

Agenda

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. CEREMONIAL/INFORMATIONAL
 - 4.a. Main Street Program Overview - DOLA
5. CITIZENS' COMMUNICATION
6. APPROVAL OF MINUTES - January 10 and 18, 2022
7. CITY COUNCIL REPORTS/INFORMATION - Tamara Gulde, Peggy Lindsey, John Wood, Josh Smith, and Ethan Funk
8. DEPARTMENT REPORTS
 - 8.a. City Administrator
 - 8.b. Finance and Administration Director
 - 8.c. Community Development Coordinator
 - 8.d. Visitor Center Coordinator
9. CONSENT AGENDA - Liquor License Renewal - The Silver Eagle Saloon
10. ACTION ITEMS
 - 10.a. Creation of Tourism Department and Destination Marketing and Tourism Director Position
 - 10.b. SMPA Stakeholder Support Letter
 - 10.c. Request from San Juan Philanthropy Days
11. DISCUSSION ITEMS
 - 11.a. Partnership Opportunities with Home Trust of Ouray County - Andrea Sokolowski
 - 11.b. Request from Ouray School District Regarding Bus Parking
 - 11.c. Future Agenda Items
 - 11.c.1. Creation of Fee for Removal of Snow and Ice from Sidewalks
12. EXECUTIVE SESSION - Executive session pursuant to C.R.S. 24-6-402(4)(b) and (4)(e) for a conference with the City attorney for the purpose of receiving legal advice on specific legal questions and for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators regarding the IGA between the City and County concerning Urban Growth Areas
13. ADJOURNMENT



COLORADO
Department of Local Affairs
Division of Local Government



MAIN STREET 101: OURAY

FEBRUARY 22, 2022

Colorado Main Street is funded in part by



History Colorado

Introductions

- Gayle Langley, Main Street Coordinator
gayle.langley@state.co.us, 720-498-0563
- Larry Lucas, Main Street Architect
larry.lucas@state.co.us, 720-402-9303
- Traci Stoffel, Main Street Specialist
traci.stoffel@state.co.us, 720-467-4327
- Will Cundiff, Grants Financial Administrator
will.cundiff@state.co.us, 303-864-8477

Every Main Street Is a Unique Place!



The Main Street Movement



**National Main Street
Center**

a subsidiary of the
National Trust *for* Historic Preservation



- More than 1,000 communities nationwide
- Colorado: 82 communities throughout state
- Colorado Main Street, housed within the Department of Local Affairs, is Colorado's coordinating program

Four Point Approach

Organization
(Civic)



Sense of Ownership

Design
(Physical)



Sense of Place

Economic Vitality
(Economy)



Sense of Vitality

Promotion
(Social)



Sense of Activity

The Main Street Approach

With a community vision for the downtown based on an understanding of the local market, you can develop a work plan for implementation with measurable outcomes and impact.



Main Street Services and Benefits

Services	Benefit/Value
Mini-Grants (through June 30, 2025)	\$2,500 to \$10,000 per year
Scholarship (through June 30, 2025)	\$2,200 per year
Consultant Services	\$5,000 to \$35,000 per year
Technical Assistance	Education
Trainings/Webinars	Education
Resources	Education
National Network	More than 1,000 communities

Main Street: Current Mini-Grant Projects

- Artwork for vacant storefronts
- Pocket park installation
- Website
- Improved entrance to courthouse
- EV station
- Lot lighting
- Alleyway improvement
- Gateway improvement
- Signs
- Benches
- Wayfinding
- Banners



Main Street: Recent Consulting Projects

- Facilitation
- **Vision, Mission, Transformation Strategies, Strategic Plan, Work Plans**
- **Board of Directors Training and Retreats**
- Parking Assessments
- Messaging and Communicating the Value of Main Street
- Park Design - Construction/Bid Documents
- Business, Building, and Property Inventories
- Market Analysis and Opportunity Assessments
- Downtown Market Studies
- Downtown Revisioning and Conceptual
- Design Projects (parks, alleyways, infill, streetscapes)
- Public Engagement Focused on Reimagining a Downtown Street
- Business Retention and Recruitment

Main Street Services: Preservation Architect

- On-site visits
- Preservation research and recommendations
- Design drawings
- Funding strategies for public-private partnerships
- Project implementation planning
- MS design trainings, workshops, and walking tours
- SOI standards guidance and interpretation
- Creating design resources & programs
- Serve as ad hoc staff member to local MS and HP organizations
- Guidance on the development of guidelines, codes, regulations, and standards



Main Street: Estimated Return on Investment (ROI)

	2017	2018	2019	2020
Volunteer Hours	\$483,615	\$501,874	\$556,596	\$303,813
Tourist Dollars	\$13,238,417	\$13,418,948	\$21,300,082	\$5,746,675
Jobs Created	\$6,596,304	\$5,823,792	\$7,907,640	\$3,631,680
Monies Leveraged	\$175,000	\$30,000	\$131,500	\$828,305
State Sales Tax Collected	(\$31,833)	(\$240,626)	\$935,517	\$326,594
Direct Local Main Street Financial Support	\$95,578	\$121,908	\$217,211	\$856,936
	\$20,557,082	\$19,655,896	\$31,048,547	\$11,694,003
The Return on Investment (ROI) for every \$1 spent	\$21.11	\$20.15	\$31.75	\$11.70

Impact and Results: La Junta



Impact and Results: Leadville



Impact and Results: Central City



Impact and Results: Rangely



Main Street: Prerequisites

- Dedicated champion / point of contact.
- Steering committee / board of directors.
- Focus on structure to establish a lasting local Main Street program.
- Volunteers / staff attend trainings and read information on Main Street website.
- Recent strategic plan with community vision incorporating the Four Points.
- Community awareness of the Main Street program.
- Support from the public and private sectors, including a local government resolution and three letters of support from community organizations.



There is simply no more cost effective economic development program of any type, on any scale, anywhere in the country than
Main Street.

- Donovan Rypkema,
author of *The Economics of Historic Preservation*

Ouray City Council Special Meeting

Monday, January 10, 2022 6:00 PM

Massard Auditorium - <https://zoom.us/j/9349389230> password 491878 or dial 408-638-0968, 320 6th Ave, Ouray, CO 81427

Ethan Funk: Present
Tamara Gulde: Present
Peggy Lindsey: Present
Josh Smith: Present
K. John Wood: Present

1. CALL TO ORDER

Mayor Funk called the meeting to order at 6:00 pm.

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

4. CEREMONIAL/INFORMATIONAL

a. San Miguel Power Association Totally Green Program - Presentation of Living Trophy

Alex Shelley, Communications Executive from San Miguel Power Associates, provided an overview of the program, and announced that the hydro plant in Ouray is running, and is providing all the power for the City.

b. Friends of the Ouray Via Ferrata 2021 Year-end Report

Mark Iuppenlatz stated there were over 11,000 climbers on the Ouray Via Ferrata in 2021. Added the Sky Climb to release bottleneck. Another early exit was added around halfway through the route. The second route is complete and ready for next season. Ranger program was very successful. Community collectively donated over \$400,000, and broke even after completing the second route and paying for the Ranger program, an improvement over last year's year-end position. Mayor Funk asked Mr. Iuppenlatz for a financial statement; Mr. Iuppenlatz said he would provide a copy of the tax return when it was completed for 2021. Councilor Gulde suggested that the Via Ferrata report any closures to the Visitor Center as well as the guide services and Ouray Mountain Sports and other related businesses. Nate Disser also spoke, saying the predicted economic impact report met the expected total. FOVF received a grant to help cover their portion of the shared bathroom, and will put it together with volunteer labor in conjunction with OIPI and the Ouray Trail Group.

5. CITIZENS' COMMUNICATION

Mayor Funk opened the floor for public comment. Since there were no comments, Mayor Funk closed the floor.

6. CITY COUNCIL REPORTS/INFORMATION - Tamara Gulde, Peggy Lindsey, John Wood, Josh Smith, and Ethan Funk

- *Councilor Gulde - CEDC meeting rescheduled because of COVID; moved to February 10th at 8:30 am. OCRA's Jeep Raffle was successful, won by a Californian. Mary Mitchell, longtime Visitor Center employee and volunteer, passed away on January 6th. Councilor Gulde asked Mr. Clarke about the status of ouraycolorado.com. Mr. Clarke said taking control of the website has taken longer than expected, but the City still owns the URL, and the process of regaining control is nearly complete.*
- *Councilor Lindsey - Beautification Committee is taking down decorations, and will meet again in the spring to continue cleaning up the river walk.*
- *Councilor Wood - TAC has not met yet, Mr. Perkins is working on meeting schedule. IPAT meeting last week. All In Ice Fest went well, despite last minute concerns about the Omicron variant. Working on standards of practice and developing longer term strategic planning report for City. OIPI have not scheduled a new meeting yet.*

- *Mayor Pro Tem Smith - PARC committee met after the previous postponement, looking to fill member seats. Liner is in the ice rink, and ice is being made.*
- *Mayor Funk - Nothing to report.*

7. DEPARTMENT REPORTS

a. City Administrator

Administrative assistant position job posting this week. Wayfinding project has received 7 letters of intent and around 40 answered questions which will be released to all 7 respondents. Water treatment plant uncertainty. CDPHE asked the City to push back to June State Revolving Fund application to allow for environmental review, but working to get us back in the January loan application review. Wastewater plant redesign efforts are still underway. Back to around 50% plans, working to get to 75% plans. State Revolving Fund application is ready to go for January review. Mayor Funk asked how the funding worked when we don't have a final price. Mr. Clarke said the final amount will be driven by the City giving a number to SRF, but it will be under \$20 million. Judge Zach Martin is leaving, 7th Judicial District is forming a nominating committee to pick a new judge. Mr. Clarke reiterated that the current Hot Springs Pool closure was not taken lightly; the Facebook message is included in the report. Geothermal line work is done, back to historical gallons per minute rate. VisitOuray tourism app is live on Apple store, working on getting it live on Google store. Website overhaul draft will be ready next week. Starting to use Google forms for more things.

b. Police Chief

Chief Wood presented service calls statistics from his report.

c. Fire Chief

Report in packet.

d. Public Works Director

Mr. Coleman reported the SMPA transformer for the charging station is set to be delivered. The stations should be operational soon after.

e. City Resources Director

Mr. Clarke gave a brief overview of Mr. Noll's report since Mr. Noll could not be in attendance. Councilor Wood asked for the strategic plan for staffing efforts for the pool. Mr. Clarke said the pool has just hired an assistant pool manager whose primary function is recruiting, and is looking at forming a swim team with Ouray School.

8. CONSENT AGENDA

Motion to approve the Consent Agenda. This motion, made by K. John Wood and seconded by Peggy Lindsey, Carried.

Ethan Funk: Yea, Tamara Gulde: Yea, Peggy Lindsey: Yea, Josh Smith: Yea, K. John Wood: Yea

- a. Liquor License Renewal – BPOE Lodge #492

9. ACTION ITEMS

a. Resolution 1, Series 2022 - Designating the Official Posting Place

Motion to approve Resolution 1, Series 2022, noting that the date should be changed to Jan 10th. This motion, made by Peggy Lindsey and seconded by Josh Smith, Carried.

Ethan Funk: Yea, Tamara Gulde: Yea, Peggy Lindsey: Yea, Josh Smith: Yea, K. John Wood: Yea

b. Consideration of request from Friends of the Ouray Via Ferrata for the City's 2020 and 2021 User Fees (\$15,350.00) to be Used for Maintenance of the Routes and Partially Fund the 2022 Ranger Program

Motion to approve disbursement of funds to Friends of the Ouray Via Ferrata for the requested uses.

Amended motion to approve disbursement of \$15,350 to Friends of the Ouray Via Ferrata for the requested uses. This motion, made by K. John Wood and seconded by Tamara Gulde, Carried.

Ethan Funk: Yea, Tamara Gulde: Yea, Peggy Lindsey: Yea, Josh Smith: Yea, K. John Wood: Yea

Mark Iuppenplatz stated that these are fees collected from guide services, and per the contract remitted to the City. FOVF is asking for some of those funds to use for maintenance and partially pay for the Ranger program. Councilor Wood suggested codifying the ranger program and adding it to the contract. Mayor Funk suggested making it a council policy through a resolution instead of amending contracts with both FOVF and OIPI.

c. Council Assignments to Boards and Committees

Motion to approve the committee appointments as presented in the packet. Amended motion to approve the committee appointments as presented in the packet, except for nominating Councilor Gulde to IPAT and removing TAC from the motion. This motion, made by K. John Wood and seconded by Peggy Lindsey, Carried.

Ethan Funk: Yea, Tamara Gulde: Yea, Peggy Lindsey: Yea, Josh Smith: Yea, K. John Wood: Yea

Motion to appoint Mayor Pro Tem Smith as TAC Liaison. This motion, made by Tamara Gulde and seconded by Josh Smith, Failed.

Ethan Funk: Nay, Tamara Gulde: Yea, Peggy Lindsey: Nay, Josh Smith: Yea, K. John Wood: Nay

Motion to keep John Wood as TAC Liaison. This motion, made by Peggy Lindsey and seconded by K. John Wood, Carried.

Ethan Funk: Yea, Tamara Gulde: Nay, Peggy Lindsey: Yea, Josh Smith: Nay, K. John Wood: Yea

Council had postponed agenda item until Councilor Wood was back in town. Councilor Gulde volunteered to take IPAT. Mayor Pro Tem Smith would like to take TAC, but Councilor Wood didn't want to give up his position and the work he had put into it. Councilor Gulde felt that Councilor Wood was "driving" the committee, which was outside his role as committee liaison. Councilor Lindsey was in favor of leaving Councilor Wood as the liaison since she likes the work TAC has done so far.

10. DISCUSSION ITEMS

Future Agenda Item: Councilor Gulde would like to have Zoom participation available for the public.

a. Council Meeting Days and Times

Mr. Clarke said City staff would be open to Wednesday meetings. Many councilors reported hearing from citizens that the 1 pm meetings were unpopular. Councilor Gulde expressed interest in helping staff by moving to Wednesday, but is open to either day. Council decided that Monday was preferable, but that all meetings should be moved to 6 pm.

b. OEDIT Office Postponed Due to COVID: Discussion of future of Community Workshop – Thursday, January 13 from 10:00 am to 3:00 pm (Future Lodging Occupation Tax, Tourism Funds Discussion)

Mr. Clarke presented his idea for rescheduling the workshop in 3 different parts. Council supported his plan and asked him to bring back a proposed schedule to the next council meeting.

c. Masking Requirements on Municipal Property

Councilor Gulde is in favor of installing a mask policy on city property due to the spiking levels within the community. Councilor Wood is hesitant to make it an order, instead wanting to post signs encouraging mask wearing. Ms. Viner said that because the City doesn't have a health board, they cannot issue a mandate, nor can the staff request that law enforcement remove uncooperative individuals since it is a public building, not a private business. Councilors decided to direct staff to re-install signs encouraging masks in city buildings.

d. Ouray Municipal Code, 7-5 Zoning Regulations, Subsection J, 6 - Owner Occupied Requirement Discussion

Councilor Funk would like to remove the requirement for the property and land to be owned by the same person/entity in order to allow the Ouray Home Trust plan to happen. Mayor Funk also wanted to remove the requirement that the owner must occupy one of the two units, allowing the owner to long term rent both residences. Mr. Clarke suggested doing a joint work session with the Planning Commission to work through details. Council will set a date for the joint meeting at the same time as the new planning commission appointments are made, during the meeting on March 7th.

