility is expected to meet the newly imposed requirements of CDPHE.

* Staff notes that the proposed height of the tank exceeds the maximum building/structure height of 35’, and that is addressed later in this report.

History:
From the Applicant’s Narrative: In 2012, the City of Ouray purchased Parcel #451531300015 just south of the municipal limits (south of CR 361) from the U.S. Forest Service for the expansion of the Ouray Ice Park.

County Referrals, Outside Agency Referrals, and Public Comments:
The subject application was referred to the following departments or agencies for review/comment:

COUNTY ATTORNEY
The County Attorney expressed no concerns regarding the subject application.

**COUNTY ADMINISTRATOR**

The County Administrator expressed no concerns regarding the subject application.

**COUNTY ROAD AND BRIDGE DEPARTMENT**

The Road and Bridge Department did not express any concerns with the application.

**COUNTY WEED DEPARTMENT**

The Road and Bridge Department did not express any concerns with the application.

**Notification/Posting Requirements:**

**On-Site Posting**

As required by the Land Use Code, the Applicant will post on-site notice of the in-process Special Use Permit application on the property at least 14-days prior to the date of the public hearing before the BOCC.

**Adjacent/Adjoining/Abutting Owners Notification**

As required by the Land Use Code, the Applicant will send written notice of the in-process Special Use Permit application to all property owners holding a fee simple interest in property abutting, adjacent, adjoining upon, or directly across a road or street from the proposed use, at least 14-days prior to the date of the hearing before the BOCC.

**Planning Commission Notice**

The Planning Commission public notice was published on April 14, 2022.

**Requirements – Land Use Code:**

*NOTE THAT STAFF’S RESPONSES ARE SHOWN IN BLUE*

5.2 **SUBMITTAL REQUIREMENTS:**

A completed Special Use Permit application form, together with any applicable information as described below, and the required fees, shall be submitted to the County Land Use Department at the time of application submittal:

A. Applicants should review the definition for the proposed use in Section 2, Definitions, and demonstrate that the requested Special Use Permit meets the definition criteria.

   **STAFF RESPONSE:** “Public Utility” is defined in Section 2 of the Land Use Code as “Transmission, generation and storage and treatment facilities of providers of electrical, water, gas, and other like services.”
B. Existing conditions map.

   STAFF RESPONSE: The Applicant submitted a map showing existing conditions and topography at the proposed site.

C. A detailed site plan which includes, but is not limited to, lot lines, easements, road access, all proposed and existing driveways, parking areas and structures, all areas of significant vegetation and all ditches, ponds and waterways. Signature of owner(s) of all property, authorizing application and proof of ownership satisfactory to the County, and if land included in an application is leased to an Applicant, a current copy of the lease shall be provided. (Applicant may redact all proprietary or other confidential information.)

   STAFF RESPONSE: The Applicants have submitted a proposed site plan that includes all of the information referenced in this section.

D. If the operator of the Special Use Permit will be someone other than the owner of the property or the Applicant, the proposed operator shall be identified on the application.

   STAFF RESPONSE: The City of Ouray is the land owner and the proposed operator of the fresh water treatment facility.

E. A detailed written narrative explaining the proposed operation or use that includes, at a minimum, statements addressing the following issues or concerns:

   (1) Description of proposed use.

      i. STAFF RESPONSE: Submitted by Applicant - See Exhibit B

   (2) The proposed use will not create undue danger in surrounding areas, will not cause water pollution and will not create unreasonable amounts of offensive noise, vibration, smoke, dust, odors, heat, glare or other objectionable influences beyond the boundaries of the property on which such use is located. (At the discretion of the BOCC, a written plan may be required indicating methods to be used to minimize smoke, odors, dust and similar environmental problems, which might result from the operation of the proposed use.)

      i. STAFF RESPONSE: The Applicants have stated in their narrative that the proposed facility will not create undue danger in surrounding areas, and will not cause water pollution, create unreasonable amounts of offensive noise, vibration, smoke, dust, odors, heat, glare or other objectionable influences beyond the boundaries of the property. It is Staff’s opinion that this statement is generally true, and we do not anticipate any objectionable or dangerous conditions as a result of installing or operating this facility.

