AGENDA
OURAY COUNTY PLANNING COMMISSION
PUBLIC HEARING/REGULAR MEETING

May 17, 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/83632369502
Via telephone:  1 (346) 248-7799
Meeting ID:  836 3236 9502

A. 4:00 Work Session

The Planning Commission will convene in a work session to discuss details related to a possible update of the Ouray County Master Plan. (This topic is currently being discussed by the County Commissioners.)

1. Presentation by County Administrator.
2. Presentation by County Attorney.

B. Adjourn Work Session

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

D. Adjourn
To: Mark Castrodale

Subject: PC ‘new business’ for the 4/19/22 meeting

From: Patsy Miller

Mark,

After listening to the BOGG meeting this morning, I have a suggesting to make. I would like to propose, as new business for the April 19 meeting, that the Planning Commission should consider having a special meeting/workshop as soon as possible focused on the County Master Plan.

In preparation for that meeting you would need to send us a copy of the old review that the Planning Commission did on the current Master Plan, I do not know the date of that meeting, but Randy probably does.

As preparation for this special meeting, each planning commission member must review the current Master Plan, our past suggestions, and the list of topics that the County attorney said should be included in a Master Plan.

It is important for us to know if the topics Leo mentioned are required or permissible ("shall or may be") in a Master Plan. The Planning Commission needs a copy of this statute before the special meeting/workshop.

According to my notes of the BOGG meeting, these suggested topics included:

1) road right of ways- traffic
2) public facilities
3) utilities, water development
4) alternative energy sources.
5) affordable housing
6) conservation areas
7) projections of future growth,
8) geological hazards, mass transportation
9) mineral deposits.
10) recreation and tourism
11) agriculture
12) GIS analysis
13) If I missed some, please add them to the list

It also might be helpful to get a copy of an updated Master Plan from a similar Colorado County to see what they included.

The goal of this meeting/workshop is to narrow and focus the scope of the work required to update the Master Plan by suggesting which parts of the existing Master Plan are still relevant and what needs to be added or revised.

It would be helpful, if before the special meeting/workshop, each of us would write down or mark up the parts of the current Master Plan that should stay or be removed and topics that should be added. In other words, come prepared for a focused and productive meeting.

The County Master Plan is a philosophical statement of goals and aspirations which may or may not ever be realized. The time, effort, and costs expended on this legally required revision should keep that in mind.

I will gladly bring a carrot cake and extra coffee makings to keep the special meeting/ workshop going.
Planning Commission Proposal for the Process to be used in Reviewing and Updating the Master Plan

Prepared by: Randy Parker, Chairman  
Date: January 25, 2016  
Approved by: Planning Commission on Feb. 16, 2016

At the request of the Board of County Commissioners, the Planning Commission has conducted a cursory review of the current Master Plan in order to answer the questions which were raised at our Joint Workshop which was held on October 20, 2015.

First, there is a strong consensus among Staff and Planning Commission members that the current Master Plan does not need to be completely rewritten. The Master Plan does need to be updated to reflect current public opinion, changes in demographics and to determine what specific goals and policies have been completed, what specific goals and policies need to be changed or deleted and what new goals and policies may need to be added. In addition, most Planning Commission members believe that it is important to have specific, measurable and attainable action items as part of the Master Plan. These action items could be prioritized, have specific target dates to meet and reviewed on a regular basis. Action items would not need to be part of the Master Plan itself, but could be included in an appendix to the Plan. This process would allow the Planning Commission and the public to determine what progress, if any, is being made with respect to the goals and policies set forth in the Master Plan.

Second, both Staff and the Planning Commission believe that in order to build a strong public consensus supporting any proposed changes in the current Master Plan that the services of an outside consultant are essential. Neither Staff nor the Planning Commission has the necessary expertise to undertake this process. The Planning Commission believes that given the size, composition and workload of the current Land Use Staff, that Staff does not have the time necessary to lead this process while at the same time undertaking their regular day to day responsibilities. An outside consultant will give needed credibility to the process and permit Staff to focus on their regular short-term planning and land use responsibilities. Many Planning Commission members, also, felt
that an outside consultant is particularly important given the public’s reaction to the recent review of Section 9 of the Land Use Code.

Third, the Planning Commission believes that it is critical that any review of the Master Plan be conducted in no more that a 12-18 month review process and that during this review there should be no elections for Board of County Commission members and no changes in appointments to the Planning Commission. In order to accomplish this, the Planning Commission is recommending that this process not be undertaken until after the 2016 election and commence as soon as possible in 2017. If possible, the process should be completed by the end of 2017 or at the latest by June 30, 2018.

Fourth, the Planning Commission is requesting that the Board of County Commissioners budget at least $35,000 and no more than $50,000 to hire an outside consultant to lead the Planning Commission in this process. This recommendation includes the Board of County Commissioners applying for a match DOLA Grant in order to have a working budget of $70,000-$100,000 for this review. This recommendation is based upon input from Staff, as well as, a presentation Chris Hawkins, a local planner on the role and cost of an outside consultant in the Master Plan Review Process.

Finally, the Planning Commission is requesting that the Board of County Commissioners and the Planning Commission hold a joint workshop to review these recommendations and provide any supporting information, which the Board of County Commissioners may deem appropriate. I am including a list of the meetings/workshops held by the Planning Commission, the documents reviewed by the Planning Commission, as well as, a list of the documents generated by the Planning Commission and Staff as part of this review.

