

Ouray Planning Commission Regular
Meeting
Tuesday, May 10, 2022 4:00 PM

Massard Auditorium | Zoom:
<https://zoom.us/j/96355554822> Password:
881162
320 6th Ave
Ouray, CO 81427

Agenda

1. ADMINISTRATIVE
 - 1.a. Call to Order
 - 1.b. Roll Call
 - 1.c. Review of minutes from the Planning Commission special meeting on April 13, 2022
2. CITIZENS' COMMUNICATION
 - 2.a. Public invited to speak on matters not on the agenda
3. PUBLIC HEARINGS
 - 3.a. Variance Application for property legally described as: Subd: City of Ouray Lot: 11 Block: 33 Subd: City of Ouray Lot: 12 Block: 33 S: 31 T: 44 R:7; commonly known as 739 5th Street; Parcel No. 451531106003
4. ACTION ITEMS
 - 4.a. Consideration of the 739 5th Street Variance Application (legal description in Public Hearing above)
5. DISCUSSION
 - 5.a. Land Use Code Update & Community Survey Responses
 - 5.b. Future Discussion Items
6. ADJOURNMENT

Ouray Planning Commission Special Meeting

Wednesday, April 13, 2022 4:00 PM

Massard Auditorium | Zoom: <https://zoom.us/j/96355554822> Password: 881162, 320 6th Ave, Ouray, CO 81427

Commissioner Glenn Boyd: Present
Vice Chair J. Gary Dunn Present
Commissioner Mike Fedel: Present
Commissioner Mike Hakola: Present
Chairman Jeff Skoloda: Present

1. ADMINISTRATIVE

- a. Call to Order
- b. Roll Call
- c. Review of Minutes from the Planning Commission special meeting on March 15, 2022. Commissioner Fedel moved and Vice Chair Dunn seconded the motion to approve the minutes as written. The motion passed on unanimous vote.

2. CITIZEN COMMUNICATION

None.

3. PUBLIC HEARINGS

- a. **S&S Minor Subdivision Application for property legally described as: Subd: S & S SUB Lot: 3 1/3 INT. COMMON AREA #3 S: 31 T: 44 R: 7. Commonly known as 304, 308, and 306 6th Avenue; Parcel No. 451531207014. Applicant – Lane Thomasson**

Community Development Coordinator Lily Oswald presented the staff report, review criteria and items recommended for further review by Planning Commission, which included off-street parking requirements, common area access and possible deed restriction.

Michael Hockersmith was present on behalf of the applicant and requested that the off-street parking requirement is waived.

At 4:15 pm Chairman Skoloda opened the hearing to public comment. Hearing none, Commissioner Fedel moved and Commissioner Hakola seconded the motion to close the hearing to public comment. The motion passed on unanimous vote.

The Planning Commission discussed the application, noting concerns about parking.

4. ACTION ITEMS

- a. **Approval of Planning Commission Policies & Procedures**

City Attorney Carol Viner introduced public hearing procedures recently adopted by City Council. This procedure is particularly useful in contentious hearings.

Commissioner Fedel moved, and Commissioner Hakola seconded the motion, to adopt the public hearing procedures as presented. The motion passed on unanimous vote.

b. Consideration of the S&S Minor Subdivision Application for property legally described as: Subd: S & S SUB Lot: 3 1/3 INT. COMMON AREA #3 S: 31 T: 44 R: 7. Commonly known as 304, 308, and 306 6th Avenue; Parcel No. 451531207014. Applicant – Lane Thomasson

Commissioner Fedel moved, and Vice Chair Dunn seconded the motion, to recommend approval to City Council of the S&S Minor Subdivision Application with the following conditions:

- 1) Reduce the off-street parking requirements to provide (1) off-street parking space and keep room for dumpsters access in adjacent Lot 2.*
- 2) Clarification as specified on the condo plat of the common area access.*
- 3) Elimination of the park fee requirement.*
- 4) Reiterate and reference original plat notes for S&S Subdivision Plat (Reception No. 129339)*

c. Resolution No.02, Series 2022 - Recommending Changes to the Ouray Land Use Code Accessory Dwelling Unit (ADU) Provisions

This resolution is a result of a joint work session with City Council where Staff was directed to specifically change City Code to incentivize ADU owners to be utilize ADU's as long-term housing.

Planning Commission discussed the red line changes and the resolution. A majority of the commission expressed a desire to amend required rental duration to a 90- day minimum, rather than a 30-day minimum.

Commissioner Boyd moved, and Commissioner Fedel seconded the motion, to approve Resolution No. 2, Series 2022 Recommending Changes to the Ouray Land Use Cod Accessory Dwelling Unit (ADU) Provisions with an amendment requiring a 90-day minimum rental instead of 30-day.. The motion passed on a unanimous vote.

5. DISCUSSION

- a. Land Use & Sign Code Update Discussion with SEH
- b. Future Discussion Items

6. ADJOURNMENT

At 5:17 pm Commissioner Boyd moved and Commissioner Fedel seconded the motion to adjourn. The motion passed on unanimous vote.

Jeff Skoloda, Chairman

ATTEST:

Beverly Martensen, Deputy City Clerk

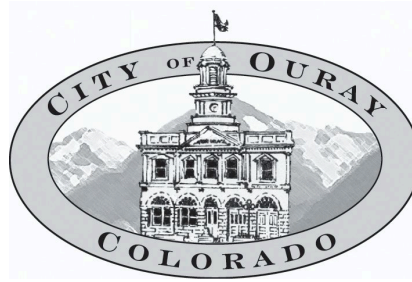
CERTIFICATION

I, Beverly Martensen, do hereby certify that I am the Deputy 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 Planning Commission held on Wednesday, April 13, 2022. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this Wednesday, April 13, 2022.

Beverly Martensen, Deputy City Clerk

320 6th Avenue
 PO Box 468
 Ouray, Colorado 81427



970.325.7211
 Fax 970.325.7212
 www.cityofouray.com

TO: Ouray Planning Commission
 FROM: Lily Oswald, Community Development Coordinator
 FOR: May 10, 2022
 SUBJECT: 739 5th Street - Variance Application

Property & Zoning Summary

Application Summary	The Applicant is requesting a variance from the Ouray Municipal Code (OMC) R-1 Zone maximum site coverage dimensional limitation from 30% maximum site coverage to 33% maximum site coverage to develop a single-family home and detached accessory dwelling unit (ADU). The lot is currently vacant.
Address:	739 5 th Street
Parcel Number(s)	451531106003
Legal Description	Subd: City of Ouray Lot: 11 Block: 33 Subd: City of Ouray Lot: 12 Block: 33 S: 31 T: 44 R: 7
Applicant/Owner	Frederick Matthews
Zoning	R-1: Low-Density Residential
Existing Use	Vacant
Proposed Use	Residential: Single-Family Residence with ADU
Site Size	7,100 sq.ft.
Adjacent Land Uses/Zoning	
North:	R-1: Low-Density Residential
South:	R-1: Low-Density Residential
East:	R-1: Low-Density Residential
West:	R-1: Low-Density Residential
Located Within National or Local Historic District Boundary	Yes
Located Within Commercial Historic Boundary	No

Zone District Dimensional Requirements (R-1)

Requirement	Required	Proposed/Existing
Minimum Lot Area	7,100 sq.ft.	7,100 sq.ft. (County Assessor)
Maximum Density	3,500 sq.ft./D.U.	7,100 sq.ft./3,500 = 2 DUs <i>Proposed:</i> <i>1 single-family dwelling unit and 1 accessory dwelling unit.</i>
Minimum Setbacks		
Front (West)	15 ft.	15 ft.
Rear (East)	5 ft.	5 ft.
Side (North)	5 ft.	5 ft.
Side (South)	5 ft.	5 ft.
Roof Eaves	1 ft. into setback/property	1 ft. into setback/property
Building-to-Building	10 ft.	10 ft.<
Minimum Floor Area	Comply w/ building code	Comply w/ building code
Maximum Floor Area	Ouray Local and National Historic District: 10% greater than the average of other structures on the block front or 4,260 sq. ft., whichever is less. <i>The calculated average Maximum Floor Area of other structures/properties on this subject block front is: 2,297 SF; 10% greater than average is: 2,527 sq. ft.</i>	2,181 sq. ft.
Maximum Height	30 ft.	27 ft. 8 in.
Off-Street Parking	2 off-street parking spaces required per residential unit ADU: One off-street parking space shall be provided for the accessory unit in addition to any other required off-street parking	2 off-street parking spaces (SFD) & 1 off-street parking space (ADU)
Maximum Site Coverage	30%	33.7% <i>1,944 sq.ft (SFD footprint) + 448 sq.ft. (ADU footprint) = 2,392 sq.ft. / 7,100 sq.ft. (lot size) = 33.7%</i>
Maximum Building Impervious Surface Site Coverage	80%	43.9%

BACKGROUND

The applicant is requesting a variance to the Ouray Municipal Code's Maximum Site Coverage for the development of a single-family home and an accessory dwelling unit (ADU) on the currently vacant lot. The application generally is to obtain a variance for a 3.7% increase to the 30% maximum site coverage of the subject lot (for a total of 33.7% maximum site coverage, see table above). The proposed single-family residence has a 27.4% maximum site coverage and meets the zone district dimensional limitation by itself; however, the Applicant is interested in additionally constructing a detached ADU which would require a variance from the site coverage as proposed. *This property was formally granted the address of "739 5th Street" in April 2022; this address has been conveyed to the required and appropriate government entities.*

Figure 1. 739 5th Street Curb View (Google Imagery, September 2018)



DEFINITION & PURPOSE

Variations are deviations from the dimensional requirements, design or performance standards and other provisions of the OMC, not related to use of the property, that would not be contrary to public interest when, owing to special circumstances or conditions, the literal enforcement of the provisions of this Chapter would result in undue and unnecessary hardship. Variations shall only be granted in accordance with the terms of §7-5-G of the OMC, outlined in greater depth below.

CRITERIA FOR DECISION

Variations may be granted by the Planning Commission if they are in compliance with §7-5-G of the OMC. In order to grant the variance request, the Planning Commission must find that **all** of the following criteria will be met:

- i. The grant of variance will be generally consistent with the purposes, goals, objectives and policies of the City's Master Plan and the OLUC;
- ii. The grant of variance is the minimum variance that will make possible the reasonable use of the parcel, building or structure; and
- iii. Literal interpretation and enforcement of the terms and provisions of the OLUC would deprive the Applicant of rights commonly enjoyed by other parcels in the same zoning district and would cause the Applicant unnecessary hardship, as distinguished from mere inconvenience. In determining whether an Applicant's rights would be deprived, the Planning Commission shall consider whether either of the following conditions apply:

1. There are special conditions and circumstances that are unique to the parcel, building or structure, that are not applicable to other parcels, structures or buildings in the same zone district and that do not result from the actions of the Applicant; or
2. Granting the variance will not confer upon the Applicant any special privilege denied by the City's Master Plan and the terms of the OLUC to other parcels, buildings or structures, in the same zone district.

STAFF ANALYSIS

Staff finds the development of an accessory dwelling unit for long-term tenancy is consistent with goals and objectives of the Ouray Community Plan. However, a variance from the maximum site coverage may be a grant of special privilege for this property; the 30% maximum site coverage is standard for all properties within the R-1 zone district. Although the Applicant adheres to other requirements and limitations of the R-1 zone district, the subject lot and its geography, size, location, slope, etc. do not create a unique circumstance which would reasonably create the need for a variance. Staff does not find enforcement of this provision of the OMC to deprive the applicant of rights commonly enjoyed by other parcels in the same zoning district, causing "unnecessary hardship" but instead "mere inconvenience" (§7-5-G-1-f(iii)). Staff considers the granting of variance from the R-1 zone's dimensional limitations to convey a "special privilege" (§7-5-G-1-f(iii)-2) to this property which otherwise affects all properties in this district with this shared limitation. Staff does not find this property to have a special condition or circumstance unique to the parcel which is not applicable to other parcels.

Staff recommends the Planning Commission carefully consider the above criteria, staff analysis, and attachments to determine whether the variance criteria have been satisfied. Staff does not find the variance application to meet all the required criteria for decisions although this site coverage could be discussed and considered in the upcoming land use code revisions by the Planning Commission. Staff finds providing long-term housing solutions and the development of ADUs are two overarching goals for the City, its Community Plan, and the OMC. Staff drafted a resolution for the denial of the variance application based on the above criteria. *Staff recommends the Planning Commission ask the Applicant questions about why their situation should be construed as a hardship as opposed to an inconvenience.* The increase to a 33.7% site coverage is above what other properties in the R-1 district are allowed and staff believes this request constitutes a grant of special privilege and does not meet the required criteria.

PUBLIC NOTICE

All public noticing requirements per the OMC have been met for this variance application. Public notice was posted at City Hall on April 25, 2022, published in the Ouray Plaindealer on April 28, 2022, and posted on the property on May 4, 2022. No public comments have been received by staff.

OPTIONS FOR THE PLANNING COMMISSION

Options for the Planning Commission are as follows:

1. Approve the Resolution as drafted;
2. Approve the Resolution with specific changes;
3. Direct staff to draft a Resolution with specific reasons for the approval; or
4. Continue the matter to a specific date.

ATTACHMENTS

Exhibit A: Draft Planning Commission Resolution No. 22-03

Exhibit B: Variance Application and Submittals (Matthews)

Exhibit C: City of Ouray Zone District Dimensional Requirements Table

**PLANNING COMMISSION RESOLUTION NO. 22-03
CITY OF OURAY, COLORADO**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OURAY DENYING A VARIANCE APPLICATION TO INCREASE THE MAXIMUM SITE COVERAGE FOR A PROPERTY LOCATED AT 739 5th STREET, CITY OF OURAY, COUNTY OF OURAY, STATE OF COLORADO.