   (3) The proposed use has legal access; potable water, sewage disposal and all other utilities necessary to serve the proposed use.

      i. STAFF RESPONSE: Legal access, potable water, sewage disposal*, and all other necessary utilities are available for the proposed facility.

*Vault privy type toilet may be allowed by the Board of Health with a pending variance
(4) The proposed use will comply, if applicable, with the provisions of the Visual Impact Regulations found in Section 9 of this Code.

i. STAFF RESPONSE: This proposal is for a 6,000 square foot building and a 3,525 square foot storage tank. Staff generally considers the visual impact regulations to be a two-part regulation; first being the point system and the second being skyline break.

1. Point System: Staff has run the point calculations on both of these structures and believes both will easily meet the point system if proper colors are used to achieve “blending” (See exhibit C for draft calculations). The Applicant has stated that they are considering green or tan for these facilities. These may be acceptable, depending upon the shade/hue. In Staff’s opinion, dark colors generally work best for blending, and would encourage the use of a dark green, dark gray, or even black.

2. Skyline: The property benefits from the large backdrop of the surrounding mountains and staff does not anticipate any possible skyline break from Highway 550 corridor that is within the unincorporated portion of Ouray County.

(5) The proposed use will not unreasonably impact wildlife or significant wildlife habitat.

i. STAFF RESPONSE: In Staff’s opinion, the facility will not unreasonably impact wildlife of significant wildlife habitat.

(6) The proposed use will not alter, restrict, inhibit or interfere with historic irrigation practices, headgates, ditches and ditch rights-of-way.

i. STAFF RESPONSE: The Applicant has stated that the facility will not alter restrict, inhibit, or interfere with any irrigation practices, head gates, ditches, or ditch ROW’s.

(7) The proposed use is not located within any area subject to identified geohazards, including, but not limited to rockfall areas, avalanches, landslide, potentially unstable slopes, slopes greater than 30 percent, alluvial fans, colluvial slopes, talus slopes, shale, faults, expansive soils or ground subsidence. (If the proposed use is located within areas subject to the effects of geological hazards, the Applicant shall present satisfactory evidence that such hazards will be avoided. If avoidance is not possible, evidence shall be provided that hazards will be mitigated. The County may require qualified professional geologic or engineering certification that the proposed land use can be located or developed in a safe manner.)

i. STAFF RESPONSE: While there are locations on this property that include slopes that are greater than 30%, and similar areas that may be subject to geologic hazards (i.e., the gorge on the eastern side of the property), the proposed facility is to be placed in a location that does not appear to be affected by these hazards. Therefore, Staff is not recommending that a geologic hazard analysis be conducted at this time.
(8) The proposed use/property has no known chemical or other contamination. If the property is contaminated, a mitigation plan must be presented that would satisfactorily resolve the contamination.

   i. STAFF RESPONSE: Staff is not aware of any chemical or other contamination at the site of the proposed treatment facility.

(9) The proposed use is compatible with the community character and surrounding land uses within the area for which the request is being proposed.

   i. STAFF RESPONSE: In Staff’s opinion, the proposed use isn’t just compatible with the community character and surrounding land uses, but rather necessary to maintain it.

(10) Statements addressing any potential material adverse effect on the surrounding area.

   i. STAFF RESPONSE: Staff is unaware of any potential material adverse effects that the proposed facility would cause or generate.

(11) Statements addressing any possible impacts on existing infrastructure beyond what would be created by a use by right. *(If potential impacts are identified, evidence shall be provided that such impacts will be mitigated as provided by this Section.)*

   i. STAFF RESPONSE: Staff does not expect that this facility will have a high traffic count, nor do we anticipate excessive demands on existing utilities to operate the facility.