Meetings/Workshops

Two workshops were held to review the Master Plan including a presentation by Staff of their recommendations, a “white board” exercise conducted by Staff reviewing the current Master Plan and identifying issues which were either not covered in the current Master Plan or goals and/or policies which may need to be substantially modified. The public participated in both of these workshops.

Documents Reviewed

1. The current 1999 Master Plan plus the 1976 and 1985 Master Plans
2. The survey used by the Planning Commission to generate information for the 1999 Master Plan
3. The Staff report dated October 1, 2015 setting forth the process, time and cost of Master Plans in our surrounding area
4. DOLA document entitled “10 Questions to ask when adopting or reviewing a master plan.”
5. Colorado Revised Statute 30-28-103 and 106

Documents Generated by the Planning Commission and/or Staff

1. Notes for January 5, 2016 Workshop
2. Notes for January 19, 2016 Workshop
3. Staff notes for “white board” exercise for January 5, 2016 workshop
4. Staff’s general comments and opinions regarding status of stated policies in the current Master Plan used at the January 19th workshop
Land Use Staff’s comments regarding the current status of the County Master Plan

ISSUES – UPDATE AND REVISE

Economic Development

• The Master Plan makes it clear in its stated goal that the County at the time of the adoption of this document, desired a more diverse and balanced economy. It’s hard to point to anything tangible that has been done since 2009 to promote a more sustainable, year-round economy in Ouray County.

• The Master Plan states a policy of developing and implementing standards that allow home-based businesses that are appropriate for their location. Although the County adopted regulations regarding Home Businesses/Home Occupations in 2002, no substantive work has been done on this issue since that time. There are no apparent incentives for someone to operate a home-based business in Ouray County and the application process is risky and expensive. Also, the outcome of recent applications for home-based businesses may demonstrate a possible unfriendly perception (by the County) of these types of operations. It is possible that these types of uses could contribute positively to the overall economic stability of the County, but the regulations would likely have to change to encourage more interest in home-based businesses.

• The Master Plan states a clear policy of developing acceptable commercial and/or industrial uses in the unincorporated areas along with the development of standards that allow these uses through the special use permit process. It doesn’t appear that there have been any efforts to develop additional allowable commercial and/or industrial uses in the County since the adoption of the plan in 1999.

• Economic drivers for the County could be categorized as: mining, agriculture, commercial (retail, commercial, industrial, etc...), residential, and recreation. The most direct, safe, and sustainable way to affect the county’s economy may be by allowing, and in possibly encouraging, additional commercial and residential development.

Housing

• Although it is a stated goal in the current Master Plan, Ouray County does not have, and likely will not have, diverse & attainable housing without the adoption of major changes in the current zoning regulations.

Tourism

• At this time, Ouray County does not have a thriving, sustainable, year-round tourist economy.

ISSUES – MISSING:
• Proper wildfire mitigation as a standalone goal or as part of a larger emergency management concept.

**TIMEFRAME:**

• A substantive review and update of the Master Plan will likely take a minimum of 18 – 24 months.

**CONSULTANT ROLE:**

• Act as the unbiased project manager for the review and update of the Master Plan. It’s key that the public sees that neither Staff nor the Planning Commission is pursuing this project with any predetermined outcome or uncommunicated agenda.
• Assist with defining the process and scope.
• Assist with developing the methods and content of public communications.
• Assist with obtaining and organizing input and feedback from the community.
• Lead public meetings.
• Assist with converting public input, along with input from the Planning Commission and Staff, into a draft of possible changes/updates to the Master Plan.
Planning Commission Work Session

ISSUE/TOPIC: Master Plan - Is a full review/update necessary? If so, would this entail?

Staff/PC Consensus Items:

Master Plan - Sections needing an update or revision:

- Agricultural Lands
  - How does it fit in?
  - Water / Storage / Policy
  - Regulation vs Incentive
- County/Municipal Relationship
  - Not Just Ridgway/Ouray
  - Colona
  - State/Federal Agencies
- Economic Development
- Housing
- Natural Resources
- Rural Character
  - Possibly broaden to “Land Use”
- Tourism
  - Tie back to Economic Development
- Transportation
- Utilities
  - Possibly re-tool as “Infrastructure”
- Visually Significant Areas
- Wildlife and Plant Habitats

Issues Missing or Underdeveloped

- Hazard Mitigation
  - Wildfire
- Communications
- Alternative Energy
- Sustainability
- Mining District – Residential Development
- Oil & Gas
- List of Priorities (Measurable!)
- More focus on Water
- GIS / Mapping
- Historic Preservation
- Land Use

**Estimated time to Complete/Issues:**

- Staff: 12 - 18 months
- Chris Hawkins: 12 – 18 months
- Planning Commission: 12 – 18 months
- Do not start until after 2016 election!
- Complete project prior to next election!

**Consultant Role:**

- Staff: High level of participation by consultant.