11. EXECUTIVE SESSION

a. For a conference with the City attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. 24-6-402(4)(b) and for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. 24-6-402(4)(e), regarding necessary short term licenses, code enforcement actions, remedies and penalties.

Motion to move into executive session at 8:11 pm. This motion, made by K. John Wood and seconded by Peggy Lindsey, Carried.

Ethan Funk: Yea, Tamara Gulde: Yea, Peggy Lindsey: Yea, Josh Smith: Yea, K. John Wood: Yea

12. ADJOURNMENT

Motion to adjourn at 9:23 pm. This motion, made by Peggy Lindsey and seconded by Tamara Gulde, Carried.

Ethan Funk: Yea, Tamara Gulde: Yea, Peggy Lindsey: Yea, Josh Smith: Yea, K. John Wood: Yea

Ethan Funk, Mayor

ATTEST:

Melissa M. Drake, City Clerk

CERTIFICATION

I, Melissa M. Drake, do hereby certify that I am the City Clerk of the City of Ouray, Ouray County, State of Colorado, and that the above minutes are a true and correct summary of the meeting of the Ouray City Council held on Monday, January 10, 2022. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this Monday, January 10, 2022.

Melissa M. Drake, City Clerk

Ouray City Council Regular Meeting

Tuesday, January 18, 2022 1:00 PM

Massard Auditorium, 320 6th Ave, Ouray, CO 81427

Ethan Funk: Present
Tamara Gulde: Present
Peggy Lindsey: Present
Josh Smith: Present
K. John Wood: Present

1. CALL TO ORDER

Mayor Funk called the meeting to order at 1:00 pm.

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

4. PUBLIC HEARING

a. Ordinance 12, Series 2021 – Rezoning Property at 709 2nd Street legally described as Subd: CITY OF OURAY Lot: 3 Block: 9 N 5' OF TH WEST 50' OF LOT 3, WEST 50' OF LOT 4 ALL OF LOT 5 Subd: CITY OF OURAY Lot: 4 Block: 9 Subd: CITY OF OURAY Lot: 5 Block: 9 and Adopting the New Official Zoning Map

Administrator Clarke introduced the ordinance. Mayor Funk opened the floor for public comment. Since there were no comments, Mayor Funk closed the floor.

5. CEREMONIAL/INFORMATIONAL

a. Proclamation 1, Series 2022 - Recognizing Service of Maureen O'Driscoll

Mayor Funk read the proclamation.

6. Approval of Minutes - December 6 and 20, 2021

Motion to accept minutes with two noted changes: Change mayor name in Dec 6 meeting roll call, and reflect that Councilor Gulde asked Mr. Clarke to report on CEDC meeting at Dec 20 meeting. This motion, made by K. John Wood and seconded by Peggy Lindsey, Carried.

Ethan Funk: Yea, Tamara Gulde: Yea, Peggy Lindsey: Yea, Josh Smith: Yea, K. John Wood: Yea

7. CITIZENS' COMMUNICATION

Mayor Funk opened the floor for public comment. Since there were no comments, Mayor Funk closed the floor.

8. CITY COUNCIL REPORTS/INFORMATION - Tamara Gulde, Peggy Lindsey, John Wood, Josh Smith, and Ethan Funk

- *Councilor Gulde - CEDC meeting on February 10th. Tri-agency dinner to be scheduled in late February-March. ORCA meeting on Wednesday via Zoom.*
- *Councilor Lindsey - Beautification Committee did not have a January meeting, but will have a February meeting on Feb 2nd at 8:00 am in the San Juan Room.*
- *Councilor Wood - Missing CTC meeting as it is happening during the council meeting. Meeting with directors tomorrow; actively looking for space in town to expand their program. OIPI board meeting tomorrow at 6:00 pm. TAC working on the 3 step process from the work session.*
- *Mayor Pro Tem Smith - Nothing to report, but reminded the audience that there is still an open position on PARC.*
- *Mayor Funk - Nothing to report.*

9. DEPARTMENT REPORTS

a. City Administrator

Wayfinding project has now received 12 letters of intent for RFP. Mr. Clarke took out the repetitive questions and sent the final list of 22 questions to all respondents. The facilitator is working on a draft of

a strategic plan from last week's work session; should be ready in a couple weeks. The Wastewater SRF application is turned in, looking at a 2.25% interest rate. Water treatment financing is now available through direct loans from SRF, which have more application periods than leverage loans (the WWTP loan format), with application due in April and approved in June. Direct loans come with "Build America" requirements that increase costs. A Tier 2 grant application for up to \$600,000 for Wastewater Treatment Plant to be submitted. Councilor Wood asked about the differences between the leverage loan and direct loan. Mr. Clarke said there isn't much difference except in how the two concepts originated: leverage loan for large projects and direct loans for smaller projects, but direct loan max amounts are being increased. Councilor Gulde asked for a status update on the wastewater treatment plant design. Plans are at 60%, but have to be redesigned to cut costs, working to get to 75%. Currently about 2 months behind on construction schedule, putting breaking ground schedules around the same time for Wastewater and Water treatment plants. Councilor Wood asked about any interruptions in either service. Mr. Clarke said the old systems will be in operation until the new plant is completed and it is switched over.

b. Director of Finance and Administration

Year-end will not be completed until March. Sales tax data not ready for reports, will present at next meeting.

c. Community Development Coordinator

Ms. Oswald not at meeting.

d. Visitor Center Coordinator

Report in packet

10. CONSENT AGENDA

a. Special Events Permit Application - Ouray Ice Festival, January 21, 2022

Motion to approve consent agenda. This motion, made by Tamara Gulde and seconded by K. John Wood, Carried.

Ethan Funk: Yea, Tamara Gulde: Yea, Peggy Lindsey: Yea, Josh Smith: Yea, K. John Wood: Yea

11. ACTION ITEMS

a. Ordinance 12, Series 2021 – Rezoning Property at 709 2nd Street legally described as Subd: CITY OF OURAY Lot: 3 Block: 9 N 5' OF TH WEST 50' OF LOT 3, WEST 50' OF LOT 4 ALL OF LOT 5 Subd: CITY OF OURAY Lot: 4 Block: 9 Subd: CITY OF OURAY Lot: 5 Block: 9 and Adopting the New Official Zoning Map – Second Reading

Motion to approve Ordinance 12, Series 2021. This motion, made by Tamara Gulde and seconded by Josh Smith, Carried.

Ethan Funk: Yea, Tamara Gulde: Yea, Peggy Lindsey: Yea, Josh Smith: Yea, K. John Wood: Yea

b. Ordinance 1, Series 2022 - Changing the Meeting Time for Regular Council Meetings to 6pm - First Reading

Motion to approve Ordinance 1, Series 2022. This motion, made by K. John Wood and seconded by Josh Smith, Carried.

Ethan Funk: Yea, Tamara Gulde: Yea, Peggy Lindsey: Yea, Josh Smith: Yea, K. John Wood: Yea

c. Professional Services Agreement with Swiftwater Solutions, LLC for Grant-writing Services for EIAF Grant Application for WTP

Motion to approve agreement between the City and Swiftwater Solutions LLC. This motion, made by Peggy Lindsey and seconded by K. John Wood, Carried.

Ethan Funk: Yea, Tamara Gulde: Yea, Peggy Lindsey: Yea, Josh Smith: Yea, K. John Wood: Yea

Mr. Clarke stated staff does not have time to spend writing grants, and he has drafted an agreement for grant writing with Paul Young with Swiftwater Solutions LLC.

d. IGA with Town of Ridgway and Ouray County for Shared Victim Advocate(s) Services

Motion to approve the IGA for shared victim advocate services. This motion, made by Peggy Lindsey and seconded by Tamara Gulde, Carried.

Ethan Funk: Yea, Tamara Gulde: Yea, Peggy Lindsey: Yea, Josh Smith: Yea, K. John Wood: Yea

Chief Wood provided an overview of the program.

e. Appointments to the Tourism Advisory Committee (TAC)

Motion to approve list of appointments as presented for Tourism Advisory Committee. This motion, made by K. John Wood and seconded by Josh Smith, Carried.

Ethan Funk: Yea, Tamara Gulde: Yea, Peggy Lindsey: Yea, Josh Smith: Yea, K. John Wood: Yea

f. Appointments to the Ouray Beautification Committee (OBC)

Motion to approve nominations for Robert Stauffer and Chris Haggart to Beautification Committee. This motion, made by Peggy Lindsey and seconded by Tamara Gulde, Carried.

Ethan Funk: Yea, Tamara Gulde: Yea, Peggy Lindsey: Yea, Josh Smith: Yea, K. John Wood: Yea

g. Appointments to the Parks and Recreation Committee (PARC)

Motion to approve nominees for PARC as presented. This motion, made by Josh Smith and seconded by K. John Wood, Carried.

Ethan Funk: Yea, Tamara Gulde: Yea, Peggy Lindsey: Yea, Josh Smith: Yea, K. John Wood: Yea

Councilor Lindsey asked why this committee is annually appointed instead of every 3 years. Mr. Clarke stated it was written in the ordinance that way, but there was no clear reason why it was different.

Council directed staff to redraft the ordinance to make the PARC appointments 3 years long.

h. Appointments to the Community Economic Development Committee (CEDC)

Motion to approve the nominations as presented for CEDC. This motion, made by Tamara Gulde and seconded by Josh Smith, Carried.

Ethan Funk: Yea, Tamara Gulde: Yea, Peggy Lindsey: Yea, Josh Smith: Yea, K. John Wood: Yea

i. Consideration of Letter of Support for Ouray County's Idarado House Preservation Proposal

Motion to approve the letter of support as presented for Ouray County's Idarado Home Preservation project. This motion, made by K. John Wood and seconded by Peggy Lindsey, Carried.

Ethan Funk: Yea, Tamara Gulde: Yea, Peggy Lindsey: Yea, Josh Smith: Yea, K. John Wood: Yea

12. DISCUSSION ITEMS

Mr. Clarke received an email from the County this morning requesting a meeting about mask mandates, tentatively scheduled for January 27th.

a. Virtual Meeting Participation Parameters

Mayor Funk feels the rationale for the in-person only policy is no longer valid, and would like to remove the policy. Councilor Wood was not in favor of it because he wanted face-to-face discussions instead of being able to be critical of someone without being in the same room. Councilor Lindsey is in favor of allowing participation with certain parameters and limitations. Councilor Gulde believes this would allow more people to participate so it is very important to implement somehow. Councilor Lindsey does not want to make any decisions without consulting City Attorney Viner on legalities. Councilor Wood would like to see the City's virtual meeting infrastructure get upgraded to improve the Zoom experience as well. Mayor Pro Tem Smith would like to start with a 5 minute time limit, and asked why there was a passcode for the meeting. Ms. Drake explained it came about because of a "hijacked" Zoom meeting early on, and the passcode is meant to deter that. Mayor Funk stated that creating a small barrier to entry to participate in council meetings via Zoom (such as requiring an email ahead of the meeting) would potentially keep out people who just wanted to "troll". The council directed staff to draw up a framework for virtual participation based on the discussion and make it an action item for adoption on a future agenda.

b. Schedule Joint Work Session with Planning Commission on Accessory Dwelling Units and Public Hearing Process

March 21st at 4 pm is proposed for the joint meeting.

c. Schedule Work Session with TAC on Tourism Best Practices

Wednesday February 9th lunch meeting. 12-1 pm.

d. Future Agenda Items

- *Councilor Wood stated that the State General Assembly wants municipalities to designate digital posting places instead of physical locations. Councilor Wood discussed designating a digital posting place as well as a physical one.*
- *Councilor Lindsey said there are 3 properties on the zoning map that are split between two zones, and those should be cleaned up. Mr. Clarke stated those were already in the works with staff.*
- *Changes to the Charter*

13. ADJOURNMENT

Motion to Adjourn at 2:24 pm. This motion, made by Peggy Lindsey and seconded by K. John Wood, Carried.
Ethan Funk: Yea, Tamara Gulde: Yea, Peggy Lindsey: Yea, Josh Smith: Yea, K. John Wood: Yea

Ethan Funk, Mayor

ATTEST:

Melissa M. Drake, City Clerk

CERTIFICATION

I, Melissa M. Drake, do hereby certify that I am the City Clerk of the City of Ouray, Ouray County, State of Colorado, and that the above minutes are a true and correct summary of the meeting of the Ouray City Council held on Tuesday, January 18, 2022. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this Tuesday, January 18, 2022.

Melissa M. Drake, City Clerk

ENGINEER'S PROGRESS REPORT

Date: February 15, 2022
To: City of Ouray
From: Element Engineering
Job No. 0041.0001
RE: Monthly Engineers Report **New Items Bold**

PROJECT DESIGN

Element Engineering, LLC (Element) has been retained to provide design, permitting, funding, and overall project coordination for the city's proposed surface water treatment plant (WTP). A new treatment facility is necessary as the city's water supply has recently been classified as Groundwater Under the Direct Influence of Surface Water (GWUDI). A March 2, 2021 letter from the Colorado Department of Health and Environment (CDPHE) requires that "the supplier (City of Ouray) must install adequate surface water treatment by October 1, 2022".

Element has prepared a preliminary schedule for design through construction. This schedule is attached to this board report. The schedule will be updated as we proceed through design. The schedule is aggressive but does not meet the CDPHE requirement of installation of equipment by the CDPHE deadline of October 1, 2022. All parties (CDPHE, Ouray, and Element) agree that the deadline cannot be realistically met, but that the project must move forward as efficiently as possible.

Since being retained, Element has met onsite with City of Ouray staff and toured the city's water facilities. Element has also begun coordination with Filter Tech Systems to begin preliminary design and determination of required floorplan. Element has obtained and analyzed water use and production data from the city. We have also been provided with access to the city's GIS mapping system and are analyzing preliminary hydraulic profiles.

Element and city staff have initially selected two locations for the proposed WTP: 1) at the location of the current raw water storage tanks, and 2) below the raw water storage tanks near the Ice Park Loop Trail. Element is currently working on a request for proposal (RFP) to obtain quotes for a topographical design survey from a local surveying company. Both locations will be surveyed along with the existing interconnecting roadway. It is expected that this RFP will be released during the week of June 20, 2021 with onsite survey work proceeding shortly thereafter.

Element is currently working to determine a preliminary floorplan and process and instrumentation diagram (PID) to determine the footprint of the proposed treatment building.

Element held two design meetings with the equipment manufacturer, Filter Tech Systems, to review and make changes to the equipment footprint, hydraulic profile, and process and instrumentation design. Work on the preliminary floorplan is ongoing.

Element and Ouray staff are holding bi-weekly meetings to discuss action items and updates on the project. The first meeting was held on August 4th.

A meeting with JVA was held on July 23rd to discuss effluent copper limits at the wastewater treatment plant and how a corrosion control system can be implemented at the WTP. An Optimum Corrosion Control Treatment (OCCT) recommendation and design will be implemented into the design and permitting documents. The OCCT chemical feed will likely contribute influent phosphorus to the WWTP that will need to be considered in this design. It was discussed that ongoing coordination between Element and JVA will be necessary during WTP design. Element is holding a team design review meeting with the filter manufacturer on August 10th to review operational control concepts and the floorplan development.

Element has received the full topographical survey from our surveying firm. We continue to work on finalization of piping and tank size (internal to WTP), revisions to the influent strainer skid, and design modifications for improved use of space. Also, work is ongoing on the Process and Instrumentation Diagram (PID), drawings, details, and notes.