(12) If the property/use is located within a Planned Unit Development, current letter from the Homeowner’s Association approving the proposed use.

   i. STAFF RESPONSE: Not applicable

(13) If located within a PUD, proof of notification that the HOA has been notified of an application and a statement that the use is not otherwise prohibited is required.

   i. STAFF RESPONSE: Not applicable

(14) Weed mitigation and/or revegetation plan shall be required if applicable. *(May require meeting and on-site review by County Weed Manager.)*

   i. STAFF RESPONSE: The site is currently snow covered, so Staff is suggesting a condition to approval that the Applicant shall consult with the Weed Manager to assess the potential need for a Weed Management Plan.

(15) Additional information may be required as deemed appropriate by Staff for the specific application.

   i. STAFF RESPONSE: Staff has not requested any additional information from the applicant at this time.
5.7 OUTSIDE AGENCY REVIEW

STAFF RESPONSE: The Applicants have voluntarily provided an Environmental Impact Study (EIS) and Staff is not proposing any further outside agency review at this time.

3.7 CONSTRUCTION, MAXIMUM BUILDING AND STRUCTURE HEIGHT:

In all zones, the maximum height of a building or other structure shall not exceed thirty-five (35) feet, unless a height of less than thirty-five (35) feet is required within the High Alpine Development Regulations (See Section 24 of this Code), an approved PUD, or as otherwise provided in a special use permit. (See Definitions – Section 2 for more information) Construction of structures in all zones may have additional requirements, including setbacks, as provided elsewhere in this Code. Property owners should consult with Land Use staff concerning applicability of other requirements before commencing design or construction. (Emphasis added)

STAFF RESPONSE: The storage tank that is being proposed is 40’ in height – 5’ higher than the 35’ maximum specified in the Land Use Code. Staff has reviewed the property for skyline break, and has no concerns from that standpoint. Fresh water supply is clearly a necessity for the existing and future residents of the City of Ouray and Ouray County. For that reason, and if approved by the Board of County Commissioners, Staff is recommending that the 40’ height for the water storage tank be accepted and provided for in the approving resolution.

5.11 TERMS, CONDITIONS AND RENEWAL OF SPECIAL USE PERMITS:

A. Special Use Permits may include terms and conditions to address concerns regarding the health, safety, and welfare of the citizens of the County. The BOCC may place conditions on the Special Use Permit in order to ensure compatibility with surrounding uses and to ensure that impacts are properly mitigated. The BOCC may specify the term of the Special Use Permit and may require periodic review.

STAFF RESPONSE: No comment

B. The BOCC may provide any term of years for the Special Use Permit, may provide for a limitation on renewals, or may otherwise establish a termination date for a Special Use Permit, but if no term is provided in the BOCC resolution approving the application, then the Special Use Permit shall be approved for two years from the date of the BOCC resolution.

STAFF RESPONSE: Due to the nature of this proposal Staff is recommending an indefinite term to this Special Use Permit – not to expire until such time that the facility becomes obsolete and/or inoperable.

C. Not less than sixty (60) days prior to the expiration of a Special Use Permit, the holder of the permit may request an extension of the permit for another term. An application to extend the term of a Special Use Permit shall provide information demonstrating compliance with the terms and conditions of the permit and requirements for the activity. If staff finds that all terms, conditions and requirements have been met, then staff shall extend the Special Use Permit for a two year term. If staff finds that
any terms, conditions or requirements have not been met, then the term of the Special Use Permit shall not be extended except upon review and approval by the BOCC after a public hearing. Any Special Use Permit for which an extension has not been granted by the land use staff or by the BOCC shall terminate automatically at the end of the term of years provided in the approving resolution or at the end of two years where no term of years has been specified. A temporary extension may be granted by the land use staff pending review and decision by the BOCC as to an extension.

STAFF RESPONSE: The Applicant is aware of this provision, but if an indefinite term is granted by the BOCC, then these provision become not applicable.