**Issues:**

- Staff time
- Public perception of bias by Staff and/or Planning Commission
- Consultant expert on the “process”
- Keeps the process on track
- Staff continues to work on short term planning & land use applications

**Recommended Budget:**

- Staff: County $35k/DOLA $35k = $70k (minimum)
- Planning Commission:

**Misc. Issues:**

- What is the DOLA grant cycle?
- Can DOLA provide any assistance pre-grant?
- Priority would be to develop a “scope of work”. Does the consultant do/help do this?
- Should include the Theobald and RPI studies.
OURAY COUNTY
MASTER PLAN

Prepared by:

Ouray County Planning Commission:

Jim Irvine, Chairperson

Barbara Vanhoutte, Vice-Chairperson
    Linda Ingo
    John Trujillo
    Judy Woford

Ouray County Land Use and Planning Department

Gary Laura, Administrator
    Greg Moberg, Planner
    Carol Dunn, Planning Technician
    Jane Bennett, Secretary to the Commission

Adopted by the Ouray County Planning Commission

December 1, 1999
TABLE OF CONTENTS

Introduction ............................................. 1
Purpose of the Plan .................................... 1
The Planning Process ................................... 1
Ouray County Development Goals .................. 2

1 Goals and Policies

A. Agricultural Lands ................................. 2
B. County/Municipal Relationships ............... 3
C. Economic Development ........................... 4
D. Housing ............................................. 4
E. Natural Resources ................................ 5
F. Rural Character ................................... 6
G. Tourism ............................................. 6
H. Transportation .................................... 7
I. Utilities ............................................. 8
J. Visually Significant Areas ....................... 9
K. Wildlife and Plant Habitats ..................... 9

Introduction

As Ouray County citizens enter a new millennium, words that introduced the original Ouray County Zoning Regulations in 1971 are still applicable today. "The area encompassed by Ouray County is a quiet land of awesome beauty, even today nearly untouched and unspoiled . . . It ranges from the magnificent San Juan Mountains on the south across the Uncompahgre Valley, and on in to the rolling foothills and mesas covering the northern parts of the county. Ouray County, then, possesses a rare combination of assets; a priceless and varied natural environment, ranging from unique wilderness to more hospitable areas, and a population which is aware of the value and delicacy of the physical setting surrounding it."

"Ouray County is now becoming known to people from all areas as a winter and summer recreation area . . . In the face of such potential popularity, how can the unique environment for living, including the delicate natural environment, be protected? How can the County accommodate the inevitable development pressures, without letting these pressures negate or even destroy the unique and irreplaceable qualities that attracted them in the first place?"
The questions being asked then are still relevant to this day. Building on our history and incorporating results of a recent survey of the people of Ouray County, this update of the Master Plan for Ouray County seeks to encompass and expand upon these original precepts.

Purpose of the Plan
The Master Plan is a comprehensive, long-range guide, prepared by the Ouray County Planning Commission, to be used in making decisions that affect the physical, cultural and socioeconomic development of Ouray County. The Master Plan provides a realistic and achievable image of the County, both present and future, through a framework of goals and policies. The goals provide general statements reflecting the desires of county residents regarding the use of land and lay the groundwork for zoning and the land use decision-making process. The policies provide the County's positions relating to the identified goals and establish guidelines for direction or action.

The physical development of the County has direct and indirect effects on property rights, natural resources and property values. This Master Plan seeks a balance that respects these concerns in an effort to maintain the County residents' quality of life. Therefore, it is the intent to allow only that development which is responsible and consistent with the goals and policies set out in this plan.

An additional purpose of this plan is to facilitate cooperation between the municipalities and the County on matters of mutual concern.

The Planning Process

In 1994, the County declared a one-year moratorium on new planned unit developments due to an increase in proposed residential development and circumvention of the Master Plan goals. After three years of collecting information, a geographic information system (GIS) was developed, a county planner was hired, and a Demographic and Economic Trend Line Report was completed.

In December of 1997, joint Planning Commission and Board of County Commissioners meetings were held to define the planning process. The Planning Commission held open workshops twice a month to obtain community comments and concerns. Joint planning commission workshops were held with the two municipalities.

The Master Plan is the end result of analysis of all pertinent data collected as well as community input. After a formal public hearing, this Master Plan was adopted by resolution of the Ouray County Planning Commission. These goals and policies are a reflection of this community's values and desires for Ouray County.

Goal of the Ouray County Master Plan:

The overall goal of the Ouray County Master Plan is to allow gradual, long-term population and economic growth in Ouray County in a manner that does not harm the County's irreplaceable scenic beauty, wildlife, air and water resources, and other environmental qualities and that does not unduly burden the County's residents or its governments. To better define and implement this overall goal of the County Master Plan, the following goals and policies are set forth.

For organizational purposes, the order of the goals are listed alphabetically with no weight or priority implied.

A. Agricultural Lands

Agricultural uses within Ouray County are important physical, environmental, cultural, aesthetic, and economic asset to both urban and rural residents. In addition, preservation of these lands in large tracts is desirable to maintain the agricultural economy of the County. Development of these agricultural properties is a matter of public concern in both the agricultural community and the residential community because of the interface
between agriculture and development activities.

**Goal:**

To encourage the continued use of lands for agricultural productivity and the right to farm and ranch.