Onsite geotechnical drilling is anticipated to occur in early November and has been coordinated between the geotechnical engineer and city staff. Element is currently finalizing the 30% CMAR review plans for the first review meeting between Element, Moltz, and city staff. We plan to schedule the meeting to be held with all parties near the end of October. 30% design plans include the interior piping floor plan (including plan and profiles), equipment layout (plan and profile), preliminary exterior site and grading plan, process flow diagram, and hydraulic profile. Also, 30% process and civil specifications will be provided for review and comment.

The 30% design documents were submitted to Moltz and city staff for review on October 13th. We are working to coordinate a project cost and review meeting with all parties upon completion of review of documents.

A 30% GMP was submitted to the city and Element and a 30% GMP review meeting was held on December 8, 2021. Element held an internal design team kickoff meeting on December 12, 2021 to begin working on the 60% plans. It is our internal goal to finalize 60% plans for submittal to the city and Moltz by February 28, 2022.

Element is finalizing the Basis of Design Report (BDR) which is the technical design and permitting document that must be reviewed by CDPHE. It is our goal to submit this document by January 15, 2022.

The BDR has been submitted to CDPHE for review. Element is continuing to work on 60% plans both internally and with our subconsultants to achieve a February 28th completion date. Upon submittal of the 60% plans to the city and the CMAR the 60% GMP will be developed and reviewed by the team.

CMAR BIDDING AND COORDINATION

Due to demands of the project schedule Element recommended that the city proceed with the Construction Manager at Risk (CMAR) delivery method. As there are several important decisions to be made early in the design phase, Element recommended bidding to CMAR firms at 0% design. This will allow us to assemble our project team very early in the design of the project and obtain important constructability input.

Element has provided the city with a public advertisement and has posted the CMAR bid documents for distribution. The following bid schedule was included in these documents:

RFP Release Date	June 9, 2021 at 2:00 PM
Non-Mandatory Pre-Bid Meeting	June 22, 2021 at 9:00 AM
Last Day to Request Interpretations of the Documents	June 25, 2021 at 4:00 PM
Proposals Due (via email to nmarcotte@elementengineering.net)	July 2, 2021 at 4:00 PM
Anticipated Design Phase CMAR Award (approximate)	July 14, 2021

After submittal and review of CMAR proposals with city staff, Element will provide the city with a recommendation for award to a CMAR firm.

On July 2 Element received two proposals from CMAR firms. Proposals were received from Integrated Water Services, Inc. (IWS) and Moltz Construction Inc. (Moltz). Element completed a detailed review of both proposals and has compiled a letter recommending Moltz Construction be awarded the CMAR contract.

A CMAR contract has been compiled for signature by Moltz Construction and the City of Ouray.

See Project Design Notes.

CDPHE REGULATORY COORDINATION

Element has contacted CDPHE to schedule a meeting to discuss the proposed project schedule. A meeting between CDPHE, city staff, and Element is anticipated to occur during the weeks of June 21st or 28th depending on CDPHE staff availability. The purpose of the meeting will be to update CDPHE on the proposed project schedule and inform CDPHE-Compliance and CDPHE-Engineering that the city is diligently moving forward with the project.

On July 6th Element and city staff held a call with Tyson Ingles (lead drinking water engineer, CDPHE Engineering Section). The purpose of the call was to discuss the project schedule and regulatory impacts of the EPA mandated 18-month design and implementation requirement. All parties acknowledged that the 18-month deadline was not realistically achievable but that it is mandated by the EPA. It was discussed that keeping in close contact with CDPHE during the design process would be important.

A coordination call was held with CDPHE to discuss the necessary discharge permit for discharge of backwash water and neutralized CIP with CDPHE. During design Element will assist in applying for a 641 Series Discharge Permit to discharge the small amount of backwash water that will be produced by the facility.

Nothing new to report.

PROJECT FUNDING

Element will assist the city in funding the project through both CDPHE Grants and Loans Unit (GLU) and the Colorado Department of Local Affairs (DOLA). To obtain a low interest loan to fund the project the city must: 1) Be on the CDPHE Eligibility List, 2) Submit a pre-qualification form, and 3) compile and submit a

Project Needs Assessment (PNA). Element will complete all submittals for each of the three steps. Element has coordinated with city staff to ensure that the city has completed Step 1: Submittal of the Eligibility Survey, which will ensure the project is on the Eligibility List.

Element is currently compiling the pre-qualification form and Project Needs Assessment (PNA). These documents are required to be submitted, reviewed, and approved by CDPHE prior to loan application. The loan application deadline for a leveraged loan (any loan above \$2,000,000) that fits within the project schedule is January 15th, 2022.

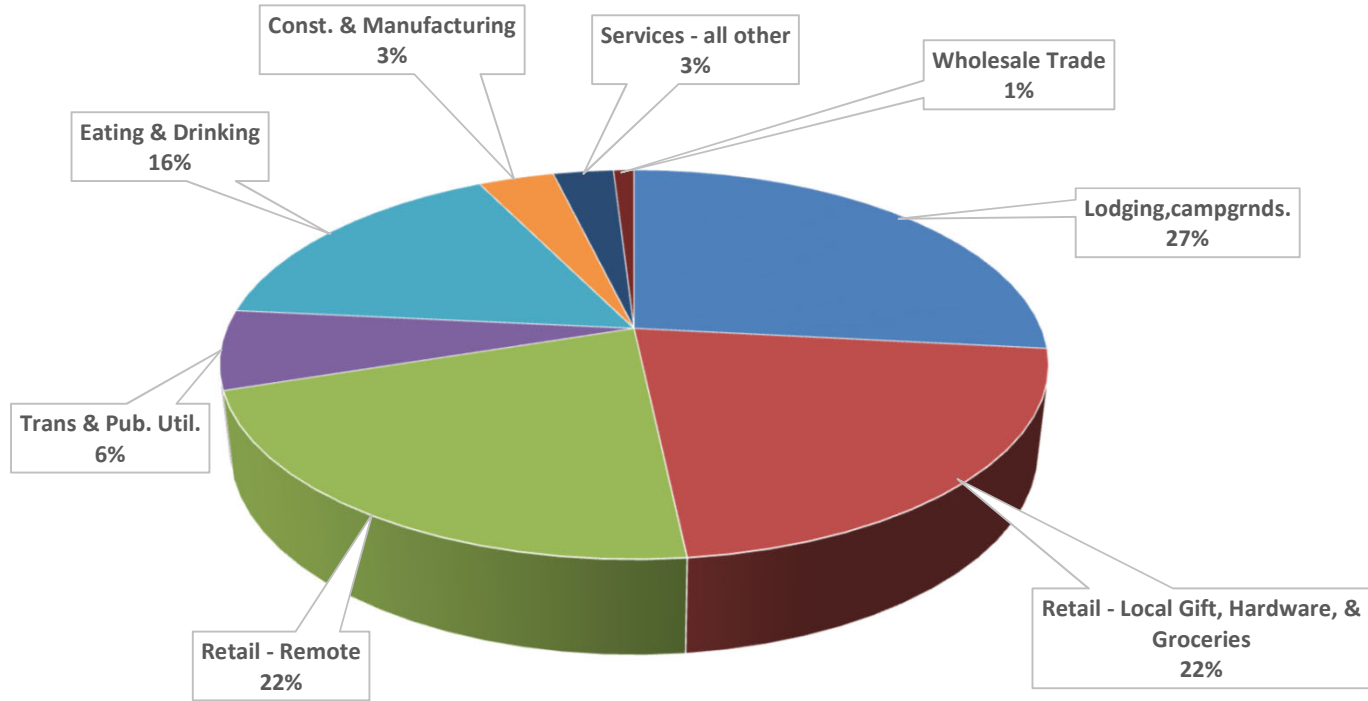
By submitting the pre-qualification and PNA by October 31, 2021, time will be allowed for review and approval of the PNA prior to the January 15, 2022 loan application deadline.

The pre-qualification and PNA are substantially complete. A list of financial questions has been sent to the city. Upon receiving that information, we will submit both documents to the city for final review followed by submittal to CDPHE.

The PNA and pre-qualification forms have been completed and submitted to CDPHE. Element has worked with city staff to compile and submit a loan application prior to the January 15, 2022, deadline. A pre-application meeting with CDPHE is scheduled for January 14, 2022.

A pre-qualification meeting was held with CDPHE, city staff and Element staff on January 14, 2022. During this call CDPHE informed the team that a direct loan could be applied for (rather than what was previously required to be a leveraged loan). This opens the door for numerous loan application cycles per year. CDPHE has issued the pre-qualification review letter and Element has responded to the one item in that letter. We are now waiting for the Project Needs Assessment (PNA) review letter to respond to any necessary comments. Upon approval of the PNA the loan application can be submitted.

City of Ouray
December 2021 Sales Tax Revenues by Business Category
(received in February 2022)

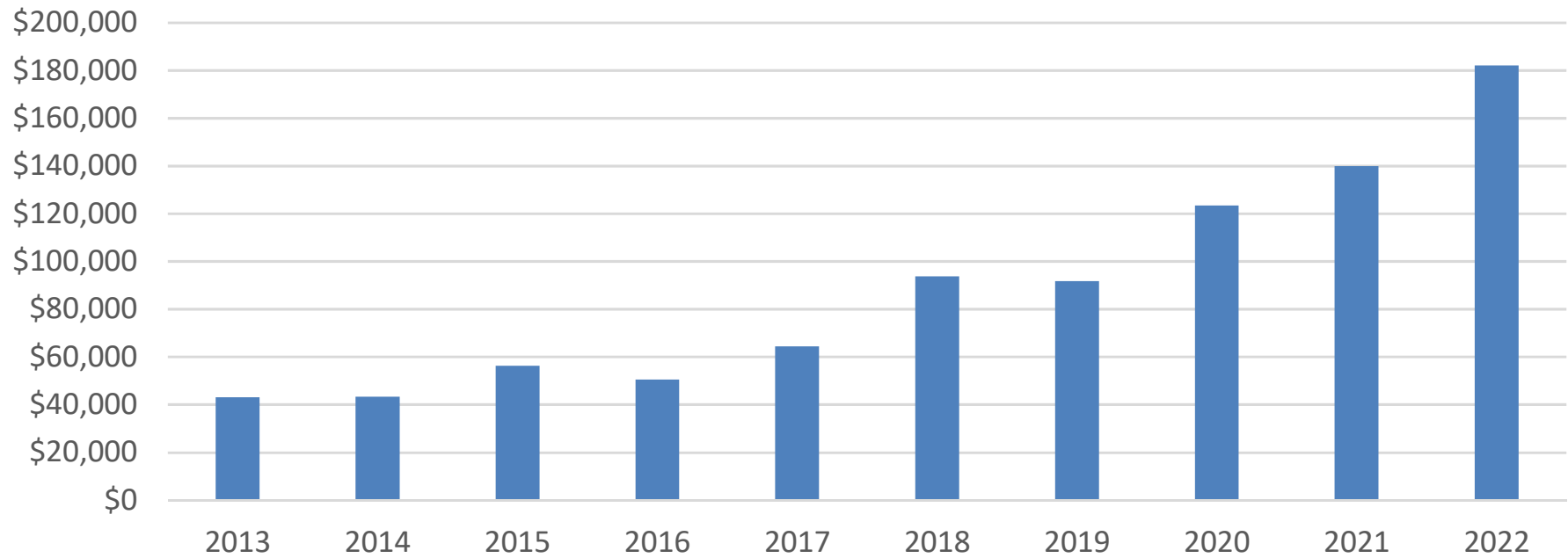


CITY OF OURAY
2022 MONTHLY SALES TAX REVENUES BY BUSINESS CATEGORY

(1) Month tax received from State of Colorado, representing sales from two months earlier (e.g. tax shown as APRIL is mostly from FEBRUARY)

2022 SALES TAX REVENUES BY BUSINESS CATEGORY							
(1) Funds received by City in: July (mostly re: May)							
Business Category	January	February	March	April	May	June	
Lodging, campgrnds.	\$ 36,442.44	\$ 48,592.86					
Retail - Local Gift, Hardware, & Groceries	\$ 31,458.66	\$ 39,424.05					
Retail - Remote	\$ 37,822.36	\$ 39,440.45					
Trans & Pub. Util.	10,595.57	11,994.95					
Eating & Drinking	18,180.96	29,458.33					
Const. & Manufacturing	7,699.75	6,439.43					
Services - all other	1,736.77	5,116.91					
Wholesale Trade	1,723.78	1,747.95					
TOTAL	\$ 145,660.29	\$ 182,214.93	\$ -	\$ -	\$ -	\$ -	
Business Category	July	August	September	October	November	December	Year-to-date
Lodging, campgrnds.							\$ 85,035.30
Retail - Local Gift, Hardware, & Groceries							\$ 70,882.71
Retail - Remote							\$ 77,262.81
Trans & Pub. Util.							22,590.52
Eating & Drinking							47,639.29
Const. & Manufacturing							14,139.18
Services - all other							6,853.68
Wholesale Trade							3,471.73
TOTAL	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 327,875.22

CITY OF OURAY DECEMBER 2021 SALES TAX REVENUE COMPARISON Over Past 10 Years



Notes: Figures represent tax revenue received February 2022
Sales Tax increased from 3% to 4% on January 1, 2016

CITY OF OURAY
SALES TAX REVENUES BY BUSINESS CATEGORY 2013-2022

SALES TAX REVENUES BY BUSINESS CATEGORY

Business Category	Funds received by City in February (mostly re: December) of:									
	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Lodging, campgrnds.	\$ 11,400.37	\$ 9,233.95	\$ 12,085.00	\$ 11,321.41	\$ 15,363.88	\$ 27,217.45	\$ 23,993.54	\$ 32,873.34	\$ 36,995.90	\$ 48,592.86
Retail - Local Gift, Hardware, & Groceries								\$ 22,157.99	\$ 32,966.65	\$ 39,424.05
Retail - Remote								\$ 21,204.34	\$ 26,286.38	\$ 39,440.45
Retail - groceries, liquor, candy, hardw	6,024.72	6,800.46	11,543.14	9,561.16	14,572.24	18,705.19	24,305.11			
Retail - gift, souvenir, variety, books	5,282.53	6,239.64	6,680.43	6,560.29	6,619.21	8,263.50	9,235.38			
Trans & Pub. Util.	6,970.86	9,338.62	7,368.27	6,125.74	7,521.63	7,321.11	7,669.12	15,972.66	11,494.47	11,994.95
Eating & Drinking	5,903.90	6,754.74	10,015.60	8,171.87	9,443.19	19,730.16	14,237.33	27,216.57	26,647.64	29,458.33
Const. & Manufacturing	3,517.47	3,069.93	3,016.80	6,225.16	6,409.34	8,546.01	7,047.90	2,337.47	1,830.76	6,439.43
Services - all other	2,547.34	1,502.06	1,803.94	1,563.93	2,942.46	3,371.18	3,285.33	1,369.61	2,282.00	5,116.91
Finance, Ins. Real Estate	1,121.10	358.49	798.21	845.53	1,353.98	537.11	1,045.92			
Wholesale Trade	22.00	68.00	142.67	64.32	78.04	148.96	977.95	301.35	1,551.93	1,747.95
Mining	-	-	-	-	-	-	-	-	-	-
All Other	322.45	87.25	3,006.54	63.00	105.00					
TOTAL	\$ 43,112.74	\$ 43,453.14	\$ 56,460.60	\$ 50,502.41	\$ 64,408.97	\$ 93,840.67	\$ 91,797.58	\$ 123,433.33	\$ 140,055.73	\$ 182,214.93
							\$2,834.54 out-of-period	\$22,126.82 out-of-period	\$7,310.05 out-of-period	\$6,656.57 out-of-period

Year to Date Sales Tax Comparison

Percentage Change
from 2020

December 2020 Activity	\$ 140,055.73	
December 2021 Activity	\$ 182,214.93	30%
Jan-Dec 2020	\$ 2,077,297.74	
Jan-Dec 2021	\$ 2,852,584.84	37%

320 6th Avenue
PO Box 468
Ouray, Colorado 81427



970.325.7211
Fax 970.325.7212
www.cityofouray.com

TO: Ouray City Council
FROM: Lily Oswald, Community Development Coordinator
DATE: February 15, 2022
FOR: February 22, 2022
SUBJECT: Community Development Department Report

CURRENT PLANNING

Staff is working on the following projects:

- Ongoing Short-Term Rental coordination (applications, renewals, expiration notifications, Building Inspection updates). Drafting letters to send to STR operators based on new policies/changes to status.
 - In the onboarding process with Deckard/Rentalscape for STR management/monitoring
- Various preapplications for small-and large-scale land use projects, lot splits, rezones, minor subdivisions, condominiumization, replats, new single- and multi-family housing units.
- Updates to existing Community Development/Building Department forms and webpages for easier processing (recent changes: STR webpage, building forms, drafting a backflow webpage).
 - STR letter was sent to all STR owners/managers in December re: updated renewal policies to be aware of and the excise tax implementation.
- Administering CDPHE's backflow and cross connection program, as required for the City's water system (questionnaires sent to all non-single family properties; surveys to be completed with the Building Inspector; and, creating a comprehensive database of all tests/surveys/data).