D. If the Applicant fails at any time during the term of the Special Use Permit to meet the requirements and conditions established for the permit as set forth in the resolution approving the permit, the BOCC, subject to review and public hearing, may revoke any approved Special Use Permit.

STAFF RESPONSE: The Applicant is aware of this provision

<table>
<thead>
<tr>
<th>Planning Commission Recommendation:</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Planning Commission review is scheduled for May 3, 2022.</td>
</tr>
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<table>
<thead>
<tr>
<th>Staff Conclusions and Recommendations:</th>
</tr>
</thead>
<tbody>
<tr>
<td>It is the opinion of the Land Use Department that the subject application meets the conditions and provisions found in Section 5 of the Land Use Code for approval of a Public Utility - Special Use Permit to operate a fresh water treatment facility. Staff is recommending that the Planning Commission forward the subject application to the Board of County Commissioners with a recommendation of approval and subject to the following conditions:</td>
</tr>
</tbody>
</table>

1. This Special Use Permit shall not expire until such time that the facility becomes obsolete and/or inoperable. If any amendments are required in the future, the Applicants are responsible for obtaining approval of a Special Use Permit Amendment from Ouray County.

3. The Applicant shall maintain the subject property and all associated structures.

4. The Applicant must at all times remain in compliance with the Land Use Code and all Ouray County adopted Ordinances, paying special attention to: Ordnance No's.: 1992-01 (Noise), 1995-01 (Rubbish), 2002-01 (Open Fires), 2007-01 (OHV’s).

5. All trash and bear attractants shall be kept in bear-proof containers or in a locked building or structure and removed each night.

6. Prior to breaking ground, and following construction, the Applicant shall consult with the Ouray County Weed Department to establish whether a weed management plan is required.

7. The Applicant shall ensure that that proper and legal sewage disposal exists on the property.
Exhibit List

Exhibit A – Vicinity Map & Aerial Photo
Exhibit B – Application Materials Submitted
Exhibit C – Draft Visual Impact Calculations
Exhibit D – Public Notice
Exhibit E – Public Comments Received
Exhibit A
Vicinity Map & Aerial Photo
Exhibit B
Application Materials Submitted
SPECIAL USE PERMIT APPLICATION

Parcel #: 451531300015  Job Site Address: TBD
City: OURAY  Zip Code: 81427
Legal Description of Property: Qtr. Sections:  Section: 31  Zone: ALPINE
(Town: 44  Range: 7  Subdivision Name: N/A
Filing: N/A  Lot Name/Number: PARCEL I  Directions to job site from nearest County Road: CR 361 TO ACCESS PROPOSED FACILITIES (ON LEFT; APPROX. 0.3 MILE FROM HWY 550/CR 361 INTERSECTION)

Owner(s) Name: CITY OF OURAY
Mailing Address: PO BOX 488  City/ST/Zip: OURAY, CO 81427
Phone: 970-325-7211  Email Address: info@cityofouray.com

Authorized Agent’s Name: SILAS CLARKE, OURAY CITY ADMINISTRATOR
Mailing Address: PO BOX 488  City/ST/Zip: OURAY, CO 81427
Phone: 970-325-7060  Email Address: CLARKES@CITYOFOURAY.COM

Brief Description of Request (see requirements on reverse of this form):
SPECIAL USE PERMIT APPLICATION FOR CITY OF OURAY'S PROPOSED WATER TREATMENT FACILITIES + 1 MILLION-GALLON WATER TANK.

I certify that I am the landowner or an agent authorized by the landowner and am hereby making application for approval of the above request. I further understand that if there are extenuating circumstances concerning this application, there may be additional fees required to process my application, and that the County will advise me of additional fees and receive my approval before proceeding with my application. I hereby certify that I have read this application completely and that all information provided is correct to the best of my knowledge. All laws, regulations, and ordinances governing the scope of the project contemplated by this application will be complied with, whether or not specifically described within this application. I understand that providing false or misleading information may result in any permit(s) issued being revoked. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating the scope of the project contemplated by this application.

