

**AGENDA
OURAY CITY COUNCIL**

Monday, August 21, 2023 - 3:30 PM

**Ouray Community Center
320 6th Ave
Ouray, CO 81427**

Ouray City Council Work Session

- Changes to this agenda can be found on the bulletin board at City Hall
- Electronic copies of the Council Packet are available on the City website at www.cityofouray.com. A hard copy of the Packet is also available at the Administrative Office for interested citizens.
- Notice is hereby given that a majority or quorum of the Planning Commission, Community Economic Development Committee, Beautification Committee, Tourism Advisory Committee, and/or Parks and Recreation Committee may be present at the above noticed City Council meeting to discuss any or all of the matters on the agenda below for Council consideration

1. CALL TO ORDER
2. DISCUSSION ITEM - Waterview PUD Project Review, Discussion, and Formulation of Development Agreement (Preliminary Plat Documents Attached for Reference)

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 Ouray, Colorado 81427



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TO: Ouray City Council
FROM: Lily Oswald, Community Development Director
DATE: May 25, 2023
FOR: June 20, 2023
SUBJECT: Waterview PUD – Preliminary Plat Application Staff Report

PROJECT GEOGRAPHY

Table 1. Project Geography

Application Summary	This Preliminary Plat Planned Unit Development (PUD) is for residential development on two (2) vacant lots north of the Biota Building. The general intent of the PUD is to develop 65 affordable, owner-occupied residential units via single-family homes, duplexes, and triplexes with (3) in-unit home childcare opportunities in the first phase. <i>This PUD is proposed in two (2) phases of development to align with the City’s Waste Water Treatment Facility upgrade – both phases are included in the Sketch Plan application. This application is proposed from Rural Homes, LLC, and refers to this project as the “Waterview PUD.”</i>	
Address	250 Uncompahgre Street	
Parcel Number(s)	451725113001 and 451725113002	
Legal Description	Subd: Ouray Waterview Subdivision Lot 2 Lot Split Lot: 2A S: 25 T: 44 R: 8; and Subd: Ouray Waterview Subdivision Lot 2 Lot Split Lot: 2B S: 25 T: 44 R: 8	
Applicant/Owner	Paul Major (on behalf of Ouray Homes LLC)	
Zoning	C-2 – Commercial Industrial (north of Skyrocket)	
Existing Use	Vacant	
Proposed Use	New construction of various dwelling unit types in two phases via PUD	
Site Size	9.21 acres	
Adjacent Land Uses		
North:	R-2; Single-Family Residential (Chautauqua Lane)	
South:	C-2; Industrial (Biota Building)	
East:	C-2; Vacant	
West:	Uncompahgre River	
Located Within National or Local Historic District Boundary	No	
Located Within Commercial Historic Boundary	No	

Table 2. Zone District Dimensional Requirements (C-2, north of Skyrocket Creek)

Requirement	Zone District Standards	Proposed/Existing
Minimum Lot Area	7,100 sq.ft.	See Exhibit C of lot sizes by unit type Average proposed lot: 3,833 sq.ft.
Maximum Density	3,550 sq.ft./D.U., 1,183 sq.ft./L.U.	Total lot size: 401,188 sq. ft./3,550 = 113 total dwelling units allowed Proposed: 65 dwelling units (roughly 7 DUs/acre)
Minimum Setbacks		<i>TBD with Building Permit</i>
Maximum Floor Area	15,000 sq.ft.	<i>TBD with Building Permit</i> See Exhibit C for Unit Type by Square Feet for both phases = Avg. floor area: 1,299 sq.ft.
Maximum Site Coverage	40% for residential use 50% for mixed use 60% for commercial use	Will not exceed 40%
Maximum Building Impervious Surface Site Coverage	80% for any use	Will not exceed 80%
Maximum Height	35 ft.	27' 6"
Parking	Two (2) Spaces per Residential Unit	Two (2) Spaces per Single-Family Dwelling Units, Duplex Units, and "end" Triplex Units Three (3) Spaces per Single-Family Dwelling Unit with in-unit childcare One (1) Space per "middle" Triplex Units Twenty-four (24) additional on-street parking spaces provided
PUD Open Space Coverage	20%	23% (See Exhibit F)

BACKGROUND

The Applicant received Sketch Plan approval for the property at a Planning Commission meeting on March 21, 2023. The Applicant submitted a Preliminary Plat application for the Planned Unit Development (PUD) per Ouray Municipal Code process. This PUD is for residential development on two (2) vacant lots north of the Biota Building. The general intent of the PUD is to develop 65 affordable, owner-occupied residential units via single-family homes, duplexes, and triplexes with (3) in-unit home childcare opportunities in the Phase 1 (see Exhibits G, I & J). These units will be deed restricted in perpetuity. The Preliminary Plat application proposes a new internal road to access the northernmost proposed lots and landscaped connections to the existing River Trail (located in Phase 1 and Phase 2) as well as Open Space tracts dedicated to the City.

The goals, timeline, design and intent remains the same as the Waterview PUD Sketch Plan application as presented during the January 10, 2023 and March 21, 2023 Planning Commission hearings.

The Ouray City Council has supported the pursuit of grant funding through HB21-1271 (administered through the Colorado Department of Local Affairs) to fund public infrastructure and to keep this project as affordable as possible. The City was notified of a grant award of \$1,050,000 to help fund infrastructure for this project. This funding must be used by April of 2024.

Foundation to PUD Variations

The Planned Unit Development (“PUD”) regulations in the Ouray Municipal Code (“OMC”) §7-8 establish the following Statement of Objectives of Development (“PUD Objective”):

“The intent of this section is to promote the Planned Unit Development Act of 1972 and encourage innovative developments with unique and valued community attributes. PUDs allow for consideration of development proposals that differ from required development improvements identified in the OMC. PUDs offer different options to the applicant when planning and obtaining City approval for their development. PUDs allow flexibility with respect to dimensional requirements and increased densities under certain conditions or circumstances. PUDs encourage conservation of a site’s natural characteristics, innovative residential, commercial and industrial development plans which will result in a more efficient use of open space and provide affordable housing for year around residents.”

OMC §7-8-D establishes the following applicable dimensional requirements and densities:

The dimensional requirements for various PUD items may differ from what is required in the OMC if the City Council determines such deviations will promote the public health, safety and welfare.

The proposed variations to the code as a result of this PUD are summarized in Table 3 below:

Table 3. Requested PUD Variations

OMC Section	OMC Standard Requirement	Requested PUD Variation
7-5-E-4-d-iii-1	<i>Single Family Dwellings shall be not less than 24 feet in width and 32 feet in length.</i>	Some units proposed: Width: 16 feet per specifications of factory partner (compliant with building codes)
7-5-E-4-f-i	<i>Two off-street parking spaces per dwelling unit.</i>	Proposed: 2 parking spaces per single-family dwelling unit, duplex unit, and end-triplex unit; 3 parking spaces per in-unit childcare single-family dwelling unit; 1 parking space per middle-triplex unit; 24 additional off-street parking spaces in proposed internal road.
7-5-D	<i>Minimum Lot Area - (C-2) north of Skyrocket: 7,100 square feet</i>	(See Exhibit C for proposed lots and sizes) Average proposed lot size: 3,833 square feet
7-5-D	<i>Minimum Side Setback - (C-2) north of Skyrocket: 5 feet</i>	Duplex and Triplex dwelling units will have proper fire separation to meet state and local building codes; however, these shared party walls will result in 0-foot side setbacks in these lots.

Process to Create a PUD

The Planning Commission is a recommending body for the Preliminary Plat phase of PUD applications. The City Council must make final PUD decision(s) during the consideration of Preliminary and Final Plat phases.

OMC §7-8-E: Procedures, states “PUDs shall be reviewed in accordance with the same procedures for review of subdivisions as found in Subsection 7-7-C” and “preliminary and final PUD plan shall comply with all requirements for a preliminary and final subdivision plat, **to the extent applicable.**”

The procedures for reviewing a PUD include the following Subdivision steps:

1. **Sketch PUD** with Planning Commission review and determination pursuant to the Subdivision Sketch Plan in OMC §7-7-C-2.
2. **Preliminary PUD** with Planning Commission review and recommendation to the City Council for determination pursuant to the Subdivision Preliminary Plat in OMC §7-7-C-3.
3. **Final PUD** with Planning Commission review and recommendation to the City Council for determination pursuant to the Subdivision Final Plat in OMC §7-7-C-4.

CRITERIA FOR DECISION

1. OMC §7-8-B establishes the following primary PUD criteria for decision:
 - A. A PUD shall be in general conformity with the City Community Plan
 - B. A PUD shall be consistent with the PUD Objective
 - C. Compliance with the Colorado Planned Unit Development Act of 1972
 - D. A PUD shall have a minimum of 1 unit or lot
2. OMC §7-7-D-2 establishes the Requirements and Data on Preliminary Plats.
3. OMC §7-7-E establishes typical Subdivision Design Standards.

STAFF ANALYSIS: PUD CRITERIA FOR DECISION

1. A. General Conformity with the Ouray Community Plan

Staff finds this PUD proposal aligns with numerous goals and strategies of the Ouray Community Plan 2021. The proposed development aims to provide homes for affordable housing AMI levels appropriate to serve the greater Ouray community and to diversify the housing available in Ouray as well as provide attainable housing solutions for year-round local residents and employees. Some applicable goals and strategies from the Community Plan are outlined below.

- Housing Goal H-1-A: “assure attainable housing is permanently affordable utilizing deed restrictions or other available tools” (Ouray Community Plan, pg. 16).
- Housing Goal H-1-B: “consider amending the LUC and the city adopted building regulations to provide robust incentives for the development of attainable housing in the community” (pg. 16).
- Housing Goal H-1-B-vi: “allowing for homes with a high density on one or more lots, including reducing lot sizes, frontages and setbacks to facilitate small home development” (pg. 16).
- Housing Goal H-1-E: “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, live-work units, small homes, multi-family developments, dormitory or ‘POD’ style units, and other unit types that provide for attainable housing” (pg. 17).
- Housing Goal H-1-G: “explore public/private partnerships to provide attainable housing” (pg. 17).
- Housing Goal H-1-I: “support, encourage and require new development to provide a variety of bedroom mixes, unit sizes, dwelling types, rental and ownership structures, and attainability limits that are based on an updated community housing needs assessment” (pg. 17).
- Housing Goal H-1-Q: “strive to provide attainable housing for 50% of the local workforce in the city” (pg. 18).
- Housing Goal H-1-R: “evaluate annexations and PUDs to provide attainable housing” (pg. 18).
- Housing Goal H-2: “cooperate and work with the Town of Ridgway, Ouray County, DOLA, the development community, and other entities to plan and develop attainable housing” (pg. 18).
- Housing Goal H-3-D: “promote energy efficient and ‘green building’ techniques to reduce household energy consumption, utility bills, and help maintain long-term affordability in new housing” (pg. 19).
- Housing Goal H-3-F: “strive to provide housing located in close proximity to existing or planned infrastructure, services, intermodal transit connections, sidewalks, trails and employment” (pg. 19).
- Life Long Learning Goal LL-3-A: “support incentives or programs to provide affordable daycare facilities throughout the city, such as land donations, fee and tap waivers, streamlined review processes, zoning allowances, or the formation or expansion of non-profits that provide childcare” (pg. 21).
- Community Health Goal CH-1-C: “promote, develop, improve and maintain city recreational assets for active living, such as hiking at Box Canyon Park, walking the Uncompahgre River Walk Trail, hiking on the Perimeter Trail or swimming, water aerobics and the gym at the Hot Springs Pool” (pg. 26).
- Land Use Goal LU-1-A-iv-b: “consider allowing for the reduced lot size only if a primary dwelling unit or an ADU is provided that is deed restricted to provide housing to employees working within the geographic boundary of Ouray County” (pg. 32).
- Land Use Goal LU-1-A-xv: “encourage attainable housing to be provided in existing RV parks, light industrial, commercial and other properties through LUC and other incentives” (pg. 34).
- Economic Development Goal ED-2-L: “encourage and incentivize the provision of attainable housing; childcare; desired community amenities; connectivity and a high quality of life to drive economic resiliency” (pg. 51).
- Energy Goal RE-6: “encourage and support other alternative energy uses in the city, including solar, wind,

ground source heat pumps and biomass energy production” (pg. 74).

- The Future Land Use Map illustrates this site as **Mixed Land Use** (pg. 40). Mixed Land Use is oriented for “*multi-family dwellings with limited commercial uses, to be determined*” (pg. 42). Description/Character include:
 - *Provide incentives to maximize housing units, such as height increases via PUD, increases in density, scale and mass, and site coverage, and reduced parking.*
 - *Consider requiring a certain percentage of deed restricted housing units in exchange for incentives to ensure long-term affordability.*
 - *Allow limited and service commercial uses provided significant housing is provided.*
 - *Enhance and embrace River Park corridor and overall trail connectivity (pg. 42).*

1. B. Consistency with the PUD Objective

Key elements of the PUD objective include:

- Encourage innovative developments with unique and valued community attributes.
- Allow for consideration of development proposals that differ from required development improvements identified in the OMC.
- Offer different options to the applicant when planning and obtaining City approval for their development.
- Allow flexibility with respect to dimensional requirements and increased densities under certain conditions or circumstances.

“PUDs encourage conservation of a site’s natural characteristics, innovative residential, commercial and industrial development plans which will result in a more efficient use of open space and provide affordable housing for year-round residents” (OMC §7-8-A). Staff finds the Applicant is seeking to create an innovative use of space as a PUD on the currently vacant lot. The PUD process provides an opportunity for the Applicant to seek flexibility with the dimensional standards in order to provide long-term attainable housing solutions and effective use of space, both of which are primary goals of the community under the adopted Plan.

1. C. Compliance with the Colorado PUD Act

The key requirements of the Colorado PUD Act have been incorporated into the PUD section of the OMC. A development improvements agreement will be drafted by the Applicant and executed by the City as part of the Building Permit process and prior to the Final Plat phase of the PUD to ensure infrastructure installation, maintenance, building standards, engineering standards, etc. are met and coordinated throughout the development process. This document will additionally ensure the infrastructure development remains compliant with the Colorado PUD Act.

1. D. Minimum Density

The minimum density of one unit or lot has been met.

STAFF ANALYSIS: REQUIRED DATA ON PRELIMINARY PLATS (OMC §7-7-D-2)

The data and information outlined in §7-7-D-2 for Preliminary Plats has been met for this application among the various items submitted (see Exhibits A, D, E, & F). The information contained in this section ranges from a scale, north arrow, location of lot lines, elevation contours, and utility plans.

The final site grading plan, proposed sewer and water lines connections, storm drainage systems, the location, pipe sizes, valves, discharge points, and access points will be coordinated with the City’s Public Works Department at a preconstruction meeting prior to the Final Plat application.

STAFF ANALYSIS: TYPICAL SUBDIVISION DESIGN STANDARDS (OMC §7-7-E)

General Design Standards:

As discussed above, this project is in general conformance with the goals and strategies identified in the 2021 Ouray Community Plan and the future land use map contained in the Community Plan. This project is designed as a phased approach in an effort to not over-burden the City’s infrastructure capacity. This project was designed with phased density to complement the surrounding subdivision/land uses and surrounding open spaces. This project maintains access, layout, and terms identified for the variety of berm/utility/ditch easements located on the site. This project gives consideration to the preservation and connection of open spaces and the Uncompahgre River and trail.

Streets and Circulation:

The prior-plotted Uncompahgre Street will serve as immediate access from Highway 550 to this site. The Applicant proposes improving a section of Uncompahgre Street to match the improvement of the proposed new internal street for the project and will work with the City on this improvement. The continuation of Uncompahgre Street west of what is proposed in this project will be a future discussion for the City Council.

The new, proposed internal street, "Waterview Street" features 2 driving lanes, a parallel parking area adjacent to Lots 3 through 21, curbs, and 5-foot sidewalks on both sides (see Exhibit D).

The proposed internal street meets City Infrastructure Standards and has been coordinated with the City Public Works, County EMS, Fire Department, and School District to ensure proper access and width.

There is an additional emergency access identified between Lots 43 and 44 ("Tract G") which will be closed to public use, but available to the City Public Works Department, Fire Department, and County EMS for emergency access.

Staff note: "Waterview Street" may have to be renamed in future submittals and as a condition of this preliminary plat (see Exhibit B).

Lots:

The project proposes 65 lots for residential unit development and various tracts for dedication to the City and easement holders. The depth and width of the proposed lots range in size, and provide for off-street parking and multi-family dwelling unit access where applicable (see Exhibit A). All of the proposed lots are considered accessible and developable. Phase 2 lots feature northern lots larger in size, with greater rear setbacks to provide a landscape buffer between the Waterview PUD and the Chautauqua subdivision.

Water, Fire Protection and Sewer Systems:

Utility infrastructure is available and present. The project proposes connections to the existing water and sewer lines to meet code requirements and infrastructure standards. *Water and sewer connections will continue to be coordinated with the Public Works Department.* Unless otherwise agreed upon by the City Council, the applicant shall also be required to pay tap investment fees for all water and sewer tap connections as proposed in the preliminary plat.

The Preliminary Plat documents were distributed to the Ouray County EMS, Ouray Fire Department, Public Works Department, and Ouray School for review and consideration of proposed connections, easements, fire hydrants, and drainage. Comments received have been compiled in Exhibit K.

Drainage, Hazard Mitigation, and Snow Storage:

This site has minimal slope and existing hazards. This site is not directly located within an identified Flood Hazard Area. Although hazard mitigation drainage will be minimal for this project, the Applicant had a Geotechnical Engineering Study completed for the proposed development to help guide foundation setting, grading, retention areas, and drainage to best serve the future residents of this PUD (see Exhibit L).

Since this project does include additional paved roads and infrastructure, snow storage areas will be coordinated with the Public Works department to ensure the open space tracts and remainder of Uncompahgre Street area can host the snow accumulation for the PUD.

Plat Notes and Monuments:

Final Plat notes shall be reviewed and revised as necessary by City Council and the Planning Commission during the Final Plat phase. Monuments are present from the original Waterview Subdivision plat (Reception No. 211406, see Exhibit H). Additional monuments will be placed according to code as part of this project's infrastructure.

The dedicated Tracts and areas as shown on the submitted Preliminary Plat documents will be considered by the City Council and applicable agencies to ensure proper mitigation and responsibilities are coordinated and agreed upon.

Parks, Trails, Open Space, Recreation Facilities, Common Areas:

This project proposes areas for public open space and connections to the Uncompahgre River Trail (see Exhibit E).

The common areas and open spaces included in this application are dedicated to the City of Ouray, which will have to be discussed further by the City Council.

The Applicant amended the original Sketch Plan application of this project to enhance the landscape corridor of the eastern side of the lot, near Highway 550, as recommended by the Planning Commission.

This project proposes 5-foot wide, ADA-compliant sidewalks within the PUD as part of the greater ROW design.

The park dedication requirement per subsection 14-g. is less than 2 acres, which does not meet the minimum area for a city park. Therefore, the code would require the applicant to pay a fee-in-lieu of \$1,203.00 per new lot (65 new lots proposed x \$1,203 = \$78,195) prior to the recording the Final Plat. *Staff recommends waiving the public park fee-in-lieu as permitted by section 14.i.ii. of the code due to the goals of this affordable housing project, the PUD meets the Open Space coverage requirements of the code, and because the project proposes installation of connections to recreational areas and public park areas. This fee may be reduced by City Council consideration and approval.*

PUBLIC NOTICE

Public noticing requirements per the OMC have been met for this Preliminary Plat application. Public notice was posted at City Hall on May 24, 2023, published in the Plaindealer on June 1, 2023, and posted on the property on June 2, 2023. No public comments were directed to the Planning Commission for their May 23, 2023 hearing; one (1) public comment has been received by staff for the Preliminary Plat application for City Council (see Exhibit M).