WHEREAS, Frederick Matthews (“**Applicant**”) requested a variance from the maximum site coverage dimensional limitation of the City of Ouray Municipal Code (“**OMC**”) for 739 5th Street (“**Property**”); and

WHEREAS, the Property is zoned R-1: Residential and located within the Ouray Local and National Historic District; and

WHEREAS, a notice of the public hearing was provided substantially in accordance with City policies and OMC requirements; and

WHEREAS, the Planning Commission of the City of Ouray held a public hearing and addressed this request at a regular meeting on May 10, 2022, and considered the staff report, all accompanying information, and testimony received from the Applicant and all other interested parties; and

WHEREAS, the Planning Commission reviewed the request and studied the compatibility of this request with adjacent land uses and considered the application in accordance with variance criteria established in §7-5-G of the OMC.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Ouray hereby denies the variance subject to the following findings:

1. The Property is zoned R-1 which has a Maximum Site Coverage dimensional limitation of 30% (OMC Dimensional Requirements – Table 7-5-D).
2. The proposed maximum site coverage variance from 30% to 33.7% for the Property is generally to provide a detached accessory dwelling unit (ADU) and single family dwelling unit.
3. Providing an ADU for long-term tenancy is consistent with the 2021 Community Plan’s Housing Goal (H-1) to “support and encourage attainable rental and for-sale housing throughout the community in a variety of unit types and densities in all the city zoning districts, including accessory dwelling units, live-work units, small homes, multi-family developments, mixed-use developments, dormitory or ‘POD’ style units, and other unit types that provide for attainable housing.”
4. Literal interpretation of and strict compliance with the OMC would not cause unnecessary hardship and would not be detrimental to the usability of the Property.
5. The Property is currently vacant and there are no special conditions and circumstances that are unique to this Property that are not applicable to other properties in the same zone district.
6. Granting of the variance would confer upon the Applicant special privileges which have not been afforded to other parcels within the same zone district.

ADOPTED by the Planning Commission of the City of Ouray at its regular meeting on May 10, 2022 by the following vote:

AYES:

NOES:

ABSENT:

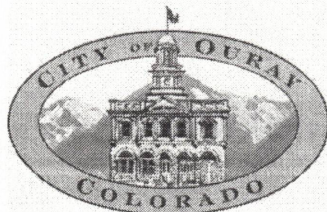
ABSTAIN:

APPROVED:

Jeff Skoloda, Chairman

ATTEST:

Beverly Martensen, Deputy Clerk



CITY OF OURAY
 Community Development
 320 6th Avenue
 PO Box 468
 Ouray, Colorado 81427
 970.325.7211
 Fax 970.325.7212
 www.cityofouray.com

FOR STAFF USE ONLY	
Permit Number:	_____
Receipt Number:	_____

MASTER LAND USE APPLICATION

COMMUNITY DEVELOPMENT SERVICES

- | | | | |
|--|-------|--|-------|
| <input type="checkbox"/> Site Development Permit | \$200 | <input type="checkbox"/> Final Plat | \$300 |
| <input type="checkbox"/> Conditional Use Permit | \$200 | <input type="checkbox"/> Lot Split | \$300 |
| <input checked="" type="checkbox"/> Variance Request | \$500 | <input type="checkbox"/> Minor Subdivision | \$250 |
| <input type="checkbox"/> Rezone | \$200 | <input type="checkbox"/> Replat/Plat Amendment | \$300 |
| <input type="checkbox"/> Sketch Plan | \$200 | <input type="checkbox"/> Mobile Home/RV Park | \$300 |
| <input type="checkbox"/> Preliminary Plat | \$400 | <input type="checkbox"/> Other _____ | |

Project Title: MATTHEWS RESIDENCE
 Site Address: TBD 5TH ST (4 8TH AVE)
 Parcel Number(s): 4515 31106003

Applicant: FREDERICK & CARINA MATTHEWS
 Address: 124 E SHORE DR
 City/State/Zip: KEY LARGO FL 33037
 Phone: 305 807 4858 E-mail: FMTBIROINTL@GMAIL.COM

Property Owner(s): SAME AS APPLICANT
 Address: _____
 City/State/Zip: _____
 Phone: _____ E-mail: _____

Contact (if different than applicant): _____
 Address: _____
 City/State/Zip: _____
 Phone: _____ E-mail: _____

Proposed Use: SINGLE FAMILY RESIDENCE + ACCESSORY DWELLING UNIT
 Existing Use: VACANT
 Proposed Site Area (Combined square footage): _____
 Existing Building Sq. ft.: 0 Proposed Building Sq. ft.: _____
 # of Existing Lots: _____ # of Proposed Lots: _____

SUBMITTAL REQUIREMENTS FOR ALL ACTIONS: (In the event an action checklist is available, follow the checklist for submittal requirements)

- Completed Land Use Application (one copy)
- Appropriate fees
- Detailed site plan (24" x 36") (three copies)
- Project narrative (three copies)
- Any other required information (three copies)
- Evidence of ownership or written notarized consent of legal owner(s) (one copy)
- All provided information in pdf's on compact discs or thumb drive

****INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED****

The Applicant is responsible for actual, reasonable costs incurred by the City, which may include legal fees, postage, notice and publishing costs, map costs, other professional service consultants or review agencies which charge for their review, together with wages and associated payroll costs for contract employees. The Applicant will receive an invoice monthly as such costs are incurred. Each invoice shall be due 30 days after its date. Such invoice sent prior to the next formal decision by the City must be paid prior to that decision. Invoices not paid prior to that decision shall be cause to deny the application or table the decision until the fees are paid. Bills not paid by the due date shall accrue interest at the rate of 1-1/2% per month or part thereof. No plat shall be recorded, improvements accepted, lien released, building permit issued, tap approved, or other approval action taken until all fees then due are paid to the City. Such fees may be certified to the County Treasurer for collection as delinquent charges.

Applicant's Signature: <u><i>John Mantem</i></u> <u>owner</u> Date: <u>3-24-2022</u>
(Required)
Owner's Signature: _____ Date: _____
(Required)
Agent's Signature: _____ Date: _____

(If you are acting as an owner's agent, you must provide proof of agency.)

By affixing my signature hereto, I certify under penalty of perjury that the information furnished herein is true and correct to the best of my knowledge and that I am the owner of the premises where the work is to be performed or am acting as the owner's authorized agent. I further agree to hold harmless the City of Ouray as to any claim (including costs, expenses and attorney's fees incurred in the investigation of such claim) which may be made by any person, including the undersigned, and filed against the City of Ouray, but only where such claim arises out of the reliance of the City, including its officers and employees, upon the accuracy of the information provided to the City as a part of this application.

March 24, 2022

Project Narrative

Frederick and Carina Matthews (Applicant) currently reside in Key Largo, FL, where they own and manage Flying Fish Development LLC, a boutique land development company specializing in the redevelopment of waterfront residential real estate. Mr. Matthews is a licensed Florida Certified Residential Contractor and a licensed Florida real estate broker.

The Matthews intend to build a single-family residence (SFR) and, if a minor variance is granted, an Accessory Dwelling Unit (ADU) on their property. The ADU is being proposed ostensibly to add to the local housing stock for local workers. The architecture of both the SFR and ADU aim to be consistent with the existing community standard in terms of both size and architectural form.

The Matthews are requesting a variance to the maximum site coverage zoning regulation as outlined in Section 7-5-D of the Ouray Land Use Code. The OLUC allows a maximum of 30% site coverage on the lot. The Matthews proposal calculates 33% for the combination of the proposed single-family residence and ADU. Therefore, the Matthews seek a variance for the additional 3% site coverage needed to realize their proposed development plan. In other words, the Matthews are requesting a variance for an additional 262 square feet of site coverage for their proposed development.

Granting the requested variance is generally consistent with the purposes, goals, objectives, and policies of the City's Master Plan and the OLUC. Specifically, granting the variance will expand the City's available housing stock in a manner consistent with the OLUC.

Granting the requested variance is the minimum variance that will make possible the reasonable use of the parcel, building, or structure. The footprint of the proposed ADU is 448 square feet.

Literal interpretation of and enforcement of the terms and provisions of the OLUC would deprive the Applicant of rights commonly enjoyed by other parcels in the same zoning district and would cause the applicant unnecessary hardship. Granting the variance will not confer upon the Applicant any special privilege denied by the City's Master Plan and the terms of the OLUC to other parcels, buildings or structures, in the same zoning district.

As small-town business owners, the Matthews understand the difficulty middle income households face when seeking housing in touristic municipalities like Ouray, and the Florida Keys. Granting the requested variance will allow for a modest 2 bedroom ADU to be constructed, which will support the efforts of the city of Ouray to mitigate its workforce housing shortfall.

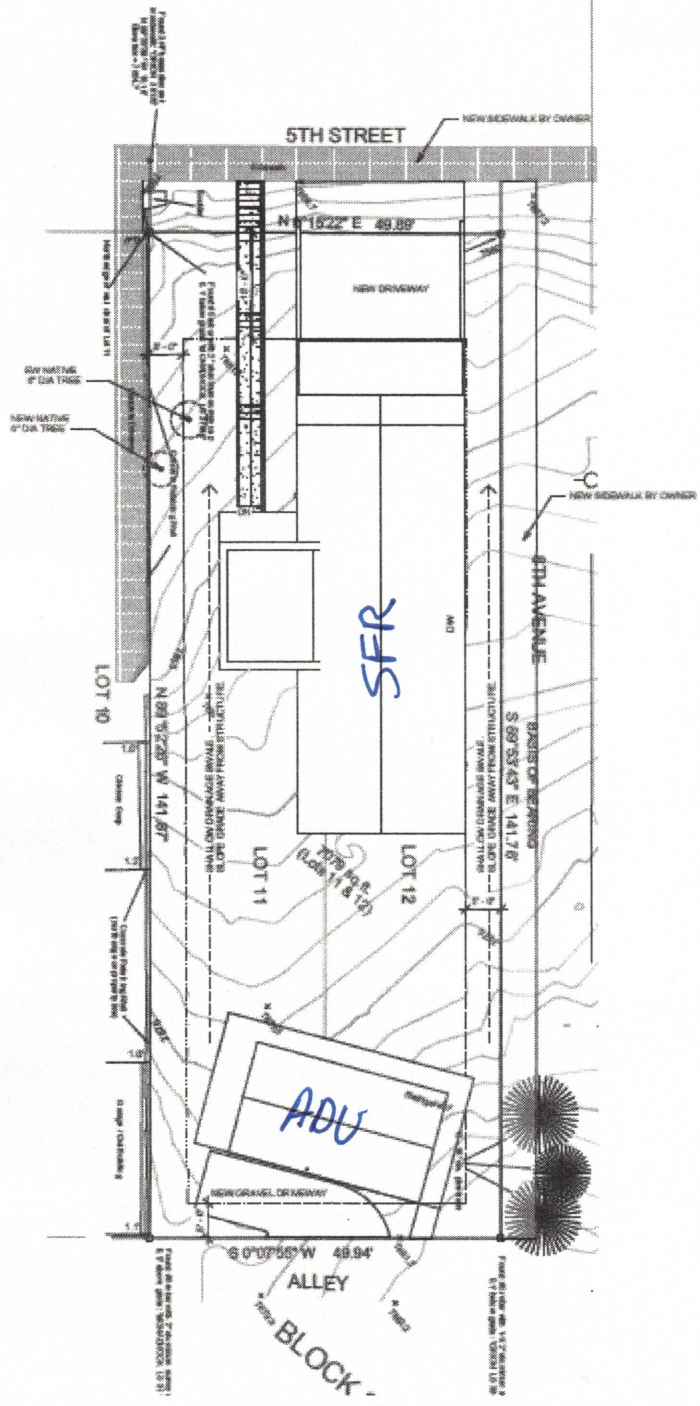
Maximum Site Coverage 30% allowed in R-1 Zone

Primary Residence = 1,944 SF

Proposed ADU = 448 SF

Total = 2,392 SF (33%) Variance needed

MATHEWS RESIDENCE & A.D.U. SITE PLAN



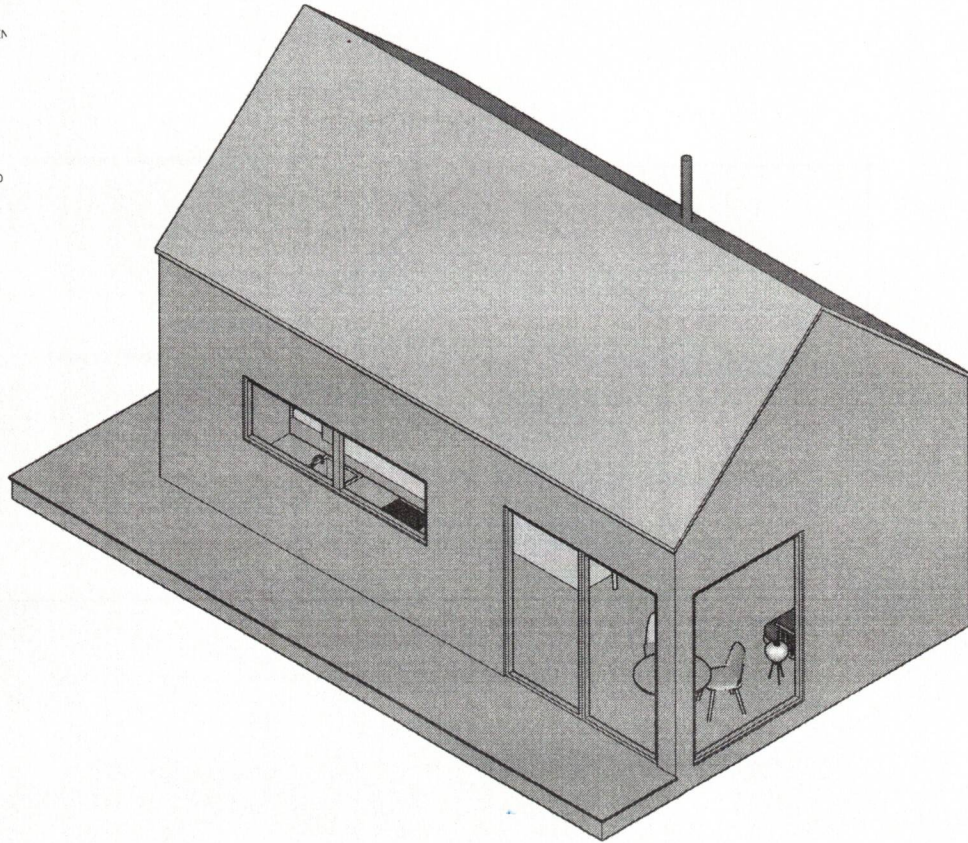
1" = 10'-0"