I understand that this application may be open for public inspection as required by the Colorado Open Records Law (C.R.S. 24-72-202, et seq.) and that my personal information contained on this application may be available to the public for review.

[ ] If you are listing a business entity (LLC, Inc, Corp., etc.) as the property owner, you must check this box to confirm that the business (and any other associated members) has granted you approval to apply for this permit.

Signature of Owner(s) or Agent

12-20-2021

Date

Form Rev. 8/2020
WATER TREATMENT FACILITY (WTF) - APPLICATION NARRATIVE

TO: Mark Castrodale, Ouray County – Planning Director
FROM: Lily Oswald, City of Ouray – Community Development Coordinator
DATE: March 2, 2022
RE: Updated City of Ouray WTF Special Use Permit Application Narrative

The City of Ouray is in the process of installing a water treatment facility (WTF) based on a requirement of the Colorado Department of Public Health and Environment (CDPHE). In June of 2021, the City of Ouray’s drinking water source was determined to be “groundwater under the direct influence of surface water” (GWUDI). Per the Environmental Protection Agency (EPA), as enforced by CDPHE, the City was immediately required to begin the design and ultimate construction of a WTF. While notably unrealistic by all parties involved, the City was placed on a mandated timeline to have a water treatment facility constructed and in-service within eighteen (18) months after the June 2021 notice. To ensure drinking water safety between the date of CDPHE’s notice and until the completion of a new WTF, the City must maintain a 2.0 mg/l rate of chlorination at the point of disinfection. The disinfection takes place at the City’s storage tanks as the water flows into the municipality.

In 2012, the City of Ouray purchased Parcel #451531300015 just south of the municipal limits (south of CR 361) (see Exhibits A, B, and D) from the U.S. Forest Service for the expansion of the Ouray Ice Park. Due to the very limited elevated and flat property owned by the City of Ouray, this has been determined to be the best and only solution for the installation of the mandated WTF (see Exhibit E). Ouray’s water treatment facility serves approximately 815 customers and will continue to be the sole drinking water source for city residents and many surrounding community members (e.g. Bachelor Switch Water Users Association).

The new water treatment facility is necessary to meet all newly imposed and known future requirements of the Colorado Department of Public Health and Environment (CDPHE) standards for drinking water from our water sources. The water treatment facility consists of a building and a tank. The proposed building is 60-ft. x 100-ft., or 6,000 square feet. The proposed tank diameter is 67-ft., and 40-ft. in height, for an area of 3,525 square feet and a capacity of one (1) million gallons. The total square footage of the newly designed plant footprint at 30% engineered plans is 9,525 square feet. This square footage may be adjusted slightly as the City moves towards full designed plans of the new facility (see Exhibit C).

The proposed use will not create undue danger in surrounding areas, will not cause water pollution and will not create unreasonable amounts of offensive noise, vibration, smoke, dust, odors, heat, glare or other objectionable influences beyond the boundaries of the property on which such use is located. A draft of an Environmental Impact Statement (EIS) will be available on March 27, 2022 illustrating no unreasonable impacts (“No Significant Findings”) will occur with the updated WTF to surrounding areas above the site. The proposed water treatment updated facility has legal access from CR 361 and is approximately 0.3 mile from Highway 550 at the CR 361 intersection. The WTF has no on-site sewage needs. There will be a State-approved holding tank to capture the floor drain and filtration backwash materials for off-site hauling to the...
wastewater treatment facility (WWTF). All other necessary utilities exist to serve the proposed facility. There will be minimal visual impacts from the proposed WTF (per Section 9 of the Ouray County Land Use Code, Visual Impact Regulations). The proposed water tank’s final color has yet to be determined; however, the City is considering green and tan color options to determine the least visually-impactful design. The proposed use will not significantly or unreasonably impact wildlife or habitats within the area. This site was identified because it has minimal impact on viewsheds or wildlife. The City is working to obtain an Environmental Impact Statement (EIS) with a letter of No Significant Findings illustrating no unreasonable impacts will occur with the updated WTF to wildlife and habitats. The City has access to all required and applicable water rights for the proposed WTF and this update will not alter or interfere with historic irrigation practices at this site. The WTF site was identified for proximity to the City of Ouray, available water sources, and its elevation. There is a natural berm backing against the WTF site and reservoir which allows for a protected and naturally secluded site. The property or location of the proposed WTF itself has not experienced geohazards or rock fall events in recent years although natural events have occurred below, in the gorge area. There are no known chemical or other contaminants at the proposed site. The proposed use is compatible with the community character and surrounding land uses within the area for which the request is being proposed. There is no known material adverse effect expected on the surrounding area. There are no anticipated impacts on existing infrastructure beyond what would be created by a use by right. The property is not located within a Planned Unit Development or a Homeowner’s Association. There are no anticipated weed mitigation measures required for the updated WWTF.