CODE ENFORCEMENT

Code enforcement cases continue to be monitored and enforced. Matt Haldeman, the City's Building Inspector, is working on building and STR inspections, plan review, enforcing building codes, administering and surveying properties for the City's backflow program (in accordance with CDPHE requirements). Snow removal continues to be a challenge in Ouray; Matt Haldeman will be sending out "First Notice Violation" letters to owners of identified properties who have inconsistently or failed to remove snow/ice from their sidewalks.

BUILDING & SIGN PERMITS

Six (6) building permits were issued by the department for the Month of January, two (2) of which were sign permits. Typical review, inspection of, and correspondence re: short-term rental applications was performed. Attached is a building permit report compiled with "active" building permits and projects.

BACKFLOW PREVENTION PROGRAM

Matt Haldeman has been comprehensively administering and surveying properties for the City's backflow program (in accordance with CDPHE requirements). There is now a [dedicated webpage](#) to these efforts. The City applied for an *Alternative Survey Compliance Ratio Request* in December 2021. CDPHE approved this request (see attached letter) on January 24, 2022, allowing the City to meet full compliance (ratio of 1.0, or 100%) for backflow surveys by December 31, 2024. This allows the City to effectively administer this program in accordance with approved compliance ratios each year beginning with 55% in 2021. The City met this ratio (0.55) in 2021 at 55.9% and has already met the approved 2022 compliance ratio of 0.75.

LONG RANGE PLANNING

- Staff is working with SEH to proceed with the City's Land Use & Development and Sign Code chapter revisions. SEH is planning a kick-off meeting to outline the process, goals, and address any concerns during a Joint Meeting with Council and the Planning Commission meeting on **March 21 at 3:00pm**.
- Staff is working on a community-input survey re: Ouray's land use code and development priorities/concerns as part of this process. Staff has been discussing locations and opportunities for affordable housing initiatives to land in Ouray with a group of interested partners each month (incl. CHFA, Ouray County, and the Town of Ridgway).
- Staff is working on compiling a list of properties within Ouray with "erroneous" zoning boundaries. This issue affects a multitude of properties between Ouray's zoning districts and its overlay zones.

COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE (CEDC)

The CEDC held a meeting on February 10th and discussed member and city updates, recruitment efforts for CEDC, and upcoming 2022 CEDC Roundtables, micro grants, and community-input surveys. The first CEDC Roundtable is set for **March 23 (time TBD)** and will emphasize local employee recruitment, retention, training efforts, and wage discussions with Region 10. The next scheduled CEDC meeting is on **March 10 at 8:30am**. There is one vacant seat on the CEDC for anyone who is interested in applying (applications available on the City's website>volunteer opportunities).

PLANNING COMMISSION

The Planning Commission held a regular meeting on February 8th. The Planning Commission approved their 2022 Meeting Schedule (meetings every second (2nd) Tuesday of the month) and discussed upcoming joint meeting dates and the land use code update process. The next Planning Commission meeting is scheduled for **March 15 at 4:00pm**, one week after the regular meeting date to allow enough time for commissioners' to consider applications prior to the meeting and after Council makes appointments on March 7, 2022.

OURAY AREA JOINT PLANNING BOARD

The City applied for two (2) Special Use Permits (SUPs) from Ouray County for the City's pending water and wastewater treatment facilities. These applications will go in front of the Ouray Area Joint Planning Board who will recommend a decision as soon as practicable. In accordance with the Joint Area's IGA, the Joint Area Board's recommendation and applications will then be considered by the Board of County Commissioners.

MISCELLANEOUS PROJECTS

The following miscellaneous projects have also been taken on by community development staff:

- Code interpretations for developers, realtors, municipalities, and private parties.
- Ongoing addressing discrepancies in city parcels/lots/blocks.
 - 39 address assignments and changes have been made by staff; 3 potential address changes/updates pending.
- Ongoing research and interviews re: community housing projects and options in Colorado.
 - Interviewed the "Landing Locals" program and considered how it could apply to Ouray's STRs.
- Ongoing fulfillment of records requests submitted to the City.
- Ongoing explanation of current STR regulations; providing information to interested/involved parties. Improving the City's website on STRs and backflow-making information more transparent for the public.
- Research into similar municipal fee schedules and land use regulations.
- Research into creative housing solutions, opportunities, and partnerships in the region and meetings with various stakeholders.
- Research into STRs, ADUs, other land use-related policy tools across other municipalities in Colorado. Analyzing differences in language/legalities across municipalities.
- Research into funding and grant opportunities for community- and land use-related projects.



**BUILDING PERMIT REPORT
AS OF FEBRUARY 2, 2022**
(Reporting Active Permits with notes)

ACTIVE BUILDING PERMITS AS OF JANUARY				
Permit #	Location	Zone	Permit Type/Status	Issue Date
2201-06	1721 Hinkson Terrace	R-2	Addition/Alter Existing -No inspections have been conducted yet.	1/24/2022
2201-05	1721 Hinkson Terrace	R-2	Mechanical Permit -Installing fireplace. No inspections have been conducted yet.	1/20/2022
2201-04	965 Main Street	C-1	Remodel -Complete remodel of house. STR application received for property 8/11/2021	1/19/2022
2201-03	308 6 th Avenue	C-1	Remodel -Remodel of hostel. Create 3 units for workforce lodging. Space also includes massage area to maintain commercial use in C-1 zone.	1/24/2022
S2201-02	640 Main Street	C-1	Sign Permit	1/07/2022
S2201-01	630 Main Street	C-1	Sign Permit	1/06/2022
2112-01	210 7 th Avenue	R-1	Mechanical Permit -In constant contact with the superintendent. No mechanical inspections to date.	12/29/2021
2111-05	607/609 Main Street	C-1	Snow Melt System -Project has not started. Waiting for spring. Has 180 days from when BP was issued to begin construction or permit will expire.	11/24/2021
2111-03	1645 Hinkson Terrace	R-2	New SFD -New home being built. Contractor/Owner is in contact for all inspections. Last inspection was pressure test for hydronic heat in garage. Next inspection will be for framing.	11/03/2021
2110-01	210 9 th Avenue	R-2	Remodel to Meet STR Requirements -Stairs have been renovated to meet code. Spoke with contractor on 2/02/2022 about egress windows delivery date. Owners are aware of the 2/27/2022 deadline.	
2109-04	100 Ouray Vista Lane	R-1	New SFD -Spoke with the owner on 2/02. Owners do not have the money to build the new home. Project is TBD.	9/13/2021



BUILDING PERMIT REPORT AS OF FEBRUARY 2, 2022

(Reporting Active Permits with notes)

2109-02	1511 Main Street	C-2	New Construction of 5 Townhomes -Have been in contact with the owner intermittently. Currently grading the lot for the southernmost foundation.	10/6/2021
2108-03	125 3 rd Avenue	R-2	New Dining Facilities/New Pools -In constant contact with owners. Last inspection was 2/1/2022 of vapor cave slab, and slab above stairs leading to the basement area.	10/1/2021
2106-04	210 7 th Avenue	C-1	Complete Restoration -In constant contact with superintendent. Last inspection was on 1/31/2022 for pool pressure test and insulation on 2 nd Floor.	8/14/2021
2104-07	2503 Chautauqua Lane	R-2	New SFD -Contractors have been calling as needed for inspections. Next inspection will be for framing of the garage.	5/10/2021
2104-06	738 2 nd Street	R-2	New SFD -Blackthorne Custom builders have been in constant contact. Will be calling soon for insulation inspection.	4/27/2021
2104-02	536 2 nd Street	R-2	Garage/ADU Next inspection will be final inspection for a CO.	4/30/2021

* All permits are assigned a number as they are received. Some permit numbers may void if it is not issued, withdrawn or under review. Mechanical Fees have not yet been established by Council.

-All notes are up to date as of 2/2/2022. Any change in status will be noted in the next permit report in *Red*.



COLORADO
Department of Public Health & Environment

January 24, 2022

Joe Coleman
 City of Ouray
 PO Box 468
 Ouray, CO 81427

Subject: Backflow Prevention and Cross-Connection Control Rule Alternative Survey Compliance Ratio Request
 City of Ouray, Public Water System Identification (PWSID) No. CO0146588, Ouray County

Dear Joe Coleman:

The Colorado Department of Public Health & Environment's Water Quality Control Division (department) has received and reviewed the alternative survey compliance ratio request submitted to the department on December 20, 2021 by the City of Ouray (supplier) public water system. The review had been performed in accordance with the requirements outlined in Section 11.39(3)(c)(iv)(A) of the Colorado Primary Drinking Water Regulations (Regulation 11). The supplier has consulted with the department and provided sufficient information.

The department approves the alternative survey compliance ratio requested based upon the following conditions and schedule proposed by the supplier in its application:

1. The proposed alternative survey compliance ratios for the compliance dates from December 31, 2021 through December 31, 2024 as specified;

Survey Compliance Ratio	
Compliance Date	Approved Compliance Ratio
By December 31, 2021	0.55
By December 31, 2022	0.75
By December 31, 2023	0.90
By December 31, 2024 and each year after	1.0

2. The proposed alternative survey compliance ratios must meet the survey compliance ratio of 1.0 by December 31, 2024.
3. The department expects that the supplier include these conditions in its written backflow prevention and cross-connection control program in accordance with Regulation 11.

Please contact Gary Soldano, P.E., at 720-446-6373 or cdphe_wqcd_fss_questions@state.co.us for questions regarding the requirements provided in this correspondence.

Sincerely,

Gary Soldano, P.E.
 Project Engineer
 Field Services Section
 Water Quality Control Division
 Colorado Department of Public Health & Environment

cc: Drinking Water File, PWSID No. CO0146588 / Alt Plan Case No. FS.21.ALTPLAN.068
 John Volk, ORC
 Silas Clarke
 Kristina Quick, CDPHE-FSS, Staff Field Engineer



Visitor Center Report Thursday, February 17, 2022

Since my last report, the visitor center has seen most of its visitors during the weekends. The visitors are more locals, who are coming to use the pool, ice climb, ice skate, and hike. The visitors during the week, which average 2-4 per day at the most, are passing through and want info for a possible return trip this summer.

The phone calls I am receiving are asking for me to send them information about Ouray so they can plan their summer trips. When I say info is online, they are not interested in reviewing online information. They want a print visitor guide sent to them. I am also receiving phone calls from groups who arrange trips and they are already asking about 4th of July activity calendar etc. I get many phone calls about the pool hours and whether box canon is open. Most of the locals calling do check on the weather and the snow status.

The mild weather we have been experiencing has definitely positively affected the pool numbers. The last two weekends, the pool parking area, located right next to the visitor center, has resembled summer time numbers.

I continue to research various topics that will be included in the volunteer manual and the manual that will be made available to local businesses to share with their employees. It is a time consuming activity, but very necessary, so that all locals, whether they be one of my volunteers or an employee of a local business, have available to them factual information about various topics related to Ouray that could be shared with visitors. Misinformation has been an issue that my volunteers and I addressed on a daily basis with our visitors.

I am also responding to any emails the city receives regarding potential visits/visitors to Ouray.

We continue to get rave reviews for our clean bathrooms. Thank you Kris and Michael. Thank you Kris for your vacuuming and dusting of our visitor center. I put up a few decorations for valentine's day and will have a few up for St. Patrick's Day, followed by Easter; we will then be into spring. Visitors do notice the decorations and always comment on the decorations and how good the visitor center smells. They describe the visitor center as feeling homelike and welcoming. Since Yule day, our visitors have consumed 8 gallons of hot cider. Our visitors continue to like the cookies. I added taffy for the winter holidays and heart suckers for Valentine's day.

Paula Damke. Visitor Center Coordinator

Submit to Local Licensing Authority

THE SILVER EAGLE SALOON
PO BOX 191
Ouray CO 81427

Fees Due		
Renewal Fee		550.00
Storage Permit	\$100 X _____	\$
Sidewalk Service Area	\$75.00	\$
Additional Optional Premise Hotel & Restaurant	\$100 X _____	\$
Related Facility - Campus Liquor Complex	\$160.00 per facility	\$
Amount Due/Paid		\$

Make check payable to: Colorado Department of Revenue. The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

Retail Liquor or Fermented Malt Beverage License Renewal Application

Please verify & update all information below

Return to city or county licensing authority by due date

Licensee Name TABJ COMPANY		Doing Business As Name (DBA) THE SILVER EAGLE SALOON		
Liquor License # 03-07850	License Type Tavern (city)	Sales Tax License # 31917484	Expiration Date 04/05/2022	Due Date 02/19/2022
Business Address 617 MAIN STREET Ouray CO 81427				Phone Number 9703254161
Mailing Address PO BOX 191 Ouray CO 81427			Email silvereaglesaloon@yanas.com	
Operating Manager Brad Johnson	Date of Birth	Home Address		Phone Number
1. Do you have legal possession of the premises at the street address above? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Are the premises owned or rented? <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Rented* *If rented, expiration date of lease _____				
2. Are you renewing a storage permit, additional optional premises, sidewalk service area, or related facility? If yes, please see the table in upper right hand corner and include all fees due. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
3a. Since the date of filing of the last application, has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant, been found in final order of a tax agency to be delinquent in the payment of any state or local taxes, penalties, or interest related to a business? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
3b. Since the date of filing of the last application, has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant failed to pay any fees or surcharges imposed pursuant to section 44-3-503, C.R.S.? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
4. Since the date of filing of the last application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
5. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
6. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
7. Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				

Dear Regional Transportation Director:

My name is _____ and I represent _____. In this capacity, I have been in communications with San Miguel Power Association (SMPA), their contractor, VM West, and representatives of our neighboring communities about the vegetation clearing operations along the Red Mountain electrical transmission right-of-way.