STAFF RECOMMENDATION

OMC §7-7-C-3 establishes the following Subdivision Process for Preliminary Plats:

“d. City staff will prepare a report detailing their review findings and include any reports from review professionals. The report shall provide development information and detail compliance with all applicable City requirements, regulations or standards.

g. The City Council shall consider the preliminary plat and supporting documentation, the City staff report and the Planning Commission recommendation within 30 days. The City Council shall approve, conditionally approve, or deny the preliminary plat within 30 days of considering the application.”

The Waterview PUD Preliminary Plat was reviewed with the City’s adopted municipal code, applicable community adopted plans and ordinances, the Ouray Community Plan, Public Works Department, Ouray County EMS, and Ouray Fire Department. As outlined in the above Staff Analyses, this application meets the standard design and plat requirements for the Preliminary Plat phase.

Staff recommends the City Council carefully consider the attached Exhibits, the project’s goals, and this staff report. After hearing the staff report and any testimony at the hearing, the Council should discuss the PUD and Preliminary Plat Criteria for Decision and general conformance with the Community Plan. Staff finds this project meets many goals and actions outlined in the Ouray Community Plan, meets the goals set forth in the OMC, and has met the standards set out by the OMC while requesting deviations from the C-2 dimensional standards, *as an anticipated part of the PUD process.*

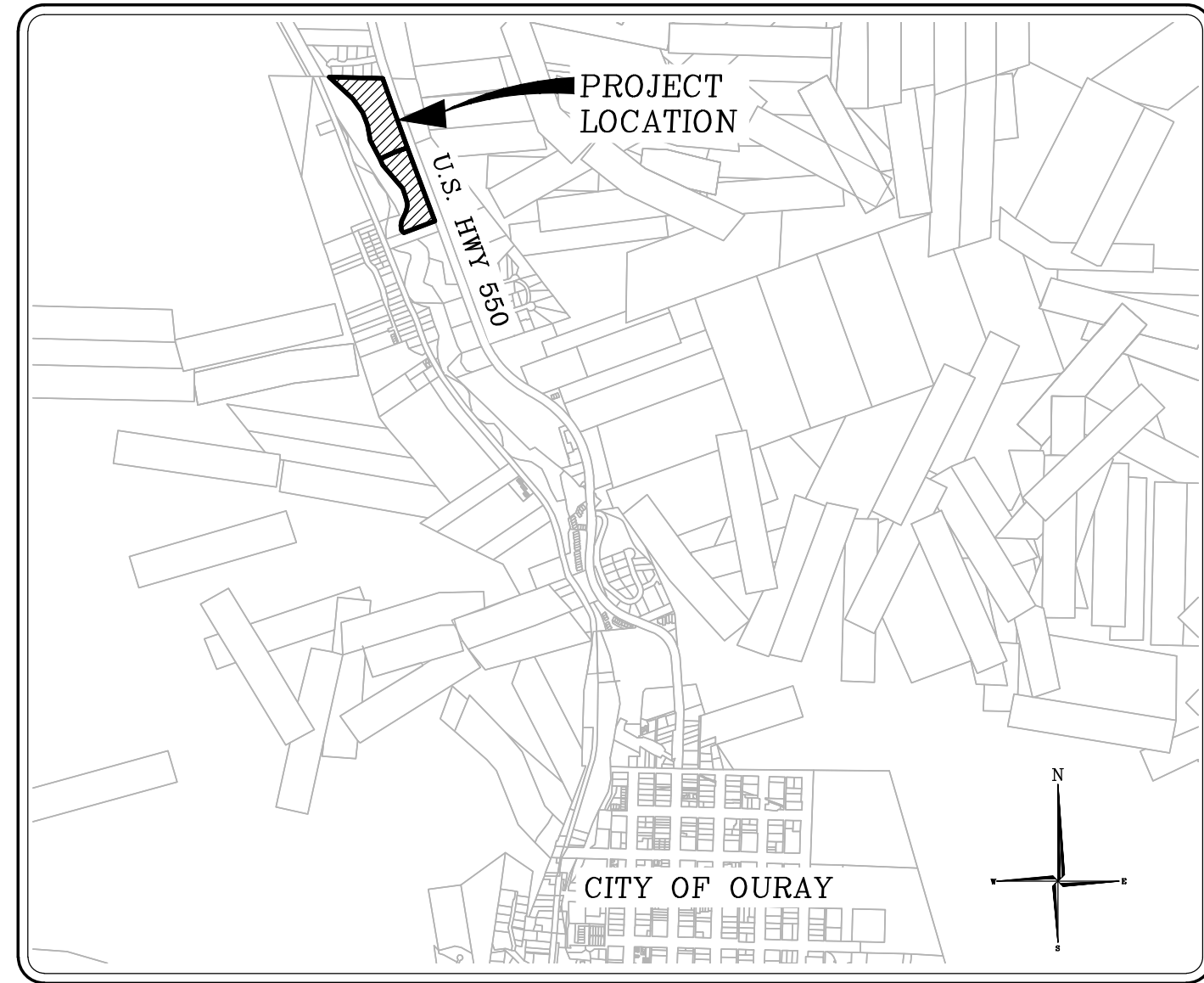
The Planning Commission recommended approval of the Waterview PUD Preliminary Plat during their hearing on May 23, 2023 with the following conditions of approval:

- Approve the deviations to the OMC standards outlined in Table 3 of this report
- Satisfy the comments outlined in the Staff Comment Memo prior to filing a Final Plat (Exhibit B)

Attachments:

Exhibit A:	Waterview Affordable Housing Subdivision – Preliminary Plat Draft
Exhibit B:	Preliminary Plat Staff Comment Memorandum
Exhibit C:	Waterview PUD – Lot & Unit Summary Tables
Exhibit D:	Waterview PUD – Engineered Plans
Exhibit E:	Waterview PUD – Landscape Plan
Exhibit F:	Waterview PUD – Example Land Use & Coverage (Phase 1)
Exhibit G:	Ouray County 2023 AMI Levels (60% - 120% AMI) by Household Size
Exhibit H:	Waterview Lot 2 Lot Split Plat (Reception No. 211406)
Exhibit I:	Waterview PUD – Updated Sketch Plan Application Narrative
Exhibit J:	Waterview PUD – Original Applicant Narrative and Project Information
Exhibit K:	Interdepartmental Comments Received
Exhibit L:	Geotechnical Engineering Study Proposed Waterview Development (Lambert)
Exhibit M:	Public Comments Received (Chautauqua HOA)

WATERVIEW AFFORDABLE HOUSING SUBDIVISION OF LOT 2A & 2B OF OURAY WATERVIEW SUBDIVISION LOT 2 LOT SPLIT LOCATED IN THE CITY OF OURAY, COLORADO



VICINITY MAP
SCALE : 1" = 1500'
CITY OF OURAY, COLORADO

- GENERAL DEDICATIONS:**
- TRACT A, TRACT B, TRACT E AND TRACT H, as shown hereon, are hereby dedicated to the City of Ouray as open space.
 - TRACT C AND TRACT J, as shown hereon, are hereby dedicated to the City of Ouray for purpose of public right of way.
 - TRACT D AND TRACT F, as shown hereon, are hereby dedicated to the City of Ouray for the purpose of ingress and egress, installation, operation, maintenance, reconstruction, replacement, improvement and removal of stormwater detention facilities.
 - TRACT G (EMERGENCY ACCESS), as shown hereon, is hereby dedicated to the City of Ouray for the purpose of emergency ingress and egress.
 - The fifteen (15) foot wide utility easement, as shown hereon, is hereby dedicated to all public utilities, and City of Ouray approved private utilities, for the purpose of ingress and egress, installation, operation, maintenance, reconstruction, replacement, improvement and removal of underground electric distribution lines, telecommunications facilities, cable TV, gas lines, water lines and sewer lines, together with their related equipment.
 - The fifteen (15) foot wide pedestrian access easement, as shown hereon, is hereby dedicated to the City of Ouray for the purpose of pedestrian ingress and egress.

- PLAT NOTES:**
- Lots and Tracts within this subdivision are subject to the Covenants, Conditions and Restrictions as recorded in the Office of Ouray County, Clerk and Recorder under Reception No. _____.

CERTIFICATE OF SURVEYOR:
I hereby state that this survey and plat were prepared from field notes of an actual survey performed by me or under my direct responsibility, supervision and checking, and from documents recorded in the Office of the Ouray County, Colorado, Clerk and Recorder, and that, in my professional opinion, they are true and correct to the best of my knowledge, belief and information based on the standards of care of Professional Land Surveyors practicing in the State of Colorado. This survey is not a guaranty or warranty, either expressed or implied.

TITLE COMPANY'S CERTIFICATE
I, _____, representing _____, certify that I have examined title to the described land dedication to the City of Ouray, Colorado, and that the parties executing the dedication are the owners thereof in fee simple, and the dedicated land is free and clear of all liens and encumbrances except as provided for in title commitment number _____ dated _____.

**CERTIFICATE OF OWNERS
KNOW ALL MEN BY THESE PRESENTS:**
That Ouray Homes, LLC, whose address is P.O. Box 4222, Telluride, Colorado, 81434, being the legal and record owner of LOTS 2A and 2B of the OURAY WATERVIEW SUBDIVISION LOT 2 LOT SPLIT, as recorded in the Office of the Ouray County, Colorado, Clerk and Recorder under Reception Number 211406;

Has caused the same to be subdivided and replatted under the name WATERVIEW AFFORDABLE HOUSING SUBDIVISION OF LOT 2A & 2B OF OURAY WATERVIEW SUBDIVISION LOT 2 LOT SPLIT.

THIS PLAT IS HEREBY EXECUTED BY THE FOLLOWING PARTIES:

OURAY HOMES, LLC.
By _____
Paul Major, Manager

STATE OF _____ : SS:
COUNTY OF _____ :

The foregoing instrument was acknowledged before me by Paul Major, Manager, Ouray Homes, LLC. on this _____ day of _____, 2023, for the aforementioned purposes.

My Commission Expires _____ Notary Public

ATTORNEY'S CERTIFICATE
I, _____, an attorney at law duly licensed to practice before the courts of record of Colorado, do hereby certify that I have examined the title to all land herein platted and that title to such lands in the dedicators and owners, and that the property dedicated hereon has been dedicated free and clear of all liens and encumbrances, except as follows:
Dated this _____ day of _____, 2023

By _____
Attorney at Law

APPROVAL OF PLANNING COMMISSION:
Approved by the City of Ouray Planning Commission this _____ day of _____ A.D., 20____

Chairperson _____

APPROVAL OF CITY COUNCIL:
Approved by the Ouray City Council this _____ day of _____ A.D., 20____

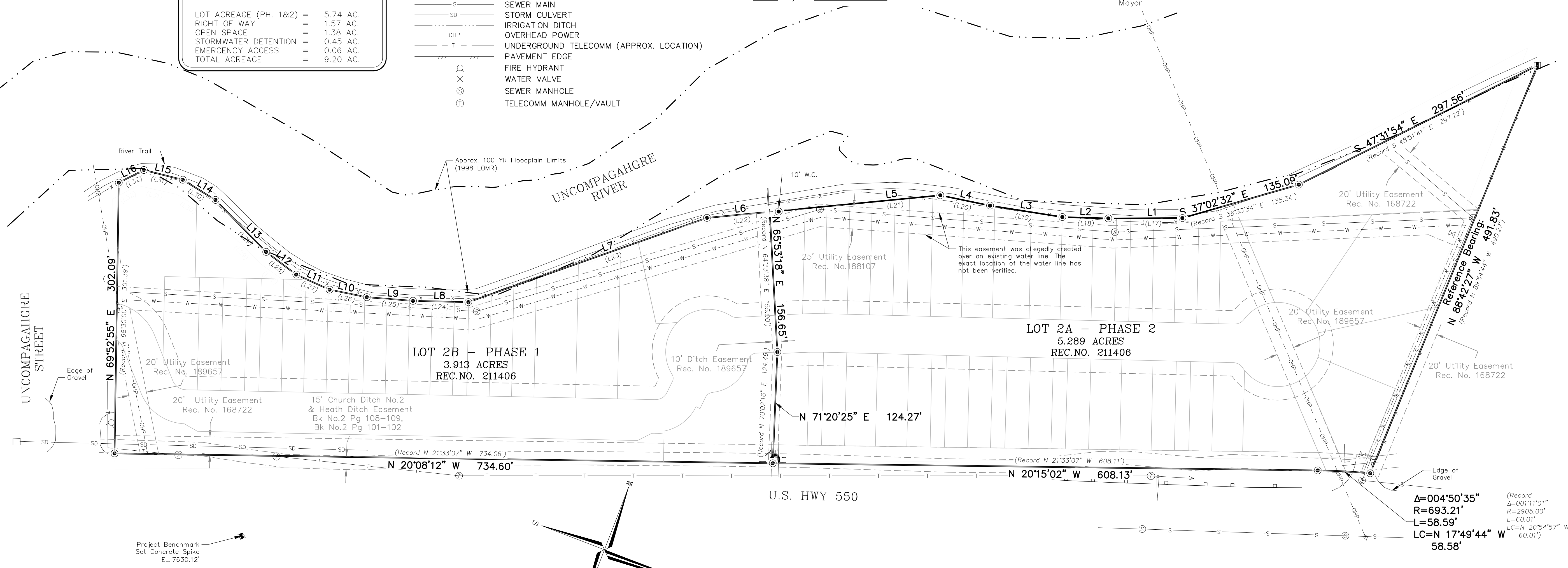
Mayor _____

LAND USE TABLE	
# RESIDENTIAL LOTS	
PHASE 1	= 22 LOTS
PHASE 2	= 43 LOTS
TOTAL	= 65 LOTS
AVG. LOT SIZE(PH. 1&2) = 0.09 AC.	
LOT ACREAGE (PH. 1&2) = 5.74 AC.	
RIGHT OF WAY = 1.57 AC.	
OPEN SPACE = 1.38 AC.	
STORMWATER DETENTION = 0.45 AC.	
EMERGENCY ACCESS = 0.06 AC.	
TOTAL ACREAGE = 9.20 AC.	

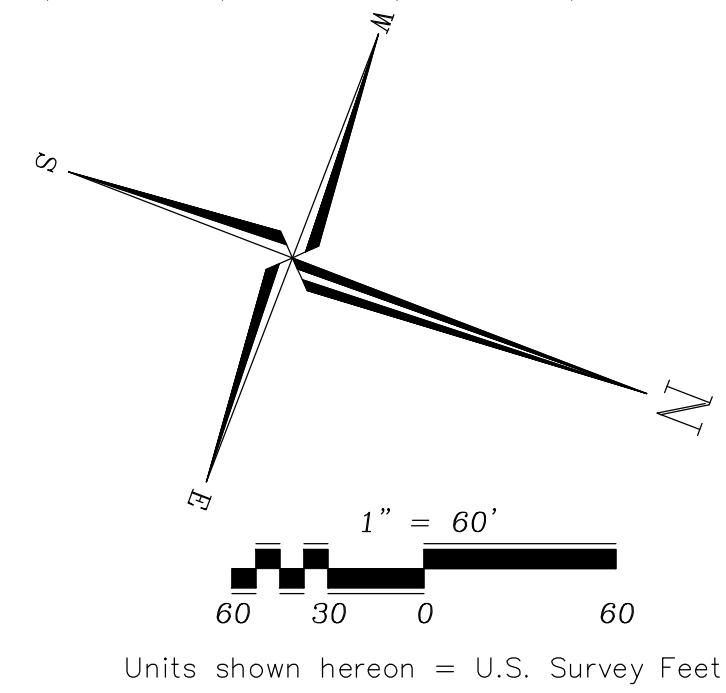
LEGEND	
---W---	WATER MAIN
S	SEWER MAIN
SD	STORM CULVERT
---	IRRIGATION DITCH
-DHP-	OVERHEAD POWER
-T-	UNDERGROUND TELECOMM (APPROX. LOCATION)
---	PAVEMENT EDGE
⊙	FIRE HYDRANT
⊗	WATER VALVE
⊕	SEWER MANHOLE
⊖	TELECOMM MANHOLE/VAULT

LINE TABLE (Measured)		
LINE	BEARING	LENGTH
L1	S 21°13'26" E	82.66'
L2	S 19°21'34" E	51.36'
L3	S 12°02'10" E	81.76'
L4	S 09°17'05" E	56.63'
L5	S 26°31'41" E	191.18'
L6	S 26°31'41" E	70.43'
L7	S 40°26'50" E	282.29'
L8	S 19°40'08" E	61.84'
L9	S 16°28'18" E	51.69'
L10	S 09°30'25" E	42.39'
L11	S 03°14'35" W	40.85'
L12	S 16°05'14" W	41.95'
L13	S 24°42'22" W	81.04'
L14	S 10°39'07" W	42.85'
L15	S 06°55'10" E	44.78'
L16	S 47°43'14" E	31.39'

LINE TABLE (Record RN 211406)		
LINE	BEARING	LENGTH
(L17)	S 22°39'59" E	82.71'
(L18)	S 20°42'17" E	51.32'
(L19)	S 13°19'50" E	81.90'
(L20)	S 10°44'19" E	56.48'
(L21)	S 27°54'14" E	191.35'
(L22)	S 27°54'14" E	70.30'
(L23)	S 41°47'36" E	282.57'
(L24)	S 21°03'43" E	61.53'
(L25)	S 17°54'59" E	52.32'
(L26)	S 10°43'03" E	41.78'
(L27)	S 01°43'43" W	40.66'
(L28)	S 14°50'16" W	42.16'
(L29)	S 23°21'17" W	81.17'
(L30)	S 09°21'24" W	42.88'
(L31)	S 08°16'18" E	44.77'
(L32)	S 49°46'10" E	31.49'



Project Benchmark
Set Concrete Spike
E.L: 7630.12'



DESCRIPTION OF MONUMENTS	
⊙	Set 5/8" x 24" rebar with a 1-1/2" aluminum cap stamped PLS 38007
⊗	Found 5/8" rebar with a 2" aluminum cap stamped PLS 31160
⊕	Found 5/8" rebar with a 1-1/2" aluminum cap stamped PLS 10738
+	Position for Corner - Monument Not Found or Set

STATE OF COLORADO)
) SS
OURAY COUNTY)
I hereby state that this instrument was filed
for record at _____ o'clock _____ M _____ 20____
and duly filed.
Reception Number _____ Fee \$ _____
By _____ Recorder _____
) Deputy

NOTICE:
According to the laws of the State of Colorado, any legal action based upon any defect in this survey must commence within three years after such defect was first discovered. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

GOFF
ENGINEERING + SURVEYING INC
126 ROCK POINT DRIVE
PO BOX 97
DURANGO, COLORADO 81302
970.247.1705

WATERVIEW AFFORDABLE
HOUSING SUBDIVISION
PLAT

CITY OF OURAY, COLORADO

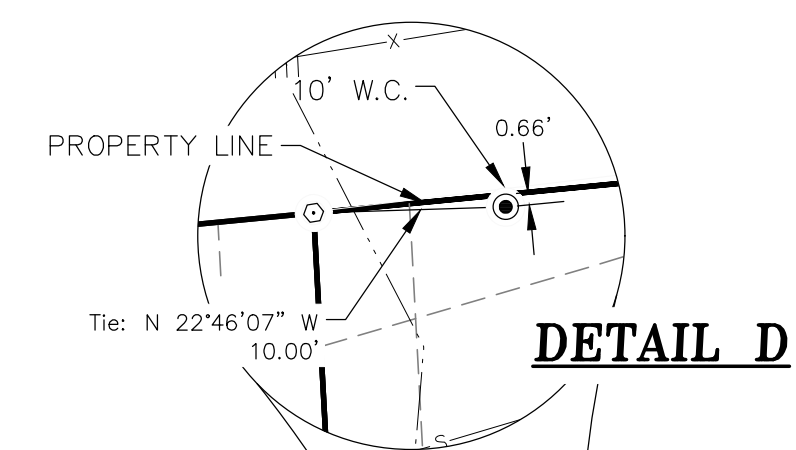
PREPARED BY: RA CHECKED BY: RT
PROJECT NO: 21-116 SCALE: AS SHOWN DATE: 5/9/2023