MODERN COTTAGE

DESIGN STANDARD(S): 2018 INTERNATIONAL RESIDEN
SEISMIC DESIGN CATEGORY: PER SE
WIND DESIGN CATEGORY: PER SE
SNOW LOAD: 70 PSF OR PER SE
CONDITIONED MAIN FLOOR AREA: 448 SF
LOFT AREA: 153 SF
DECK: 160 SF
HOUSE HEIGHT: 18'-9"
LEVELS: 1 + LOFT
FOUNDATION: INSULATED SLAB
HEATING SYSTEM(S): MINI-SPLIT HEAT PUMP + WOOD
WATER HEATING SYSTEM(S): TANKLESS ELECTRIC
PDF PRINT DESIGN SIZE: 11" X 17"

SHEET INDEX

0. PROJECT NOTES
1. FRONT ELEVATION
2. REAR ELEVATION
3. LEFT ELEVATION
4. RIGHT ELEVATION
5. MAIN FLOOR PLAN
6. LOFT FLOOR PLAN
7. FOUNDATION PLAN
8. MAIN FLOOR FRAMING PLAN
9. LOFT FLOOR FRAMING PLAN
10. ROOF FRAMING PLAN
11. CROSS SECTION
12. SLAB DETAIL
13. DECK PIER DETAIL
14. ROOF DETAIL
15. INTERIOR VIEWS
16. SCHEDULES
17. ELECTRICAL



DEN

**Den600G
Modern Cottage**

denoutdoors.com

COVER

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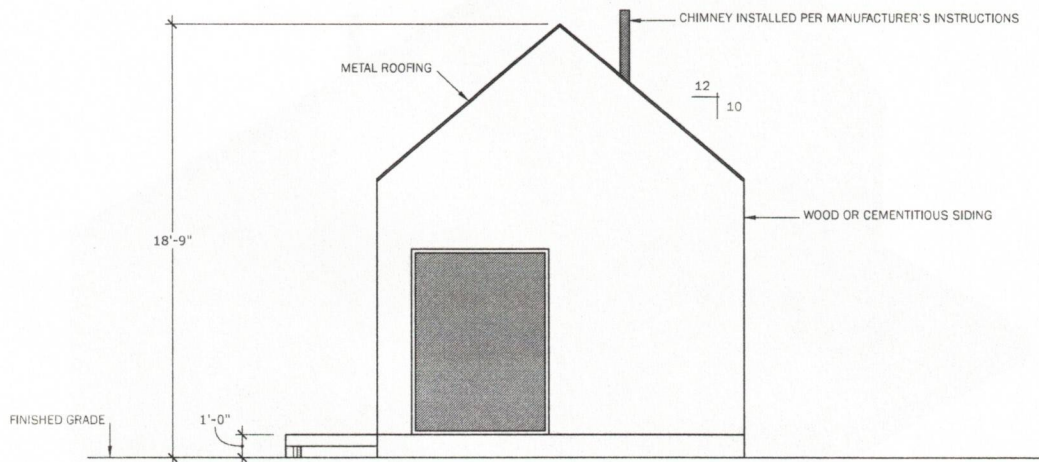
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FRONT
ELEVATION

1 | 17

● DEN 600G



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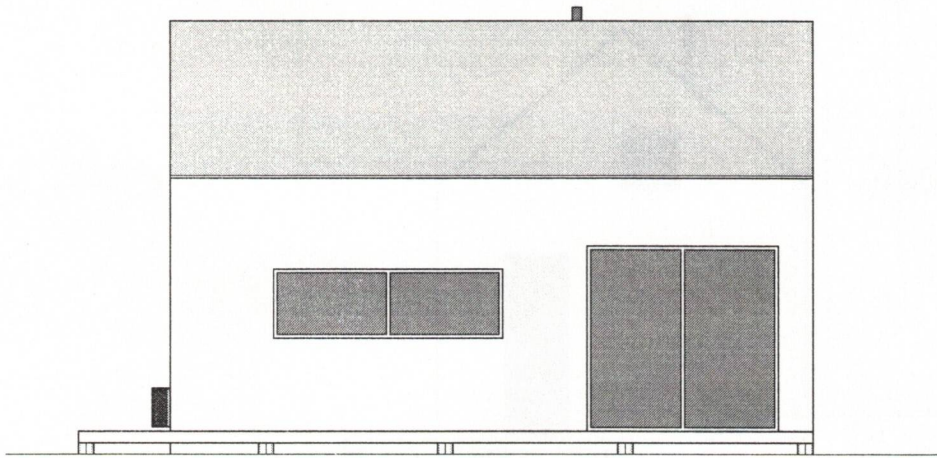
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LEFT
ELEVATION

3 | 17

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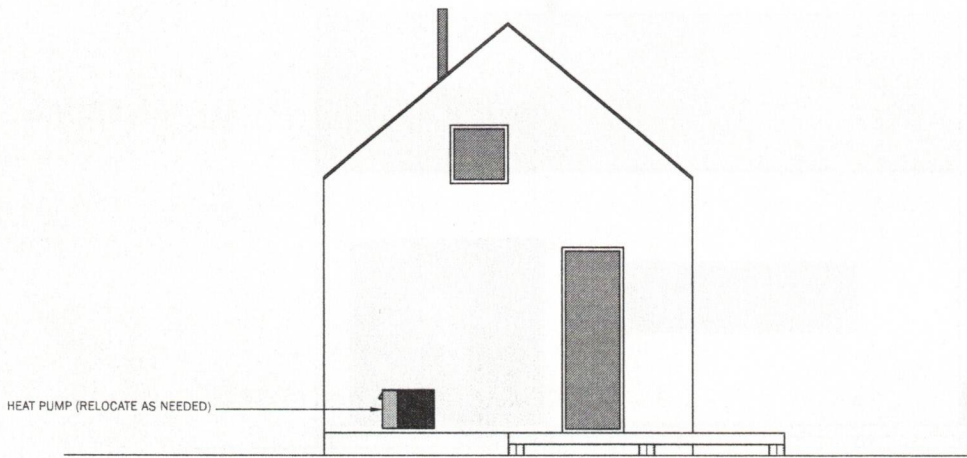
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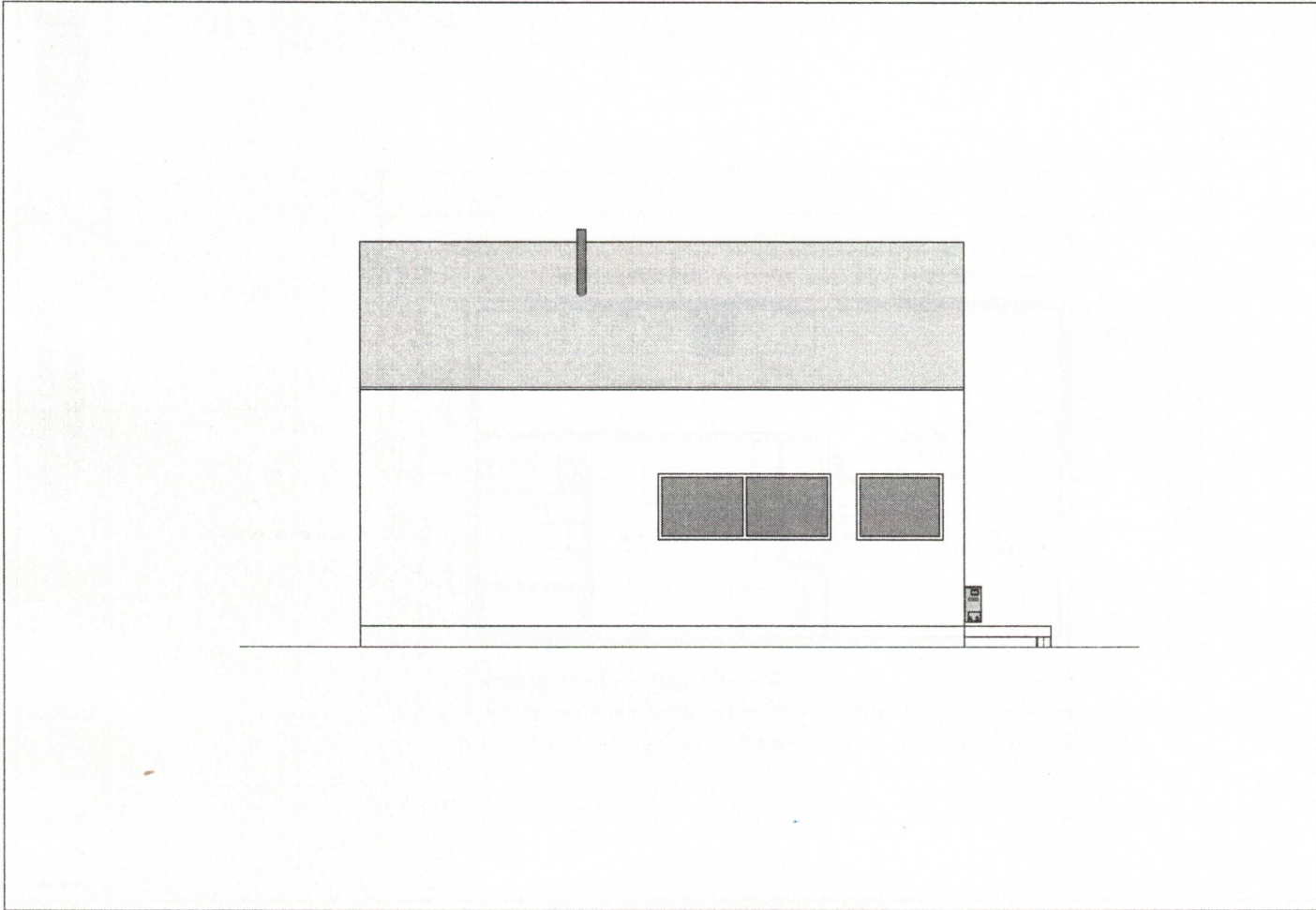
REAR
ELEVATION

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HEAT PUMP (RELOCATE AS NEEDED)



DEN

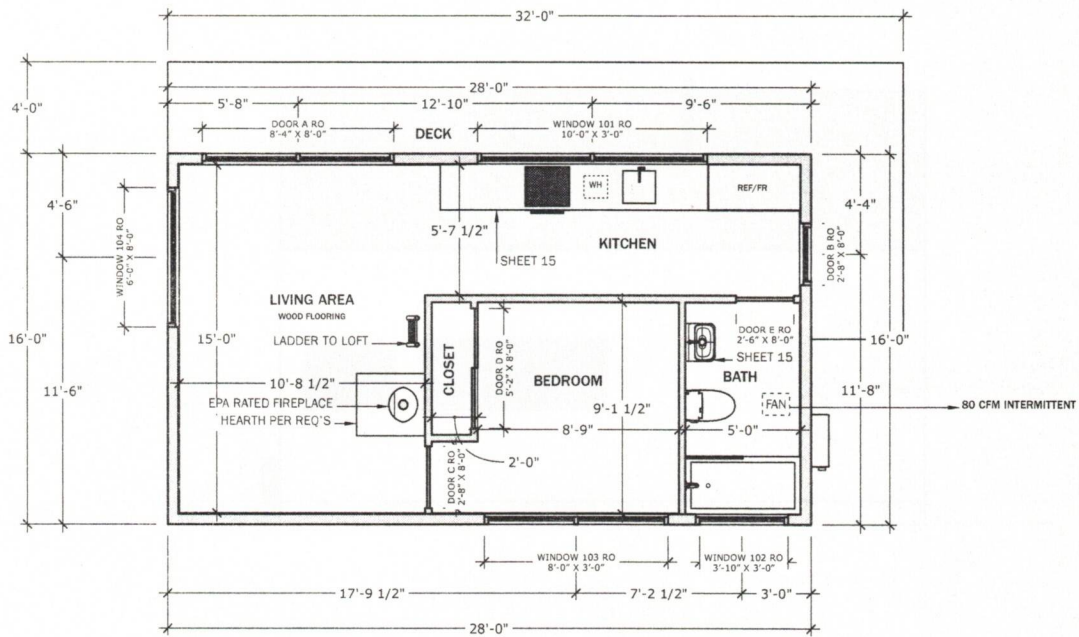
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Modern Cottage**