**Policies:**

1. Ranching and farming shall remain a use-by-right within specific land use zones except as restricted or modified when a change in land use is granted by the County. **Complete**

2. Develop and implement right to farm/ranch regulations that protect the agricultural community by ensuring the right to continue agricultural activities. **Complete**

3. Develop and implement regulations and a process that give incentive to an owner to develop the land in a manner that conserves productive agricultural lands. **Progress, see below**

4. Consider intergovernmental agreements with the Town of Ridgway, the City of Ouray and areas of future incorporation that would maintain irrigated fields and low-density development surrounding each municipality in exchange for establishing and maintaining urban growth boundaries. **Progress, Need to address Colona Zone**

5. Evaluate and consider for adoption programs and incentives that encourage the placement of land into conservation easements and other protective status. **Not Done**

6. Develop and implement a regional agricultural economic development plan in conjunction with the surrounding counties to promote agricultural activities. **Not Done**

7. Obtain, maintain and update a map of ditches and irrigated lands provided by the Colorado Division of Water Resources, supplemented or amended, as required, using other sources. Require developers to designate all irrigation ditches, return flow ditches and drainage ditches located within the boundaries of any development plan and designate access to such ditches and surrounding irrigated fields. **Progress, see below**

8. Evaluate and consider for adoption incentives and amendments to the Land Use Code that keep or augment existing water rights within the County. **Not Done**

**Comments related to stated policies:**

- Farming and Ranching remains a use-by-right in all Ouray County zoning districts with the exception of the Colona Zone and the South Mesa Zone.

- In 2001, Ouray County adopted Ordinance No. 01-01, establishing and implementing a right to farm policy pursuant to C.R.S. 35-3.5-101.

- There is no process or program in place at this time that incentivizes a property owner to develop land(s) in a manner that conserves productive agricultural lands. Mentioned in the Ouray County Multi-Hazard Mitigation Plan

- Ouray County has entered into intergovernmental agreements (IGA's) with the City of
Ouray and the town of Ridgway to address growth and development proposals with the established “Urban Growth Management Area(s)” and “Area(s) of Influence. The IGA’s seem to address issues of development rather than preservation.

- There are no programs at this time at the County level designed to encourage landowners to place lands within conservation easements.
- Staff has no knowledge of any regional agricultural economic development plan(s).
- The Land Use Department does not have, nor maintain, any maps of ditches and/or irrigated lands within the County. Locations of ditches/headgates must be identified as part of any application for a PUD (subdivision). Staff strives to ensure that access to ditches is established and maintained through the PUD process. Ditches and structures mapped by state and can be found on colorado-water.com. Does the County need to map these or simple refer the public to the state site?
- There are no clearly identifiable incentives in the Land Use Code for property owners to keep or augment existing water rights within the County.

B. County/Municipal Relationships

Municipalities located within Ouray County today are the Town of Ridgway and the City of Ouray. In addition, the unincorporated town site of Colona is also located within Ouray County. Each municipality has developed and adopted a master plan or comprehensive plan to guide their growth. Of importance to all residents are the land use decisions that may be made by the municipalities and the County. These decisions can impact development patterns and the natural environment.

Goal:

To preserve encourage? the community character of the City of Ouray and the Town of Ridgway. How does the County preserve the character of a municipality?

Policies:

1. The County and Municipalities (future and present) in cooperation should come to an agreement regarding the location of urban growth boundaries and urban influence zones. Having created and agreed to these boundaries, the County should recognize them in the following manner: See Below

   a. The County should not rezone or allow the development of any property, other than agreed upon uses, within the urban growth boundaries. Progress, need to review policies

   b. The County should support municipal annexations when the subject properties are located within the urban growth boundaries provided all conditions of the intergovernmental agreements are met. Progress, need to review policies

   c. The County and municipalities should enter into intergovernmental agreements to jointly review any development proposals within established urban growth boundaries and other areas of mutual concern. Progress, need to review policies

2. Encourage and foster intergovernmental agreements that uphold the intent of this master plan with any areas of concentrated residential development that
undertake a process of incorporation. Progress, need to review policies

Comments related to stated policies:

- The County has established an Urban Growth Management Area overlay zone.
- The County has not rezoned or allowed the development of any property, other than the agreed upon uses, within the UGMA boundary.
- The County has supported municipal annexations of properties located within the UGMA.
- Joint town/city-county reviews are conducted, as required by the Land Use Code, of development proposals within the UGMA’s and AOI’s.
- Need to address Colona Zone
- Need to address policies/relationships with other inter-governmental agencies (BLM, Forest Service, etc.)

C. Economic Development

Ourray County’s economy has changed significantly in recent decades. Historically, the economy relied upon underground metal mining, agriculture and tourism. In recent years, mining and agriculture have declined while the economic activities of people with income derived outside the County have increased and service and retail businesses now play a more important role in the County’s economy. In addition, the purchase of goods and services has shifted from within Ourray County to nearby Montrose County. A more sustainable and diversified economy is desirable in order to ensure that Ourray County will not be as susceptible to seasonal cycles of a boom and bust economy and that traditional interests and values do not become totally displaced.

Goal:

To promote a diverse and balanced economy that is less susceptible to the economic swings of any one industry.