SHEET
1
OF
3

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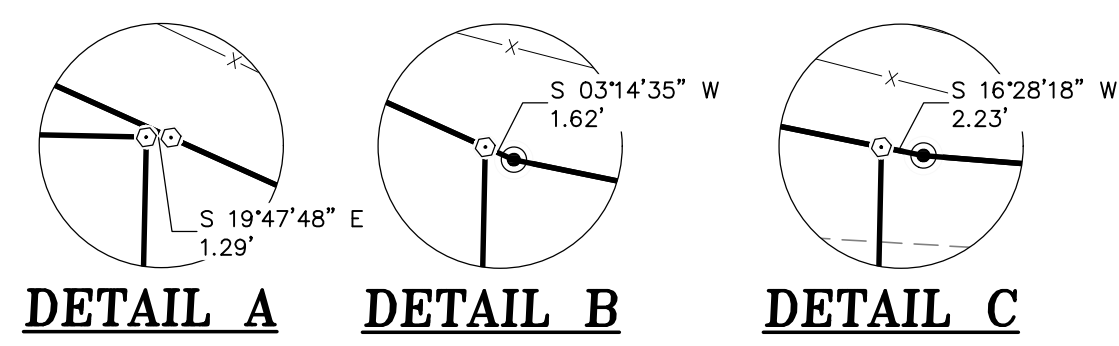
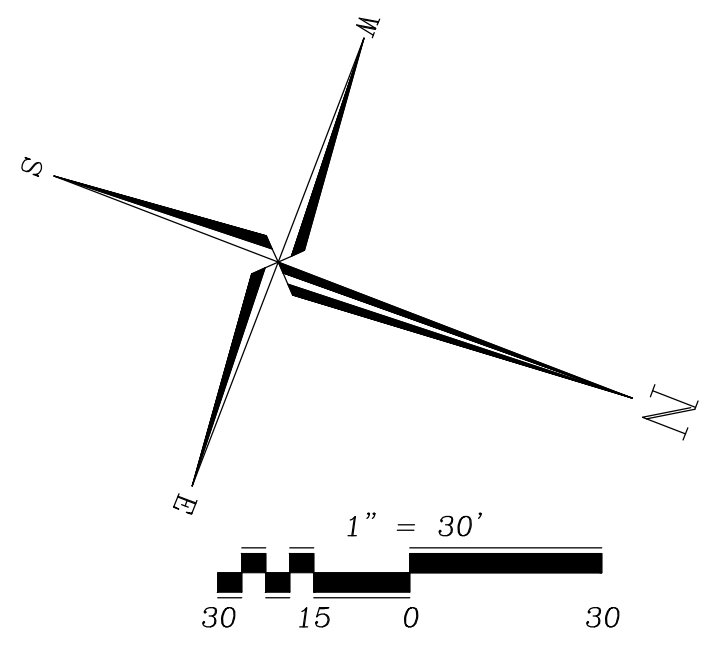
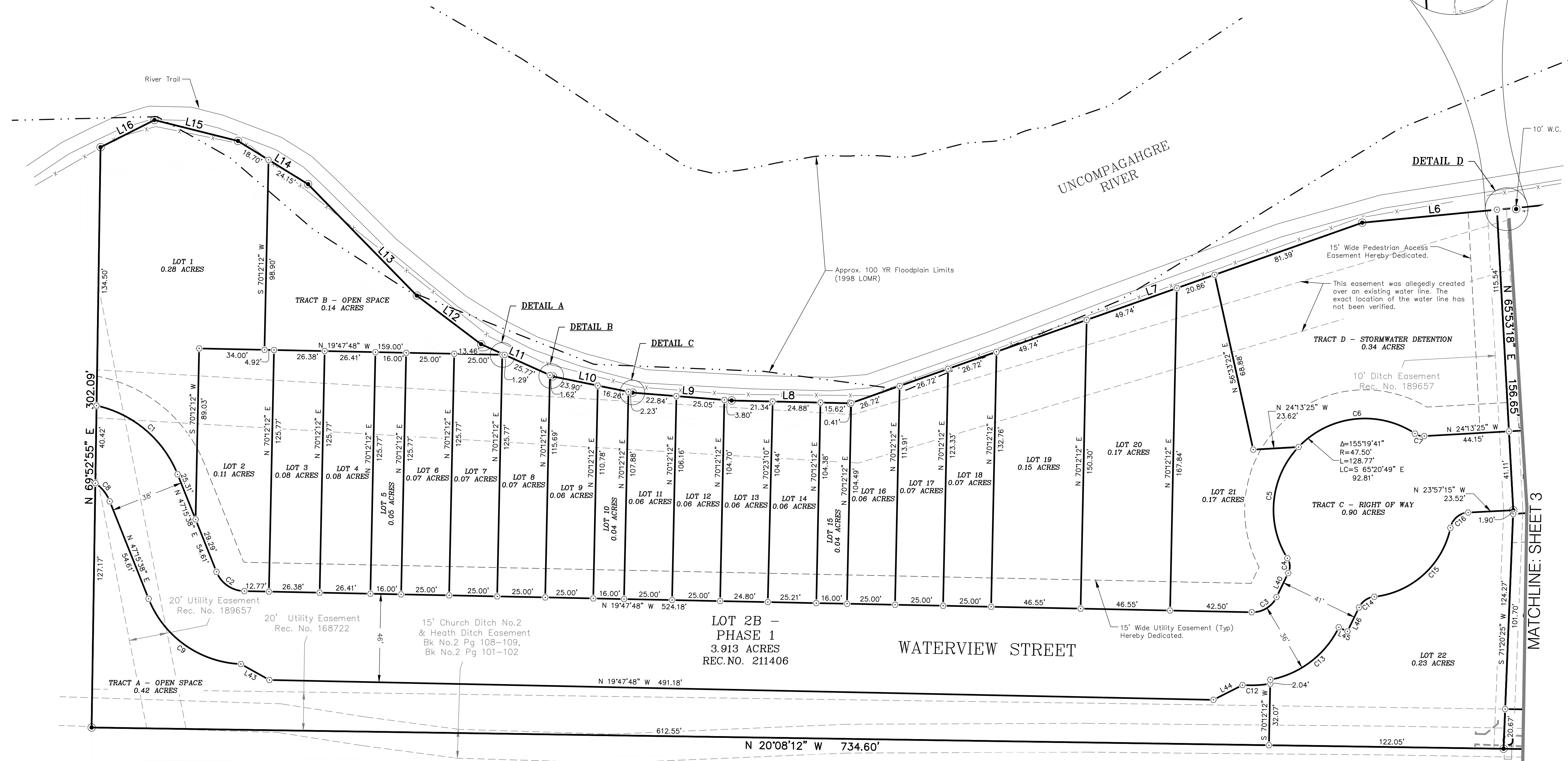
WATERVIEW AFFORDABLE HOUSING SUBDIVISION OF LOT 2A & 2B OF OURAY WATERVIEW SUBDIVISION LOT 2 LOT SPLIT

LOCATED IN THE CITY OF OURAY, COLORADO



LINE TABLE		
LINE	BEARING	LENGTH
L6	S 26°31'41\"	70.43'
L7	S 40°26'50\"	282.29'
L8	S 19°40'08\"	61.84'
L9	S 16°28'18\"	51.69'
L10	S 09°30'25\"	42.39'
L11	S 03°14'35\"	40.85'
L12	S 16°05'14\"	41.95'
L13	S 24°42'22\"	81.04'
L14	S 10°39'07\"	42.85'
L15	S 06°55'10\"	44.78'
L16	S 47°43'14\"	31.39'
L40	N 85°07'12\"	13.88'
L43	N 08°16'33\"	17.02'
L44	N 47°52'09\"	17.00'
L45	N 04°52'48\"	5.00'
L46	N 85°07'12\"	13.88'

CURVE TABLE					
CURVE	DELTA	RADIUS	LENGTH	CHORD	LENGTH
C1	55°28'06\"	59.39	57.50	S 19°19'29\"	55.28'
C2	67°03'26\"	16.00	18.73	N 13°43'55\"	17.68'
C3	65°19'24\"	14.00	15.96	N 52°27'30\"	15.11'
C4	57°53'28\"	8.00	8.08	S 65°56'04\"	7.74'
C5	75°31'30\"	47.50	62.61	N 74°45'06\"	58.18'
C6	79°48'11\"	47.50	66.16	N 27°35'04\"	60.94'
C7	36°32'27\"	8.00	5.10	N 5°57'11\"	5.02'
C8	33°17'29\"	21.00	12.20	N 30°36'54\"	12.03'
C9	65°58'38\"	54.00	62.18	N 14°16'20\"	58.80'
C12	11°31'53\"	52.00	10.47	N 25°33'44\"	10.45'
C13	53°19'27\"	50.00	46.53	N 58°27'28\"	44.87'
C14	57°53'28\"	10.00	10.10	S 56°10'28\"	9.68'
C15	71°56'48\"	45.50	57.13	N 63°12'08\"	53.45'
C16	74°57'07\"	10.00	13.08	S 61°41'58\"	12.17'



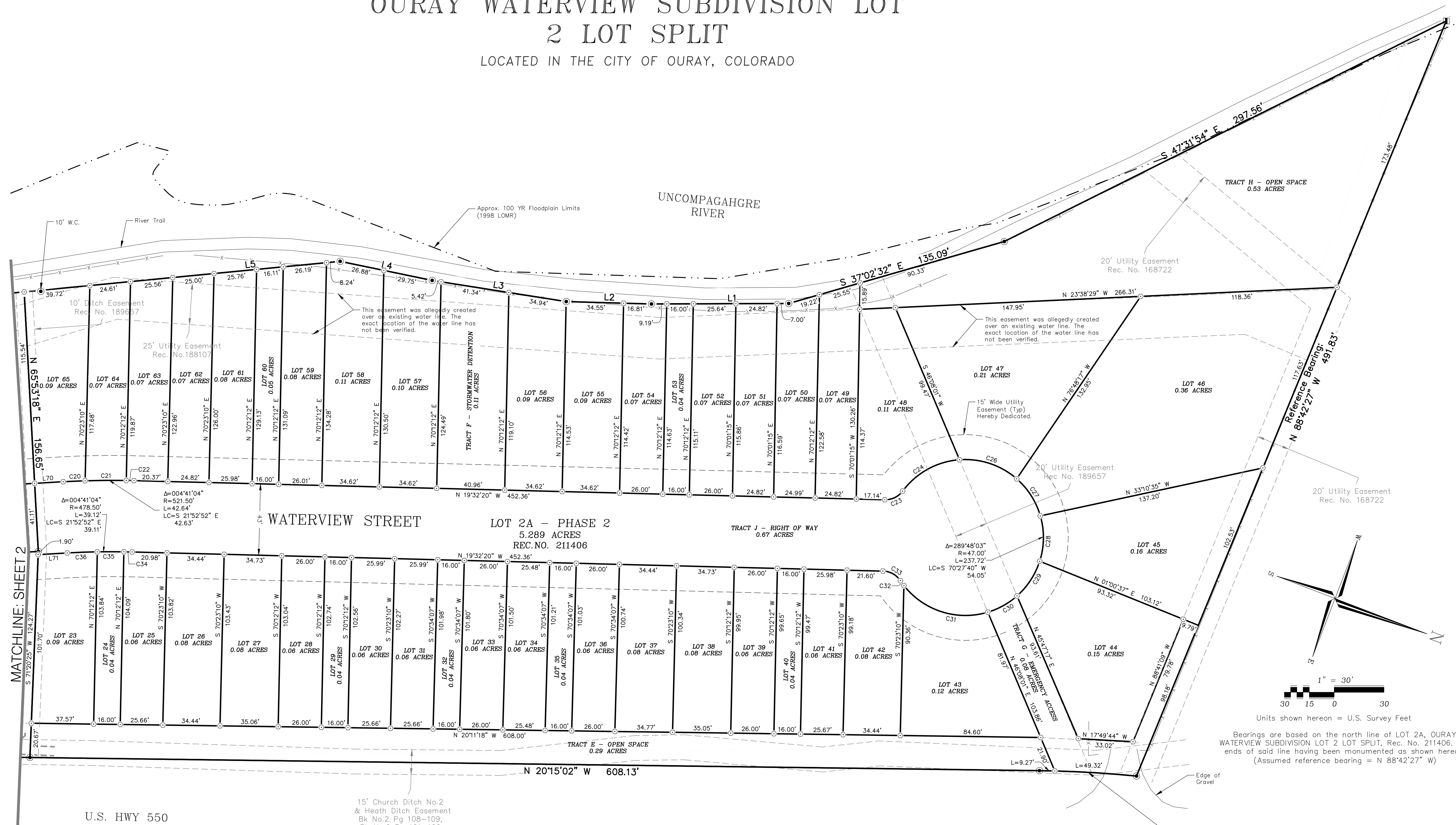
Bearings are based on the north line of LOT 2A, OURAY WATERVIEW SUBDIVISION LOT 2 LOT SPLIT, Rec. No. 211406. The ends of said line having been monumented as shown hereon. (Assumed reference bearing = N 88°42'27\"/>

 126 ROCK POINT DRIVE PO BOX 97 DURANGO, COLORADO 81302 970.247.1705	WATERVIEW AFFORDABLE HOUSING SUBDIVISION PHASE 1 PLAT		SHEET 2 OF 3
	CITY OF OURAY, COLORADO		
	PREPARED BY: RA PROJECT NO. 21-116	CHECKED BY: RT SCALE: AS SHOWN	DATE: 5/9/2023

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WATERVIEW AFFORDABLE HOUSING SUBDIVISION OF LOT 2A & 2B OF OURAY WATERVIEW SUBDIVISION LOT 2 LOT SPLIT

LOCATED IN THE CITY OF OURAY, COLORADO



MATCHLINE: SHEET 2

U.S. HWY 550

15' Church Ditch No.2
& Heath Ditch Easement
Bk. No.2 Pg 108-109,
Bk. No.2 Pg 101-102

$\Delta=004^{\circ}50'35''$
 $R=693.21'$
 $L=58.59'$
 $LC=N 17^{\circ}49'44'' W$
 $58.58'$

LINE	BEARING	LENGTH
L1	S 21°13'26" E	82.66'
L2	S 19°21'34" E	51.36'
L3	S 12°02'10" E	81.76'
L4	S 09°17'05" E	56.63'
L5	S 26°31'41" E	191.18'
L70	N 24°13'25" W	17.26'
L71	N 24°13'25" W	17.52'

CURVE	DELTA	RADIUS	LENGTH	CHORD	LENGTH
C20	1°26'58"	521.50	13.19	S 23°29'56" E	23.39'
C21	2°43'39"	521.50	24.82	S 21°24'37" E	24.82'
C22	0°30'28"	521.50	4.62	S 19°47'34" E	19.86'
C23	54°54'01"	13.00	12.46	N 46°59'21" W	11.99'
C24	49°11'49"	47.00	40.36	S 49°50'27" E	39.13'
C26	45°25'15"	47.00	37.26	S 2°31'55" E	36.29'
C27	32°44'35"	47.00	26.86	S 36°33'00" W	26.50'
C28	33°45'07"	47.00	27.69	S 69°47'52" W	27.29'
C29	30°49'07"	47.00	25.28	N 77°55'01" W	24.98'

CURVE	DELTA	RADIUS	LENGTH	CHORD	LENGTH
C30	24°44'11"	47.00	20.29	N 50°08'22" W	20.13'
C31	68°40'36"	47.00	56.34	N 3°25'59" W	53.02"
C32	4°27'21"	47.00	3.66	N 33°08'00" E	3.65'
C33	55°28'55"	12.87	12.47	S 7°54'40" W	11.99'
C34	0°35'58"	478.50	5.01	S 19°50'19" E	5.01'
C35	1°54'59"	478.50	16.00	S 21°05'47" E	16.00'
C36	2°10'08"	478.50	18.11	S 23°08'21" E	18.11'

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WATERVIEW AFFORDABLE
HOUSING SUBDIVISION
PHASE 2 PLAT

CITY OF OURAY, COLORADO

PREPARED BY: RA CHECKED BY: RT
PROJECT NO. 21-116 SCALE: AS SHOWN DATE: 5/9/2023

SHEET
3
OF
3

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Ouray, Colorado 81427



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www.cityofouray.com

MEMORANDUM

TO: Paul Major, on behalf of Ouray Homes LLC (“Applicant”)
FROM: Lily Oswald, City of Ouray Community Development Director (“Staff”)
DATE: May 18, 2023
SUBJECT: Waterview PUD – Preliminary Plat Application Staff Review Comments

This memorandum provides initial staff comments to the Waterview PUD Preliminary Plat application, received by the City of Ouray on May 1, 2023. This memorandum serves as initial comments to the submitted materials for the Waterview Preliminary Plat PUD and does not represent exhaustive City comments or conditions to this application.

1. Ouray County has a Waterview Lane, Waterview Court, and Waterview Cove. Staff has coordinated with the County’s Road and Bridge Department and EMS and has concerns of the duplicative nature of the proposed “Waterview Street” and recommends changing this street name.
 - a. *Applicant must coordinate final proposed street name prior to final plat filing, installation of street signage, or official addressing.*
 - b. *If amended, all construction documents, plats, and related materials must reflect the updated street name.*
2. Correct all titles of documents to reflect “City of Ouray” not “Town of Ouray.”
 - a. *Example: engineered construction cover sheet.*
3. Correct all documents to reflect “Uncompahgre Street” and “Uncompahgre River” where mislabeled.
 - a. *Example: engineered construction sheets.*
4. All construction document and future submittals must match layout and design of the submitted “Waterview Affordable Housing Subdivision” Preliminary Plat.
 - a. *Phase 2 lot numbers must be corrected in future submittals. Example: engineered construction documents display incorrect phase 2 lot numbers.*
5. Applicant must coordinate a preconstruction meeting with the City of Ouray Public Works Department, City Administrator, Community Development Department, and Fire Department to ensure installation of infrastructure is a concerted effort which aligns with all departmental timelines, capacities, and standards.
 - a. *Access to City and private utilities along the west side of proposed lots 49 through 65 and 2 through 21 must be maintained with no structures developed along the 25-foot utility easement as shown (Reception No. 188107 and 211406).*
6. Applicant must draft a Development Improvements Agreement for the associated infrastructure, standards, timelines, and improvements for this project.
 - a. *Agreement must be approved by the City Attorney, City Administrator and associated bodies and executed accordingly.*
 - b. *Agreement must be mutually-executed prior to filing a Final Plat as part of the Building Permit process once proposed infrastructure is finalized.*

7. Applicant must receive written approval or an access permit from the Colorado Department of Transportation for any access to Highway 550 directly from subject lot and for any new street serving the subdivision that intersects said highway prior to filing a Final Plat application.
8. Final Plat must reiterate the plat notes and easement descriptions included in the Waterview Lot 2 Lot Split Plat (Reception No. 211406) by reference.
9. Once preliminary plat approval has been granted from the Ouray City Council, the Applicant must work with the City to coordinate a joint meeting with the City Council, City Attorney, City Administrator, and Planning Commission to discuss terms and responsibility of the deed restrictions associated with this project.