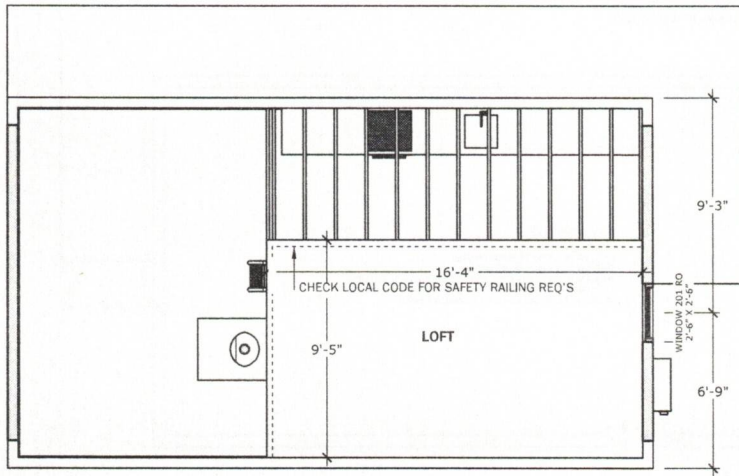
denoutdoors.com

RIGHT
ELEVATION

4 17

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DEN

**Den600G
Modern Cottage**

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LOFT FLOOR
PLAN

6 | 17

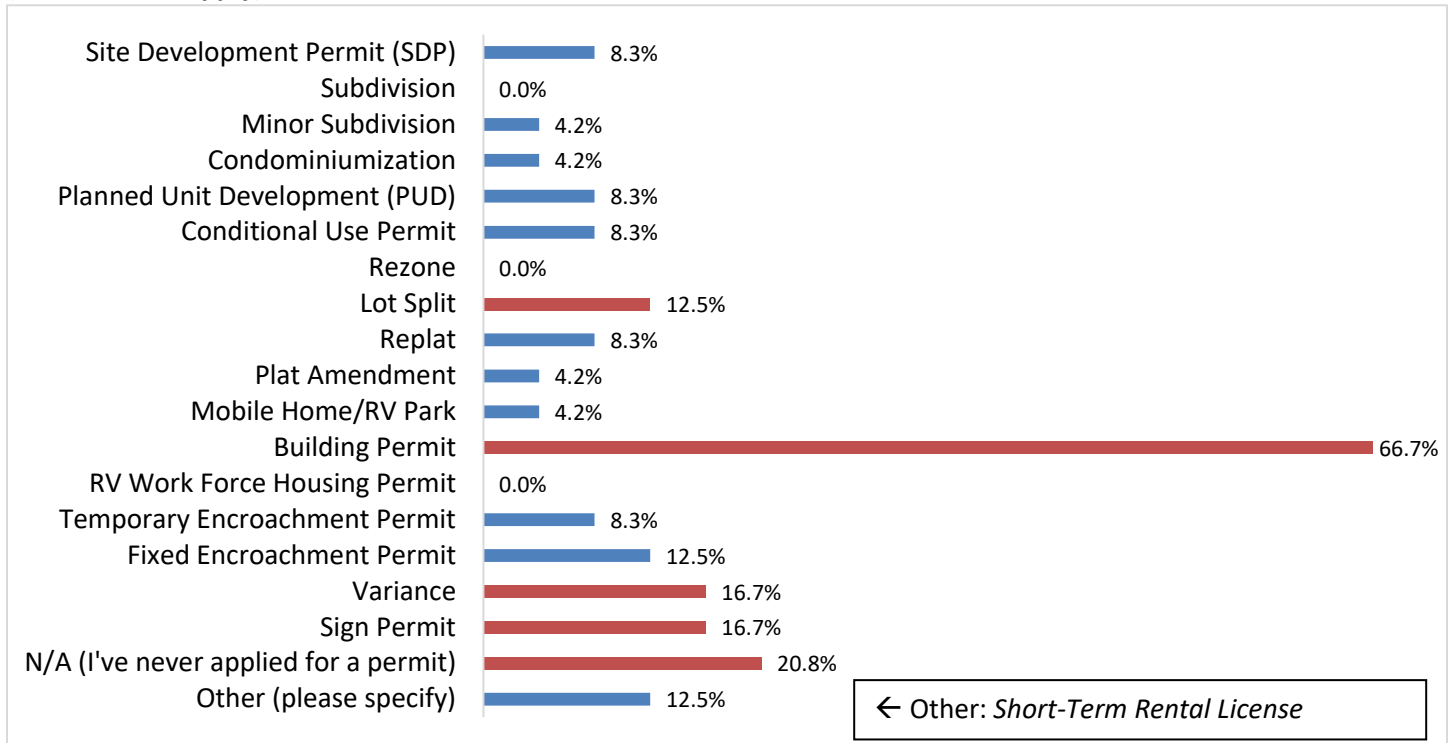
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	Parks Developed (P1)	Park Conservation (P2)	Residential (R1)	Residential High Density (R2) South of Skyrocket	Residential High Density (R2) North of Skyrocket	Commercial District (C1)	Commercial District – Industrial (C2) South of Skyrocket	Commercial District – Industrial (C2) North of Skyrocket
Minimum Lot Area	Not applicable	Not applicable	7,100 s.f.	7,100 s.f.	7,100 s.f.	3,500 s.f.	7,100 s.f.	7,100 s.f.
Maximum Density	Not applicable	Not applicable	3,500 s.f./D.U.	2,370 s.f./D.U. 790 s.f./L.U.	3,550 s.f./D.U. 1,183 s.f./L.U.	Not applicable	3,550 s.f./D.U. 1,183 s.f./L.U.	3,550 s.f./D.U. 1,183 s.f./L.U.
Minimum Front Setback	As determined by Planning Commission pursuant to Section 7-5-E-1-c	As determined by Planning Commission pursuant to Section 7-5-E-2-c	On blocks where building front setbacks vary, the minimum front setback shall be equal to the average of the existing setbacks on the block front or 15 ft., whichever is less. All other blocks: 15 ft.	On blocks where building front setbacks vary, the minimum front setback shall be equal to the average of the existing setbacks on the block front or 15 ft., whichever is less. All other blocks: 15 ft.	On blocks where building front setbacks vary, the minimum front setback shall be equal to the average of the existing setbacks on the block front or 15 ft., whichever is less. All other blocks: 15 ft.	Average of the existing building front setbacks or 5 ft. whichever is less, except: No minimum setback for lots on or within the Ouray Commercial Historic District and for lots on U.S. Highway 550, between 9th Avenue and south boundary of Sampler Mill site, the front setback equal to the average of the existing building front setbacks along the same block or 10 feet , whichever is less.	On blocks where building front setbacks vary, the minimum front setback shall be equal to the average of the existing setbacks on the block front or 15 ft., whichever is less. All other blocks: 15 ft.	On blocks where building front setbacks vary, the minimum front setback shall be equal to the average of the existing setbacks on the block front or 15 ft., whichever is less. All other blocks: 15 ft.
Minimum Side Setback	As determined by Planning Commission pursuant to Section 7-5-E-1-c	As determined by Planning Commission pursuant to Section 7-5-E-2-c	5 ft.	5 ft.	5 ft.	5 ft., except: No minimum setback for lots on or within the Ouray Commercial Historic District	5 ft.	5 ft.
Minimum Rear Setback	As determined by Planning Commission pursuant to Section 7-5-E-1-c	As determined by Planning Commission pursuant to Section 7-5-E-2-c	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.
Maximum Roof Eaves	Not applicable	Not applicable	Extend no more than 1 ft., into the required setback, never extend beyond property line	Extend no more than 1 ft., into the required setback, never extend beyond property line	Extend no more than 1 ft., into the required setback, never extend beyond property line	Extend no more than 1 ft., into the required setback, never extend beyond property line	Extend no more than 1 ft., into the required setback, never extend beyond property line	Extend no more than 1 ft., into the required setback, never extend beyond property line
Minimum Floor Area	Not applicable	Not applicable	Must comply with current Building Code adopted by City	Must comply with current Building code adopted by City.	Must comply with current Building code adopted by City.	Must comply with current Building code adopted by City.	Must comply with current Building code adopted by City.	Must comply with current Building code adopted by City.
Maximum Floor Area	Not applicable	Not applicable	Ouray Local and National Historic District: 10% greater than the average of other structures on the block front or 4,260 sq. ft., whichever is less All other properties: 4,260 sq. ft.	Ouray Local and National Historic District: 10% greater than the average of the primary structures on the block front or 4,260 sq. ft., whichever is less All other properties: 10,650 sq. ft.	10,650 s.f.	Ouray Commercial Historic District and Fronting Highway 550: 9,585 s.f. per 25 feet of frontage on Highway 550 of the lot on which the building is located. All other properties: 9,585 sq. ft.	15,000 sq. ft.	15,000 sq. ft.
Maximum Site Coverage	5%	5%	30%	50%	40%	90%	50%	40% for residential use 50% for mixed use 60% for commercial use
Maximum Building Impervious Surface Site Coverage	Not applicable	Not applicable	80%	80%	80%	100%	80%	80% for any use
Maximum Height	20	10	30	35	35	35	35	35
Maximum Size for Accessory Buildings	Not applicable	Not applicable	Accessory Use to Single Family Dwelling: 600 sq. ft.	Accessory Use to Single Family Dwelling: 600 sq. ft.	Accessory Use to Single Family Dwelling: 600 sq. ft.	Not applicable	Accessory Use to Duplex: 600 sq. ft. Accessory Use to Multi-Family Dwelling: 800 sq. ft.	Accessory Use to Duplex: 600 sq. ft. Accessory Use to Multi-Family Dwelling: 800 sq. ft.

Q.5: Do you see opportunities in similar communities you wish to emulate in Ouray?

- Gunnison, Crested Butte, Silverton trying to address these issues
- I like how Telluride protected her valley floor; and built a two affordable housing centers that do not require long commutes. Carbondale used to be Aspen's working class community. At one point it had the highest rate of child abuse in CO - the long commute hugely detracts from homework time, meal prep, household chores and family play time.
- Better maintenance of parks, flumes, roads, curbs, sidewalks, alleys, trees, etc,
- more local focus while still providing amenities to tourists
- Better connectivity throughout the town (joining river walk to town)
- Focus on affordable housing by Salida, and now Ridgway . Use of geothermal and solar energy.
- We need to get the mountain biking thing going in Ouray too.
- greater limits on short term rentals (e.g., Silverton)
- Housing programs
- Stewardship of Resources rather than Management
- Restrictions on short term rentals
- Paving streets, i.e., Crested Butte, Norwood, Telluride, Aspen, Vail
- Not at this time
- Yes, Ridgway's dark skies regulations
- Crested Butte was heading in a good direction with taxing second home buyers. Telluride has several different taxes to address community issues such as infrastructure, schools, etc.
- Tax second home buyers to support infrastructure needs!
- Better walkability, more sidewalks (continuous everywhere), within the city shuttle.
- Environmental cleanup and care
- Attainable housing opportunities
- Transportation from Montrose to Ridgway and Ouray for workforce
- Not aware

Q.6: Please check any permit(s), listed below, you have previously applied for or been involved with the process of (select all that apply):



Q.7: If applicable, please briefly describe your experience applying for a land use permit (variance, lot split, subdivision, etc.) or other permit (floodplain development, sign permit, RV work force housing permit, etc.) in the City of Ouray:

- In 2011 we applied for a variance to enclose our 6'X6' front porch. We were granted it and paid a per sq/ft fee. I'm satisfied with this decision. Last year we applied for a variance to fence in our front yard on Third Ave. It is a city street property. Our city manager declined to take it to city council. I'm disappointed in this decision.
- Disappointing.
- Variances to allow smaller affordable rentals.
- We replaced and expanded our deck.
- It was difficult and took ages because the City had several building inspectors during that time.
- Worked with county on these and it was fine.
- Simple process.
- Application was easy enough. Working with City Staff was a nightmare prior to Ms Oswald.
- The experience changes every time a new community development coordinator is hired. In general, they have big plans, make just about everybody's life hell that they interact with, then quit after a year or two for greener pastures. It is a cycle that has repeated itself for years.
- Sign banner permit. Currently regulations are being ignored that I was applying for by others, then I was denied for.
- Unclear whether I needed or not for temporary encroachment (dumpster).
- Positive, cooperation from staff and timely delivery.
- STR permit process has been very frustrating with many unknowns and no direct answers.

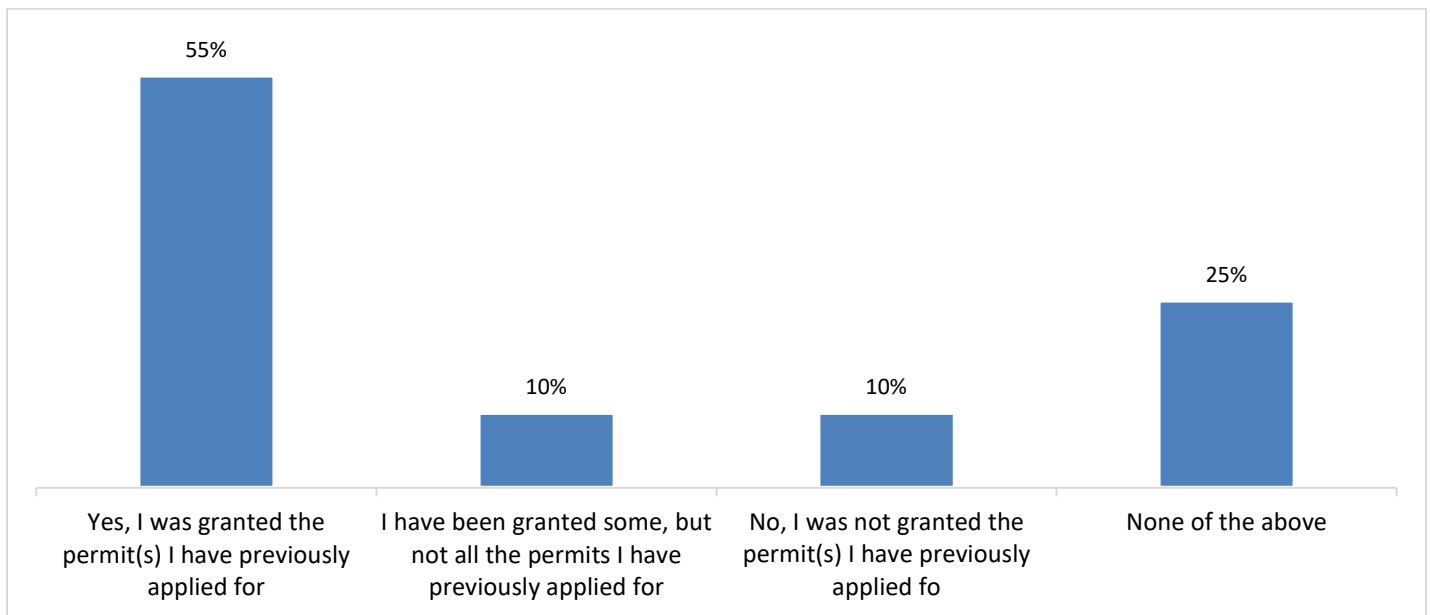
Q.8: If you have previous experience applying for a City land use or sign permit, on a scale of 1 (very dissatisfied) to 5 (very satisfied), how would you rate your satisfaction with the City's permitting process?