Policies:

1. Develop and implement standards that allow home based occupations that are appropriate for the property on which they are located. Progress, needs review
2. Encourage high quality telecommunications infrastructure in the high-density areas of Ourray County. Progress, presently under review by PC
3. Encourage commercial and/or industrial uses to locate within the municipal boundaries. See Below
4. Define acceptable commercial and/or industrial uses in the unincorporated areas and develop and implement standards that allow the specific uses to be approved through the special use permit process. Progress, See Below

Comments related to stated policies:

- In 2002 The County adopted regulations addressing Home Occupations and Home Businesses.
- There are no clear cut regulations in the county at this time that appear to encourage high quality telecommunications infrastructure in high-density areas.
• Per the IGA’s, development proposals within the UGMA are required to apply for annexation to the City or Town. Is this encouraged? How are annexations reviewed by the county, Is there public input?
• Currently, the County has limited commercial or industrial uses that are allowed in the unincorporated areas as follows (varies by zone): Progress, need to review categories.
  ◆ Bed & Breakfast
  ◆ Cemetery
  ◆ Church
  ◆ Commercial Camping
  ◆ Commercial Equestrian Activity
  ◆ Commercial Logging
  ◆ Commercial Outdoor Recreation – Day Use
  ◆ Governmental Facility
  ◆ Guest Ranch
  ◆ Home Business
  ◆ Livery or Horse Rental
  ◆ Mineral Extraction/Processing
  ◆ Oil and Gas Exploration
  ◆ Public Park/Wildlife Reserve
  ◆ Public Service Facility
  ◆ Public Utility
  ◆ Sand and Gravel Operations
  ◆ School
  ◆ Temporary Use
  ◆ Wildlife Rehabilitation Facility
  ◆ Historical Museum

D. Housing Needs to be set as a high priority

The residents of Ouray County desire attainable and varied housing options for all segments of the population. Attainable housing units are becoming more scarce as population growth continues. Only by ensuring the availability of housing for a diverse and varied population will Ouray County be able to maintain a socially and economically balanced community.

Goal:

To assure the continuing availability of diverse housing to meet the needs of the County's growing population.

Policies:

1. Develop and implement definitions of attainable housing, for both owner-occupied and rental units, using standard methodologies. Not done, See Below

2. Periodically evaluate the housing situation within Ouray County and consider for adoption appropriate changes to the Land Use Code to address the need for attainable housing. Progress, needs review, updates and concise implementation plan.

3. Evaluate and consider for adoption regulations concerning the long-term rental of accessory apartments and dwelling units. Progress, needs review, updates and
concise implementation plan.

4. Evaluate and consider for adoption incentives that assist in development of attainable housing within proposed Planned Unit Developments. Progress, needs review, updates and concise implementation plan.

Comments related to stated policies:

- Currently, the County does not have a definition for attainable housing.
- There are no recent updates or revisions to the Land Use Code that would appear to address the need for attainable housing.
- Currently, the County does not have regulations regarding the long-term rental of accessory apartments or dwelling units.
- At this time the County has not adopted any regulations that would incentivize the development of attainable housing within Planned Unit Developments (Except under the Resort PUD)
- The following documents may address some of these needs: Regional Housing Needs Assessments - Ouray and San Miguel Counties dated September 2011, Final Affordable Housing Action Plan dated 6/22/09, Ouray County Housing Needs Assessment dated 11/5/2008 and other documents created under the Ouray County Housing Authority.

E. Natural Resources (Should this be re-classified under Multi-Hazard Mitigation Plan?)

Ouray County residents have always been aware of the abundant natural resources that surround them, including water, timber, minerals, clean air, wildlife, and scenery. In the past, these resources have been utilized to support mining, ranching, tourism, and the associated businesses that make up our communities. A balance between the protection of natural resources and the protection of individual property rights must be considered. The utilization of natural resources may have an impact on the environment; however, if properly planned, such utilization need not result in degradation of those attributes that attract people to Ouray County.

Goal:

To manage our natural resources in a manner that is both environmentally sound and protects private property rights. Done

Policies:

1. Continue to allow underground mining as a use-by-right in the Alpine Zone. It is recognized that this activity is highly regulated by both state and federal agencies. However, the County reserves the right to review all permits to determine whether the operation is in compliance. Done

2. Continue to regulate, by special use permit, open pit mining, milling, heap leach operations and other mineral and non-mineral, fuel and extractive operations within Ouray County. Done

3. Continue to allow property owners, through the special use permit process, the ability to harvest timber on their land. Done

4. Continue to ensure that all commercial and industrial activities occurring in the County are in compliance with local, state and federal regulations for air and water quality. Done
5. Evaluate and consider for adoption incentives and technologies that encourage energy and water conservation. Not Done (with the exception of solar rebates)

6. Evaluate and consider for adoption “1041” regulations (C.R.S. §24-65.1-101 et seq.). Not Done (see below)

7. Continue to maintain wildfire mitigation regulations and encourage fire protection and water supply entities to work proactively to make further improvements in fire safety. Progress, Under review by PC, possible need for separate section of the Master Plan.

Comments related to stated policies:

- Underground mining is a use-by-right in the Alpine Zone.
- Ouray County regulates “mineral extraction and processing” through the Special Use Permit process.
- Commercial Logging is a use allowed by Special Use Permit in the following zoning districts: Alpine, Public Lands.
- When the process allows comments, actions, or approval by the County, County Staff and elected officials strive to ensure that the operation is in compliance with all local, State, and Federal Regulations regarding air and water quality.
- Ouray County currently offers rebates on residential solar installations.
- The County has not adopted any “1041” regulations at this time.
- The County adopted Wildfire Mitigation regulations is 1997. These regulations are currently under review by the Planning Commission.

F. Rural Character / Openspace

Oural County is made up of diverse landscape and topography. Privately owned land varies widely in terms of the suitability for development. Many of these parcels are not in close proximity to existing planned unit developments or attendant infrastructure. As a matter of public concern, expansion of urban development into rural areas is an issue because of the increased costs of County services (e.g. emergency medical services, fire protection, sheriff services and road and bridge maintenance).