The City of Ouray is respectfully requesting for the review of this special use permit application per the 2002 Intergovernmental Agreement (IGA) for the Ouray Area Joint Planning Board.

The City is coordinating closely with the Colorado Department of Public Health and Environment (CDPHE) and the Environmental Protection Agency (EPA) on this project to ensure all timelines and requirements are understood and maintained to the best of each entities’ abilities. In order to meet deadlines set by the EPA and CDPHE the City must apply for the project’s special use permit (SUP) at this point in the process, to try and meet all mandated timelines for the treatment of the City of Ouray’s drinking water.

ATTACHMENTS:
Exhibit A: WTF Vicinity Map
Exhibit B: Site Plat (Reception No. 207391)
Exhibit C: Proposed WTF Site Plan (Preliminary - Element Engineering LLC)
Exhibit D: Ouray County Assessor Property Information
Exhibit E: Corrective Deed (Reception No. 207877)
Account: R006401

Location
Situs Address
City Ouray
Tax Area Id 106 - 106
Parcel Number 451531300015
Legal Summary S: 31 T: 44 R: 7 PARCEL I (17.4 ACRES) S: 6 T: 43 R: 7 PARCEL II (6.7 ACRES) AS SHOWN ON PLAT OF SURVEY RECORDED AT RECEPTION #207391

Mining District

Owner Information
Owner Name CITY OF OURAY
Owner Address PO BOX 468 OURAY, CO 81427

Assessment History
Actual (2021) $281,010
Assessed $81,490
Exempt ($81,490)
Total Taxable $0

Tax Area: 106 Mill Levy: 52.944

Type Actual Assessed Acres SQFT
Implements $3,860 $1,120 849.000
Land $277,150 $80,370 24.100

Transfers

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Tax History

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* Estimated

Images

- Photo
- GIS

* Photo of the property

9
CORRECTION DEED

WHEREAS, the UNITED STATES OF AMERICA, acting by and through the Forest Service, United States Department of Agriculture, GRANTOR, conveyed to City of Ouray, a political subdivision of the State of Colorado, whose address is 320 6th Avenue, P.O. Box 468, Ouray, Colorado 81427, GRANTEE, real property by Quitclaim Deed dated May 8, 2012, and recorded May 11, 2012, as Reception No. 207433, of the official records of Ouray County, Colorado, and

WHEREAS, the legal description therein was incorrect and it is necessary to show the correct legal description of the aforesaid conveyance to City of Ouray, a political subdivision of the State of Colorado.

NOW, THEREFORE, the GRANTOR agrees that the real property conveyed as Reception No. 207433, is legally described as:

New Mexico Principal Meridian

Parcels I and II of the Ouray Ice Park Townsite Addition located in Section 31, T. 44 N., R. 7 W., and in Section 6, T. 43 N., R. 7 W. (Suspended), according to the "Plat of Survey" signed by Forest Supervisor Charles S. Richmond on 12/14/2011 and recorded in the official records of Ouray County, Colorado, on 05/07/2012, as Reception No. 207391.