2.7★
average rating

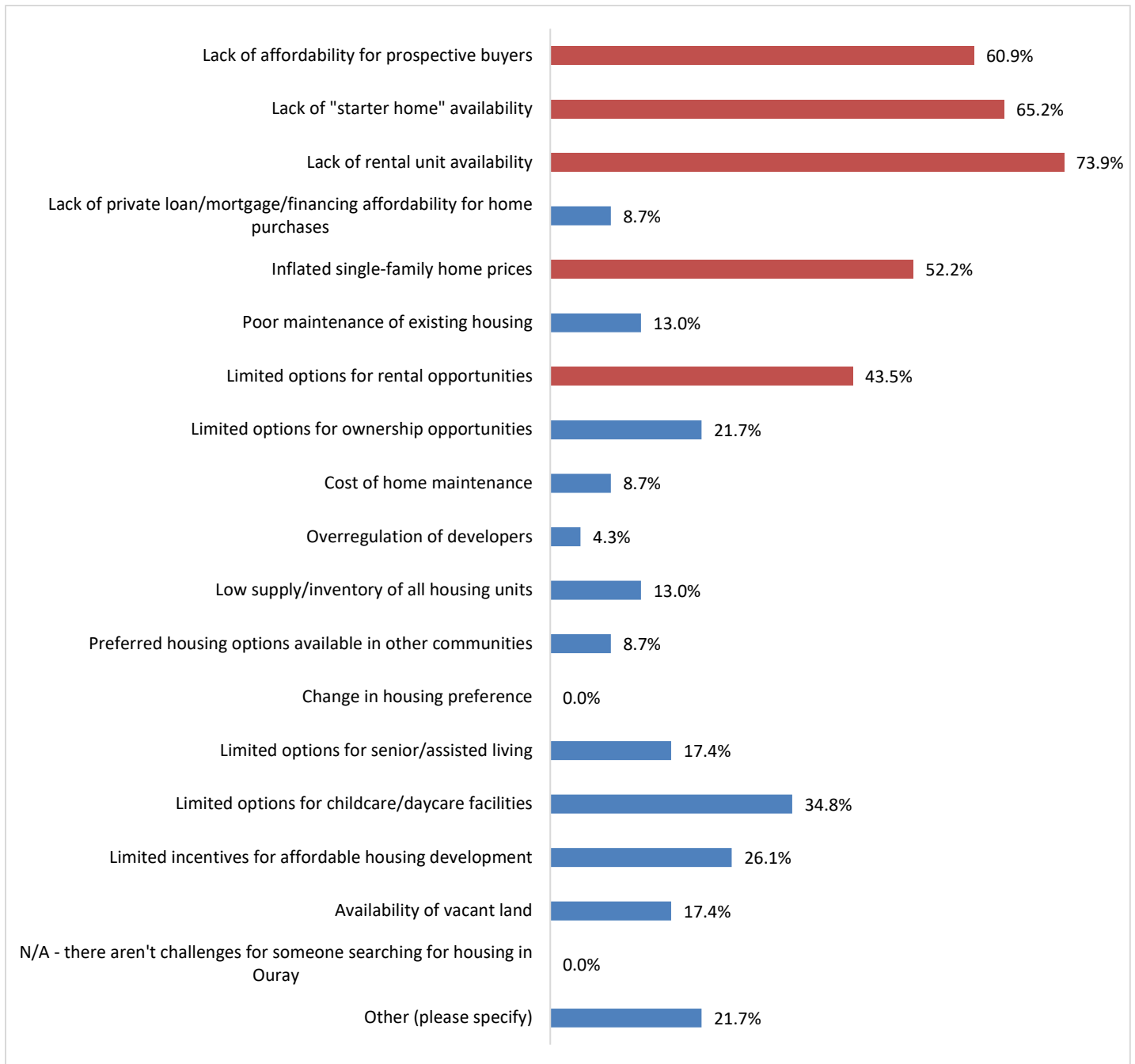


	VERY DISSATISFIED	DISSATISFIED	NEUTRAL	SATISFIED	VERY SATISFIED	N/A	TOTAL	WEIGHTED AVERAGE
☆	14.29% 2	14.29% 2	21.43% 3	7.14% 1	7.14% 1	35.71% 5	14	2.67

Q.9: Were you granted the permit(s) you have previously applied for?



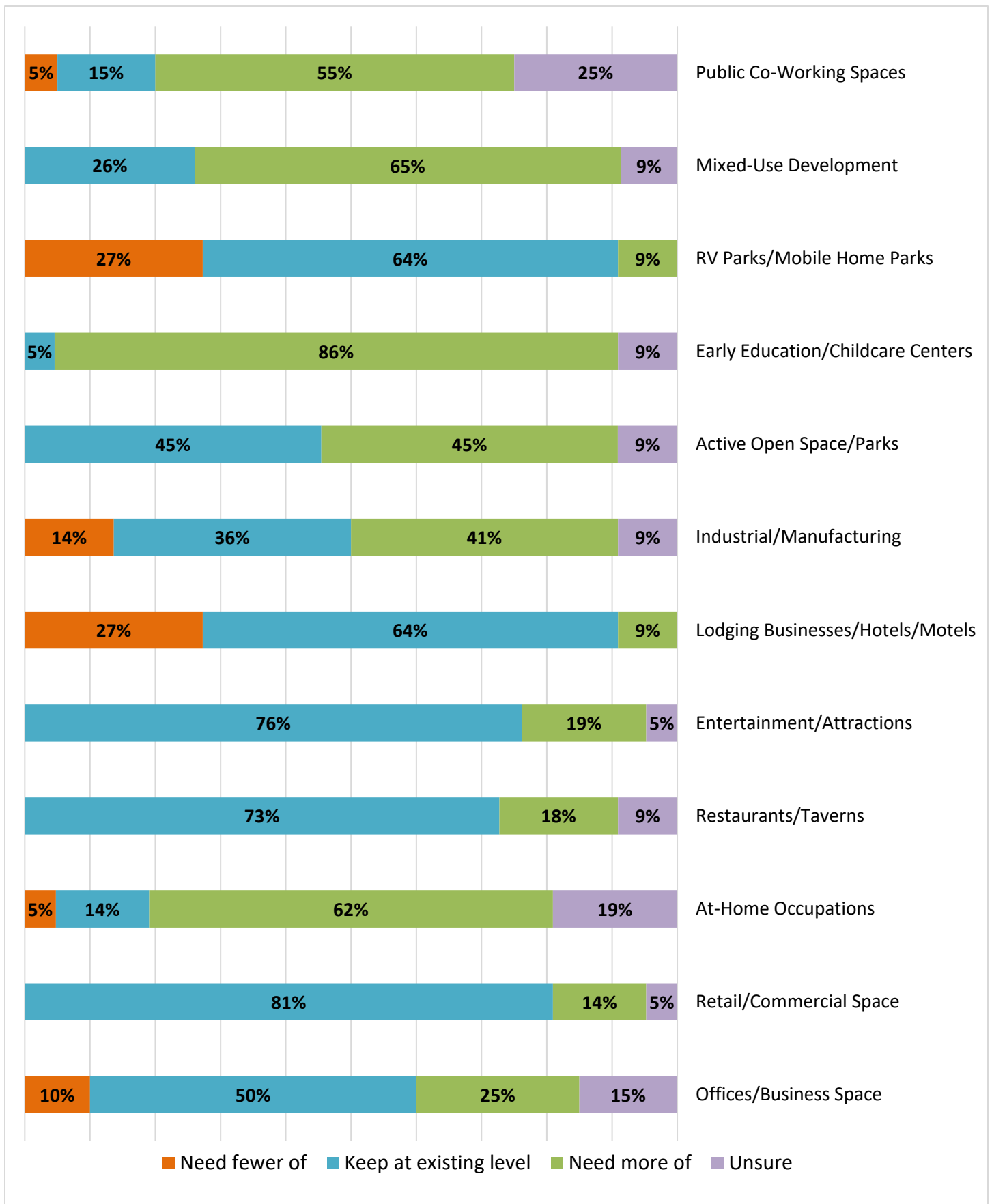
Q.10: What do you think are the top 5 challenges for someone searching for housing in Ouray? (please select 5)



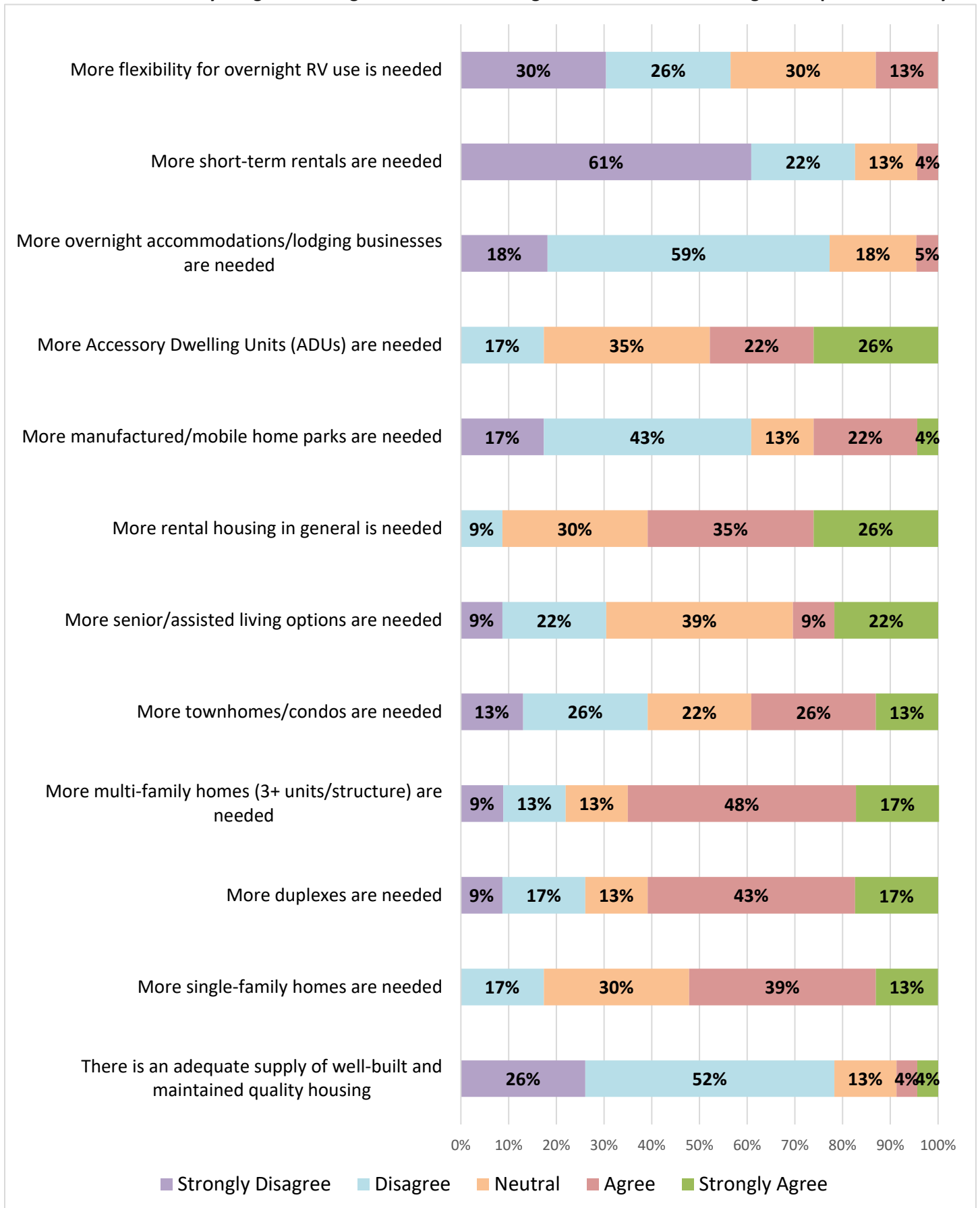
Other:

- We have lived here for almost 43 years and understand that there are challenges to being able to live in a small mountain community that's not for everyone. You cannot eat beauty and must understand that growth must new controlled. To live here you must make compromises.
- 2nd home owners who only use their homes a couple of months out of the year.
- Increasing utility costs, out of control. Why are there no apartment complexes in Ouray.
- If one were to be truly open and honest about the subject, the fact is that the town is an amazing place to be. Real estate prices are priced accordingly. There is no affordable housing because of this. Nobody has a right to live here unless they can afford it. It is that simple.
- Poor adherence to Building Codes by previous owners - expensive to bring up to code/make it livable.