Ouray Waterview Unit Mix - Phase 1

By Lot

Lot #	Home Type	Bedrooms and Baths	Configure	Garage, Shed or Home Childcare	Home Sq. Footage	Garage Sq. Footage	Parking Spaces	Lot Size
1	Torrey	3 bdr/3 bth	Single Family	Home Childcare	1,984	-	3	12,251
2	Antero	2 bdr/2 bth	Duplex	Shed	1,024	-	2	4,590
3	Shavano	3 bdr/2 bth	Duplex	Shed	1,216	-	2	3,318
4	Shavano	3 bdr/2 bth	Triplex	Shed	1,216	-	2	3,321
5	Antero	2 bdr/2 bth	Triplex	Shed	1,024	-	1	2,012
6	Shavano	3 bdr/2 bth	Triplex	Shed	1,216	-	2	3,144
7	Shavano	3 bdr/2 bth	Duplex	Shed	1,216	-	2	3,145
8	Shavano	3 bdr/2 bth	Duplex	-	1,216	-	2	3,025
9	Shavano	3 bdr/2 bth	Triplex	-	1,216	-	2	2,827
10	Antero	2 bdr/2 bth	Triplex	-	1,024	-	1	1,749
11	Shavano	3 bdr/2 bth	Triplex	-	1,216	-	2	2,672
12	Shavano	3 bdr/2 bth	Duplex	-	1,216	-	2	2,636
13	Shavano	3 bdr/2 bth	Duplex	-	1,216	-	2	2,609
14	Shavano	3 bdr/2 bth	Triplex	-	1,216	-	2	2,615
15	Antero	2 bdr/2 bth	Triplex	-	1,024	-	1	1,670
16	Shavano	3 bdr/2 bth	Triplex	-	1,216	-	2	2,730
17	Antero	2 bdr/2 bth	Duplex	-	1,024	-	2	2,966
18	Shavano	3 bdr/2 bth	Duplex	Shed	1,216	-	2	3,201
19	Torrey	3 bdr/3 bth	Single Family	Garage	1,600	384	2	6,587
20	Torrey	3 bdr/3 bth	Single Family	Garage	1,600	384	2	7,404
21	Torrey	3 bdr/3 bth	Single Family	Home Childcare	1,984	-	3	7,465
22	Torrey	3 bdr/3 bth	Single Family	Home Childcare	1,984	-	3	9,962
Total				Total:	28,864	768	44	91,899
				Average:	1,312		Average:	4,177

Ouray Waterview Unit Mix - Phase 2

By Lot

Lot #	Home Type	Bedrooms and Baths	Configure	Garage, Shed or Home Childcare	Home Sq. Footage	Garage Sq. Ft.	Parking Spaces	Lot Size
65	Shavano	3 bdr/2 bth	Duplex	Shed	1,216		2	4,077
64	Antero	2 bdr/2 bth	Duplex	Shed	1,024		2	2,922
63	Antero	2 bdr/2 bth	Duplex	Shed	1,024		2	3,058
62	Shavano	3 bdr/2 bth	Duplex	Shed	1,216		2	3,089
61	Shavano	3 bdr/2 bth	Triplex	Shed	1,216		2	3,271
60	Antero	2 bdr/2 bth	Triplex	Shed	1,024		1	2,118
59	Shavano	3 bdr/2 bth	Triplex	Shed	1,216		2	3,433
58	Torrey	3 bdr/3 bth	Single Family	Shed	1,600		2	4,616
57	Torrey	3 bdr/3 bth	Single Family	Shed	1,600		2	4,410
56	Torrey	3 bdr/3 bth	Single Family	Shed	1,600		2	4,044
55	Torrey	3 bdr/3 bth	Single Family	Shed	1,600		2	3,963
54	Shavano	3 bdr/2 bth	Triplex	Shed	1,216		2	2,956
53	Antero	2 bdr/2 bth	Triplex	Shed	1,024		1	1,875
52	Shavano	3 bdr/2 bth	Triplex	Shed	1,216		2	2,962
51	Shavano	3 bdr/2 bth	Duplex	Shed	1,216		2	2,884
50	Antero	2 bdr/2 bth	Duplex	Shed	1,024		2	2,992
49	Antero	2 bdr/2 bth	Duplex	Shed	1,024		2	3,112
48	Shavano	3 bdr/2 bth	Duplex	Shed	1,216		2	4,663
47	Torrey	3 bdr/3 bth	Single Family	Garage	1,600	384	2	9,138
46	Torrey	3 bdr/3 bth	Single Family	Garage	1,600	384	2	15,905
45	Torrey	3 bdr/3 bth	Single Family	Garage	1,600	384	2	7,079
44	Torrey	3 bdr/3 bth	Single Family	Garage	1,600	384	2	6,409
43	Torrey	3 bdr/3 bth	Single Family	Garage	1,600	384	2	5,181
42	Torrey	3 bdr/3 bth	Single Family	Shed	1,600		2	3,376
41	Shavano	3 bdr/2 bth	Triplex	Shed	1,216		2	2,547
40	Antero	2 bdr/2 bth	Triplex	Shed	1,024		1	1,629
39	Shavano	3 bdr/2 bth	Triplex	Shed	1,216		2	2,577
38	Torrey	3 bdr/3 bth	Single Family	Shed	1,600		2	3,494
37	Torrey	3 bdr/3 bth	Single Family	Shed	1,600		2	3,479
36	Shavano	3 bdr/2 bth	Triplex	Shed	1,216		2	2,623
35	Antero	2 bdr/2 bth	Triplex	Shed	1,024		1	1,618
34	Shavano	3 bdr/2 bth	Triplex	Shed	1,216		2	2,583
33	Shavano	3 bdr/2 bth	Triplex	Shed	1,216		2	2,643
32	Antero	2 bdr/2 bth	Triplex	Shed	1,024		1	1,630
31	Shavano	3 bdr/2 bth	Triplex	Shed	1,216		2	2,637
30	Shavano	3 bdr/2 bth	Triplex	Shed	1,216		2	2,645
29	Antero	2 bdr/2 bth	Triplex	Shed	1,024		1	1,642
28	Shavano	3 bdr/2 bth	Triplex	Shed	1,216		2	2,675
27	Torrey	3 bdr/3 bth	Single Family	Shed	1,600		2	3,602
26	Torrey	3 bdr/3 bth	Single Family	Shed	1,600		2	3,569
25	Shavano	3 bdr/2 bth	Triplex	Shed	1,216		2	2,666
24	Antero	2 bdr/2 bth	Triplex	Shed	1,024		1	1,702
23	Shavano	3 bdr/2 bth	Triplex	Shed	1,216		2	3,741
Total				Total:	55,552	1,920	79	157,235
				Average:	1,292		Average:	3,657
Both Phases:								
				Average:	1,299		Average:	3,833

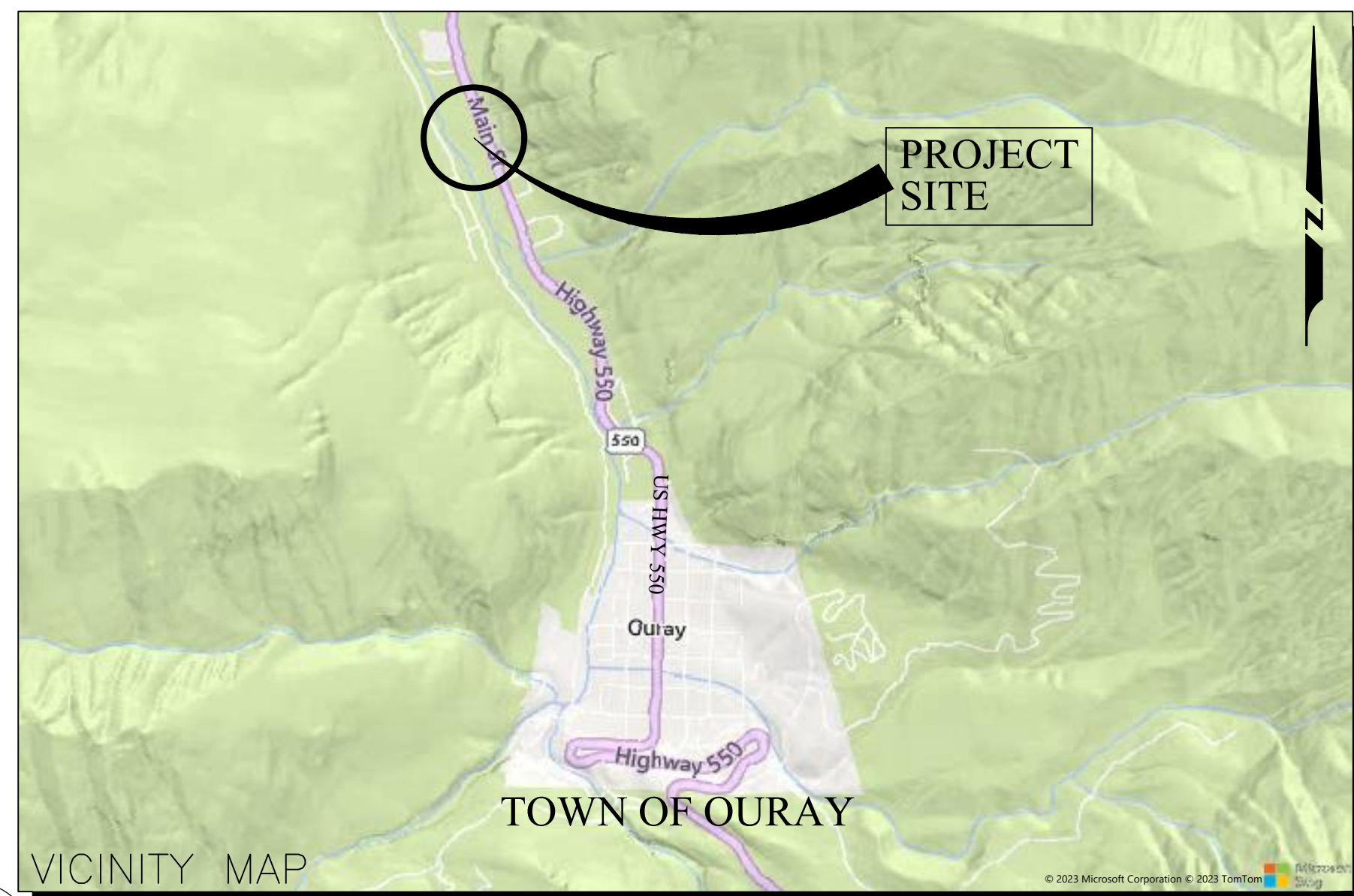
WATERVIEW AFFORDABLE HOUSING SUBDIVISION TOWN OF OURAY, COLORADO

PROJECT CONTACT LIST				
AGENCY	ROLE	NAME	PHONE	EMAIL
OURAY HOMES, LLC	OWNERS REPRESENTATIVE	PAUL MAJOR	(970) 209-2880	paul@ruralhomesproject.co
GOFF ENGINEERING	PROJECT ENGINEER	ROB HARRIES	(970) 247-1705	rharries@goffengineering.com
TOWN OF OURAY	PUBLIC WORKS DIRECTOR			
	INSPECTOR			
SAN MIGUEL POWER AUTHORITY (SMPA)	ELECTRIC UTILITY			
BLACK HILLS ENERGY	GAS UTILITY			
	TELECOMM UTILITY			
CONTRACTOR	PROJECT SUPERINTENDENT			
CONTRACTOR	PROJECT MANAGER			

Sheet List Table	
Sheet #	Sheet Title
G1.01	COVER SHEET
G1.02	CONSTRUCTION NOTES
G2.01	TYPICAL ROADWAY SECTIONS
RD1.00	EX. CONDITIONS
RD1.01	OVERALL SITE PLAN
RD1.02	PHASE 1 SITE PLAN
RD1.03	PHASE 2 SITE PLAN
RD2.01	UNCOMPAGHRE ST. PLAN & PROFILE
RD2.02	WATERVIEW ST. PHASE 1 PLAN & PROFILE
RD2.03	WATERVIEW ST. PHASE 1 CDS PLAN & PROFILE
RD2.04	WATERVIEW ST. PHASE 2 PLAN & PROFILE
RD2.05	WATERVIEW ST. PHASE 2 CDS PLAN & PROFILE
RD3.01	UNCOMPAGHRE ST. CROSS SECTION
RD3.02	WATERVIEW ST. PHASE 1 CROSS SECTION
RD3.03	WATERVIEW ST. PHASE 1 CROSS SECTION
RD3.04	WATERVIEW ST. PHASE 2 CROSS SECTION
RD3.05	WATERVIEW ST. PHASE 2 CROSS SECTION
SS1.01	SEWER A PLAN & PROFILE
W1.01	WATER A PLAN & PROFILE
W1.02	WATER B PLAN & PROFILE
SD1.01	STORM DRAIN A PLAN & PROFILE
SD1.02	IRRIGATION CULVERT PLAN & PROFILE
SD1.03	STORM DRAIN B PLAN & PROFILE
DU1.01	PHASE 1 DRY UTILITIES

ABBREVIATION LEGEND

ABC	AGGREGATE BASE COURSE	L	LEFT
BOW	FINISH GROUND AT BASE OF WALL	LP	LOW POINT
BVCE	BEGINNING VERTICAL CURVE ELEVATION	LPEA	LA PLATA ELECTRIC ASSOCIATION
BVCS	BEGINNING VERTICAL CURVE STATION	LVC	LENGTH OF VERTICAL CURVE
CDOT	COLORADO DEPARTMENT OF TRANSPORTATION	MAX	MAXIMUM
CEN	CENTER	MIN	MINIMUM
CL	CENTERLINE	MUTCD	MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES
CMP	CORRUGATED METAL PIPE	N	NORTHING
CP	CONTROL POINT	PC	POINT OF CURVATURE
DIA	DIAMETER	PE	POLYETHYLENE
DIP	DUCTILE IRON PIPE	PGL	PROFILE GRADE LINE
DMH	DRAINAGE MANHOLE	PI	POINT OF INTERSECTION
dso	MEDIAN STONE SIZE	PT	POINT OF TANGENCY
E	EASTING	PVI	POINT OF VERTICAL INTERSECTION
EG	EXISTING GROUND	R	RADIUS
ELEV	ELEVATION	RT	RIGHT
EOC	EDGE OF CONCRETE	RCP	REINFORCED CONCRETE PIPE
EOP	EDGE OF PAVEMENT	R/W	RIGHT-OF-WAY
ESMT	EASEMENT	SD	STORM DRAIN
EVCE	ENDING VERTICAL CURVE ELEVATION	SMPA	SAN MIGUEL POWER AUTHORITY
EVCS	ENDING VERTICAL CURVE STATION	SSMH	SANITARY SEWER MANHOLE
EX	EXISTING	SS	SANITARY SEWER
FES	FLARED END SECTION	STA	STATION
FG	FINISHED GROUND	TB	THRUST BLOCKING
FL	FLOW LINE	TBOC	TOP BACK OF CURB
FO	FIBER OPTIC	TEMP	TEMPORARY
FS	FINISHED SURFACE	TOR	TOWN OF RIDGWAY
GB	GRADE BREAK	TOW	TOP OF WALL RETAINING
HMA	HOT MIX ASPHALT	(TYP)	TYPICAL
HP	HIGH POINT	W/	WITH
INV	INVERT		
LC	LONG CHORD		



Legend of Civil Features

LINETYPES		Existing Features	
---	WATER MAIN (SIZE NOTED)	⊕	WATER CATEGORY
---	SEWER MAIN (SIZE NOTED)	⊕	WATER MANHOLE - WELLHEAD
---	SEWER FORCEMAIN	⊕	BLOW OFF ASSEMBLY
---	STORM CULVERT (SIZE NOTED)	⊕	WATER METER
---	IRRIGATION	⊕	FIRE HYDRANT
---	UNDERGROUND POWER	⊕	WATER VALVE
---	OVERHEAD POWER	⊕	HOSE BIB / YARD HYDRANT
---	UNDERGROUND FIBER OPTIC	⊕	PUMP
---	UNDERGROUND TELECOMM	⊕	SANITARY SEWER CATEGORY
---	OVERHEAD TV/TELE	⊕	SEWER MANHOLE
---	WATERCOURSE FLOWLINE	⊕	SEWER CLEANOUT
---	UNDERGROUND GAS	⊕	SEPTIC TANK
---	FENCE/GEOTEXTILE FABRIC	⊕	DITCH/WATERWAY CATEGORY
---	PAVEMENT EDGE	⊕	CHECK DAM
---	GRAVEL/DIRT ROAD	⊕	DIVERSION BOX
---	RAILROAD TRACK	⊕	FLUME
---	GUARDRAIL	⊕	FLOW GAUGE
---	ROCK WALL	⊕	HEADGATE
---	STRUCTURAL RETAINING WALL	⊕	SPRING
---	SAWCUT LINE	⊕	WETLAND AREA
---	STORM DRAIN CATEGORY	⊕	WATERWAY MISC (SEE NOTE)
---	CULVERT END SECTION	⊕	FENCE CATEGORY
---	INLET TYPE 'R'	⊕	POST/BOLLARD
---	INLET GENERAL/AREA DRAIN	⊕	FENCE GATE
---	INLET TYPE 'D'/TYPE 'C'	⊕	GEOLOGY CATEGORY
---	STORMDRAIN MANHOLE	⊕	TEST HOLE
---	ELECTRIC CATEGORY	⊕	BOULDER
---	ELECTRIC TRANSMISSION TOWER	⊕	MINE SHAFT
---	TRANSFORMER	⊕	ROADWAY CATEGORY
---	ELECTRIC PEDESTAL/VAULT	⊕	GUARDRAIL END SECTION
---	POWER MANHOLE	⊕	LANDSCAPE/CAMPING CATEGORY
---	ELECTRIC METER	⊕	CONIFEROUS TREE (DIA. NOTED)
---	ELECTRIC OUTLET	⊕	DECIDUOUS TREE (DIA. NOTED)
---	TRANSFORMER ON POLE	⊕	SHRUB/VEGETATION LIMIT
---	POLE MOUNTED STREET LIGHT	⊕	SWING SET
---	HIGH MAST LIGHT	⊕	TEETER TOTTER
---	LUMINAIRE (MISC)	⊕	JUNGLE GYM
---	UTILITY POLE	⊕	BENCH/TABLE
---	UTILITY POLE ANCHOR	⊕	GRILL/FIRE RING
---	TRAFFIC SIGNAL CATEGORY	⊕	SPRINKLER HEAD
---	TRAFFIC SIGNAL POLE W/ MAST ARM	⊕	IRRIGATION VALVE
---	TRAFFIC SIGNAL CONTROL PANEL	⊕	MISCELLANEOUS TOPO CATEGORY
---	PEDESTRIAN POLE	⊕	WASTE SITE/GRAVE
---	GAS/OIL CATEGORY	⊕	ARCH SITE/AREA OF CONCERN
---	GAS VALVE	⊕	MISC.POINT (SEE DESCRIPTION)
---	GAS WELLHEAD	⊕	CAMPSITE
---	GAS VALVE	⊕	MAILBOX
---	GAS METER	⊕	RAILROAD CATEGORY
---	GAS VAULT/RISER	⊕	RR SIGN/SIGNAL/SWITCH
---	PROPANE TANK	⊕	

PROPOSED FEATURES	
ASPHALT SURFACING	WATER METER
CONCRETE SURFACING	FIRE HYDRANT
GRAVEL SURFACING	WATER VALVE
RIP-RAP SURFACING	BEND FITTING & THRUST BLOCK
SEWER MAIN (SIZE NOTED)	CURB STOP
STORM DRAIN CULVERT	FINISHED GRADE
WATER MAIN	STREET SIGN
SEWER FORCEMAIN	STORM MANHOLE
GAS LINE	CLEANOUT
LIMITS OF GRADING	SEWER MANHOLE
	STORM INLET (TYPE 16)
	STORM INLET (TYPE R)
	STORM INLET (TYPE D)
	STORM INLET (TYPE C)

Existing Features	Proposed Features	SURVEY LINE TYPES
---	---	---
---	---	---
---	---	---
---	---	---
---	---	---
---	---	---
---	---	---
---	---	---

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WATERVIEW AFFORDABLE HOUSING SUBDIVISION
OURAY, COLORADO

Issue Record:
SCHEMATIC 05-05-2023

Revisions:

Project Number: 21-116
Drawn By: JAE
Designed by: RSH
Checked By: RSH

Sheet
G1.01
COVER SHEET

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PROJECT GENERAL NOTES:

1. ALL CONSTRUCTION SHALL BE PER CITY OF OURAY SPECIFICATIONS AND DESIGN STANDARDS FOR INFRASTRUCTURE CONSTRUCTION – FEBRUARY 9, 2023, WITH ANY ADDENDA ADOPTED THEREAFTER TO DATE OF PRELIMINARY PLAT APPROVAL. (HEREAFTER OURAY'S INFRASTRUCTURE STANDARDS, UNLESS OTHERWISE SPECIFIED).
2. LOCATION AND DEPTH OF SEWER AND WATER LINES ARE APPROXIMATE AND BASED ON BEST AVAILABLE INFORMATION. CONTRACTOR IS REQUIRED TO FIELD VERIFY PRECISE LOCATION AND DEPTH PRIOR TO CONSTRUCTION.