Except as amended by this Correction Deed, all other terms and conditions of said Quitclaim Deed of May 8, 2012, above referred to shall remain in full force and effect.

IN WITNESS WHEREOF, the GRANTOR, by its duly authorized representative, has hereunto set his hand and seal this 25th day of June, 2012.

UNITED STATES OF AMERICA

By: ______________
THOMAS W. MCCCLURE
Acting Director of Physical Resources
Rocky Mountain Region, R-2
Forest Service
U.S. Department of Agriculture

Exempt from Documentary Fees
Pursuant to CFR 39-13-104(1x)
ACKNOWLEDGMENT

State of COLORADO )
) SS:
County of JEFFERSON )

The foregoing instrument was acknowledged before this 25th day of June, 2012, by THOMAS W. MCCLURE, Acting Director of Physical Resources, Rocky Mountain Region, R-2, Forest Service, U. S. Department of Agriculture.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

[Signature]
Notary Public Signature

My Commission Expires 06/06/2013
My Commission expires: 06-06-2013
Exhibit C
Draft Visual Impact Calculations
Calculation for Visual Impact Analysis

Applicant or Project Name: City of Quray Fresh Water Building

Address: ________________________________

**IMPACT POINTS**

Size of Structure: \( \frac{6,000}{6.0} \times 0.01 = 6.0 \) Points

Height of Structure: \( \frac{25}{1} \times 0.300 = 7.5 \) Points

**TOTAL IMPACT POINTS:** 13.5

**MITIGATION POINTS**

Lot Size
(Only when 7AC or more):

\( 12.4 \text{ AC} \times 0.300 = 3.72 \) Points (5pts Max)

Natural Screening:

\( 80\% + 4\% \text{ Screening} \times 0.100 = 90 \) Points

Blending:

\( \checkmark \text{ Yes (3 Pts.) or } [ ] \text{ No (0 Pts)} \)

\( 3.0 \) Points

Distance View Corridor
(Rounded down to the nearest ¼ mile):

\( 0.25 \text{ miles} / 0.25 \times 0.5 = 0.5 \) Points

Within Subdivision or PUD:

[ ] Yes (1 Pt.) or \( \checkmark \text{ No (0 Pt.)} \)

\( 0 \) Points

Additional Screening:

\( \% \text{ Screening} \times 0.100 = \) Points

**TOTAL MITIGATION POINTS:** 13.5

**IMPACT POINTS - MITIGATION POINTS:** 0 (5.0 OR LESS PASSES)

**SKYLINE:** Verify whether or not the structure will break skyline – See LUC: [ ] Pass [ ] Fail

\( \checkmark \) No issues expected

**SIGNATURE** ____________________________  **DATE** ____________________________

Form Rev 7/2017  Page 1 of 1
Calculation for Visual Impact Analysis

Applicant or Project Name: CITY OF OURAY FRESH WATER STORAGE TANK

Address:

**IMPACT POINTS**

Size of Structure: 
Size: 35.25 ft. x .001 = 0.3525 Points

Height of Structure: 
Height: 40' x .300 = 12.0 Points

**TOTAL IMPACT POINTS:** 15.325

**MITIGATION POINTS**

Lot Size
(Only when 7AC or more):

19.4 AC x .300 = 5.8 Points (5pts Max)

Natural Screening:

50% Screening x .100 = 5.0 Points

Blending:

[✓] Yes (3 Pts.) or [ ] No (0 Pts) 3.0 Points

Distance View Corridor
(Rounded down to the nearest ¼ mile):

0.28 miles / .25 x 0.5 = 0.5 Points

Within Subdivision or PUD:

[ ] Yes (1 Pt.) or [✓] No (0 Pt.) 0 Points

Additional Screening:

% Screening x .100 = Points

**TOTAL MITIGATION POINTS:** 8.5

**IMPACT POINTS - MITIGATION POINTS:** 6.85 (5.0 OR LESS PASSES)

**SKYLINE:** Verify whether or not the structure will break skyline – See LUC: [ ] Pass [ ] Fail

No Issues Expected

**SIGNATURE**

**DATE**

Form Rev. 7/2017
Exhibit D
Public Notice
Crimson Canyons & Mesas National Parks Tour
10 days, departs May - September 2022
Las Vegas - Grand Canyon - Bryce Canyon - Zion - Capitol Reef - Arches & Canyonlands - and more — Experience the red rocks of these 6 iconic national parks. Travel through deserts, forests, mountains, and to the very edge of the Grand Canyon on this tour.