Goal:

To maintain the rural character of Ouray County.

Policies:

1. Develop and implement zoning and incentives to maintain low density or large tracts of land. Where appropriate, direct growth toward areas that are already developed or that otherwise clearly support the goals of this plan. Done

2. Encourage build out in existing planned unit developments. ??

3. Create open space or low-density development areas around the town, city and future unincorporated areas by intergovernmental agreements that further the objectives of this master plan. Was this accomplished through hardline zoning?

4. Continue to encourage clustering of residential units within all planned unit
developments and those areas of Ouray County where it supports the goals of this plan. Progress (See Below)

Comments related to stated policies:

- Currently, only the South Mesa, South Slope, and North Mesa Zones allow development beyond “1 per 35” or 1-dwelling unit per 35-acres of land.
- There are no current incentives in the Land Use Code to promote build-out of existing subdivisions.
- The County has not established low-density development areas around the city/town. Was this accomplished through hardline zoning?
- Current county zoning regulations do not encourage clustering of residential units within planned unit developments.
- Other areas of concern include policies to allow transfer of development rights (i.e. residential use of mining claims)
- Colona Zone

G. Tourism (Place under Economic Development)

Ouray County has many natural and scenic resources that appeal to both residents and tourists alike. The City of Ouray’s history as a tourist destination began at the turn of the century. Historically, the impact of the tourist industry on the County’s economy has been significant; however, this impact is primarily experienced during the summer months. Though winter recreational activities have begun to increase year round tourism, many restaurants and hotels still close down for the winter season.

Goal:

To allow a diverse and balanced tourist economy that minimizes environmental and infrastructure impacts and is less susceptible to seasonal fluctuations.

Policies:

1. Allow the development of the services and facilities necessary to adequately support year-round tourism in a manner that minimizes impacts on the environment, infrastructure and county residents’ lifestyles.

2. Develop and implement special use permit regulations that allow tourist based businesses that are appropriately located within the unincorporated areas of the County and that minimize impacts on the environment, infrastructure and county residents' lifestyles.

3. Encourage the location of commercial, lodging, restaurant and other tourism-based activities in the municipalities and those planned unit developments that allow for commercial uses.

4. Allow special events within the County in a manner that minimizes impacts on the environment, infrastructure and county residents' lifestyles.

5. Encourage cooperation with the Town of Ridgway, the City of Ouray, the Ridgway Chamber of Commerce and the Ouray Chamber Resort Association.

Comments related to stated policies:

- As the statement “...allow the development of services and facilities necessary to
support year-round tourism...” is vague and poorly defined, it is difficult to comment on whether or not this policy is being followed.

- Currently, the County has limited uses allowed by Special Use Permit, that could be considered tourist-based businesses. i.e. Commercial Equestrian, Commercial Outdoor Recreation, Day Use, Bed & Breakfast, Guest Ranch.
- Ouray County zoning does not allow restaurants in any district. Commercial lodging is only allowed as a Guest ranch or a Resort/Conference Center PUD.
- Currently, the County does not have any zoning regulations that specifically address special events.
- The statement “encourage cooperation with the Town of Ridgway, the City of Ouray, the Ridgway Chamber of Commerce and the Ouray Chamber Resort Association is poorly defined and not measurable.

H. Transportation

The primary purpose of a transportation network is to move people and goods within and through the County. As the amount of development and population increases, additional demand will be placed on the transportation infrastructure. It must be recognized that the transportation network strongly influences the specific uses of land and the overall pattern of development; because of this interrelationship land use and transportation planning must be coordinated.

Goal:

To promote a transportation network that allows for the orderly flow of traffic on roads in Ouray County.

Policies:

1. Developments creating the need for road improvements are expected to bear the proportional cost of such improvements. Done

2. If a development creates off-site roadway impacts, the mitigation of such impacts should be required. Such improvements should be considered in addition to any required on-site improvements. Done, Possible review needed

3. Development that causes significant traffic impacts to overburdened roads will be discouraged unless provisions are made for necessary improvements. Done

4. Coordinate planning and development review efforts with the two municipalities, future incorporated areas and adjoining counties to ensure integration and continuity of the road system and adequacy of roads in Ouray County over time. Done

5. Roads within new developments should be designed to facilitate safe and logical flow of traffic on, off and, where appropriate, through the site. Done

6. Evaluate and consider implementation of mass transit and the effect it may have on intra and inter-county transportation. Not done

7. Evaluate and consider for adoption a transportation plan for roads in the County, considering citizen input. Not done

8. Continue to maintain a strong road standard section in the Land Use Code.
9. Evaluate the feasibility of accommodating non-motorized modes of transportation, including horse, pedestrian and bicycle, in order to provide multiple modes of mobility to all segments of the population. **Not done**

10. Evaluate and consider for adoption policies that direct inter-county traffic to state and federal highways where feasible. **Not done**

**Comments related to stated policies:**

- Section 6.8C(13) of the Land Use Code allows the BOCC to require a developer to pay certain impact fees or in-kind contributions.
- Applicants for PUD’s may be required to contribute to required improvements to County Roads. (same as above)
- There is no process or regulation relating to “discouraging development that causes significant traffic impacts to overburdened roads”.
- Development applications within the UGMA or the AOI require review by either the Ridgway or Ouray Joint Area Planning Board.
- Internal subdivision roads must meet standards as set forth in Section 23 of the Land Use Code.
- There has been no formal implementation of “mass transit” by the County.
- The County does not currently have a “transportation plan”.
- The Road Standards found in Section 23 of the Land Use Code have seen substantial revision and are currently on the Planning Commission priority list for review.
- There has been no study/evaluation of the feasibility of accommodating non-motorized modes of transportation.
- That has been no study/evaluation regarding the direction of inter-county traffic to State and Federal highways.