GENERAL WATER NOTES:

1. ALL EQUIPMENT, MATERIALS, INSTALLATION, TESTING, AND INSPECTIONS SHALL BE IN ACCORDANCE TO THESE PLANS, OURAY'S INFRASTRUCTURE STANDARDS (STANDARD SPECIFICATIONS – WATER LINE CONSTRUCTION, WATER DISTRIBUTION SYSTEM – MINIMUM DESIGN STANDARDS & STANDARD SPECIFICATIONS – WATER SERVICE CONNECTIONS), AS WELL AS COLORADO DEPARTMENT OF HEALTH STANDARDS.
2. ALL FITTINGS SHALL BE FLANGE END.
3. ALL GATE VALES SHALL BE FLANGE BY MECHANICAL JOINT.

GENERAL SEWER NOTES:

1. ALL EQUIPMENT, MATERIALS, INSTALLATION, TESTING, AND INSPECTIONS SHALL BE IN ACCORDANCE TO THESE PLANS, OURAY'S INFRASTRUCTURE STANDARD (SEWER MAINS – STANDARD SPECIFICATIONS & SEWER SYSTEM SPECIFICATIONS – MINIMUM DESIGN STANDARDS) AS WELL AS COLORADO DEPARTMENT OF HEALTH STANDARDS.

GENERAL DRY UTILITIES NOTES:

1. POWER, GAS AND TELECOMMUNICATION INFRASTRUCTURE HAS BEEN DIAGRAMMATICALLY DEPICTED ON THE DRY UTILITY PLANS WITHIN THIS PLAN SET.

GRADING AND SITE PREPARATION

1. ALL EQUIPMENT, MATERIALS, INSTALLATION, TESTING, AND INSPECTIONS SHALL BE IN ACCORDANCE WITH THESE PLANS, OURAY'S INFRASTRUCTURE STANDARD (STANDARD SPECIFICATIONS –EXCAVATION, BACKFILL, AND COMPACTION).

STORM WATER MANAGEMENT NOTES:

1. ALL EQUIPMENT, MATERIALS, INSTALLATION, TESTING, AND INSPECTIONS SHALL BE IN ACCORDANCE WITH OURAY'S INFRASTRUCTURE STANDARDS AND THE DRAINAGE MASTER PLAN, AS AMENDED.
2. STORM CULVERTS TO BE ADS-N12 O.A.E.

ROADWAY SURFACING NOTES:

1. THE FOLLOWING APPLICATION RATES WERE USED FOR DEVELOPING THE APPROXIMATE PLAN QUANTITIES:
AGGREGATE BASE COURSE (ABC) – 133 POUNDS PER CUBIC FOOT

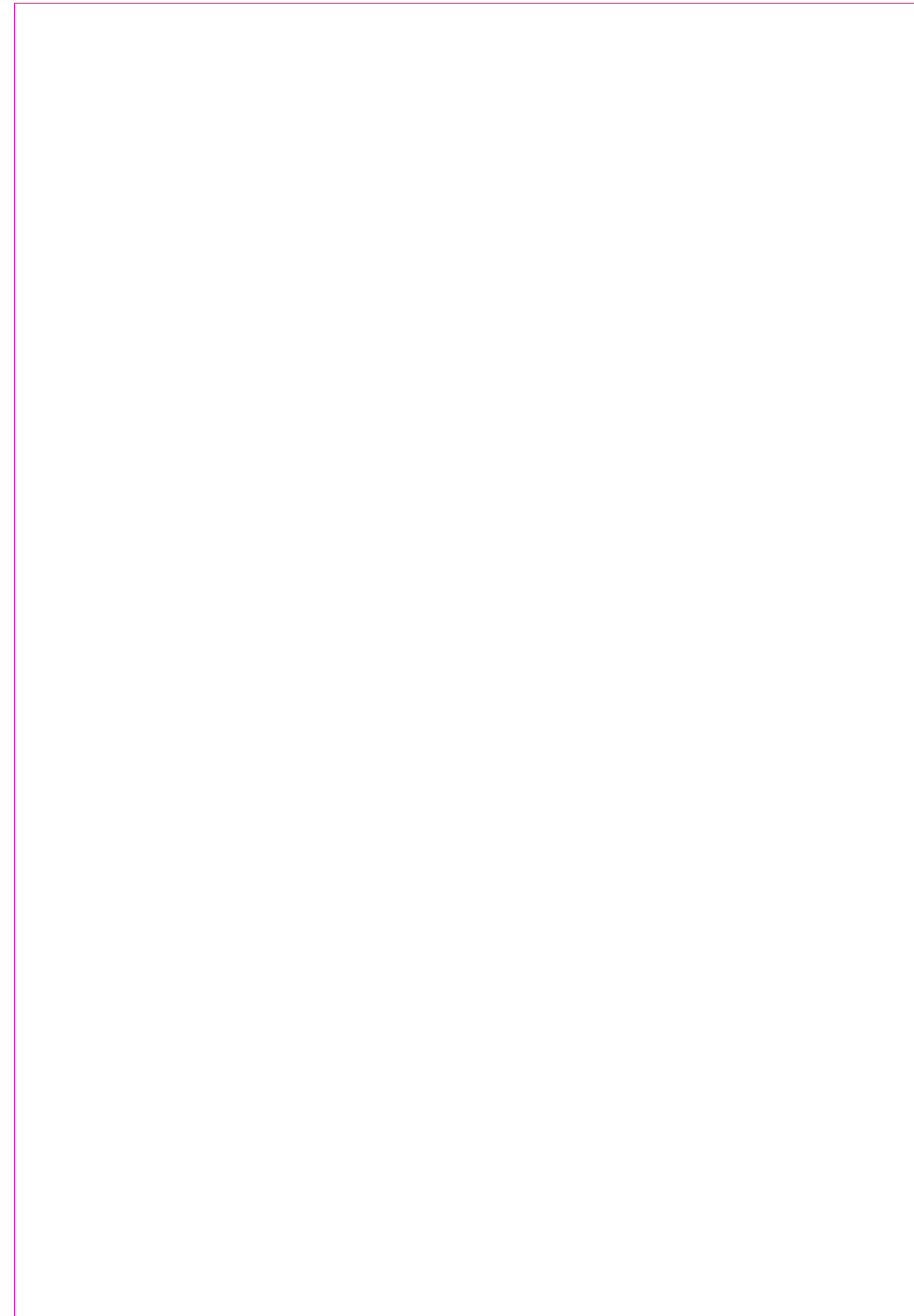
TESTING AND INSPECTION REQUIREMENTS

1. ALL TESTING AND INSPECTIONS SHALL BE IN ACCORDANCE WITH OURAY'S INFRASTRUCTURE STANDARDS.

GEOTECHNICAL

1. "GEOTECHNICAL ENGINEERING STUDY PROPOSED WATERVIEW DEVELOPMENT OURAY, COLORADO" BY LAMBERT AND ASSOCIATES, FEBRUARY 3, 2023 IS CONSIDERED A PART OF THE PROJECT CONSTRUCTION DOCUMENTS. CONTRACTOR SHALL REVIEW AND ADHERE TO ALL CONDITIONS AND REQUIREMENTS CONTAINED THEREIN.

SUMMARY OF APPROXIMATE QUANTITIES

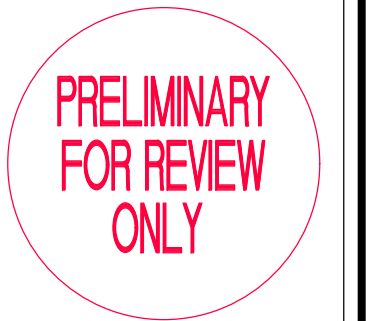


MATERIAL QUANTITY NOTES:

1. SUMMARY OF APPROXIMATE QUANTITIES IS FURNISHED FOR INFORMATIONAL PURPOSES ONLY. CONTRACTOR IS RESPONSIBLE FOR REVIEWING CONTRACT DOCUMENTS AND DEVELOPING MATERIAL QUANTITIES AS A BASIS FOR BID PRICING.
2. AUTOCAD DRAWINGS AND DIGITAL TERRAIN MODELS WILL BE FURNISHED TO CONTRACTOR AS REQUESTED TO FACILITATE DEVELOPING MATERIAL QUANTITY TAKEOFF AND SURVEY LAYOUT



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WATERVIEW AFFORDABLE HOUSING SUBDIVISION
OURAY, COLORADO

Issue Record:
SCHEMATIC 05-05-2023

Revisions:

Project Number: 21-116
Drawn By: JAE
Designed by: RSH
Checked By: RSH

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CONSTRUCTION NOTES

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OURAY, COLORADO

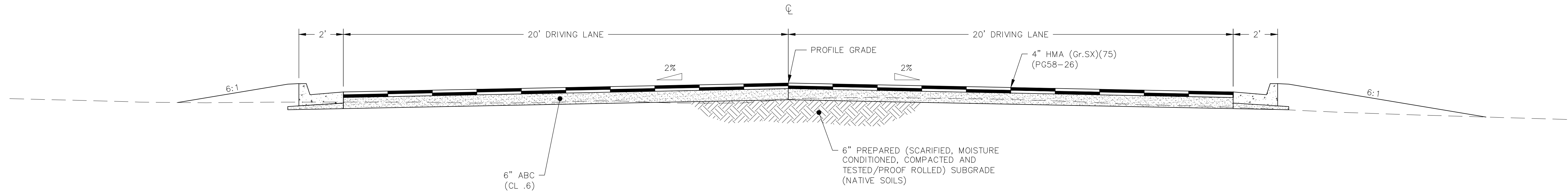
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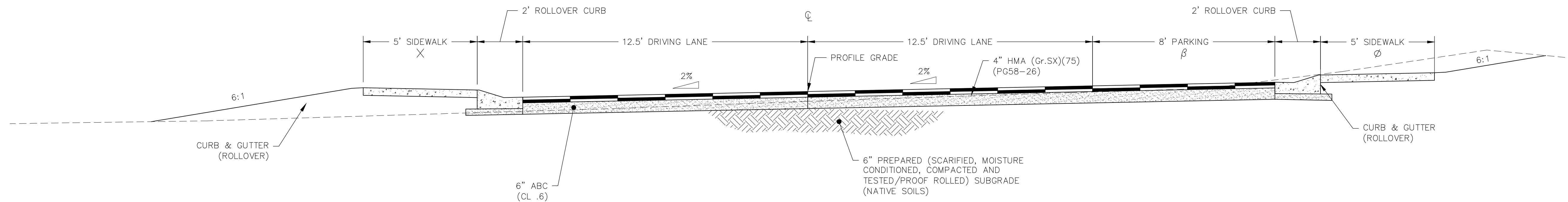
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G2.01
TYPICAL ROADWAY SECTIONS

UNCOMPAHGRE STREET SECTION



TYPICAL STREET SECTION



NOTES:
1. STATIONING REFERENCES LIP OF GUTTER (L.O.G.) ▽ 2% CROSS SLOPE

TABULATION OF VARYING WIDTHS FOR WATERVIEW STREET, PHASE 1

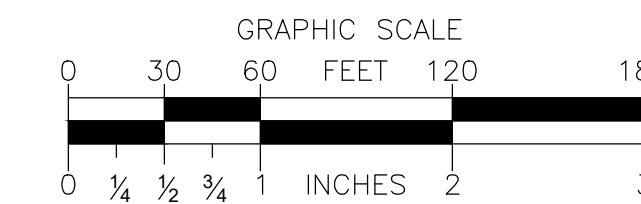
STATION	DESCRIPTION	X	β	ϕ
0+35.04	BOP	5'	0'	0'
1+77.68	BEGIN LANE TRANSITION	5'	0'	0'
1+92.68	END LANE TRANSITION	5'	8'	0'
6+81.86	BEGIN LANE TRANSITION	5'	8'	0'
6+96.86	END LANE TRANSITION	5'	0'	0'
7+42.37	START RIGHT SIDEWALK	5'	0'	5'
7+55.93	REFER TO CDS PLAN & PROFILE	-	-	-

ROADWAY DESIGN CRITERIA

Reference manuals:
1. AASHTO "A Policy on Geometric Design of Highways"
2. City of Ouray, "Specifications and Design Standards for Infrastructure Construction"
CLASS=LOW SPEED URBAN RESIDENTIAL STREET
DESIGN VOLUME = < 400 VEH/DAY
DESIGN SPEED = 25 MPH
MIN. CL CURVE RADIUS=107 FT (Table 3-13b)
MIN. STOPPING SIGHT DISTANCE=155 FT (table 3-34)
K(min)=12 (through roads)
MINIMUM vertical curve length=100 feet (per COD) for STOP controlled intersections.

EXISTING CONDITIONS:

1. OVERHEAD POWER.
2. FIRE HYDRANT.
3. IRRIGATION CULVERT.
4. SANITARY SEWER MAIN.
5. WATERMAIN.
6. IRRIGATION DITCH.
7. HEADGATE STRUCTURE.
8. TELCOMM.
9. EMERGENCY ACCESS ENTRANCE AND EGRESS, TO REMAIN.
10. CDOT SIGN
11. VEHICLE CHAINING/PARKING AREA.
12. ACCELERATION LANE.
13. DECELERATION LANE.



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WATERVIEW AFFORDABLE HOUSING SUBDIVISION
OURAY, COLORADO

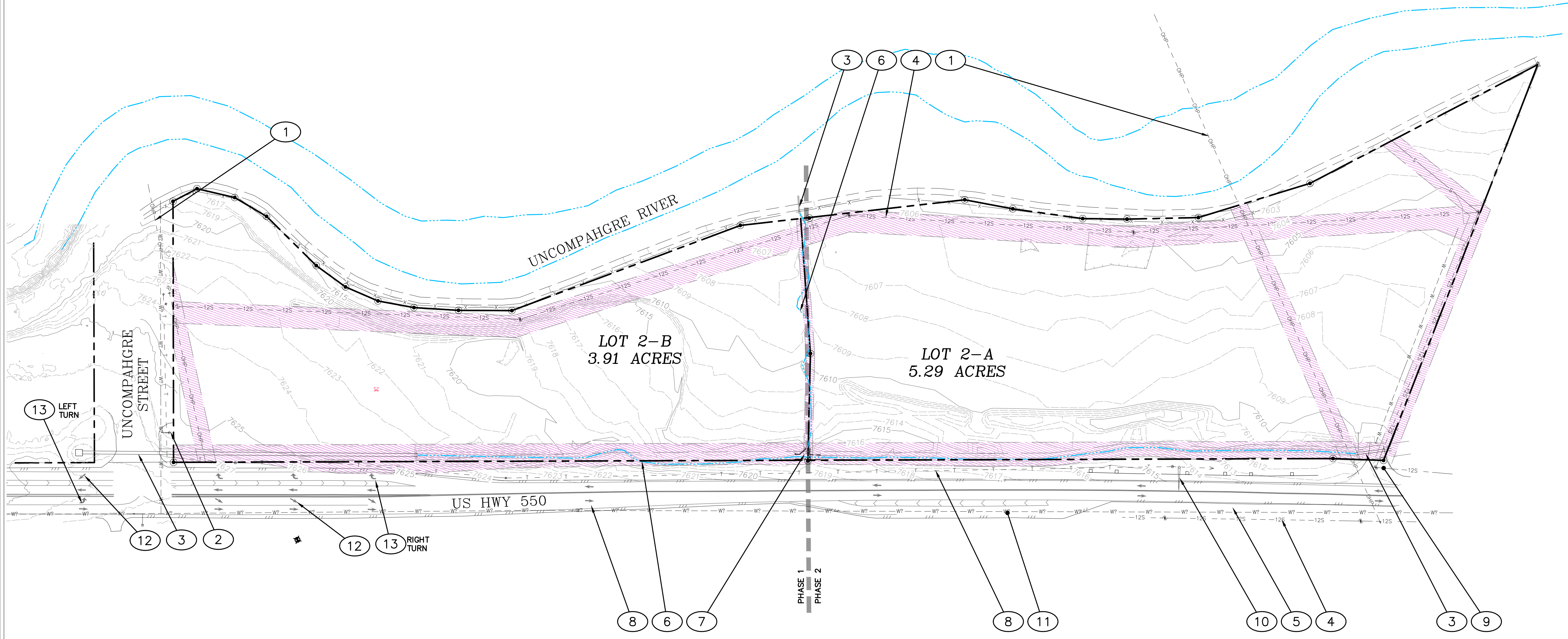
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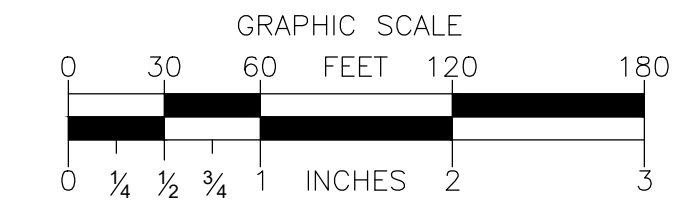
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EX. CONDITIONS



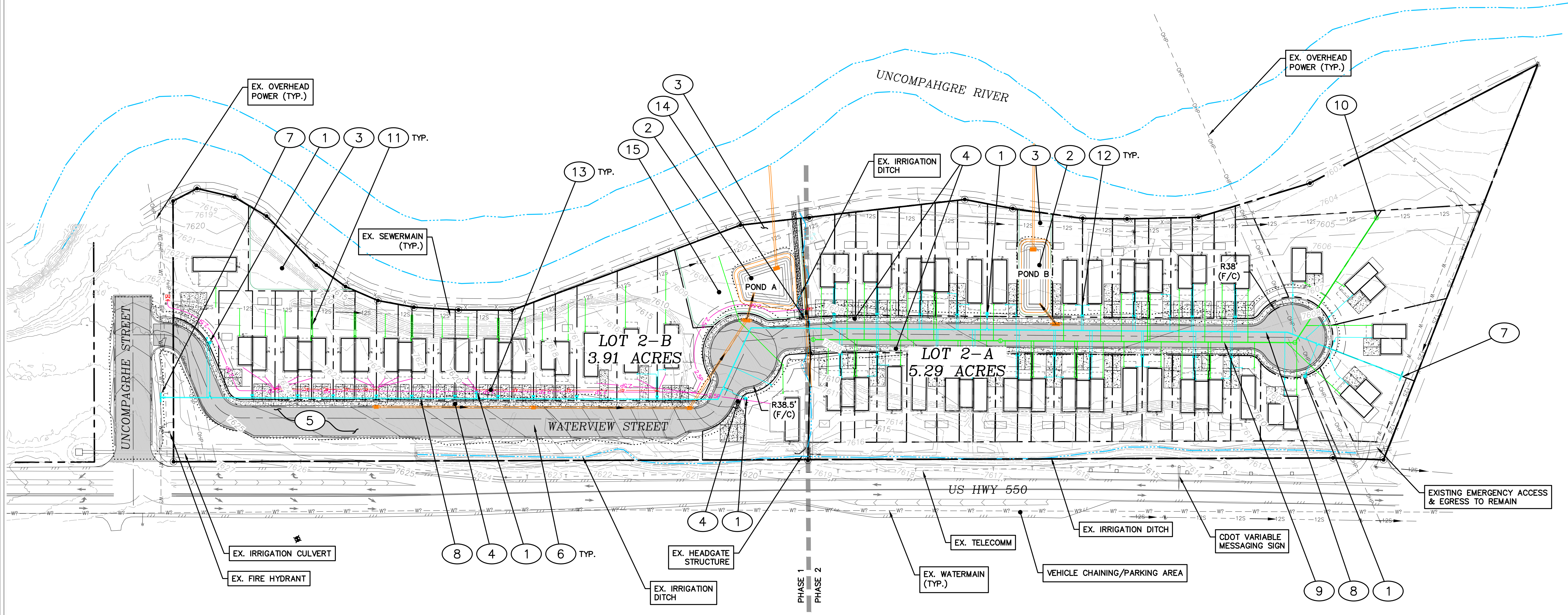
CONSTRUCTION KEYNOTES:

1. PROPOSED FIRE HYDRANT
2. PROPOSED STORMWATER TREATMENT FACILITY
3. PROPOSED LANDSCAPE PUBLIC AREA TO RIVER TRAIL
4. PROPOSED 5FT CONCRETE SIDEWALK
5. PROPOSED ROADWAY
6. PROPOSED STORM DRAIN
7. 8" WATERMAIN CONNECTION TO EXISTING WATERMAIN
8. PROPOSED 8" WATERMAIN
9. PROPOSED 8" SEWER MAIN
10. SANITARY SEWER MANHOLE CONNECTION TO EX. 12" SEWER MAIN
11. NEW SEWER SERVICE, TWO-WAY CLEANOUT WITHIN 5FT OF FOUNDATION
12. NEW WATER SERVICE
13. CONCRETE DRIVEWAY AREA PER DETAIL
14. PROPOSED IRRIGATION DITCH CULVERT WITH HEADWALLS PER DETAIL
15. RIVER WALK ACCESS



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WATERVIEW AFFORDABLE HOUSING SUBDIVISION

OURAY, COLORADO

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OVERALL SITE PLAN

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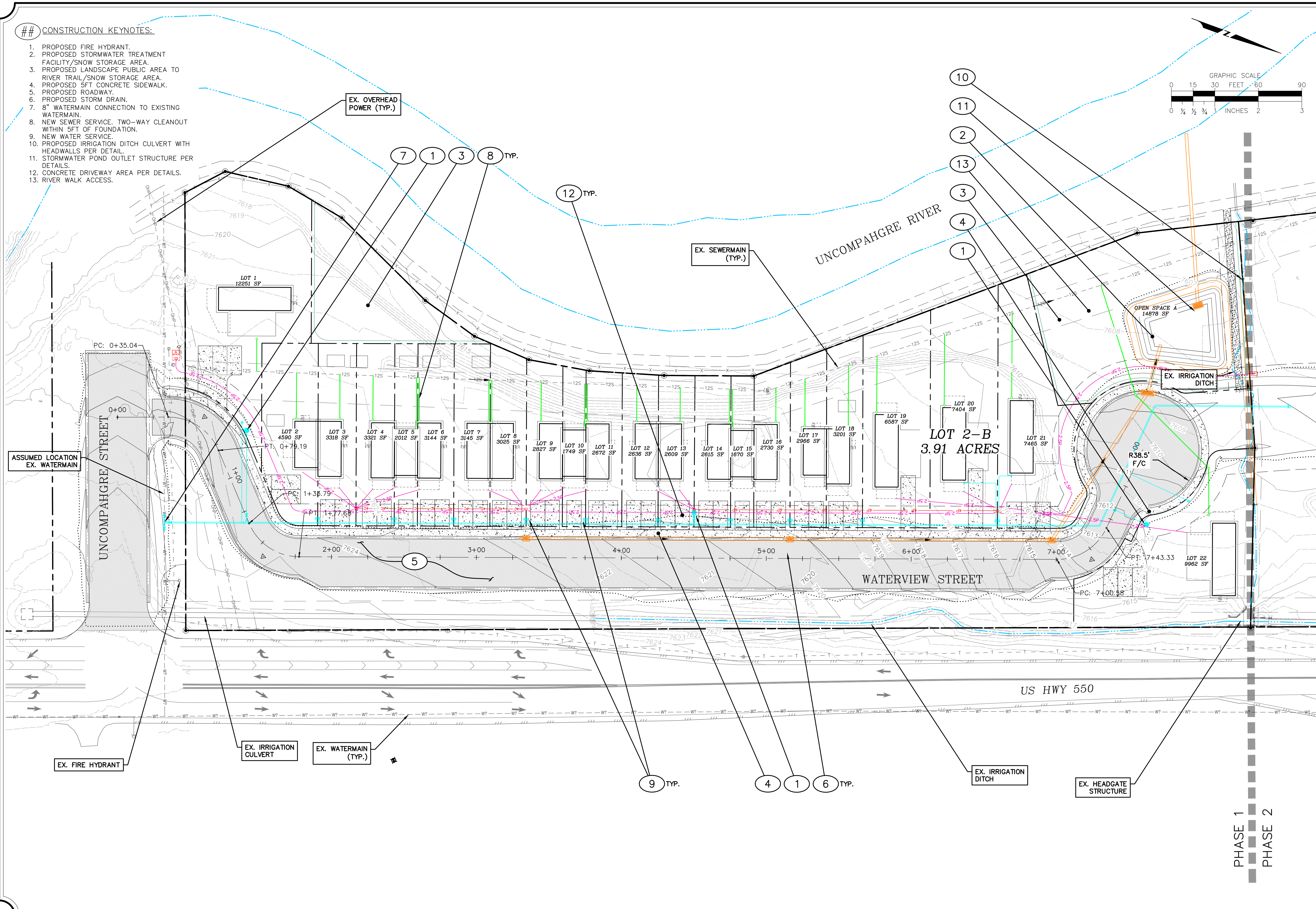
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PHASE 1 SITE PLAN

CONSTRUCTION KEYNOTES:

1. PROPOSED FIRE HYDRANT.
2. PROPOSED STORMWATER TREATMENT FACILITY/SNOW STORAGE AREA.
3. PROPOSED LANDSCAPE PUBLIC AREA TO RIVER TRAIL/SNOW STORAGE AREA.
4. PROPOSED 5FT CONCRETE SIDEWALK.
5. PROPOSED ROADWAY.
6. PROPOSED STORM DRAIN.
7. 8" WATERMAIN CONNECTION TO EXISTING WATERMAIN.
8. NEW SEWER SERVICE. TWO-WAY CLEANOUT WITHIN 5FT OF FOUNDATION.
9. NEW WATER SERVICE.
10. PROPOSED IRRIGATION DITCH CULVERT WITH HEADWALLS PER DETAIL.
11. STORMWATER POND OUTLET STRUCTURE PER DETAILS.
12. CONCRETE DRIVEWAY AREA PER DETAILS.
13. RIVER WALK ACCESS.



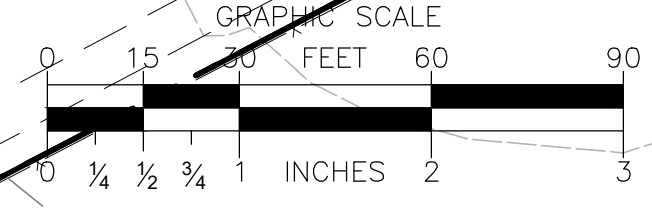
PHASE 1
PHASE 2

CONSTRUCTION KEYNOTES:

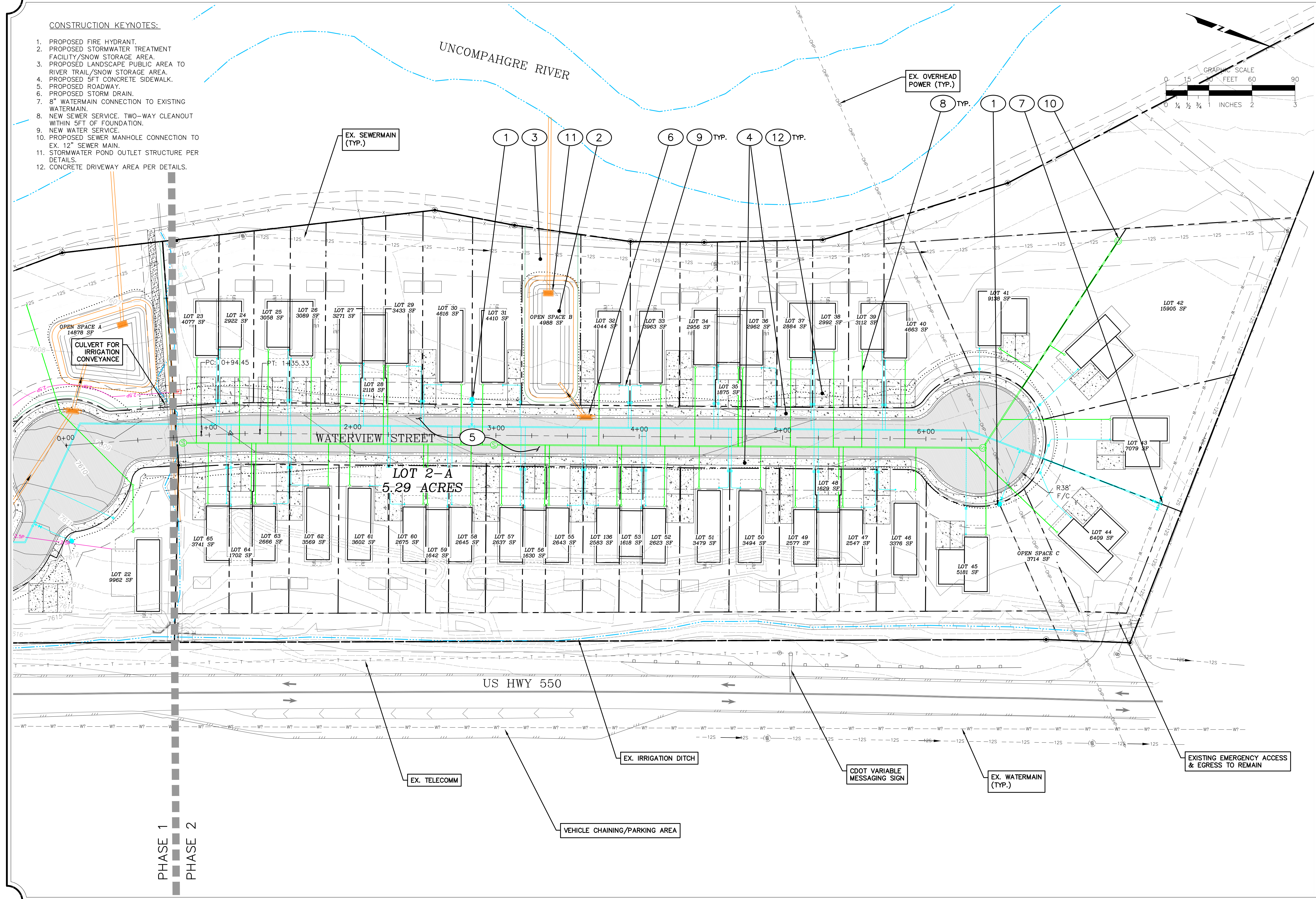
1. PROPOSED FIRE HYDRANT.
2. PROPOSED STORMWATER TREATMENT FACILITY/SNOW STORAGE AREA.
3. PROPOSED LANDSCAPE PUBLIC AREA TO RIVER TRAIL/SNOW STORAGE AREA.
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5. PROPOSED ROADWAY.
6. PROPOSED STORM DRAIN.
7. 8" WATERMAIN CONNECTION TO EXISTING WATERMAIN.
8. NEW SEWER SERVICE. TWO-WAY CLEANOUT WITHIN 5FT OF FOUNDATION.
9. NEW WATER SERVICE.
10. PROPOSED SEWER MANHOLE CONNECTION TO EX. 12" SEWER MAIN.
11. STORMWATER POND OUTLET STRUCTURE PER DETAILS.
12. CONCRETE DRIVEWAY AREA PER DETAILS.

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UNCOMPAHGRE RIVER



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OURAY, COLORADO

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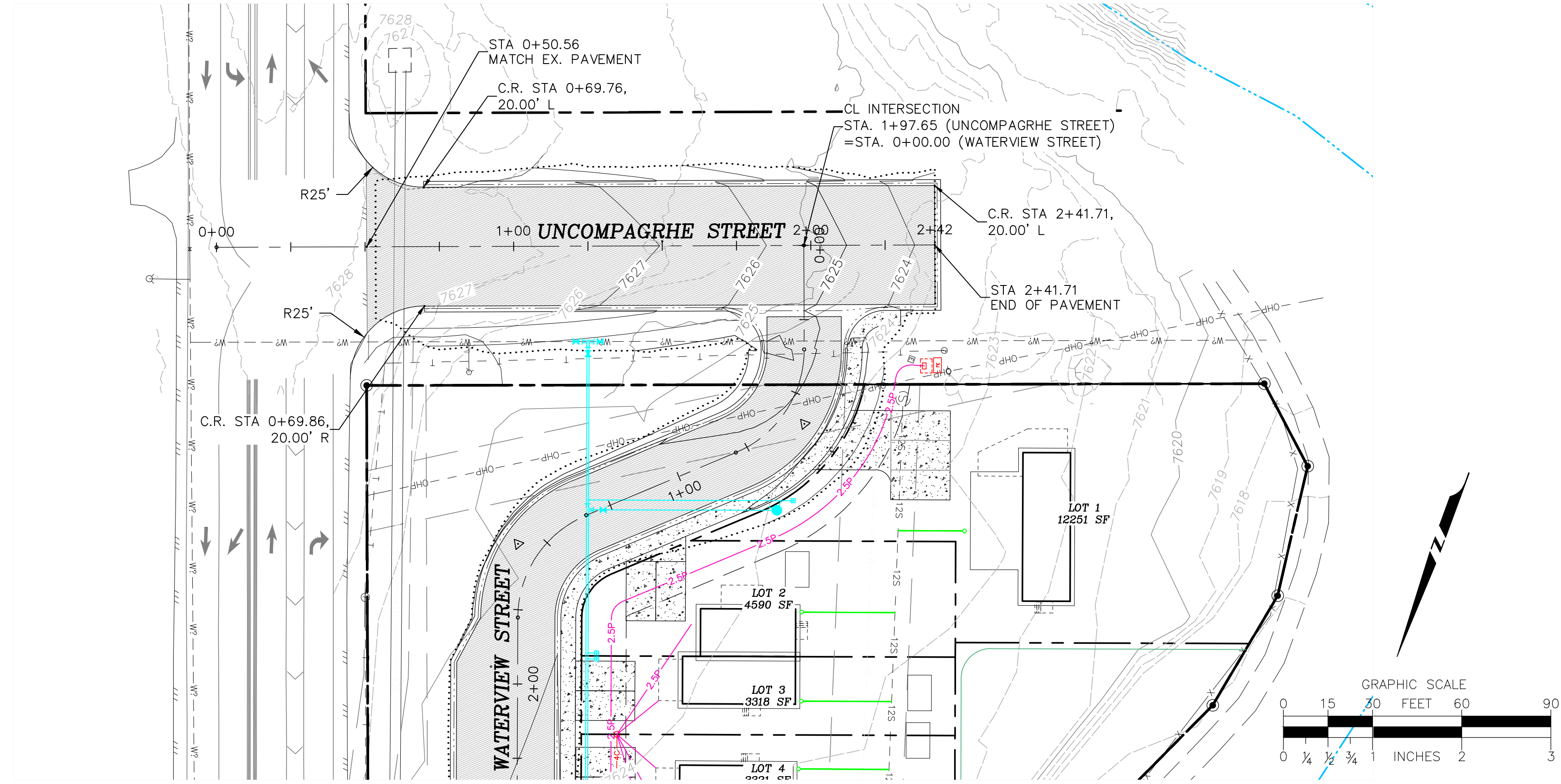
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PHASE 2 SITE PLAN

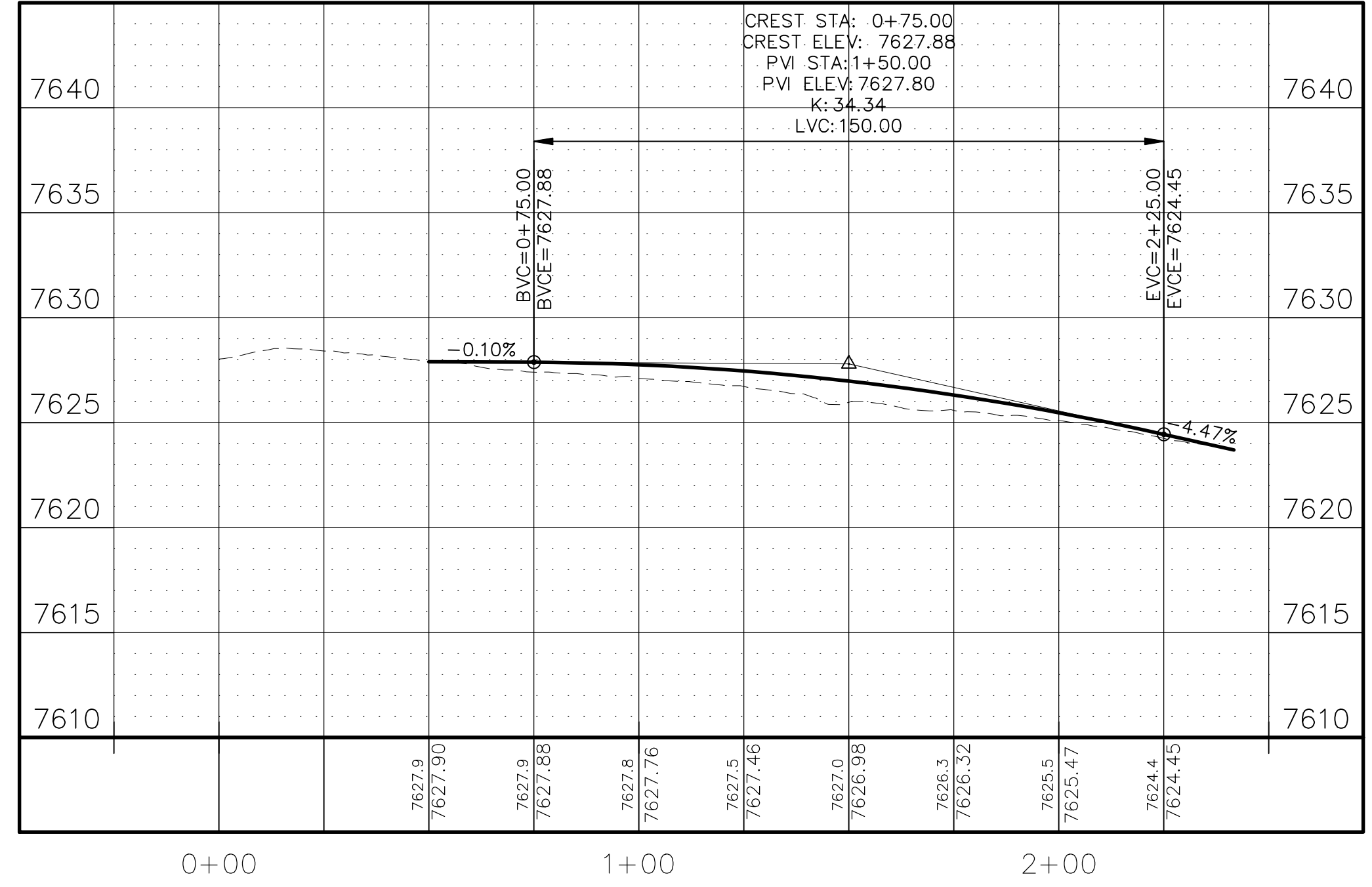
PHASE 1
PHASE 2

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7645 UNCOMPAGRHE STREET PROFILE SCALE: 1"=30' H, 1"=6' V 7645