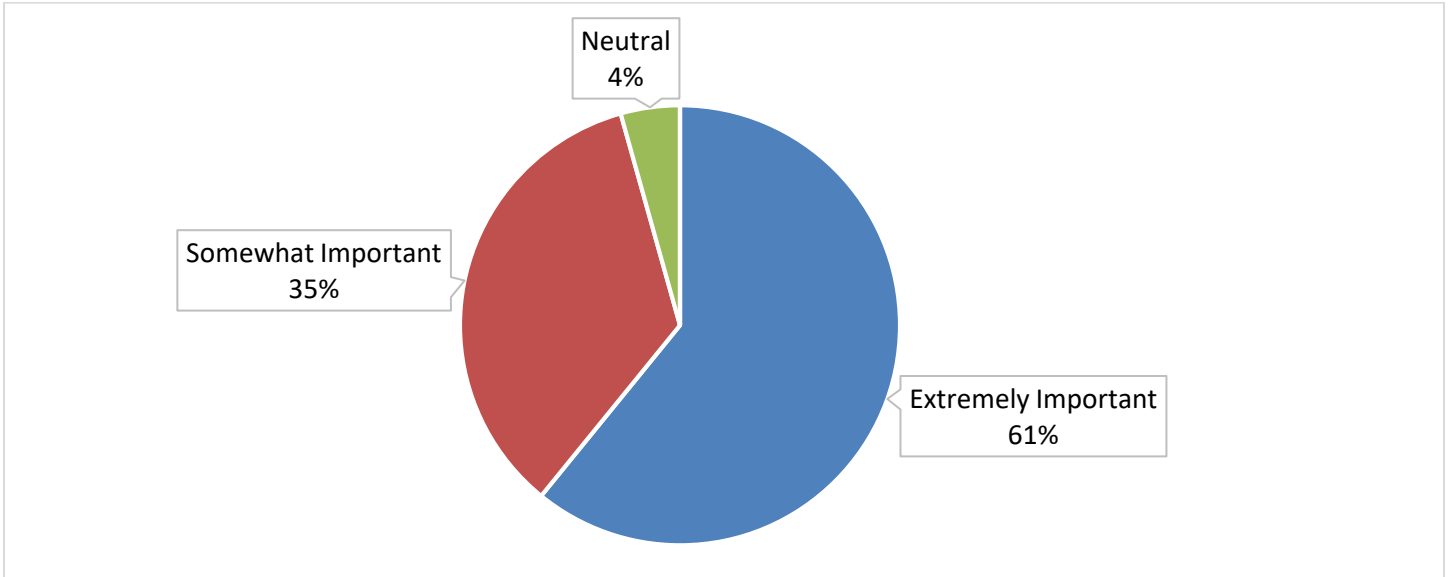
Q.11: In the next 10-20 years does Ouray need more or less of the following types of development?



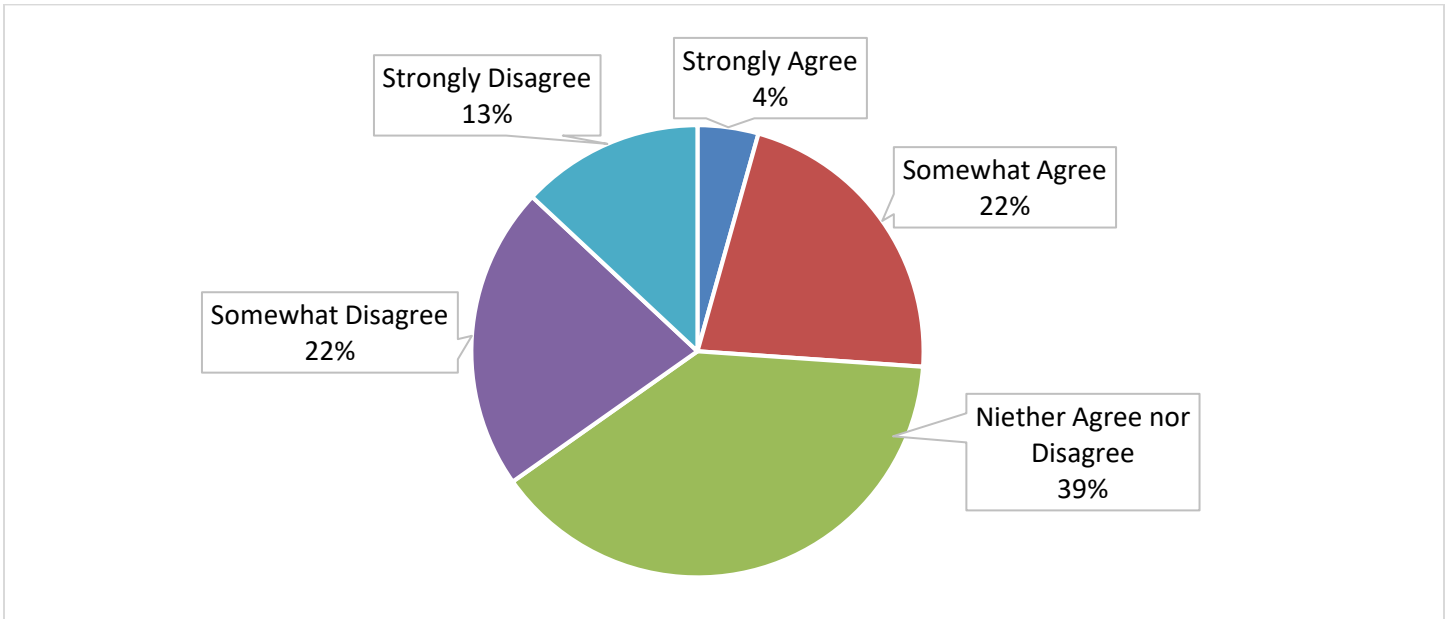
Q.12: To what extent do you agree or disagree with the following statements about housing development in Ouray?



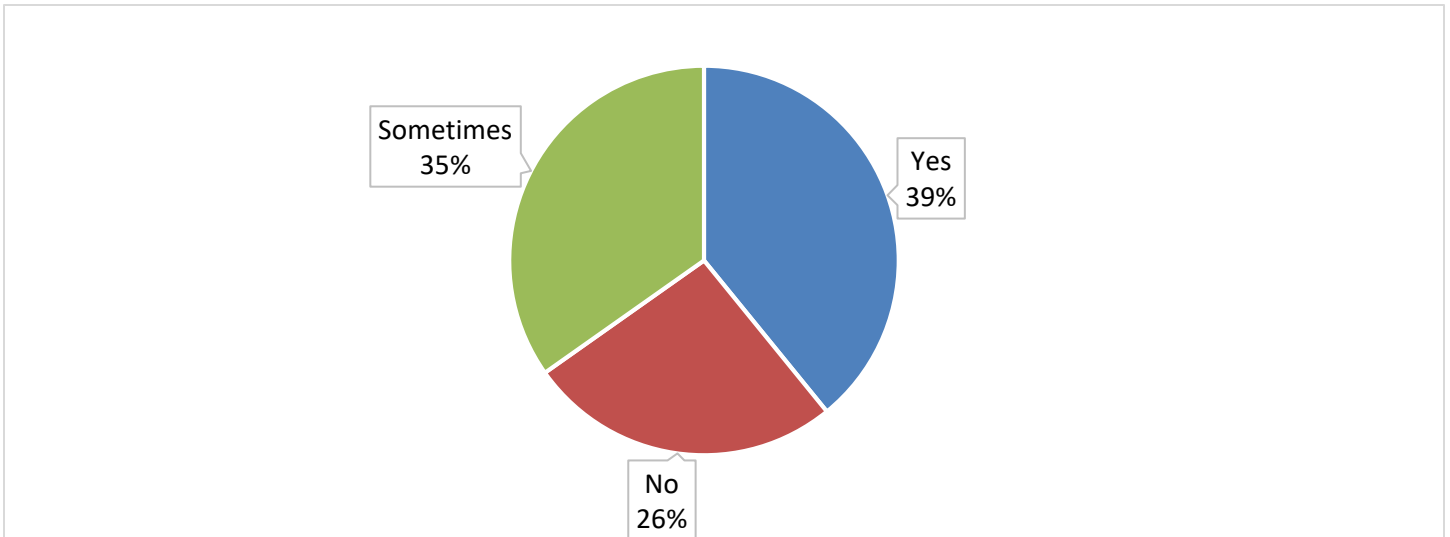
Q.13: How important is it for Ouray to manage the location of new development or infill (all land use types: commercial, residential, industrial, parks, etc.)?



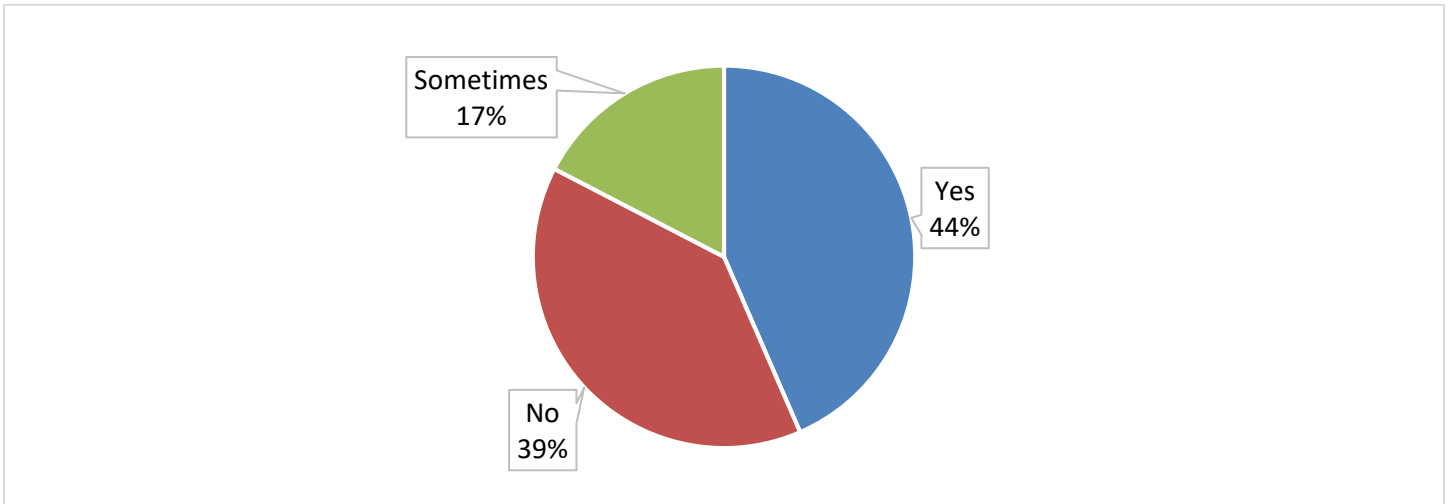
Q.14: Do you agree with the following statement: The current Land Use & Development Code permits new buildings within existing neighborhoods/areas that are not compatible with nearby buildings (context).



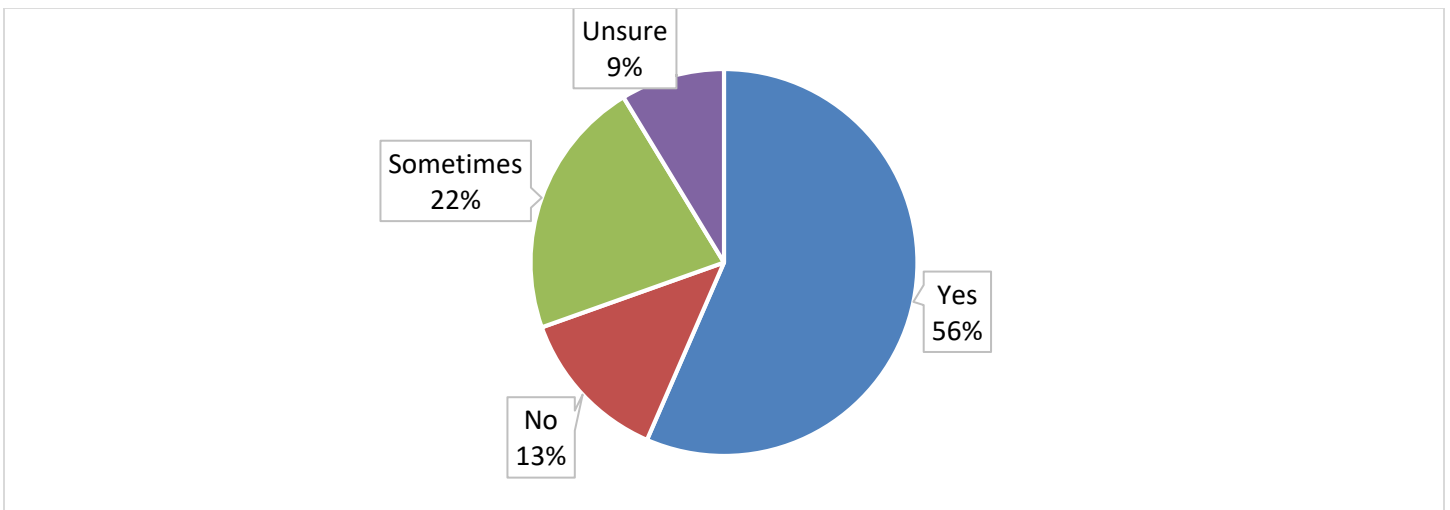
Q.15: Do you think Accessory Dwelling Units (ADUs) provide affordable housing solutions?