My colleagues and I are aware of the importance of this project and we fully support the work that is planned to occur this year. SMPA has reached out to us and heard our input in meetings and through other means.

We have expressed our desire that SMPA partner with us regarding planning and communications. We have also expressed our desire that the work necessitating full road closures on Highway 550 be completed by Memorial Day (May 30, 2022), which is the unofficial launch of our summer economic season.

We understand that SMPA has heard our concerns and desires, and we believe that they will do everything within their power to comply. Please take this as our written expression of support for SMPA and their contractor to complete the vegetation clearing project, including the temporary and intermittent full closure of Highway 550 as necessary in the coming months, with our preference that this work be completed before May 30th.

Thank you,

February 9, 2022

City of Ouray
Mr. Silas Clarke, City Administrator
PO Box 468
Ouray, CO 81427



SAN JUAN RURAL PHILANTHROPY DAYS
RIDGWAY | JUNE 7-9, 2022

Dear Mr. Silas Clarke:

In 2022, the San Juan region will be presented with a unique and critical opportunity to support our area's nonprofits, local governments, and the communities they serve.

The San Juan Rural Philanthropy Days conference will be held from June 7-9, 2022 in Ridgway and Ouray County. This event will bring together 300 nonprofit, government, and business leaders from Gunnison, Hinsdale, Montrose, Ouray, and San Miguel counties with representatives from major statewide foundations, government, and corporate funding entities.

Rural Philanthropy Days (RPD) is a statewide program supported by the Community Resource Center. Through RPD rural nonprofits obtain direct access to the financial resources, collaborative opportunities, and professional development services they need to accomplish their missions and address community needs. Participating funders learn more about the region's assets, challenges and strategic initiatives to improve the quality of life for residents in rural communities. The conference provides increased access to resources, skill building opportunities, and the cultivation of relationships on a regional scale - and the results are staggering.

Prior to Rural Philanthropy Days, which started in the early 1990s, only 3% of grant funding from the major funders in Colorado made its way outside the Front Range. As of 2019, rural communities are receiving 21% of total funder contributions. For context, the 12 core funders of RPD alone gave more than \$36,000,000 directly to San Juan nonprofits, schools, and governments from 2009 - 2019.

From bringing the nonprofit sector across the region together, increasing awareness of key community needs and making connections - we see new resources invested to build upon the ideas generated and relationships built at the conference. For example, the last time an RPD conference was held in our region was 2017; from 2016 to 2017 funding increased by **48%**.

Nonprofits and local governments have worked tirelessly this past year to provide stability, resources, and aid to our communities. San Juan RPD will provide additional support through training, professional development, networking, presentations and discussions with funders about our region's needs and opportunities. We hope you'll join us in investing in our community through sponsorship of San Juan Rural Philanthropy Days.

Local donors and sponsors are needed to make the RPD conference possible. These sponsors make the conference financially accessible to the small nonprofit organizations, who would benefit most from the conference, by enabling us to keep the registration prices low and accessible.

Early investment by local governments is an important first step for the success of this event. We are grateful for the support of local governments from across the region to this event already coming in and respectfully request the City of Ouray consider being a sponsor for the 2022 San Juan RPD Conference at a \$2,000 level.

By investing in the 2022 San Juan RPD, you invest in the economic health of your community and the region. Nonprofit organizations are a vital part of our communities. They represent a variety of sectors, from education to the arts, healthcare to emergency services. RPD provides opportunities that are otherwise scarce in rural Colorado, including the opportunity to learn about best practices, meet funders, and as a result, become competitive in the world of grants. Join us in helping this event grow and reach new heights.

We will reach out in the next week to follow up regarding next steps and answer any questions. If you have any questions in the interim, feel free to reach out. Our conference Event Coordinator, Melissa McKelvey, can be reached at sanjuanrpd@gmail.com, and Nellie Stagg with Community Resource Center can be reached at 303-623-1540 x170 or stagg@crcamerica.org.

Thank you for your consideration of this request and continued support of our region's nonprofits.

Sincerely,



Carrie Andrew
San Juan RPD Co-Chair
Lone Cone Library
San Miguel County



Danelle Hughes Norman
San Juan RPD Co-Chair
Outreach Youth Program
Ouray County



Nellie Stagg
Senior Program Director
Community Resource Center

SAN JUAN RURAL PHILANTHROPY DAYS

Serving Gunnison, Hinsdale, Montrose, Ouray, and San Miguel counties



Ridgway | June 7-9, 2022

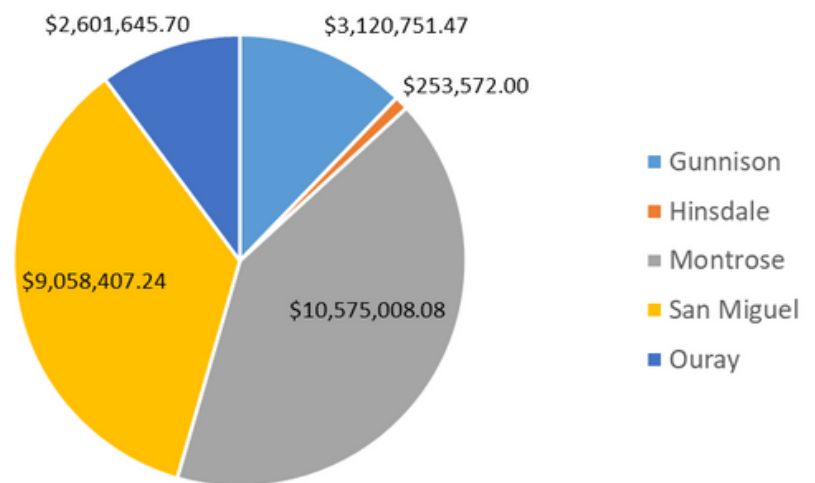


For more than 30 years, CRC has convened rural leaders and statewide grantmakers as partners in the Rural Philanthropy Days (RPD) program. Each year, two regional RPD conferences bring financial, professional development, and network building resources to rural communities. Through your sponsorship of San Juan Rural Philanthropy Days you are supporting nonprofits across the region, as well as each individual and community that benefits from the services of those organizations. Together we strengthen rural Colorado.

Regional Impact of Funding

The last time a Rural Philanthropy Days (RPD) conference was held in the San Juan region was 2017; from 2016 to 2017 **funding increased by 48%**. The 12 core funders of Rural Philanthropy Days alone gave more than **\$25,000,000** directly to San Juan nonprofits from 2016- 2019

Funding to the San Juan Region 2016-2019



Meet the San Juan RPD Steering Committee

Carrie Andrew | Lone Cone Library
Laura Anthon | Lone Cone Library
Joey Boese | PEER Kindness, Inc.
Amy Bricker Stahlin | ThinkSharp Consulting
Victoria Durnan | Ouray County Public Health
Maryo Ewell | Community Foundation of the Gunnison Valley
Robyn Funk | Montrose Regional Health
Sarah B Holbrooke | The Pinhead Institute
Danelle Hughes Norman | Voyager Youth Program
Julia Johns | Lake City Arts Council
Scott Krieger | Community Foundation of the Gunnison Valley
Chris S Lopez | Colorado Housing Finance Authority

Carlton Mason | CASA of the 7th Judicial District
Mel McKelvey | Black Canyon Boys and Girls Club
Candy A. Meehan | Town of Norwood
Jennifer Pelligra | Community Options, Inc.
Amanda Pierce | Town of Norwood
Patrick Rondinelli | Dept. of Local Affairs
Lori Sharp | ThinkSharp Consulting
Deana Sheriff | West End Economic Development Corp.
Andrea Sokolowski | Home Trust of Ouray County
Nellie Stagg | Community Resource Center (CRC)
Ross Valdez | City of Montrose
Tera Wick | Town of Ridgway

Sponsorship Opportunities

As a sponsor of San Juan RPD, you will connect with over 225 individuals from across the region including staff and board members of local nonprofits, community leaders, local government officials, and statewide grantmaking agencies. A sponsorship of this event demonstrates your organization's civic engagement and commitment to supporting a vibrant nonprofit sector across the San Juan region. If you have any questions you can contact our San Juan RPD Event Coordinator, Melissa McKelvey, at sanjuanrpd@gmail.com.

\$5,000 plus - Premier Level Sponsor

Premium Recognition in Conference Materials, Recognized on Screen at the Conference, Opportunity to Include Materials in Conference Packet, Logo Included on Additional Conference Sponsor Signage, Recognized from Stage at Conference, Logo with Link to Company Page on RPD Website, Feature on Social Media, Opportunity to Customize Sponsor Benefits

\$3,000 - \$4,999 - Platinum Level Sponsor

Recognition in Conference Materials, Recognized on Screen at the Conference, Opportunity to Include Materials in Conference Packet, Logo Included on Additional Conference Sponsor Signage, Recognized from Stage at Conference, Feature on Social Media, Logo with Link to Company Page on RPD Website

\$2,000 - \$2,999 - Gold Level Sponsor

Recognition in Conference Materials, Recognized on Screen at the Conference, Recognized from Stage at Conference, Feature on Social Media, Logo with Link to Company Page on RPD Website

\$1,000 - \$1,999 - Silver Level Sponsor

Recognition in Conference Materials, Listed on Screen at the Conference, Recognized from Stage at Conference, Listed on Social Media, Listed with Link to Company Page on RPD Website

\$250 - \$999 - Bronze Level Sponsor

Recognition in Conference Materials, Listed on Screen at the Conference, Listed on RPD Website



Silas Clarke <sclarke@cityofouray.com>

San Juan Rural Philanthropy Days

1 message

Rondinelli - DOLA, Patrick <patrick.rondinelli@state.co.us>
To: Silas Clarke <clarkes@cityofouray.com>

Wed, Feb 9, 2022 at 4:24 PM

Good afternoon, Silas. I hope you had a great vacation!

I mentioned this to you before, but the 2022 San Juan Rural Philanthropy Days conference is in Ridgway this year. As the DOLA Regional Manager, I am serving on the Steering Committee for the event.

The conference will be held from June 7 -9 in Ridgway and across the West End of Montrose County. The conference will bring together over 225 nonprofit, government, and business leaders from Gunnison, Hinsdale, Montrose, Ouray, and San Miguel counties with representatives from major statewide foundations, government, and corporate funding entities.

Attached you will find a letter with more information on the impact of Rural Philanthropy Days to our whole region, including a request for sponsorship support of \$2,000 from the City.

We are grateful for the support of local governments from across the region to this event already, and wanted to reach out to see if you had any questions as you are considering the request? We are happy to provide additional information that would be helpful, including attending any upcoming City Council meetings.

We appreciate your support of nonprofits in our community.

Thanks,

--

Patrick Rondinelli
Regional Manager - Southwest Region



COLORADO
Department of Local Affairs
Division of Local Government

Division of Local Government
Department of Local Affairs
patrick.rondinelli@state.co.us | P 970.749.0138
<https://www.colorado.gov/dola>
Sign up for the [DLG newsletter](#)

Under the Colorado Open Records Act (CORA), all messages sent by or to me on this state-owned e-mail account may be subject to public disclosure.

 **CityofOuray_AskPacket.pdf**
560K

Ouray School District R-1

Developing Minds to Match Our Mountains

P.O. Box N
400 7th Avenue
Ouray, CO 81427

Phone: 970-325-4505

Fax: 970-325-7343

Website: www.ourayschool.org

Ouray City Manager
Ouray City Council
320 6th Ave
Ouray, CO 81427

February 11, 2022

Dear Council Members:

Ouray School District R-1 would like to formally request time at the next Ouray City Council meeting to address a request for an exception to Ordinance no. 1, Series 2021 pertaining to the adoption of the 2020 Model Traffic Code. Specifically, Ouray School would like consideration for the ability to park our two school buses nose-to-nose in our dedicated bus parking zone on the west side of the campus at the corner of 4th Street and 7th Avenue. One of the buses would be parked against the traffic code in the wrong direction.

Our buses are diesel powered and both require electrical glow plugs in order to operate dependably in cold weather. The district has a dedicated SMPA electrical account for this service, but there is currently only one electrical outlet on a post between the buses. Facing the buses nose-to-nose allows the district to maintain both vehicles with short power cords and limit safety issues for the school and public. If required to meet the 2020 Model Traffic Code, the district would engage in either added safety risk of long extension cords or the enormous cost of adding a separate power post, requiring removing concrete and addressing other code issues and utilities with their location on the street side of the sidewalk.

Ouray School is willing to commit that our vehicles will meet the amended code during the season of April 1 to October 1 of each year and requests the exception only for colder months.

Please accept my request to be added to the next Council meeting, and I will attend in person to discuss the matter further.

Sincerely,



Tod Lokey
Superintendent

Work Sessions/Discussion Items

Joint WS with Ouray County – IGA for Joint Planning for Urban Growth

ADUs with the Planning Commission

Fee Schedule

Workforce & Attainable Housing

Charter Modifications

(Non-Land Use) Code Revisions

Oak Street Capital Improvement Plan

Changing PARC Terms

Temporary Encroachment on Sidewalks (and liquor in public parks)

Excise Tax Use for Housing Programs

Main Street Program

13-6 Sidewalk Construction, Maintenance and Civil Liability

- A. All City sidewalks on City property or easements shall be designed and constructed in accordance with standards and specifications approved by the City. All City sidewalks shall be located and sized in accordance with City requirements and standards. Any person constructing or replacing a City sidewalk shall obtain a permit from the City to do so pursuant to Section 13-3-F.
- B. The owner, tenant or party actually in possession of property abutting any City sidewalk shall be jointly and severally responsible to maintain, repair and replace the abutting sidewalk to keep it in good repair, safe condition and consistent with City standards and specifications for sidewalks. They shall also be jointly and severally responsible to remove all accumulations of snow and ice from and to correct any other dangerous conditions upon or with respect to City sidewalks abutting their property.
- C. The City may, as it deems necessary or appropriate, order the construction or repair to any sidewalk. In the event the owner of the abutting property fails or refuses to make such construction or repairs in accordance with City standards and specifications, the City may cause the appropriate construction or repair of the sidewalk to be done and assess the costs thereof against the abutting property and its owner.
- D. In the event the owner, occupant and party in possession of abutting property fail to remove snow and ice, or correct any dangerous conditions upon any abutting City sidewalk, the City may cause such snow and ice to be removed, or condition to be corrected and assess the costs thereof to the abutting property and its owner.
- E. The costs the City may recover for work caused to be done by the City under this Section shall include all costs of construction, replacement, maintenance, or repair, including costs attributable to the use of City equipment and personnel, any out-of-pocket costs the City incurs, reasonable attorney's fees incurred by the City related to the work or the collection of the assessment and any other costs of collecting assessments or amounts due. All such costs shall be a lien against the abutting property which may be foreclosed by the City in any lawful manner. Such costs may also be certified to the County for collection similar to the collection of taxes, or may be collected in any other lawful manner. Prior thereto, the City shall notify the owner of record of the property and allow a hearing with a City representative concerning any amount proposed to be certified to the County for collection.
- F. The failure to maintain and construct sidewalks in accordance with the requirements of this section is hereby declared to be a nuisance, which may be abated by the City in any lawful manner.
- G. There is hereby created a right of action against the owners of property abutting City sidewalks on account of their failure to remove snow, ice, debris, or obstructions from abutting

sidewalks, to maintain the abutting sidewalks in a safe condition, or to correct any dangerous condition of such abutting sidewalks. The owners of the abutting property shall be civilly liable for the violation of any provisions of this section to any one injured as a result thereby and shall be civilly liable to hold harmless, defend, and indemnify the City, its officers and employees on account of any claim made or adjudged against the City, its officers or employees on account of their failure to comply with the provisions of this Section.