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UNCOMPAGRHE ST.
PLAN & PROFILE

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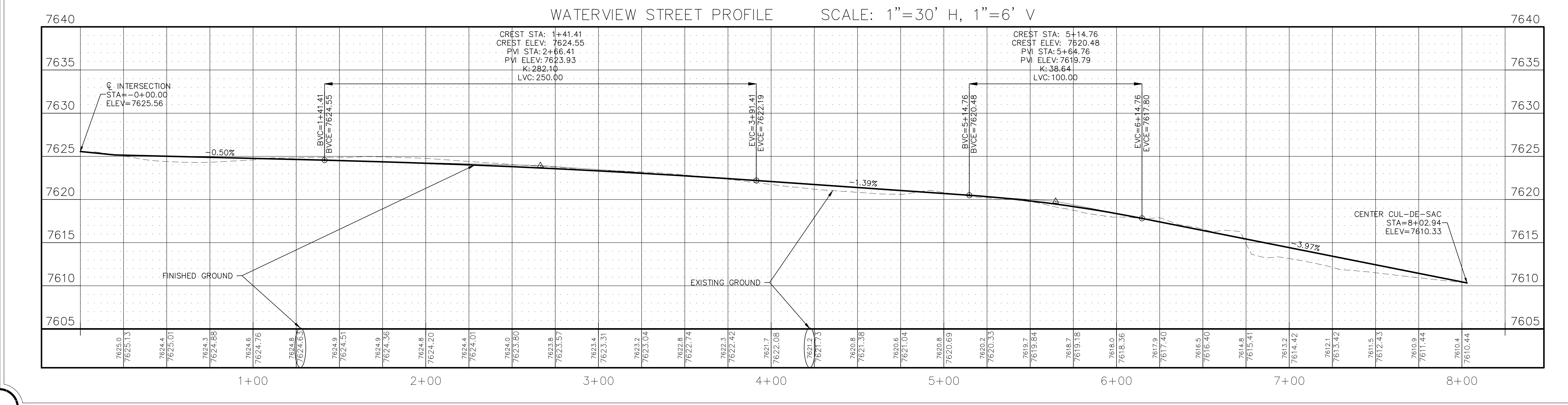
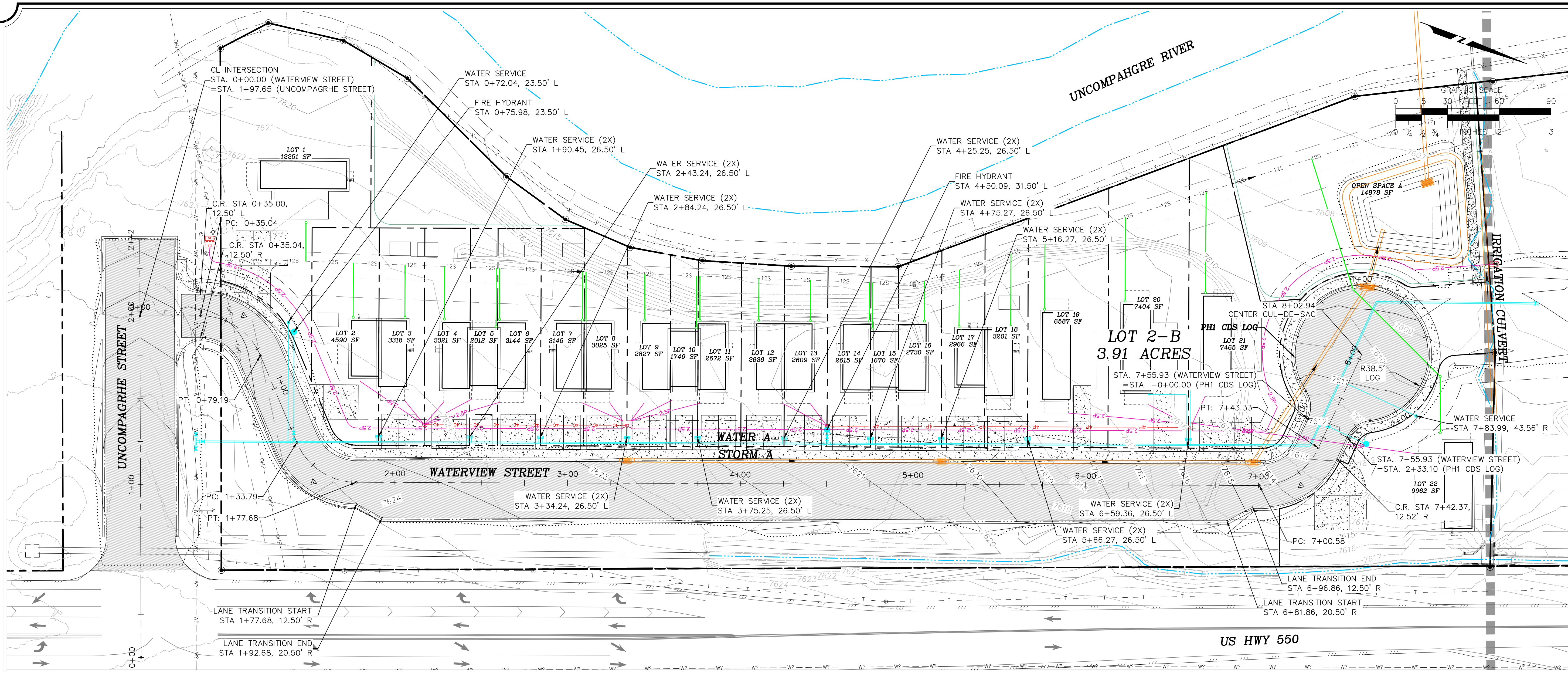
WATERVIEW AFFORDABLE HOUSING SUBDIVISION
DURANGO, COLORADO

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WATERVIEW ST.
PHASE 1 PLAN &
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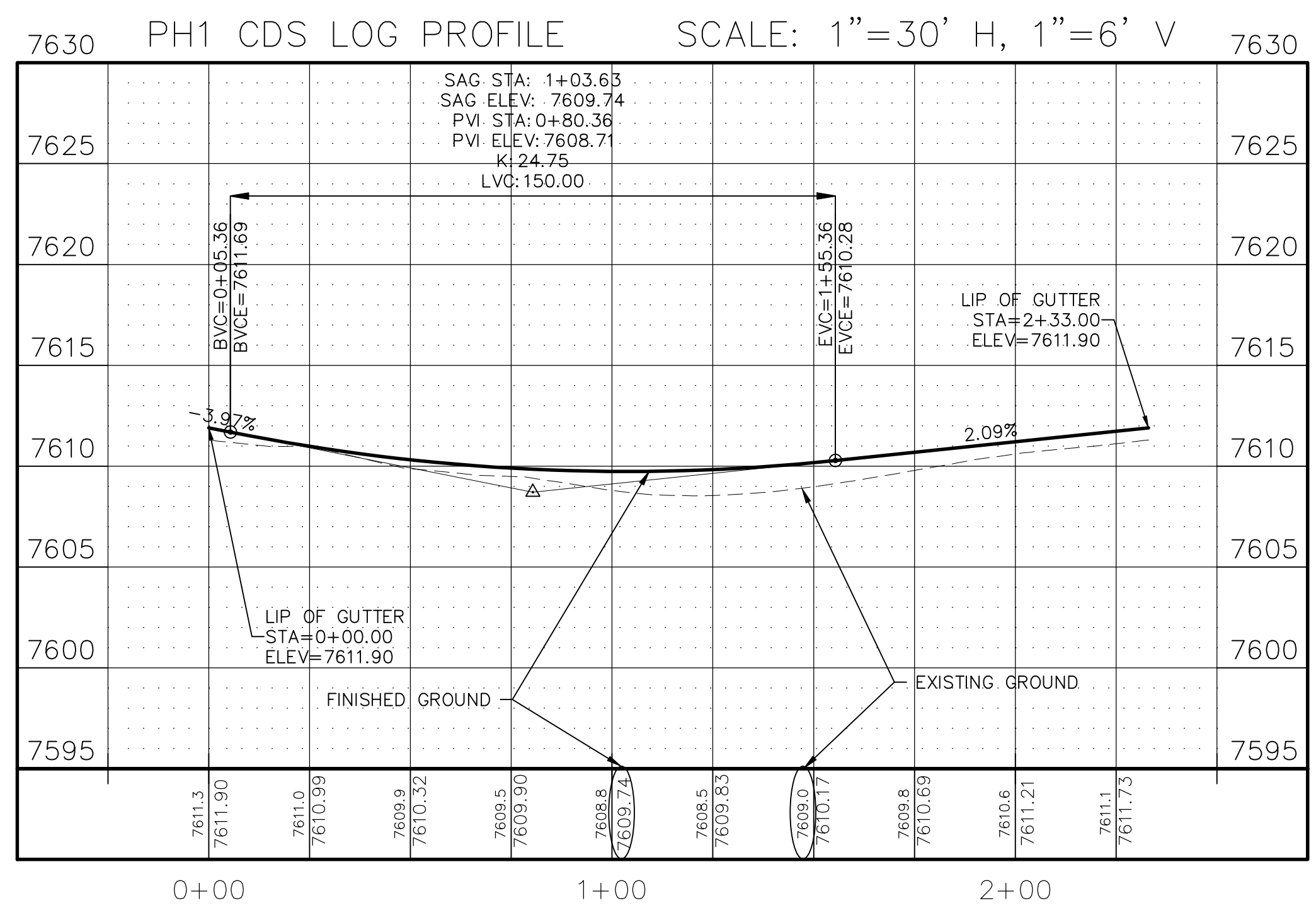
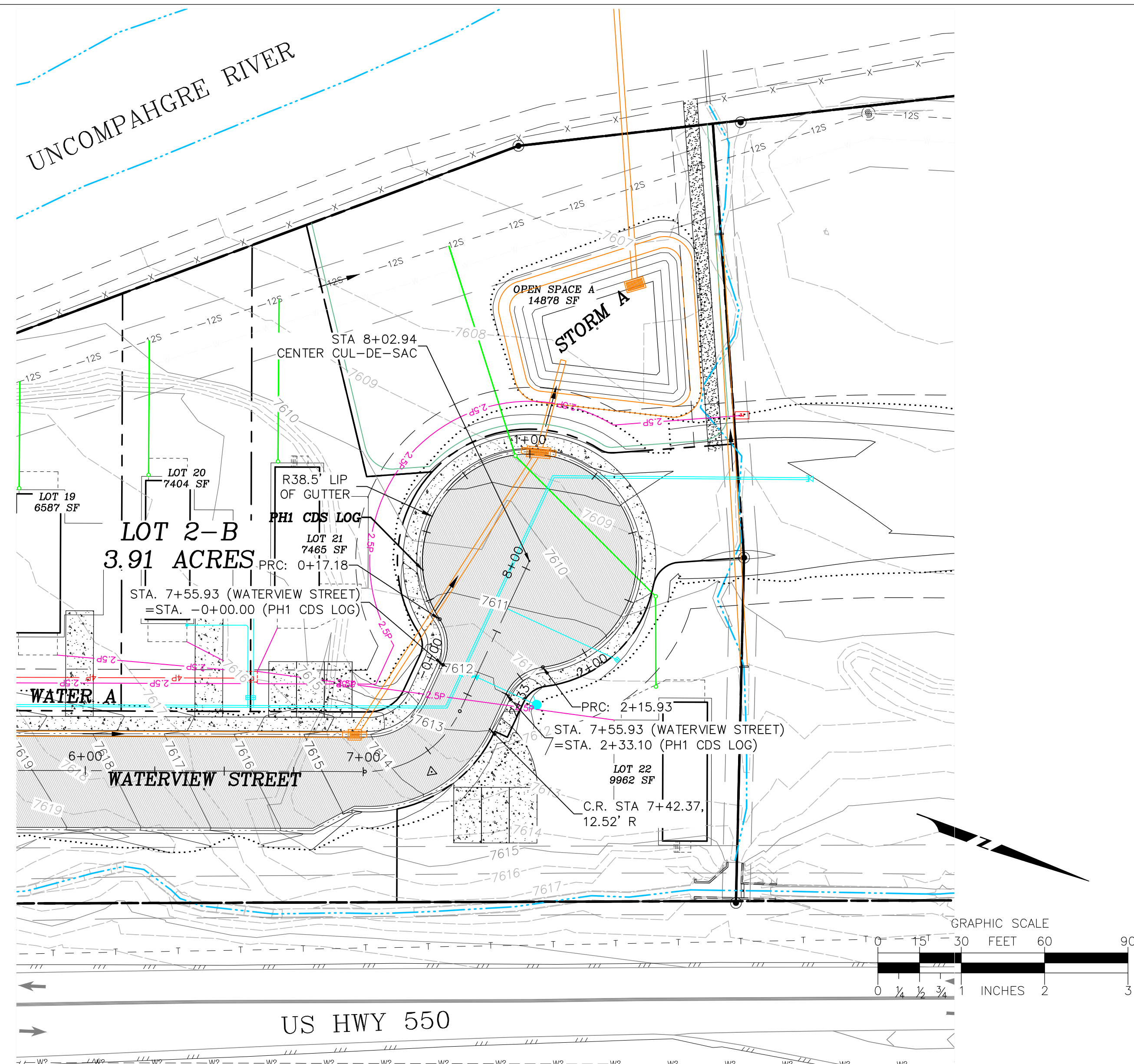
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WATERVIEW ST.
PHASE 1 CDS
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OURAY, COLORADO

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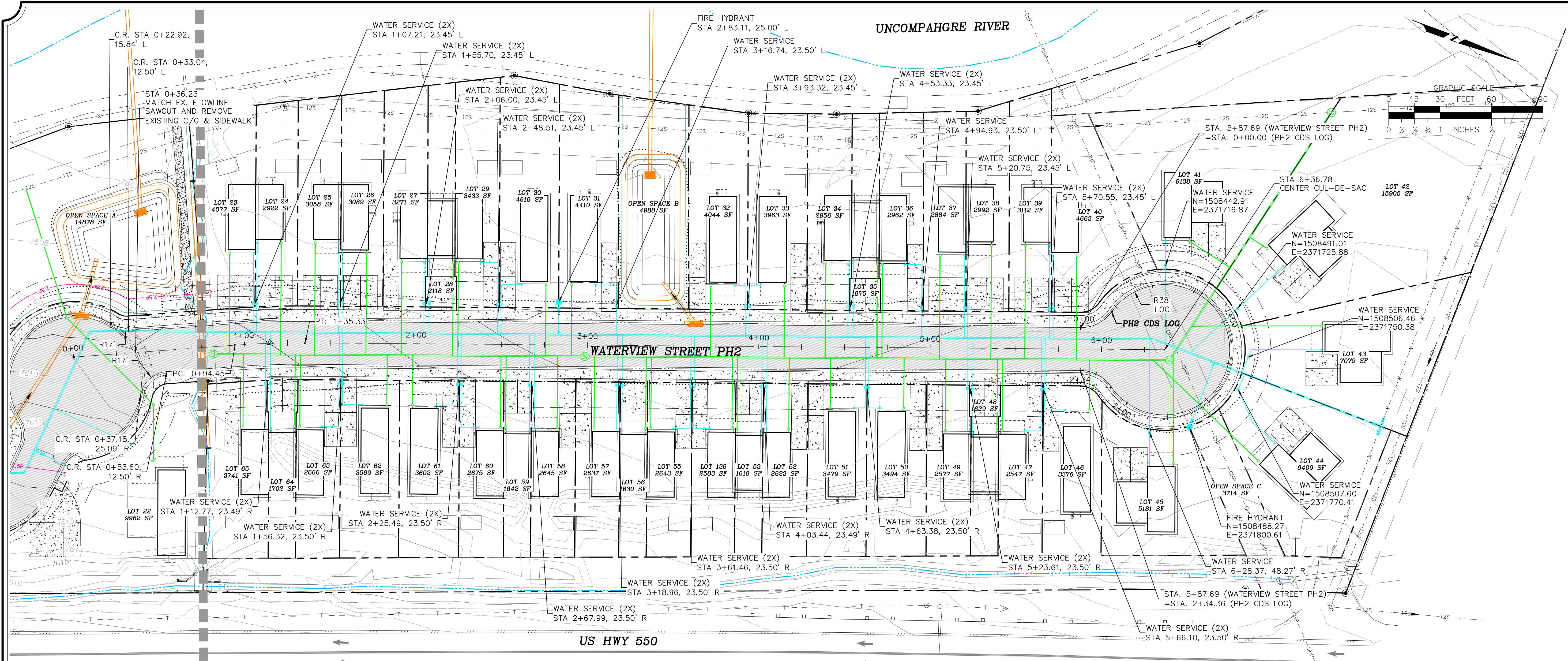
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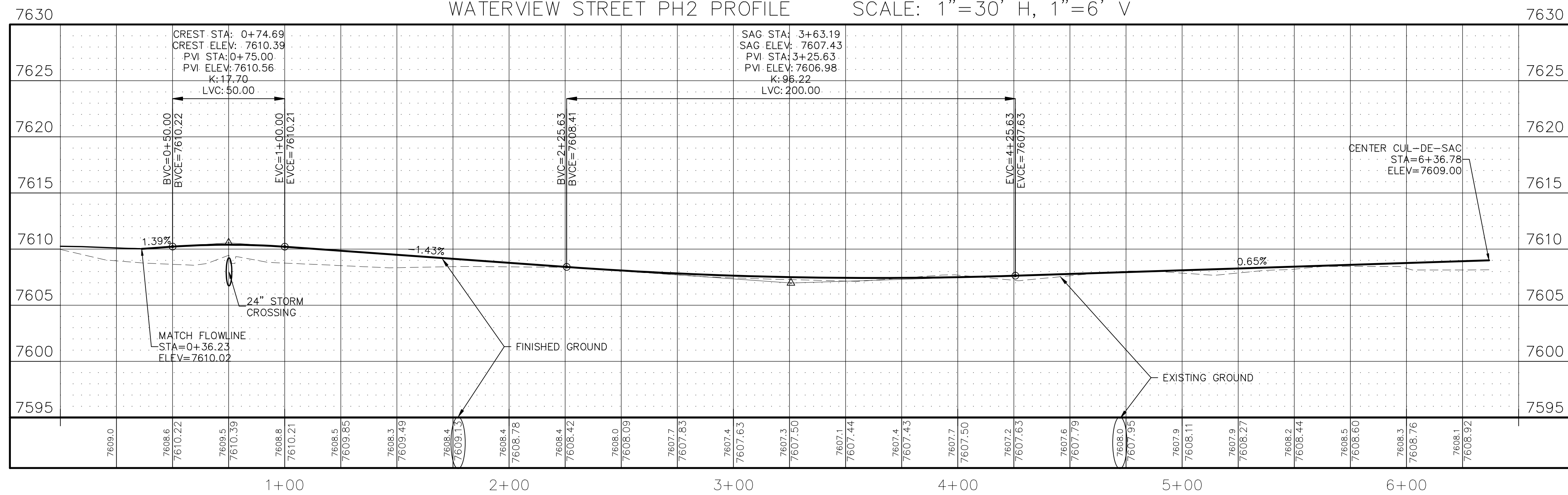
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WATERVIEW ST.
PHASE 2 PLAN &
PROFILE