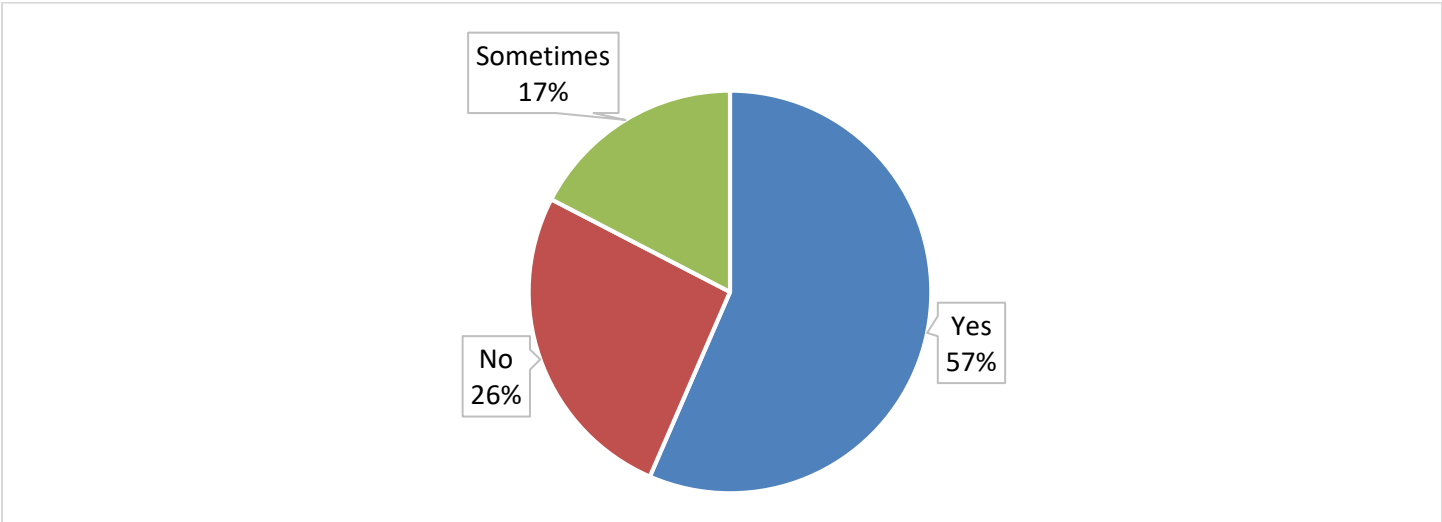
Q.16: If you believe ADUs provide affordability, do you believe ADUs are a priority to address during the code rewrite?



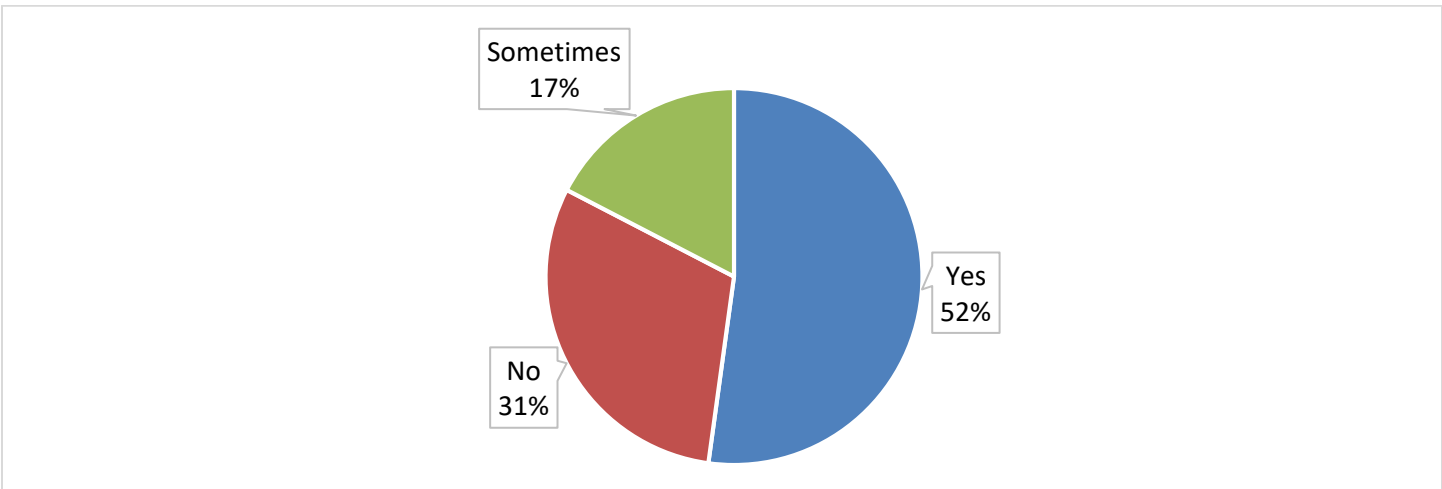
Q.17: Do you think smaller structures (e.g. "Tiny Homes") provide affordable housing solutions?



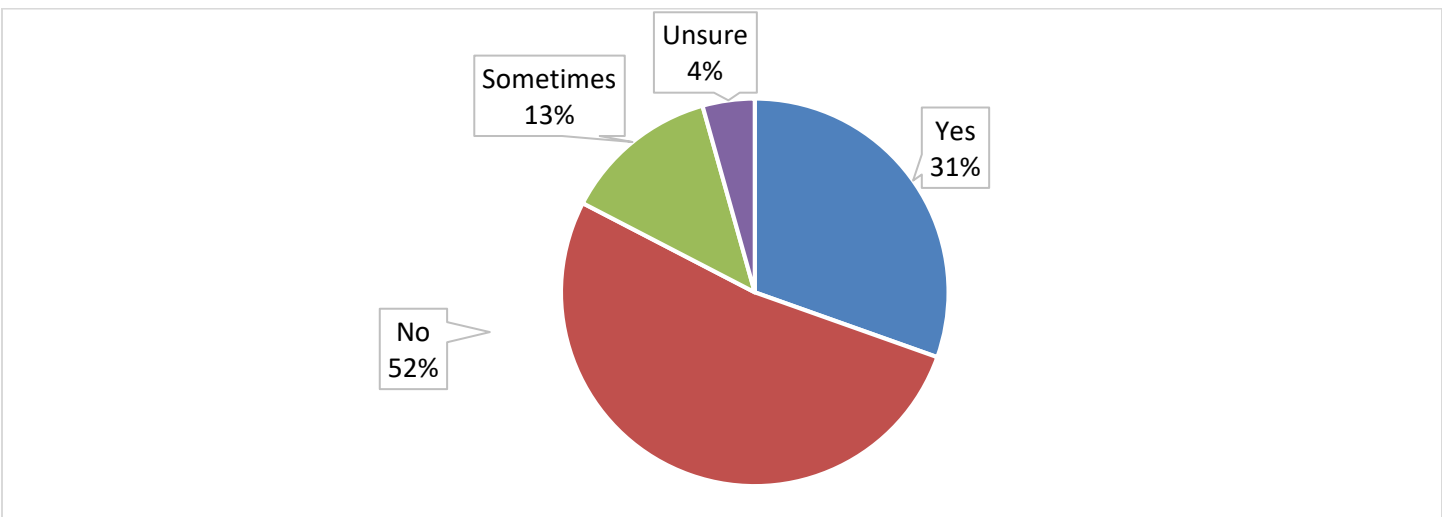
Q.18: If you believe smaller structures (such as Tiny Homes) provide affordability, do you believe these are a priority to address during the code rewrite?



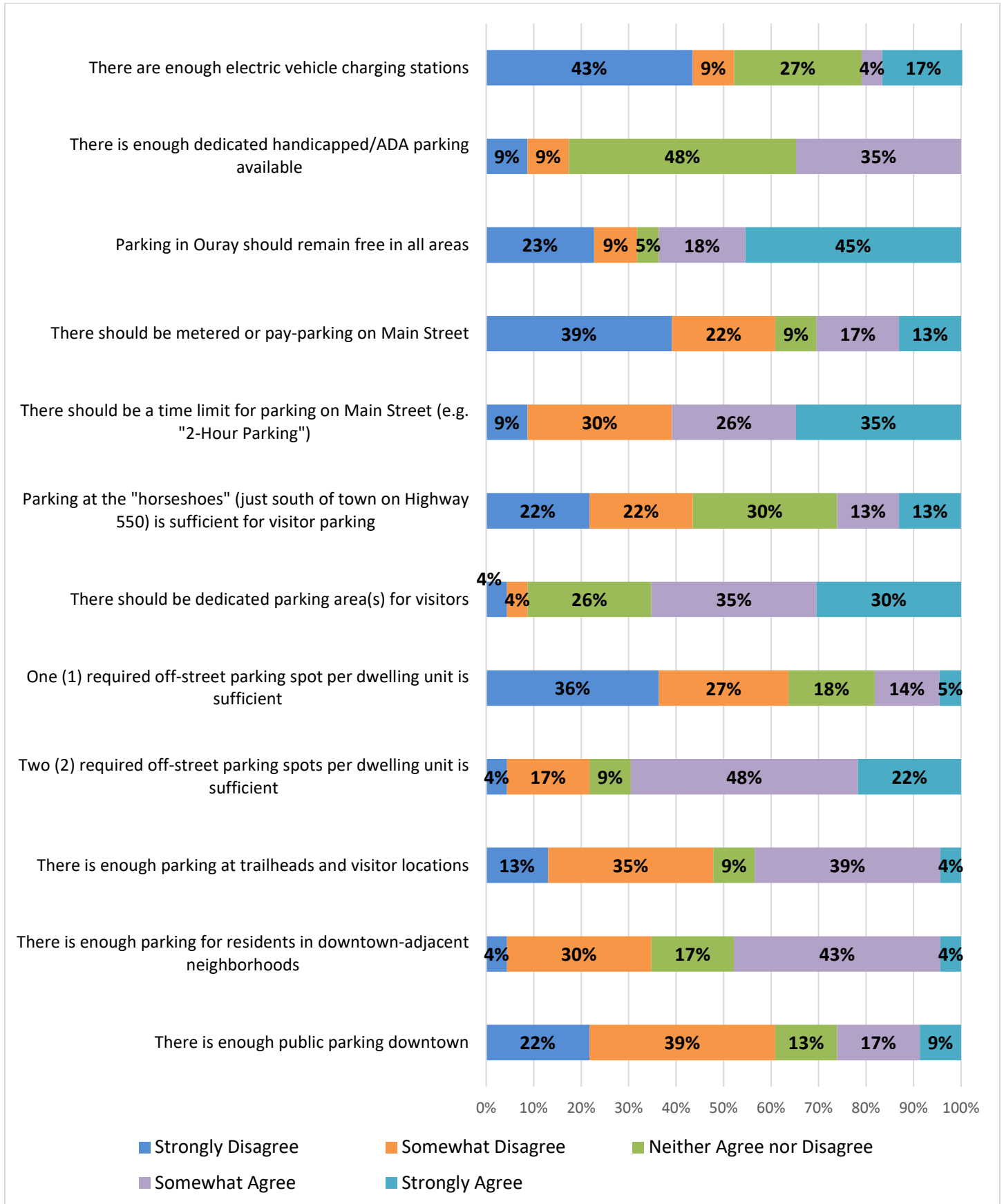
Q.19: Do you think mobile homes provide affordable housing solutions?



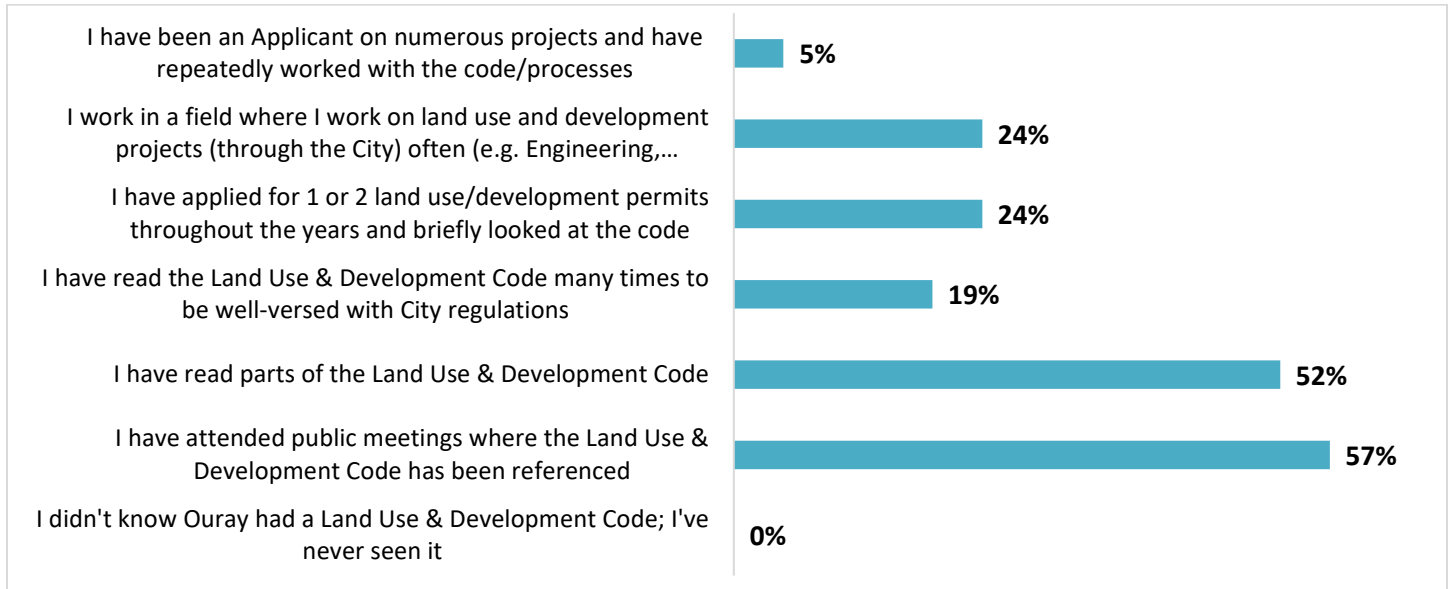
Q.20: If you believe mobile homes provide affordability, do you believe these are a priority to address during the code rewrite?