H. It shall be unlawful to violate any of the provisions of this Section.

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF OURAY, COLORADO
(RESOLUTION NO. 10, 2013)

A Resolution of the City of Ouray adopting a City Code Enforcement Policy.

WHEREAS, violations of the City of Ouray Municipal Code (Code) may be detrimental to public health, safety and quality of life;

WHEREAS, the Community Development department is responsible for overseeing compliance with certain sections of the Code;

WHEREAS, City Officials observe violations of the Code and the City of Ouray receives comments from the public regarding potential violations of the Code;

WHEREAS, the City of Ouray City Council desires a consistent procedure for enforcing the Code and addressing Code violations;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OURAY, COLORADO, as follows:

The Code Enforcement Policy for the City of Ouray Community Development Department is:

An observation made by a City Official or a concern expressed to the City will initiate investigation into whether a Code violation exists. Concerns expressed by the public should be submitted on a City Comment Form and the Community Development Department will notify the person who expressed a concern whether their concern is a Code violation within seven (7) days. If the Community Development Department concludes that a violation exists, the Department will apply the following process. In the event of a significant health, safety, or welfare concern, the Department may elect to omit one or more steps in this process.

STEP ONE: Notify property owner and tenant, if applicable.

The Community Development Department will notify the property owner and tenant, if applicable, of the violation. The goal of this step is to work with citizens to resolve a Code violation within a reasonable timeframe. Timeframes may vary depending on the nature of the violation and to accommodate issues of practicality. The Community Development Department will communicate all timeframes to the owner or tenant in writing via letter or email.

STEP TWO: Issue a Notice of Violation.

If the violation is not resolved within the timeframe set in step one, the Community Development Department may issue a Notice of Violation. The Notice of Violation will include a timeframe for resolution of the violation. This timeframe will typically be seven (7) days but may be shorter if deemed necessary by the Community Development Department. The goal of this step is to give the citizen final notice of the violation before a citation is issued.

STEP THREE: Issue a citation.

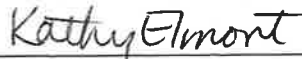
If the violation is not resolved within the timeframe set in step two, legal action may be pursued. If the violation is to be prosecuted as a criminal matter, the Community Development Department will work with the City of Ouray Police Department. The Police Department will issue a citation. The Community Development Department will supply the specific details necessary for the citation including photos. A citation issued by the Police Department will instruct the citizen in violation of the Code to appear in Municipal Court, and the Judge may issue a fine. In the event that the City seeks civil enforcement for the violation, the Community Development Department will work with the City Attorney. Civil enforcement may result in a fine.

ADOPTED this 3rd day of September, 2013, by the Ouray City Council.

CITY OF OURAY, COLORADO

By 
Robert E. Risch, Mayor

ATTEST:


Kathy Elmont, City Clerk

320 6th Avenue
PO Box 468
Ouray, Colorado 81427



970.325.7211
Fax 970.325.7212
www.cityofouray.com

FIRST NOTICE

CITY OF OURAY CODE ENFORCEMENT

February 16, 2022

XXXXX
XXXXXXXXXX
XXXXXXXXXX

RE: Sidewalk Construction, Maintenance and Civil Liability

This letter is concerning snow and/or ice removal at your property located at 645 4th Street, Ouray, CO, 81427.

Section 13-6-B of the Ouray Municipal Code states, "The owner, tenant or party actually in possession of property abutting any City sidewalk shall be jointly and severally responsible to maintain, repair and replace the abutting sidewalk to keep it in good repair, *safe condition* and consistent with City standards and specifications for sidewalks. They shall also be jointly and severally responsible to remove **all accumulations of snow and ice** from and to correct any other dangerous conditions upon or with respect to City sidewalks abutting their property."

You are receiving this letter because snow and/or ice has been accumulating on your sidewalk without proper or timely removal. Please address this situation immediately due to the hazardous condition and potential threat to bodily injury.

PLEASE NOTE: Negligence in the removal of snow and/or ice on your sidewalk may result in the City conducting the work and recovering the costs from you as set forth in section 13-6-D of the Ouray Municipal Code. Not living in Ouray full-time, or at the present, is not an excuse for any failure to maintain your property's sidewalk(s). If you are, or plan to be out of town, please designate an agent to maintain your sidewalk for you in your absence. I appreciate your prompt attention to this matter. Please call or email me with any updates or questions.

Thank you,



Matt Haldeman
Building Inspector
P: 970-325-7063
The City of Ouray
P.O. Box 468 / 320 6th Ave.
Ouray, CO 81427
haldemanm@cityofouray.com

INTERGOVERNMENTAL AGREEMENT (IGA)

This Agreement effective this 26th Day of August, 2002, between the Board of County Commissioners of Ouray County, Colorado, (the County) and the City of Ouray, Colorado (the City).

WHEREAS, continued growth pressure in the Ouray area suggests that increased coordination between the City and the County can result in better management for directing growth to maintain the identity of the Ouray Community, promote the efficient provision of public services (central sanitary sewer and water, streets, police protection and other services) and protect our open lands, agricultural lands and alpine lands; and

WHEREAS, the City of Ouray has adopted an Annexation Plan for the Ouray Planning Area, which contains a Ouray Urban Growth Boundary and includes consideration of areas found within the unincorporated areas of Ouray County; and

WHEREAS, the State of Colorado has authorized and encouraged local governments to cooperate with each other pursuant to CRS 29-20-105, CRS 29-1-203 and 31-23-227 and section 18(2)(a) and 2(b) of Article XIV of the Colorado Constitution; and

WHEREAS, pursuant to the Municipal Annexation Act of the State of Colorado, CRS 31-12-101 through 123, the City has the authority to annex property; and

WHEREAS, under the authority granted by CRS Title 29, Article 20, a committee jointly appointed by the Board of County Commissioners of Ouray County and the Ouray City Council with the intent of reaching agreement as to development goals and policies within the greater Ouray urban area held several meetings: and

WHEREAS, pursuant to said meetings the City and County agreed to the following goals, purposes and policies to be applied to the unincorporated portion of Ouray County defined herein as the Ouray Urban Growth Management Area and the Ouray Area of Influence.

Goals

The agreement will be a tool:

1. To direct growth, not simply manage growth in that area surrounding the City of Ouray as defined in the Urban Growth Management Area.
2. To consider urban development only where the full range of urban public services can be provided and within the Urban Growth Management Area.

3. To influence urban development so that it occurs within or will be annexed into the City of Ouray.

1. To protect visual corridors and in so doing retain community identity.

2. To preserve open lands, alpine lands and agricultural lands around urban areas.

3. To preserve natural areas such as streams, canyons, wetlands, wildlife habitat, alpine lands, wildlife corridors, riparian habitats and other lands.

4. To advise, consult and involve in the planning activities the owners of private property affected by these agreements.

5. To define in part by this IGA what the appropriate economic role for the county and municipality will be.

Section 1. Purposes

The purposes of this Intergovernmental Agreement are as follows:

- a. Establish a process of interjurisdictional cooperation in order to manage land uses,
- b. Designate areas for urban development and direct growth to these areas,
- c. Preserve open lands, alpine lands, wildlife corridors and agricultural lands,
- d. Protect the community identities of the City of Ouray and Ouray County, and
- e. Consider unincorporated land for commercial development only when it complements the existing commercial lands in the City.

Section 2. Definitions

2.1 Agricultural Lands.

Lands assessed at agricultural values for five years or more or land irrigated within the last five years.

2.2 Alpine Lands.

Those higher altitude lands as defined in the Ouray County Land Use Code.

2.3 Development, Development Application or Development Proposal.

Any human-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, changes in use, mining, dredging, filling, grading, paving, excavations or drilling operations, except uses by right in the appropriate county zones, site development permits, and visual impact reviews.

2.4 Ouray Area of Influence.

An area of unincorporated land outside the Urban Growth Management Area, mutually designated by Ouray County and the City of Ouray, wherein any development or land use activity which will have impact upon the above stated goals and purposes and which bears a relation to the planning of the area within the municipality, should, to the extent possible, be reviewed by Ouray County with participation by the municipality in the review and recommendations.

2.5 Open Lands.

A parcel or area of land that is unimproved, which may be in public or private ownership. The lands may have scenic, agricultural or wildlife value, present recreational opportunities, or include historic landscapes. The parcels may contain significant natural features such as flood plain, steep topography, waterways, or rock outcroppings.

2.6 Ouray Urban Growth Boundary.

A line jointly adopted by the City of Ouray and Ouray County that encircles the City of Ouray and separates rural and urban development. The line marks the boundary of the Urban Growth Management Area.

2.7 Urban Development.

Development that conforms to the standards of moderate and high density residential, commercial/industrial or tourist land use categories, which is typical to urbanized areas. In the City of Ouray, these standards are outlined in the Ouray Municipal Code. Urban development also includes the types of services that are generally required to support that development such as central potable water, storm water systems, central sanitary sewer systems, quick-response fire and police protection, urban level street design and maintenance, parks and recreation programs, open space and undeveloped parks, urban level retail and commercial development and other similar services which are typically provided by cities.

2.8 Urban Growth Management Area (UGMA)

The unincorporated area within the Ouray Planning Area in which urban development may be allowed when annexed to the City of Ouray and which is in conformance with the Ouray City Land Use Plan, Municipal Code and Community Plan. The Urban Growth Management Area for Ouray includes an area sufficient to provide for ten to twenty-five years of anticipated and desirable urban development.

Section 3. Policies

3.1 The City and County shall establish an Urban Growth Management Area (UGMA) surrounding the City of Ouray and mutually agree that said area is appropriate for the location

of urban development to the extent that it is allowed by the Ouray Community Plan, Municipal Code and Annexation Plan.

3.2 The policy of the City is to consider the annexation of all properties within the unincorporated area of the UGMA as a condition of approval of a development application or when said property becomes eligible for annexation.

3.3 The City agrees not to annex property outside the UGMA without first amending the UGMA boundary through the established amendment procedure as provided by in this agreement, Section 4.6.

3.4 The City and County shall establish an Area of Influence surrounding the City, but outside the UGMA, wherein developments which will have impact upon the above stated goals and purposes and bear relation to the planning and development of the City, are reviewed according to the Ouray County Land Use Code as it pertains to the Area of Influence.

3.5 Development, other than uses by right, is permitted to take place within the Area of Influence only with the recommendation of the Ouray Area Joint Planning Board and approval by the Ouray Board of County Commissioners.

3.6 The City and County do herein agree to establish a combined City and County Joint Planning Board, called the Ouray Area Joint Planning Board, to review and provide recommendations to the Board of County Commissioners on all development proposals within the Ouray Area of Influence and the Ouray UGMA which are subject to this agreement. Regarding review of such development proposals, said Board will replace all current boards such as the Ouray County Planning Commission. The objectives of the Ouray Area Joint Planning Board are to provide for consistent interpretation of the goals, policies and design standards as set forth in the Ouray County Land Use Code and other provisions of the IGA. The Ouray Area Joint Planning Board will be an official Ouray County advisory board.

Section 4. Agreements.

4.1 Establishment of the Urban Growth Management Area and Overlay Zone.

There is hereby established an Urban Growth Management Area (UGMA) and a Ouray Urban Growth Boundary surrounding the City of Ouray. Ouray County will amend its official zoning map to reflect the UGMA District as set forth in Exhibit A, (attached hereto and by this reference incorporated herein). The County and City agree to follow the policies and guidelines included in the Amendments to the Ouray County Land Use Code Exhibit B, C, D and E (attached hereto and by this reference made a part hereof).

4.2 Establishment of the Ouray Area of Influence and Area of Influence Overlay Zone.

There is hereby established an Area of Influence surrounding the City of Ouray, but outside the UGMA. Ouray County shall amend its official zoning map to reflect the Area of Influence as set forth in Exhibit A, (attached hereto and by this reference incorporated herein). The County and City agree to follow the policies and guidelines included in the Amendment to the Ouray County Land Use Code Exhibits B, C, D and E (attached hereto and by this reference made a part hereof). The City and County agree that until a city annexation plan exists, the Ouray County Master Plan shall apply.

4.3 Establishment of Ouray Area Joint Planning Board.

There is hereby established a Ouray Area Joint Planning Board to act as the recommending body to the Ouray County Board of County Commissioners concerning all development applications for properties, except uses by right of the appropriate county zones, site development permits and visual impact reviews, as defined in the Ouray County Land Use Code, which are subject to this agreement, located within the unincorporated Ouray Area of Influence and Ouray UGMA, subject to the provisions of 4.4 D. of this Agreement. This board will consist of the five members of the Ouray County Planning Commission and three members appointed by the Ouray City Council from the Ouray City Planning Commission or their appointees and approved by the Ouray County Board of County Commissioners. Minority opinions from the Joint Planning board are encouraged. The Ouray Area Joint Planning Board will be considered an Ouray County advisory board and will operate pursuant to the procedures set forth in the county land use code and Exhibit E, the bylaws of the Ouray Area Joint Planning Board (attached hereto).

The City agrees that after review of development proposals for the Area of Influence and UGMA subject to the provisions of 4.4 D. of this Agreement, by the Ouray Area Joint Planning Board, the recommendation for approval, approval with conditions, or disapproval is forwarded to the Ouray County Board of County Commissioners. Final authority regarding approval or disapproval of development proposals rests with the Board of County Commissioners.

4.4 Development Proposals within the UGMA.

A. Upon receipt of any proposal for development of property within the Ouray UGMA except uses by right of the appropriate county zones, site development permits and visual impact reviews, as defined in the Ouray County Land Use Code, the County will notify the proponent that they should file application with the City.

The applicant shall apply to the City for annexation and development of the subject property and shall agree to annex the property to the City, pursuant to an annexation agreement with the landowner, with terms that will conform to the City of Ouray Community Plan.

B. The City will consider all petitions for annexation of lands within the UGMA and will not decline to annex such property except for good cause. For the purposes of this

Section, good cause includes without limitation the following: (i) extension of one or more municipal services to the area would place an unreasonable economic burden on the existing users of such service or upon the future residents or owners of property in the area itself; (ii) the area is not contiguous to the City's existing boundaries; (iii) the development proposal fails to meet the criteria for annexation outlined in the City of Ouray Municipal Code, Community Plan-Land Use Element and Annexation Plan.

C. To the extent legally possible within the UGMA, the City will annex the full width of each County road ROW adjacent to newly annexed property. However, the City may choose to exclude specific sections of right-of-way to preserve opportunities for future contiguity. The City shall not eliminate existing accesses or discriminate against access from properties which are not within the City.

D. If the City declines to annex a development proposal within the UGMA, the policies and guidelines included in the Amendment to the Ouray County Land Use Code Exhibit B and C, (attached hereto) will apply. The City agrees to review development proposals in a timely manner.

E. Unless waived by the City, all development applications within the UGMA will conform to the City of Ouray development standards, found in the Ouray Municipal Code and the City's Community Plan.

4.5 Development within the Area of Influence.

A. The Ouray Area of Influence is an area of unincorporated land outside the Ouray UGMA, mutually designated by Ouray County and the City of Ouray, wherein any proposed development or land use activity which will have impact upon the above stated goals and purposes and bear relation to the planning of the area within the municipalities should, to the extent possible, be reviewed by the City of Ouray with the opportunity to make recommendations to the County.