I. Utilities

A number of entities provide utilities in Ouray County. Utility services that are currently available in various areas of the County, include electricity, telephone, sewer, cable, transmitting towers and water. A variety of federal and state commissions, departments, and agencies regulate utilities in Ouray County. However, land use activities, such as the location of transmission lines and the upgrading of existing facilities and the construction of new facilities, are subject to the County’s jurisdiction and approval.

**Goal:**

To recognize the necessity for the timely development of utility facilities and the need for careful planning to minimize the impacts associated with utility facility siting and design. In addition, due to the economic and environmental impacts created by the increased need for energy, the County will continue to encourage the use and exploration of alternative energy sources including, but not limited to, natural gas, solar and wind.

**Policies:**

1. Utilities may be considered appropriate when sited so that they are as compatible as possible with surrounding land uses and the natural environment.

2. Visual impacts should be identified and effective mitigation measures employed. **Progress**
3. Access, when required for utility service facilities, should provide minimal impacts to adjoining residents and the environment and should not be used for access to new development. Done

4. Utility facilities siting should consider joint tower use, multi-utility corridors, and clustering where possible and deemed appropriate. Progress

5. In addition to environmental and land use compatibility issues, the land use review process should also consider the economic, technological, operational, maintenance, and safety implications of future utility facilities. Not done

Comments related to stated policies:

- Utilities are typically considered and evaluated as part of the review of a Planned Unit Development.
- There are no visual impact regulations in the Land Use Code that specifically address utilities.
- Access/easements for access and maintenance of utilities are typically considered as part of the review of a Planned Unit Development.
- The County is currently in the process of developing regulations addressing telecommunications facilities.
- The Land Use Code today does not specifically address economic, technological, operational, or maintenance issues related to utility infrastructure.

J. Visually Significant Areas

Ouray County contains some of the most unique and beautiful scenery in Colorado. The diversity of the landscape ranges from jagged high mountain peaks and mesas to river valleys and irrigated fields. Preservation of this visual beauty is of utmost importance to the citizens of the County. The citizens want to be assured that future development will not hinder, impair or destroy Ouray County’s scenic beauty.

Goal:

To protect and preserve visually significant and sensitive areas of Ouray County that provide the scenic backdrops and vistas that all residents and visitors of Ouray County enjoy.

Policies:

1. Maintain strong visual impact regulations. Progress

2. Develop and implement strategies for the protection and preservation of critical scenic vistas. Progress

3. Evaluate and consider for adoption programs and incentives that encourage the placement of land into conservation easements and other protective status. Not done

4. Evaluate and consider for adoption programs for the protection of open space by Ouray County. Not done on regional scale, however new PUD’s are required to have and maintain openspace.

5. Evaluate and consider for adoption incentives for Planned Unit Developments to surpass the minimum open space requirement as set forth in the Land Use Code Not done
Comments related to stated policies:

- The County currently enforces the visual impact regulations found in Section 9 of the Land Use Code.
- The County does not currently have strategies (regulations), beyond the visual impact regulations, that specifically target the preservation of critical scenic vistas.
- The County does not currently have programs or incentives regarding the encouragement of placing land into conservation easements.
- The County does not currently have an open-space program. Open space is required as part of a Regular PUD development.
- Currently, there are no incentives in the Land Use Code for a developer to surpass the minimum open space requirements.

K. Wildlife and Plant Habitats

Ouray County is fortunate to have rich and varied flora and fauna. This Master Plan recognizes the value residents place upon wildlife and plant resources for enjoyment and the economic impact that is generated by activities such as sightseeing, hunting and photography. The degradation of wildlife and plant habitats leads to the inevitable disappearance of wildlife and plant species. This resultant loss of environmental diversity weakens the ecosystem as a whole and may displace wildlife or remove certain species entirely.

Goal:

To recognize the importance of protecting all species and habitat types currently found in Ouray County and maintain healthy and diverse wildlife and plant habitats.

Policies:

1. Identify and strive to protect high-quality and significant wildlife and plant habitat areas. These areas shall include habitats of endangered species, species of special concern, migration corridors, breeding and spawning and birthing areas, wetland and riparian areas, important seasonal habitats, and habitats supporting a high diversity of wildlife species. Not done, Need updated maps

2. Develop and maintain maps and information resources of significant wildlife and plant habitat areas. Each new development shall be evaluated as to the effect the development will have on wildlife and plant habitat areas. If significant habitat loss could occur, mitigation will be required or the proposed development may be denied. Need updated maps

3. Develop and implement zoning and incentives that protect and preserve significant wildlife and plant habitats. Zoning done, incentives not done

4. Evaluate and consider for adoption programs and incentives that encourage the placement of land into conservation easements and other protective status. Not done

5. Continue to reduce the proliferation of noxious weeds utilizing methods that are in compliance with federal and state laws and local regulations. Done, need enforcement policies

6. Evaluate and consider for adoption stronger regulations that would limit, to the extent of the law, the impact that domestic animals within planned unit
developments have on wildlife. This program would integrate and support efforts of the Colorado Division of Wildlife. **Done**

**Comments related to stated policies:**

- The County does not currently have policies or regulations targeting the protection of significant wildlife or plant habitat areas.
- At this time the County has not developed maps or information resources regarding significant plant and wildlife habitat areas.
- The current PUD process requires mitigation of any effects the proposed development may have on “wildlife” and “scenery”.
- The County does not currently have an incentive program that encourages the placement of land into conservation easements.
- The County currently employs a Weed Manager, responsible for noxious weed management and mitigation.
- The County does not currently have regulations that addresses the issue of domestic animals an interaction with native wildlife.