Promo code N7017
1-866-943-9321

Never Paint Again
Nationwide Builders is proud to introduce MT. STATES WESTERN EXTREME COMPOSITE SIDING
Be a part of our 2022 Show Homes Campaign and Save!
5 homeowners in this general area will be given the opportunity to have MT. STATES WESTERN EXTREME COMPOSITE SIDING applied to their home with decorative trim at a very low cost.

This amazing new product has been engineered specifically to combat the harsh Colorado climate, and eliminates constant painting and maintenance costs. Backed with fade and lifetime material warranty, and providing full insulation, summer and winter, this product can be installed on most types of homes. It comes in a wide variety of colors and is now being offered to the local market. Your home can be a showplace in your vicinity. We will make it worth your while if we can use your home.

Insulated Windows Also Available!
Financing Available WAC "Offer Limited-CALL NOW!"
For an appointment, please call toll free: 1-888-540-0334
Nationwide Builders
3 Generations of Experience - www.nbciindustries.com

Published: Ouray County Plaindealer: April 14, 2022
Legal Notice No. 48398
Notice of Hearing
Notice is hereby given that the Ouray County Planning Commission will hold a public hearing beginning at 6:00 p.m. on April 3, 2022 at the Ouray County Land Use Office, located at 111 Mill Road, Ridgway CO and via Zoom. (Zoom info published later in the Plaindealer under the PC Agenda.)

The purpose of the hearing is to review and make a recommendation to the Board of County Commissioners regarding an application by the City of Ouray for approval of a Public Utility - Special Use Permit to construct a fresh water treatment facility and a 1 million gallon water storage tank at 31: T: 44 R: 7, Parcel I.

Application materials may or may not be reviewed during regular business hours (Mon - Thurs, 8:00 am to 4:30 pm) at the Land Use Office, 111 Mill Road, Ridgway, Colorado. Comments may be submitted prior to the hearing and should be received no later than April 26, 2022. Comments must be mailed to: Land Use Office, P.O. Box 28, Ridgway, CO 81432 or emailed to: bsampson@ouraycounty.gov. Alternatively, written and/or oral testimony may be taken from the public during the hearing. Action may be taken on this application following the hearing.

Published: Ouray County Plaindealer: April 14, 2022
Legal Notice No. 48399
Notice of Hearing
Notice is hereby given that the Ouray County Planning Commission will hold a public hearing beginning at 6:00 p.m. on May 3, 2022 at the Ouray County Land Use Office, located at 111 Mill Road, Ridgway CO and via Zoom. (Zoom info published later in the Plaindealer under the PC Agenda.)

The purpose of the hearing is to review and make a recommendation to the Board of County Commissioners regarding an application by the City of Ouray for approval of a Public Utility - Special Use Permit Amendment to update the existing water treatment facility located at 15137 Highway S50.

Application materials may or may not be reviewed during regular business hours (Mon - Thurs, 8:00 am to 4:30 pm) at the Land Use Office, 111 Mill Road, Ridgway, Colorado. Comments may be submitted prior to the hearing and should be received no later than April 26, 2022. Comments must be mailed to: Land Use Office, P.O. Box 28, Ridgway, CO 81432 or emailed to: bsampson@ouraycounty.gov. Alternatively, written and/or oral testimony may be taken from the public during the hearing. Action may be taken on this application following the hearing.

Published: Ouray County Plaindealer: April 14, 2022
Exhibit E
Public Comments Received