B. Any use by right as listed in the Ouray County Land Use Code and not requiring further review (excluding the County Building Official) shall be allowed, regardless of any provisions of this Agreement. The Ouray Area Joint Planning Board shall review any use, other than a use by right or zoning change or site development permit and visual impact reviews, which requires review according to the Ouray County Land Use Code for the Area of Influence pursuant to Sections 4.2, 4.3 and 4.4 of this Agreement.

C. Upon receipt of a development application for property within the Ouray Area of Influence, the County will present the application to the Ouray Area Joint Planning Board. The Review Board will evaluate the application according to the Ouray County Land Use Code with reference to Exhibit B, Overlay Zone, and Exhibit C, Section 5 of the Ouray County Land Use Code, and make recommendations to the Board of County Commissioners.

D. The City agrees that, after review of development proposals by the Ouray Area Joint Planning Board, the recommendations for approval, approval with conditions, or disapproval shall be forwarded to the Ouray County Board of County Commissioners and that final authority regarding approval or disapproval of development proposals rests with the Board of County Commissioners.

E. To ease the review of development proposals before the Ouray Area Joint Planning Board, the County staff will prepare reports and forward these reports in a timely manner to the City in advance of the meeting.

4.6 Amendments to the Ouray Urban Growth Boundary, the Ouray Area of Influence Boundary and other Sections of this Agreement.

The City and the County agree that amendments to this Agreement will be according to the following procedures and requirements.

A. The City of Ouray, Ouray County or any individual or entity may request an amendment to the Urban Growth Boundary, the Area of Influence Boundary or other Sections of the Agreement.

B. The request shall be forwarded to the Ouray City Council and the Ouray County Commissioners for their review. The Urban Growth Boundary, Area of Influence Boundary or other Sections of this Agreement shall be amended only with the approval of the City and the County, after following City and County Procedures.

C. The amended Urban Growth Boundary, Area of Influence Boundary or Section shall be in writing, if appropriate, and be shown, on Exhibit A of this Agreement. The amendment shall be signed and dated by the Mayor of the City and the Chair of the Ouray County Commissioners.

4.7 Enforcement.

It is the intent of the City and County that this Agreement is binding upon both the City and the County, and that either party hereto shall be permitted to specifically enforce any provision of this Agreement in a Court of competent jurisdiction.

4.8 Term.

The Intergovernmental Agreement will remain in force and effect for an initial term of five years from the date of its execution. Subsequent to the initial term of this Agreement, it will be automatically renewed for successive five-year terms unless at least six months before its scheduled expiration, either party should notify the other party of its decision that the Agreement not be renewed. In addition, the elected City and the County officials agree to a biennial review of all elements of this Agreement and shall prepare a joint staff report to the respective legislative bodies.

4.9 Prior Termination.

The County will notify the City of Ouray of any proposed or adopted amendments to Exhibits A, B, C, D and E, or to other provisions of County Land Use and zoning regulations, including uses by right. If any such amendment undermines the usefulness of this Agreement in the opinion of the City of Ouray, it may terminate this agreement with 60 days written notice to the County

BOARD OF COUNTY COMMISSIONERS
OURAY COUNTY, COLORADO

Bill Ferguson
Bill Ferguson, Chairman

CITY COUNCIL, CITY OF OURAY,
COLORADO

Pam Larson
Pam Larson, Mayor

ATTEST:

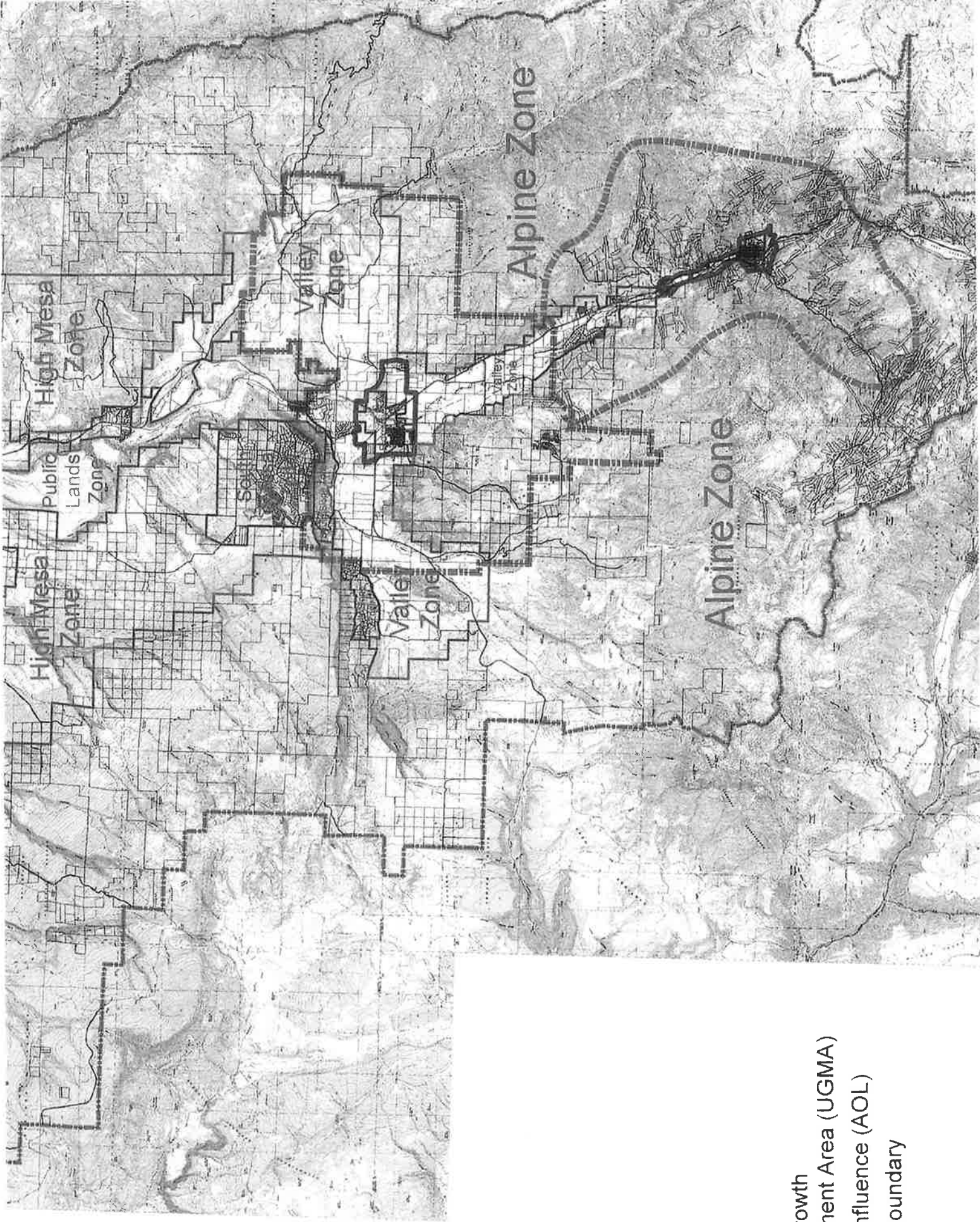
Michelle Olin, by [Signature]
Michelle Olin,
County Clerk and Recorder

ATTEST:

Kathy Elmont
City Clerk

EXHIBITS

1. Exhibit A. Official Zoning Map delineating the Urban Growth Management Area and Area of Influence.
2. Exhibit B. Overlay Zones.
3. Exhibit C. Section 5, Ouray County Land Use Code-Uses Allowed by Special Use or Permit.
4. Exhibit D. Section 19.9, Ouray County Land Use Code-Joint Planning Boards.
5. Exhibit E. Bylaws of the Ouray Area Joint Planning Board.



cells
 iing
 an Growth
 nagement Area (UGMA)
 a of Influence (AOL)
 nity Boundary

Exhibit "B"

3.5 OVERLAY DISTRICTS

A. Intent and purpose: Due to continued growth pressures, there is an increased need for coordination between the Municipalities and the County to promote the efficient use of services and protection of open lands, agricultural lands, alpine lands and community identities. It is therefore the intent and purpose of the Overlay Districts to establish districts and create a process to jointly review development on unincorporated property surrounding the Town of Ridgway and the City of Ouray.

B. Definitions:

1. Area of Influence (AOI). An area of unincorporated land wherein development or use of land has an impact upon the adjoining municipality.

2. Urban Development. Development that conforms to the standards of moderate and high density residential, commercial/industrial or tourist land use categories, which is typical to urbanized areas. Urban development also includes the types of services that are generally required to support that development such as central potable water, storm water systems, central sanitary sewer systems, quick-response fire and police protection, urban level street design and maintenance, parks and recreation programs, open space and undeveloped parks, urban level retail and commercial development and other similar services that are typically provided by cities and towns.

3. Urban Growth Management Area (UGMA). An area of unincorporated land adjacent to a municipality in which urban development may be allowed when annexed by the municipality. The Urban Growth Management Area includes an area sufficient to provide for ten to twenty-five years of anticipated and desirable urban growth and development for the adjacent municipality.

C. Establishment of Overlay Districts: The following Overlay Districts are hereby established:

1. The Ridgway Urban Growth Management Area.
2. The Ridgway Area of Influence
3. The Ouray Urban Growth Management Area
4. The Ouray Area of Influence

D. Overlay Districts: All Overlay Districts shall be designated on the "Official Zoning Map of Ouray County" which is on file in the records of the Ouray County Clerk and Recorder. A copy of the map is attached to this Code and in the event of any conflict between the copy and the map on file in the County records, the latter shall be conclusively deemed to prevail.

Exhibit "B"

E. District Uses and Requirements.

1. Within the Ridgway Area of Influence and the Ouray Area of Influence, the following uses are allowed:
 - a. All uses allowed by right shall be permitted within the underlying Zone(s), as stated under Section 3 of this Code.
 - b. Uses allowed by special use permit and Planned Unit Developments within the underlying Zone, as stated under Section 3 of this Code, may be permitted, upon review and approval of the Board of County Commissioners. Said uses shall follow the process as contained herein.
2. Within the Ridgway Urban Growth Management Area and the Ouray Urban Growth Management Area, the following uses are allowed:
 - a. All uses allowed by right shall be permitted within the underlying Zone(s), as stated under Section 3 of this Code.
 - b. Uses allowed by special use permit within the underlying Zone, as stated under Section 3 of this Code, except Home Businesses, may be permitted, upon review and approval of the Board of County Commissioners. Said uses shall follow the process as contained herein.

F. Development Review – Urban Growth Management Area. Applications for planned unit developments, special use permits, exemptions from the definition of subdivision, variances and rezoning shall first be considered for annexation by the adjoining municipality prior to submittal of an application to the County Land Use Office.

1. The municipalities will consider all petitions for annexation of lands within the adjoining UGMA and will not decline to annex such property except for good cause. For the purposes of this Section, good cause includes, without limitation, the following:
 - a. Extension of one or more municipal services to the area would place an unreasonable economic burden on the existing users of such service or upon the future residents or owners of property in the area itself.
 - b. The area is not contiguous to the municipality's existing boundaries.
 - c. The development proposal fails to meet the criteria for inclusion and annexation in the initial growth boundary outlined within the municipality's master or comprehensive plan.
2. If the municipality declines an annexation proposal within the UGMA, the Applicant/Developer may then submit a completed application to the Ouray County Land Use Office. Depending upon the request, the application shall

Exhibit "B"

include all information and documentation as set forth and outlined under the various sections of this Code. In addition, the application shall also include a written denial of annexation from the respective municipality.

G. Development Review – Area of Influence. Applications for planned unit developments, special use permits, exemptions from the definition of subdivision, variances and rezoning shall be submitted to the Ouray County Land Use Office and shall follow the requirements, standards and processes as set forth and outlined under the various sections of this Code.

H. Joint Planning Boards. Applications for planned unit developments, special use permits, exemptions from the definition of subdivision, variances and rezoning located within an Urban Growth Management Area or an Area of Influence shall be reviewed by a Joint Planning Board, rather than the Ouray County Planning Commission, and the Joint Planning Board shall make a recommendation to the Board of County Commissioners.

1. When a request is located within the Ridgway Urban Growth Management Area or the Ridgway Area of Influence, the Ridgway Area Joint Planning Board shall review the application.
2. When a request is located within the Ouray Urban Growth Management Area or the Ouray Area of Influence, the Ouray Area Joint Planning Board shall review the application.

Section 5

USES ALLOWED BY SPECIAL USE PERMIT

5.1 INTENT:

A. To provide for uses allowed by special use permit as designated under Section 3, Zoning Provisions - Zones. Such uses may be allowed only by approval of the Board of County Commissioners whose determination shall be based on the purposes, standards and requirements as set forth under this Section. In granting approval for a special use, the County Commissioners may impose additional conditions, which comply with the purposes and intent of this Code.

5.2 PERMIT PROCEDURES

A. A Special Use Permit application, together with the information described below and the required fees shall be submitted to the County Land Use Administrator at least forty five (45) days prior to the Board of County Commissioner's meeting at which the request will be initially considered. **In addition, the applicant shall submit notification postcards that are to be obtained from the County Land Use Office prior to submittal of the application. The postcards will contain all pertinent information and will be stamped and addressed to all adjacent property owners.**

B. In addition to the provisions required under Section 5.3 the following information shall be submitted.

(1) Site Plan

(2) Signature of owner(s) of all property, authorizing application. If land included in an application is leased to an applicant, terms and length of the lease shall be provided.

(3) An explanation of the operation or use.

C. Prior to taking action on the requested special use permit the County Commissioners:

(1) May submit a copy of the application and accompanying data to the County Planning Commission for review and comment and may request that the Planning Commission hold a public hearing as indicated in Section 5.4 below.

(2) May hold a public hearing on the application as indicated in Section 5.4, below.

(3) **If the request is located within an Urban Growth Management**

Exhibit "C"

Area or Area of Influence the request will be reviewed by the appropriate Joint Planning Board. The Joint Planning Board may hold a public hearing on the application as indicated in Section 5.4, below.

D. A copy of the application and the accompanying information shall be submitted to the **Planning Commission or Joint Planning Board** and appropriate agencies for review and comment. **If the request is located within an Urban Growth Management Area or Area of Influence the request will be submitted to the adjacent municipality for review and comment.**

E. The County Commissioners, in granting approval, may condition the operation in order to ensure compatibility with surrounding uses and to ensure that impacts are properly mitigated. The County Commissioners may place conditions on the length of time a use may be operated, and may require periodic review.

F. The applicant/operator must, at all times, be in compliance with all applicable state and federal laws and regulations. The permit may be refused or withdrawn in case of non-compliance with such laws or regulations.

G. If land included in an approved application or use is leased to the applicant, the applicant or his successors shall notify the County of any changes in the lease that may occur following approval by the County Commissioners. The permit may be refused or withdrawn in case of non-compliance with such lease.

H. If the Board of County Commissioners shall determine, on the basis of information submitted and available to it, that a proposed operation will have an impact on, or will necessitate, improvements to facilities or services provided by the County, the school districts or other governmental entities within the County, the Board may, as a condition of special use permit approval, require that the developer take steps to mitigate this impact by payment of impact fees or provision of in-kind contributions as provided by this Code.

5.3 REVIEW REQUIREMENTS:

The following regulations shall apply to special uses allowed by permit only, as indicated.