**Other areas to be addressed:**

The Goals and Policies within the Master Plan need to prioritized with specific time frames for implementation.

The Planning Commission believes the Master Plan overhauled and updated can be accomplished in 12-18 months with an outside consultant with a County budget of $35-50K and matching grants for a total expenditure of $70-100K. The master plan process should start in 2016, after elections and be completed by mid-year 2018. In order to streamline the process, all pertinent data should be gathered and provided to the outside consult for review and update.
I am thrilled that we are going to look at the Master Plan. It is about time; being 16 yrs old makes checking this guiding document for authenticity warranted.

In spite of needing minor changes to make it current, I believe that it still, amazingly, reflects what drew us to this path of ground, our feelings about this place and the vision we are interested in for the people who call this home. It accurately reflects the desires of its residents.

A series of outreach gatherings to garner community input and support might be a large part of the process. If these meetings confirm my contention that this document is still valid and in need of not much more than a tune up, I would also suggest that this process be an “in house” affair with a zero budget cost (for outside consultants).

Key to this working is that the planning commission, at minimum, be totally familiar with the Theobold Study and the Harvard Report before starting this endeavor.

Thank you for the time and energy you commit to the community.

Tom McKenney
DATE: 11/17/13

SUBJECT: Ouray County Master Plan

TO: Planning Commission and Board of County Commissioners

When I saw that the Ouray County Master Plan was on your agenda to be reviewed for its relevance to the present, I was concerned because I do not think the current Master Plan needs revising, and any process of revision risks giving the County a worse document.

I assume everyone is aware of the conceptual difference between a Master Plan and a Land Use Code, which may be uppermost in our consciousness since the latter has just gone through exhaustive revisions.

A Master Plan and a Land Use Code are complementary documents, but a Master Plan is a statement of principles defining what the County agrees are its goals and general policies—to support tourism, preserve wildlife, preserve visually significant areas, etc. It needs to be, and is, general. It is likely to remain relevant over long periods of time unless your principles change. For instance, if the County decides not to support tourism, then that principle in the Master Plan needs to be removed or downgraded. In contrast, a Land Use Code describes the legal requirements and limitations on land use. It is and needs to be very specific. It is likely to undergo revision at predictable intervals, hopefully not too frequently, as experience indicates a need for adjustment. The Land Use Code ideally tries to align itself with the goals in the Master Plan and, in that sense, helps to fulfill or complement the Master Plan.

I have belabored this distinction because it is an important conceptual difference that can be easily lost in the tug and pull of competing interests and the usual arguments that dominate public discussion. The Master Plan is too important as a definition of our values to be weakened by confusion over its nature and purpose.

On a number of occasions, as I have been preparing comments on County activities, I have reviewed the Master Plan to clarify what we value as a County and evaluate current proposals by that standard. I have always been reassured by the clarity, balance, and common sense in our Master Plan. Although we have had the benefit of elaborate studies in the interim, I do not see anything in these studies or subsequent events that would suggest the need for revision of the Master Plan.

I hope you will respect the excellence of our current plan and realize it does not need a process for revising its goals and general policies.

Thank you for your time and attention,

Sara Coulter
Log Hill Village
Ouray County
January 4, 2016
To the Ouray County Planning Commission

As a local sustainable community developer I have been studying and researching the history of Ouray county in depth and subscribed to the county email list for meeting agendas for the Planning Commission and Board of Commissioners. I received notice of the Planning Commission meeting on January 5th and noted that the Master Plan is coming under review and possible revisions.

I am writing this letter to present an idea for the Planning Commission’s consideration. The history of Ouray County is one of obvious strong local involvement with the growth, preservation of the beauty, and way of life that has attracted and retained the area residents. The seemingly unanimous desire of community members to protect the quality and beauty of the region screams of a need to create the means and the way for low impact sustainable development.

With that in mind I would like to submit for consideration the Boulder County Comprehensive Plan SUSTAINABILITY ELEMENT that was adopted by the Boulder County Board of Commissioners as an example document that perhaps Ouray County could develop its own version of. I am not at all suggesting the Boulder County version be duplicated but merely examined as an instrument for consideration. Boulder County is nothing at all like Ouray in demographics, geography, or economics.

What I am suggesting is that Ouray County considers its own preservation and long term community resilience through creating its own map that includes a sustainability element that can open up the means and the way for the community to grow and thrive.

Should the Planning Commission in its review of the Master Plan decide to include a 'sustainability element' that the county could adopt I am confident there would be no shortage of involvement of community members willing to join a task force to develop a unique 'map' that would reflect both the short and long term needs and desires of the community.

Thank you for your time, service, and consideration.

Darlene Cavallara