Q.21: To what degree do you agree or disagree with the following statements as they pertain to parking supply and demand in Ouray:



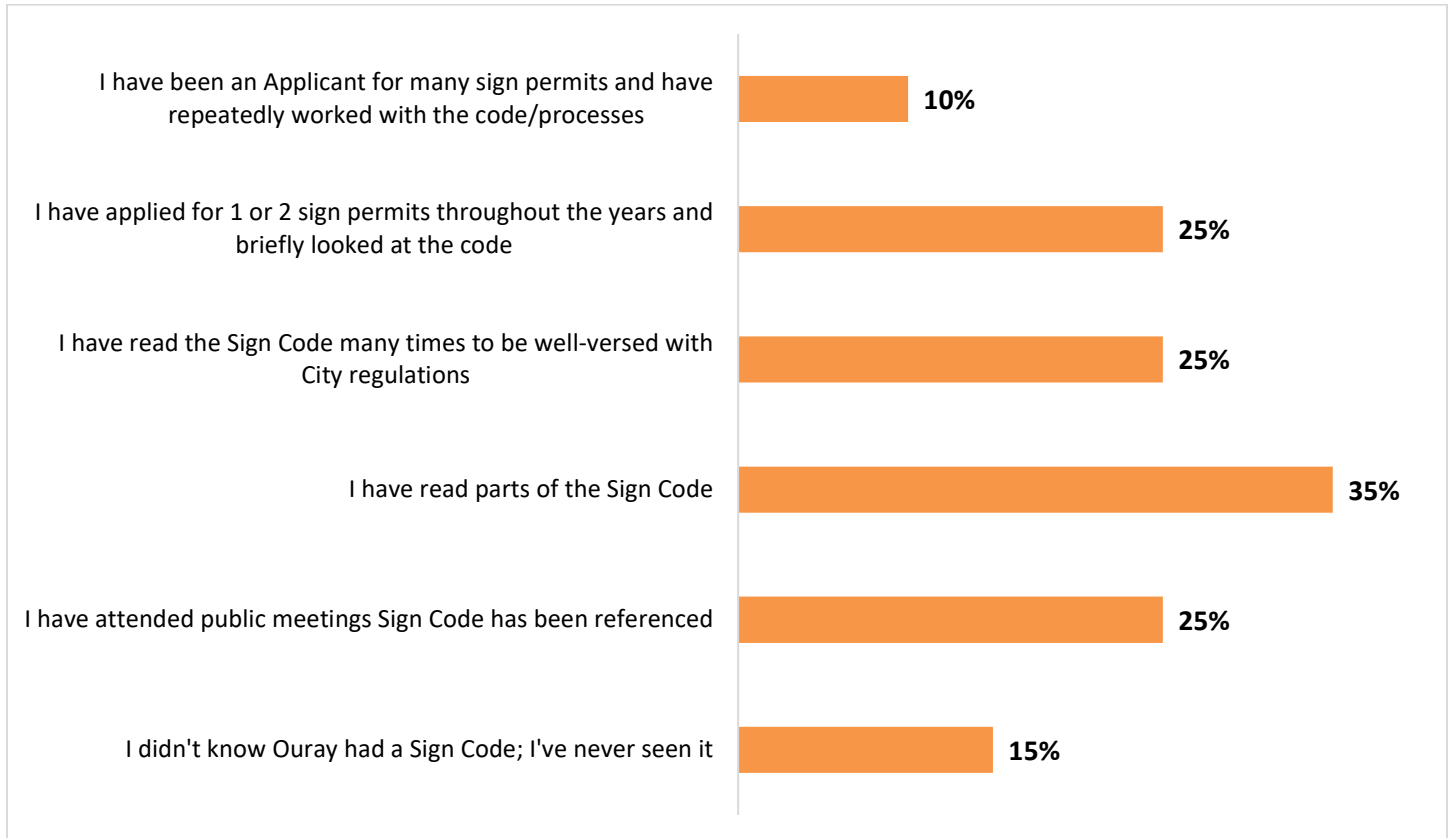
Q.22: To what degree have you interacted with or used the City's Land Use & Development Code (Municipal Code, Chapter 7)? (select all that apply)



Q.23: In your opinion, what are the most important thing(s) to consider with this Land Use & Development Code update?

- Some form of meaningful disincentive for homeowners who keep properties empty for most of the year
- Do NOT prioritize greed over the community. There are not a lot of empty lots in town to build on yet there are a lot of homes that are empty most of the year. Before permitting a building sprawl, consider incentives to re-allocate existing homes to affordable long-term rentals. It may take several creative formulas and patience. Meanwhile, "developers" and realtors will be chewing at the bit, and some well-heeled second home owners may not care about incentives, and many may gloat over our bloated housing values. Still, you and I are entrusted with celebrating and preserving our precious rare family community.
- There is a limit as to the capacity of our community during the busy summer season.
- Adherence to neighborhood zoning regulations
- More flexibility for smaller, more sustainable housing
- affordable housing options for locals
- Town aesthetics and flow. Making it an enjoyable place for LOCALS to live here full-time.
- Required lot size for residential should be low to accommodate more housing
- Property Maintenance needs to be addressed and enforced.
- Best practices
- Standardization, modernization and Adaptation to Ouray.
- Tiny homes and more every parks allowed
- Be Fair
- The code is 90% acceptable, with a few loopholes that need clarification
- Allowing for more ways to support long term affordable rentals for people who work in the city or county.
- That the updates are keeping up with modern times
- Code needs to address wildfire resiliency.
- That the city collects the required water/sewer fees for any building and should revisit recent change in use buildings to collect those appropriate fees.
- Unknown
- Permitting more mobile home sites

Q.24: To what degree have you interacted with or used the City's Sign Code (Municipal Code, Chapter 8)? (select all that apply)



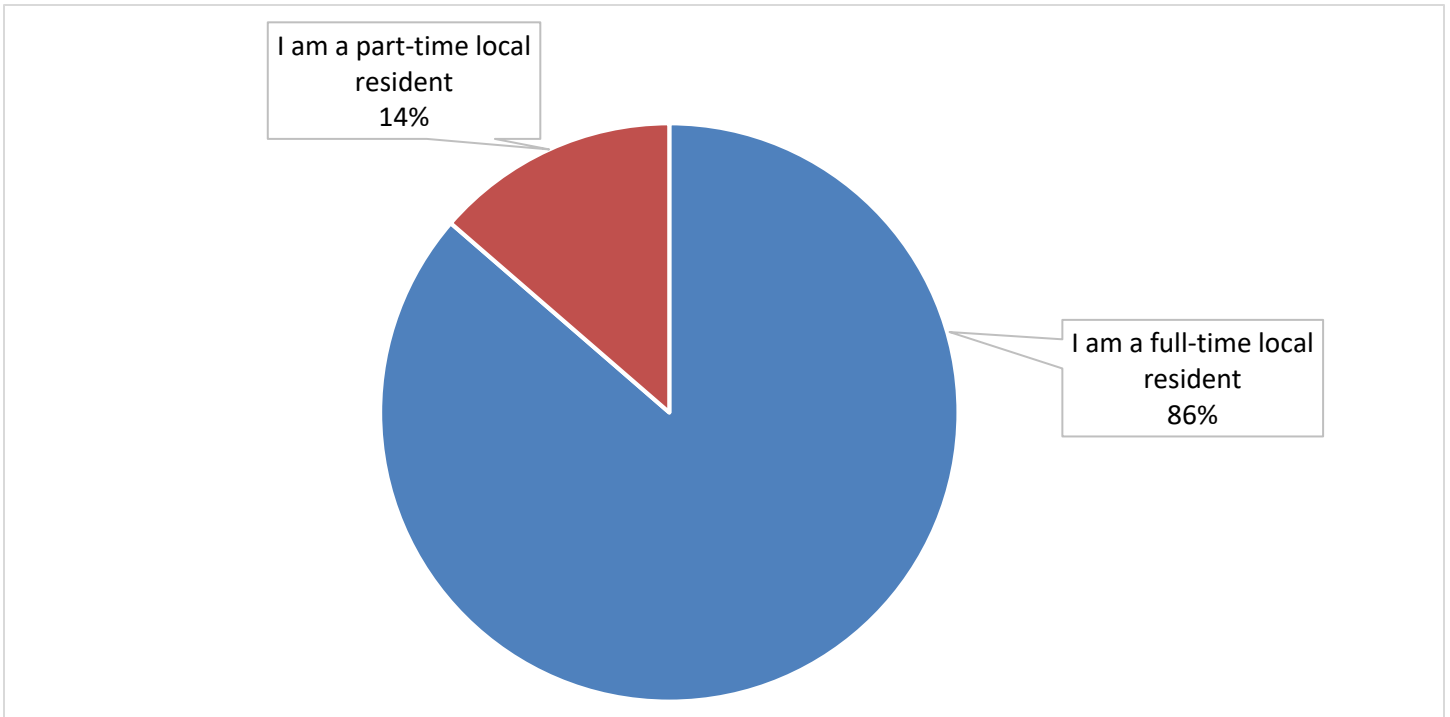
Q.25: In your opinion, what are the most important thing(s) to consider with this Sign Code update?

- Don't allow anything bigger or more intrusive than is currently allowed
- Regular Enforcement
- Our sign code is adequate
- It can make or brake the look of of our cute little town. Signs can really make the town tacky looking fast. This needs to be strickened!
- Current case law
- Wrestling Control of sign code for Hwy 550 away from CDOT. (Main St)
- If you have one, enforce it
- Be fair to all. If the rules say x wide by x tall then you reinforce that for everyone.
- That Ouray's small town feel is preserved and nothing distracts or takes away from the natural landscape.
- What's the update?
- Duty to maintain signs

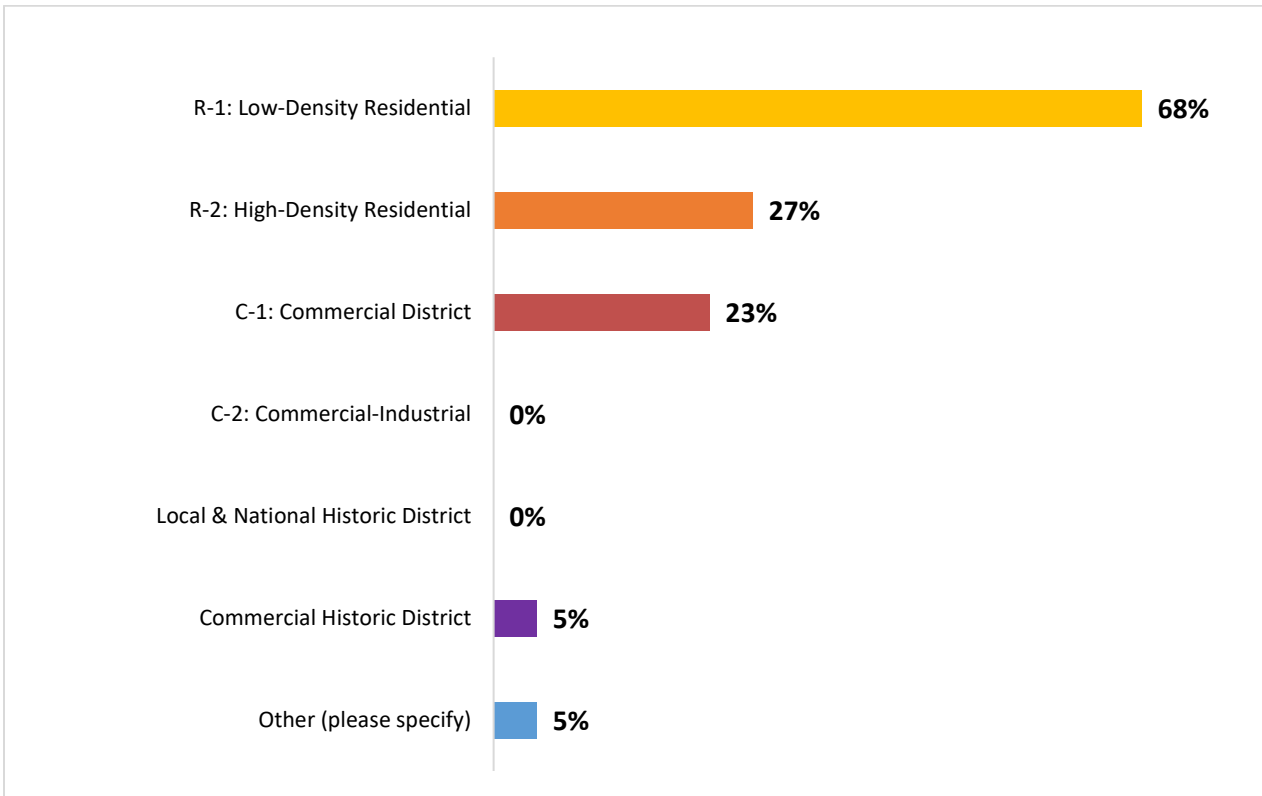
Q.26: Do you have any additional thoughts or ideas for the City regarding future land use and/or development?

- Ouray doesn't have much space to build more housing so concentrate on sensible use of the existing housing stock. Less tourist accommodation and more resident housing. City infrastructure already struggles with current number of people
- More is not always better
- Infrastructure should be regarded highly when considering future development. We have limited space and capacity of our water and wastewater treatment. They should be considered highly as we move forward.
- Aim for fairness in enforcement and simplicity in design
- While affordable housing is a major issue, I would hate to see a major building boom in the area as it would drain the already limited town resources (water, sewer issues, etc...). It's a delicate balance between addressing the needs of our local workforce and not going overboard. Also, in the event the City decides to do any sort of metered parking, this should only apply to tourists (locals could be given parking passes). Prioritize local needs over tourism needs.
- First and foremost make it easier for achievable/ affordable housing to be built.
- The City needs to build a close to city hall and Main Street parking lot and get the parking organized and in a specific location with good access.
- Stop thinking that we need to follow other CO cities. We need to adhere to IBC and Adapt our code to best suit Ouray. There are few examples that can or should be borrowed from other communities. Much of CO P&Z has been a failure over the past 30 years.
- Pave the roads to reduce dust
- Again, be fair to all
- Try to minimize growth and keep it simple
- You can make rules all day long but they don't mean anything if you don't enforce them.
- Collect the water/sewer tap fees including ADUs if not owner-occupied on-premises.
- Allowing more mobile home sites.

Q.27: Which best describes your residency status with the city of Ouray?



Q.28: If you live or own property in the city of Ouray, in which zone(s) do you live or own property? (select all that apply)



Other: RV Park