A. **All special uses allowed in the various zones under Section 3 of this Code, shall be subject to the following provisions:**

(1) Proof that such use does not create undue danger in surrounding areas, does not cause water pollution and does not create substantial 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.

(2) At the discretion of the County Commissioners, a written plan

Exhibit "C"

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.

- (3) Evidence that adequate access, potable water and sewage disposal is available.
- (4) The special uses shall be subject to the provisions of the Visual Impact Regulations found in Section 9 of this Code.
- (5) The requested use will not unduly impact wildlife.
- (6) Evidence that the use shall not alter, restrict, inhibit or interfere with historic irrigation practices, headgates, ditches and ditch right-of-way.
- (7) Evidence that the use is not located within any area subject to geohazards, including, but not limited to rockfall areas, avalanches, landslide, potentially unstable slopes, slopes greater than 30 percent, alluvial fans, talus slopes, Mancos shale, faults, expansive soils or ground subsidence. If the proposed use is located within areas subject to the effects of geological hazards, evidence shall be presented by the applicant that such hazards have been avoided. If avoidance is not possible, evidence shall be provided that hazards have been 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.
- (8) Evidence that the property has no chemical contamination. If the property is chemically contaminated, a mitigation plan must be presented that would satisfactory resolve the chemical contamination.
- (9) The request is consistent and compatible with the community character and surrounding land uses within the area for which the request is being proposed.
- (10) The request would not have a material adverse effect on the surrounding area.
- (11) At the discretion of the County, periodic review may be required.
- (12) The use will not create impacts on existing infrastructure beyond what would be created by a use by right.

B. Sand and gravel, oil and gas, commercial logging, mineral operations and mineral extraction and processing operations, if allowed, shall be subject to the

Exhibit "C"

following conditions:

- (1) All applicable state and federal permits have been obtained or will be obtained before commencement of the proposed use.
 - (2) Permits shall be granted for the uses listed above only if the applicant/operator is in full compliance with all rehabilitation and reclamation requirements. The permit may be withdrawn if, at any time, applicant is in non-compliance. Where no state or federal agency requires a rehabilitation or reclamation plan, the County may do so. Said plan shall depict, in writing and graphically, the proposed methods for restoring any disturbed areas, to include the extent and type of revegetation proposed. In addition, in the case of a proposed commercial logging operation, the County may require the Applicant/Operator to submit a site-specific forest management plan which shall address such matters as the size of trees to be taken, the locations of the proposed operation, time of year of the operation, clean-up, reforestation and related items. The County, in its discretion, with concurrence with the Applicant, may obtain independent review of the site-specific forest management plan, with the costs of such review being borne by the Applicant/Operator.
 - (3) Truck traffic to and from such uses shall not create undue hazards or nuisance to areas elsewhere in the County, nor shall it unduly damage public roads. **If it is found that hazards, nuisances or damage to public roads will occur from the proposed use, a mitigation plan shall be submitted.**
 - (4) If the County Commissioners shall determine, on the basis of information submitted and available to them, that a proposed operation will have an impact on, or will necessitate improvements to facilities or services provided by the County, the school districts or other governmental entities within the County, the Board may, as a condition of special use permit approval, require that the developer take steps to mitigate this impact by payment of impact fees or provision of in-kind contributions. The amount or nature of such requirement shall be ascertained by the extent of the impact and will be calculated to cause the facility or service impacted to provide at least as high a level of service after full development of the special use as existed at the time the special use was approved. If impact fees are paid, the amount of such fees shall be used or set aside for the purpose for which it was paid.
- C. As allowed within specific zones cemeteries, schools, bed and breakfast operations, churches, commercial equestrian activities, commercial outdoor recreation, livery or horse rental operations, commercial uses, commercial camping, and guest ranches shall be subject to the following provisions:

Exhibit "C"

- (1) In the case of cemeteries and schools, such proposed uses shall serve an obvious public need.
- (2) Sufficient distance shall separate such uses from abutting properties, which might otherwise be damaged or diminished in value due to the operation of the proposed use.
- (3) Satisfactory proof shall be given that such uses will be properly maintained.
- (4) Truck and automobile traffic to and from such uses shall not create hazards or nuisance to areas elsewhere in the County.
- (5) Sufficient off-street parking, as required in Section 7.2(M) of this Code shall be provided to accommodate the expected volume of users of the proposed facilities. Bed and breakfast operations shall provide parking to the same extent required for hotels and motels under this Code.
- (6) For Guest Ranches:
 - (a) Hours and months of operation.
 - (b) Traffic impacts, such as noise and dust, and any abatement measures necessary to mitigate impacts from traffic.
 - (c) Ancillary facilities, such as trails, and proof of permission to use off-site facilities, if necessary.
 - (d) Maximum numbers of guests on the site at any time.
 - (e) Portion of the site to be used for operations.
 - (f) Signs
 - (g) Any other nuisance abatement measures identified by the County.
 - (h) If any portion of the land included in the application is leased to the applicant, the applicant shall supply a copy of the lease.
 - (i) If the operator is to be someone other than the owner of the land or the applicant, he or she shall be identified as part of the application.

5.4 PUBLIC NOTICE AND HEARING:

Before granting a special use permit, the Board of County Commissioners may hold a

Exhibit "C"

public hearing, or direct that the Planning Commission hold a public hearing **or the Joint Planning Board may hold a public hearing** on the matter. **If a public hearing is required**, notice of such hearing shall be published at the expense of the applicant, in a newspaper of general circulation within Ouray County at least **fifteen (15)** days prior to the hearing date. In addition, written notice of the hearing shall be mailed at least **fifteen (15)** days prior to the hearing date to the applicant. The County Commissioners **shall** also require that the applicant give notice to the owners of properties adjacent to the property in question at least **fifteen (15)** days prior to the hearing and, in that case, shall require the applicant to provide proof that the notice was given.

5.5 FEES FOR SPECIAL USE APPLICATIONS:

Application fees for special use permits will be in accordance with the County's current fee schedule.

Exhibit "D"

19.9 JOINT PLANNING BOARDS:

A. Establishment: There are hereby established a Ridgway Area Joint Planning Board and a Ouray Area Joint Planning Board to act as recommending bodies to the Ouray County Board of County Commissioners. The Joint Planning Boards will review specific development applications for properties located within the Ridgway Area of Influence, Ridgway Urban Growth Management Area, the Ouray Area of Influence and the Ouray Urban Growth Management Area.

B. Appointment of Members: The Ridgway Area Joint Planning Board and the Ouray Area Joint Planning Board shall consist of a total of eight (8) members. Membership shall be as follows:

1. The eight (8) members of the Ridgway Area Joint Planning Board shall consist of the five (5) members of the Ouray County Planning Commission and three (3) members selected by the Ridgway Town Council from the Ridgway Town Planning Commission or if no Planning Commissioners are available shall select three (3) persons who reside within the limits of the Town of Ridgway. The Ouray County Board of County Commissioners shall approve or reject any or all of the names submitted by the Ridgway Town Council.
2. The eight (8) members of the Ouray Area Joint Planning Board shall consist of the five members of the Ouray County Planning Commission and three (3) members selected by the Ouray City Council from the City of Ouray Planning Commission or if no Planning Commissioners are available shall select three (3) persons who reside within the limits of the City of Ouray. The Ouray County Board of County Commissioners shall approve or reject any or all of the names submitted by the Ouray City Council.
3. The terms of the Joint Planning Boards' members shall be as follows:
 - a. From the Ouray County Planning Commission, membership shall coincide with their appointed terms.
 - b. The members appointed from each municipality shall serve for staggered three-year terms.
4. The Board of County Commissioners, at the request of the Ouray County Planning Commission or the Town of Ridgway or City of Ouray, may also, at its discretion, appoint any associate members to each of the Planning Boards to serve in place of any member of the Board who may be absent from the County, who is ill, who may have any financial or personal interest in any matter brought before the Commission or who may be otherwise unable to function or serve in his appointed capacity as a member of the Planning Commission.
5. Any member may resign from the Planning Boards upon sending written notice of such resignation to the Chairman of the Board of County

Exhibit "D"

Commissioners.

C. Powers and Duties: The Ridgway Area Joint Planning Board and the Ouray Area Joint Planning Board will be considered Ouray County advisory boards. The Joint Planning Boards shall review those applications for development as outlined under Section 3.5 of this Code. The Joint Planning Boards will not have the authority to adopt a master plan pursuant to Section 30-28-106(1) of the Colorado Revised Statutes.

**BYLAWS
OF
THE OURAY AREA JOINT PLANNING BOARD**

PREAMBLE

The Ouray Area Joint Planning Board has the authority and responsibilities as defined by the Ouray County Land Use Code. These Bylaws are for the purpose of creating an organizational framework for the Joint Planning Board and should not be construed as diminishing or increasing the authority or the responsibilities as specified within the Land Use Code.

SECTION I
MEMBERSHIP

A. The Ouray Area Joint Planning Board shall consist of a total of eight (8) members. Membership shall include the five (5) members and one (1) associate member of the Ouray County Planning Commission and three (3) members and one (1) associate member selected by the Ouray City Council and appointed by the Board of County Commissioners. Each of the members of the Ouray Area Joint Planning Board shall be a resident of the County.

B. The term of appointed members of the Planning Board shall be three (3) years and until their respective successors have been appointed and the terms of the office shall be staggered.

C. Associate members may take the place of a regular member in the event any regular member is temporarily unable to act owing to absence from the County, illness, interest in any matter before the Planning Board, or any other cause, his/her place may be taken during such temporary disability by an associate member. The associate member appointed to the Ouray County Planning Commission may only take the place of one of the five Planning Commission members and the associate member appointed from the City of Ouray may only take the place of one of the three City members

D. Any member may resign from the Ouray Area Joint Planning Board by giving written notice of such resignation to the Chairperson of the Board of County Commissioners and, in the event of such resignation or other vacancy on the Ouray Area Joint Planning Board, the Board of County Commissioners shall appoint a replacement to serve for the remaining term of the member leaving the Planning Board.

SECTION II
OFFICERS

A. The office of the Chairperson shall be held by the Chairperson of the Ouray County Planning Commission and the office of the Vice Chairperson shall be held by the Vice Chairperson of the Ouray County Planning Commission. Such other officers

Exhibit "E"

and assistant officers as may be deemed necessary may be appointed by the Ouray Area Joint Planning Board. No person may hold more than one office at the same time.

B. The Chairperson shall preside at all meetings of the Ouray Area Joint Planning Board and shall be the chief executive officer, performing such duties as are usually associated with such position.

C. The Vice Chairperson shall serve in the absence or incapacity of the Chairperson.

D. In the absence of the Vice Chairperson the senior member shall preside at the meeting.

SECTION III **MEETINGS**

A. When an application for development as defined in the Ouray County Land Use Code warrants the need for the Joint Planning Board to meet the meeting shall be held on the third Tuesday of each month at 7:00 p.m. at the Ouray County Land Use Office. The Ouray Area Joint Planning Board may, by majority vote at any meeting, alter the date, time and/or place of the next subsequent regular meeting.

B. Special meetings may be held at any time upon call of the Ouray Area Joint Planning Board Chairperson. In the event of such a special meeting, notice of the place, time and purpose of the meeting shall be given to the members of the Ouray Area Joint Planning Board and posted at the Ouray County Courthouse at least twenty-four (24) hours before the meeting. Notice of special meeting need not be given, individually, to the Ouray Area Joint Planning Board members or posted at the Courthouse if said special meeting is announced at a regular meeting of the Ouray Area Joint Planning Board.

C. A quorum shall consist of five (5) voting members of the Ouray Area Joint Planning Board. The quorum shall be made up of three (3) members or two (2) members and one (1) associate member of the Ouray County Planning Commission and two (2) members or one (1) member and one (1) associate member from the City of Ouray.

D. The business of the Joint Planning Board shall be conducted in accordance with the Colorado Open Meetings Law. (C.R.S., Section 24-6-401, et seq.) Any meeting may be continued from time to time to a specific day upon motion duly made and carried and no notice of the continuance need be given except by announcement at the meeting.

E. On question of parliamentary procedure not covered by these bylaws, the most recent available edition of Roberts's Rules of Order shall govern. The order of business at all meetings shall be as follows:

1. Approval of minutes from prior meetings.

Exhibit "E"

2. Administrative items/review of agenda.
3. Disposition of unfinished business.
4. Presentation and disposition of new business.
5. Adjournment.

The order of business may be modified upon the majority vote of members of the Ouray Area Joint Planning Board.

F. Members of the Ouray Area Joint Planning Board must be present in person to vote.

SECTION IV
OURAY AREA JOINT PLANNING BOARD PROCEDURES

A. All applications and other matters requiring Ouray Area Joint Planning Board approval or recommendation shall follow the procedure that is outlined in the Ouray County Land Use Code.

B. No matter shall be placed on the agenda of a regular meeting of the Ouray Area Joint Planning Board unless it has been submitted in accordance with the Ouray County Land Use Code, together with all required fees, at least forty-five (45) days prior to the regular meeting. This time period may be waived by majority vote of the Ouray Area Joint Planning Board at the meeting.

C. The County Land Use Department shall, as expeditiously as possible, after receipt of an application and the required fees, make submissions, as required by law or regulation, the other agencies and governmental entities.

D. The Ouray Area Joint Planning Board shall take substantive action on any matter officially submitted to it within the time period specified by state law, regulation or resolution of the Board of County Commissioners.

E. Unless otherwise specified by law, regulation or resolution of the Board of County Commissioners, "official submission" shall be deemed to have occurred when:

1. All necessary forms, information, plats and fees have been submitted, and
2. All required submissions have been made to state agencies and other governmental entities and reports have been received back or required waiting periods have elapsed, and
3. All required notices have been published and hearings held in accordance with the applicable regulations.

F. The report or action of the Ouray Area Joint Planning Board shall be in the form of a written resolution transmitted to the Board of County Commissioners.

Exhibit "E"

SECTION V
VOTING

- A. All actions of the Ouray Area Joint Planning Board shall be made by motion.
- B. Voting shall be by a show of hands unless a roll call is requested and the Secretary shall keep or cause to be kept, a record of the vote and the absence of any member.
- C. Tie Vote
1. A tie vote on any motion means the defeat of the motion for a lack of a majority vote.
 2. When a tie vote occurs and no other motion is passed on the item, the item shall be forwarded to the Board of County Commissioners with a report of the tie vote. In addition to the report of the tie vote, supporting and objecting opinions shall be submitted to the Board.

SECTION VI
AMENDMENTS

These bylaws may be altered, amended or repealed and new bylaws may be adopted by the Ouray Area Joint Planning Board at any special meeting called for that purpose or at any regular meeting where the matter has been duly placed on the agenda. No such amendment shall be effective until the same has been approved by the Board of County Commissioners.

SECTION VII
ADOPTION

These bylaws were passed and adopted by the Ouray County Ouray Area Joint Planning Board at a regular meeting of the members at the Ouray County Land Use Office in Ouray, Colorado, on the 08 day of October, 2002.

By: 
Chairperson Ouray Area Joint Planning Board

Approved and ratified by the Board of County Commissioners of Ouray County, Colorado, at a regular meeting of the Board on the 26th day of August, 2002.

Exhibit "E"

BOARD OF COUNTY COMMISSIONERS
OF OURAY COUNTY, COLORADO

ATTEST:

By: Michele Ali
County Clerk

By: William Ferguson
Chairperson