WATERVIEW STREET PH2 PROFILE SCALE: 1"=30' H, 1"=6' V



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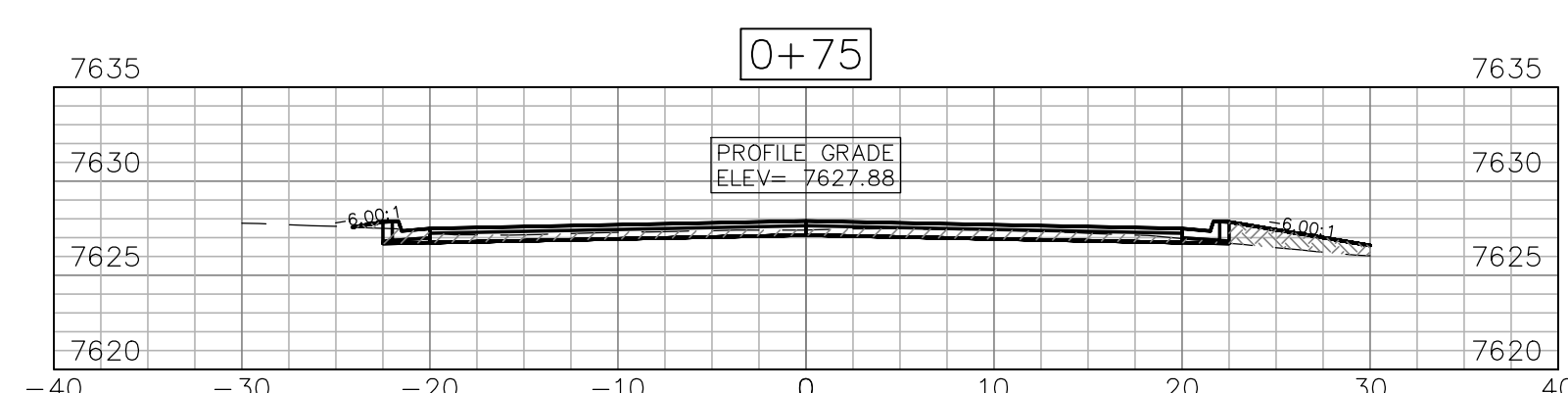
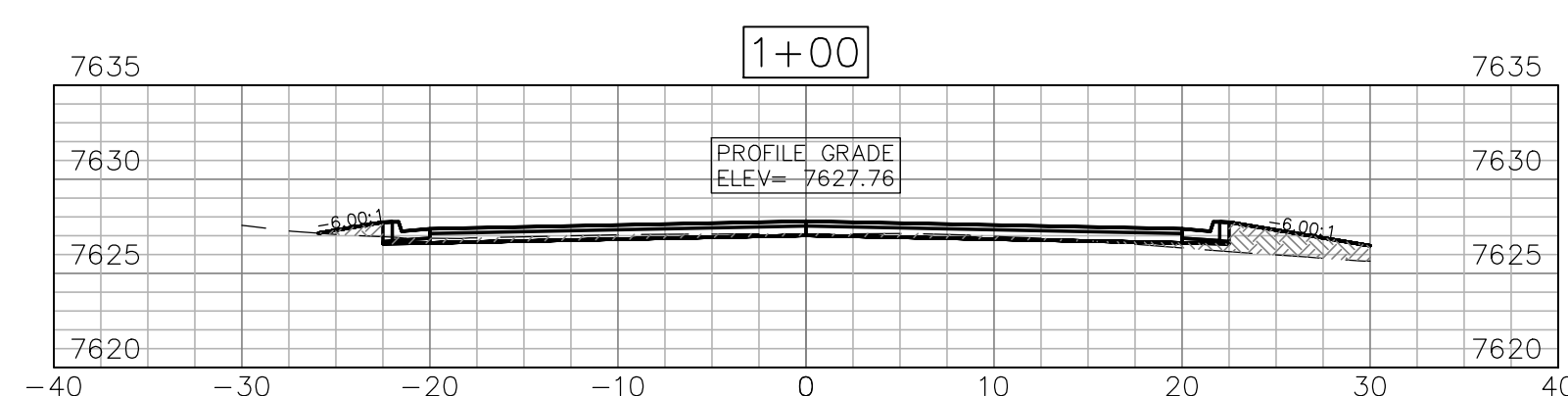
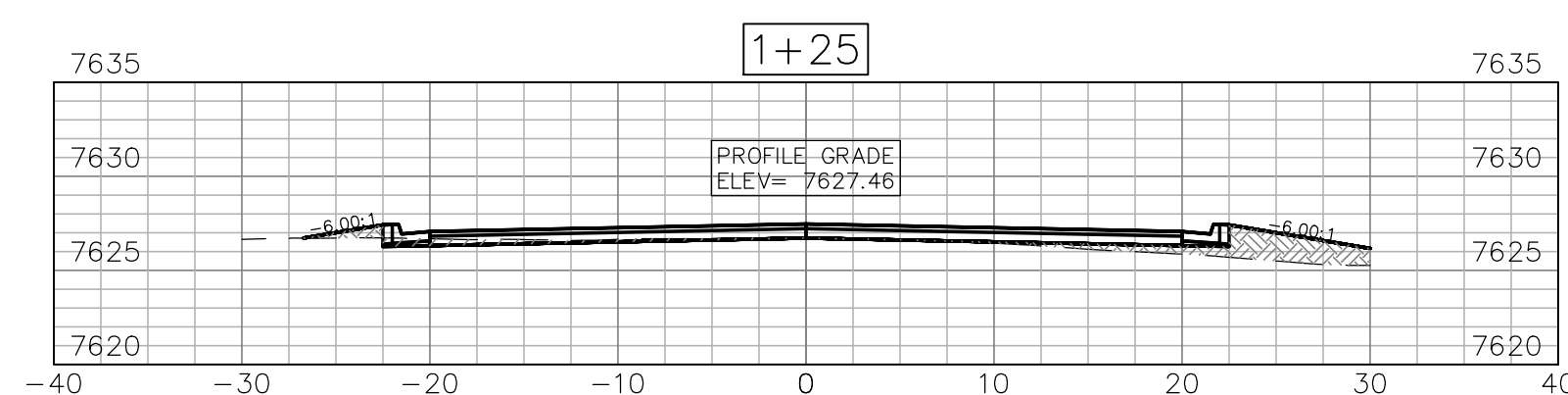
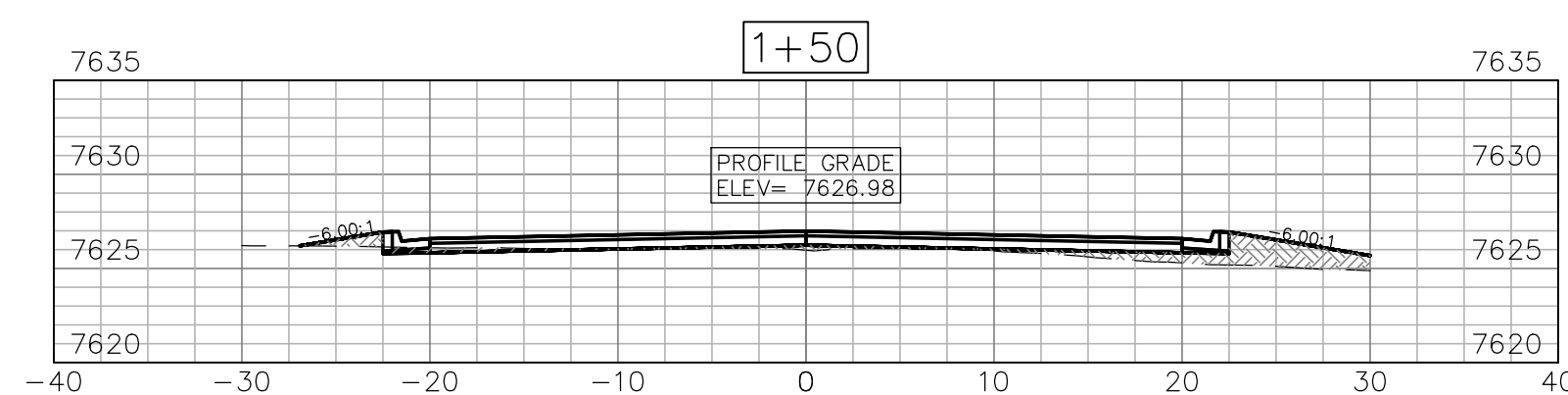
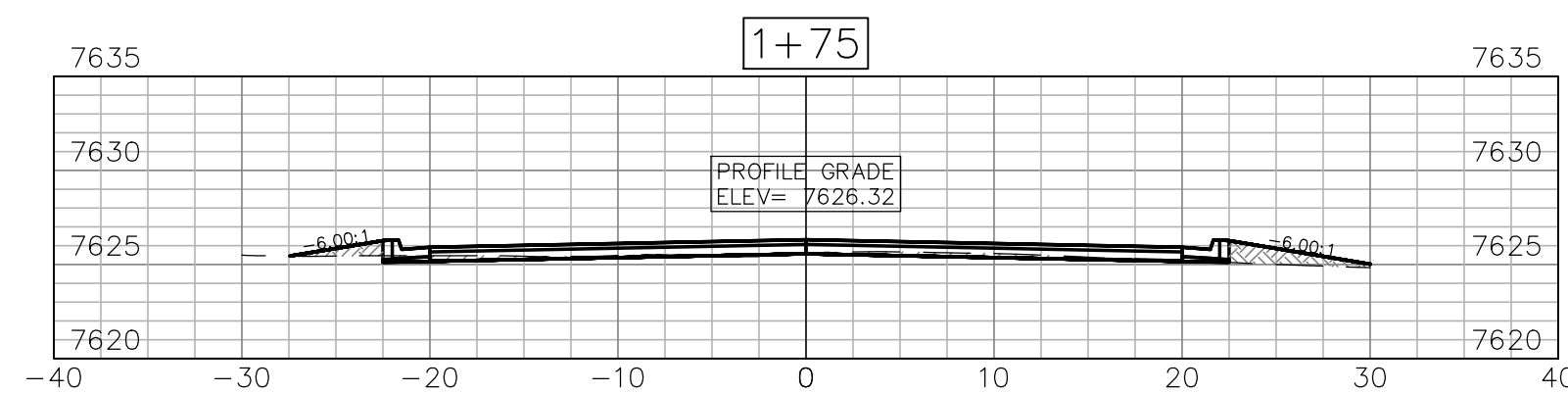
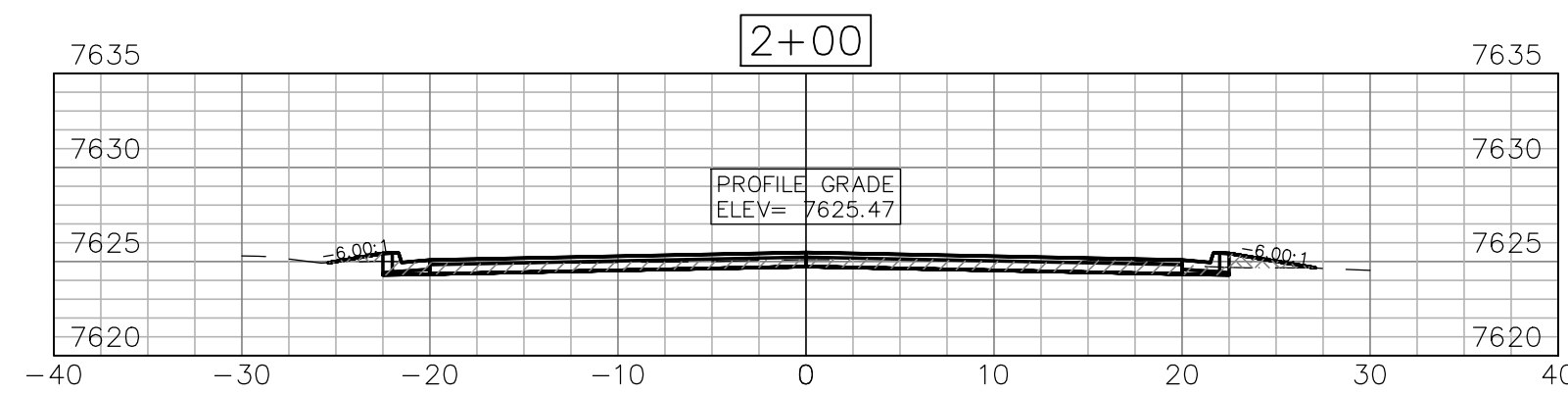
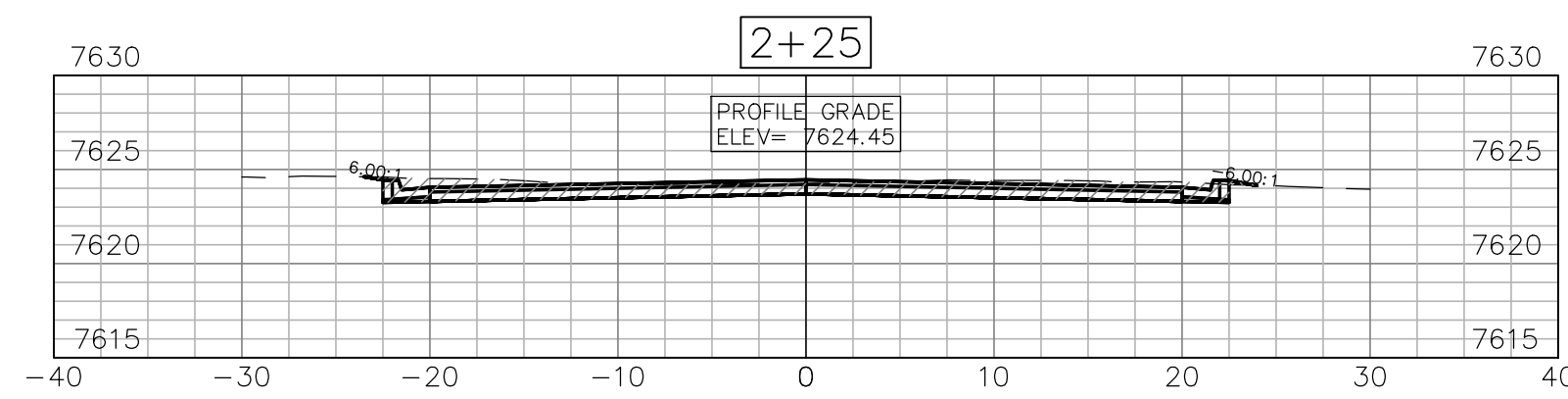
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Sheet
RD3.01

UNCOMPAGHRE ST.
CROSS SECTION

UNCOMPAGHRE STREET EARTHWORK TABULATION						
Station	Fill Area (SF)	Cut Area (SF)	Fill Volume (CY)	Cut Volume (CY)	Cumulative Fill Vol (CY)	Cumulative Cut Vol (CY)
0+75.00	6.67	17.05	0.00	0.00	0.00	0.00
1+00.00	11.75	6.96	8.53	11.12	8.53	11.12
1+25.00	15.64	4.09	12.68	5.12	21.21	16.23
1+50.00	17.93	2.09	15.54	2.86	36.75	19.10
1+75.00	7.50	6.02	11.77	3.76	48.53	22.85
2+00.00	2.31	21.87	4.54	12.91	53.07	35.77
2+25.00	0.16	39.24	1.14	28.29	54.21	64.06



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WATERVIEW AFFORDABLE HOUSING SUBDIVISION
OURAY, COLORADO

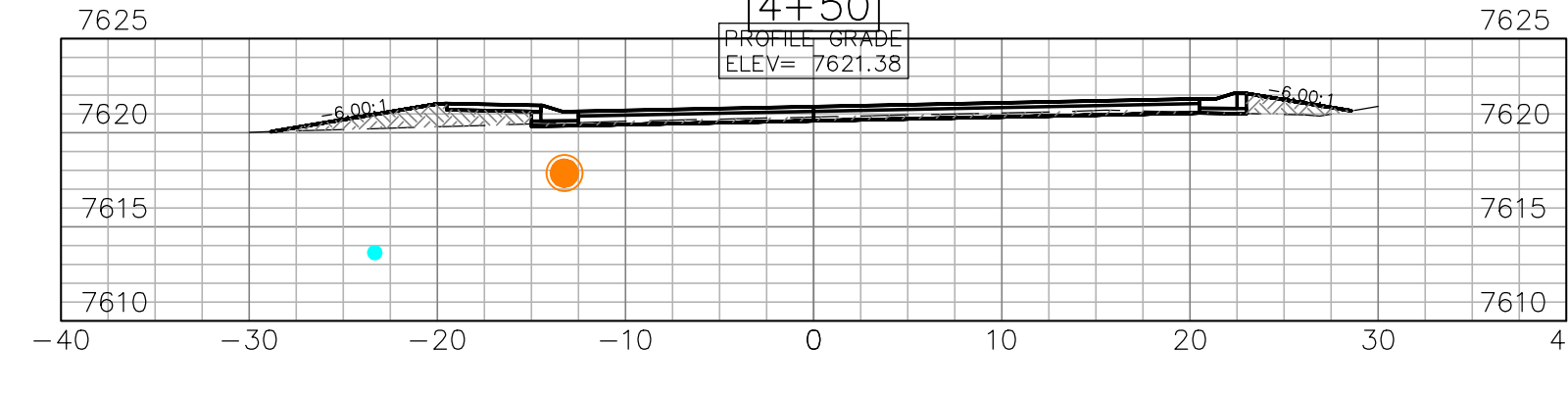
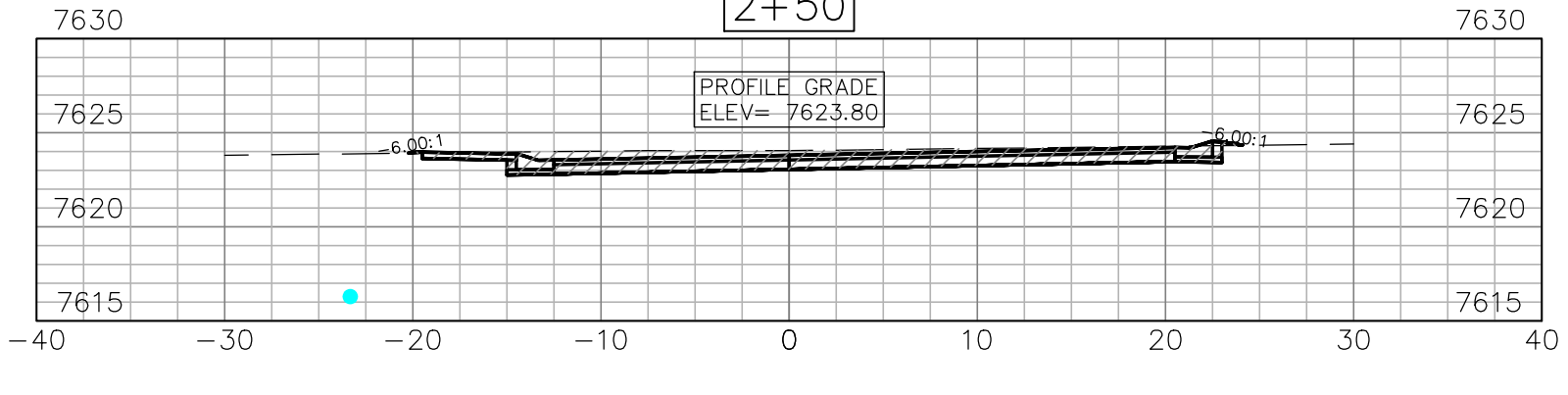
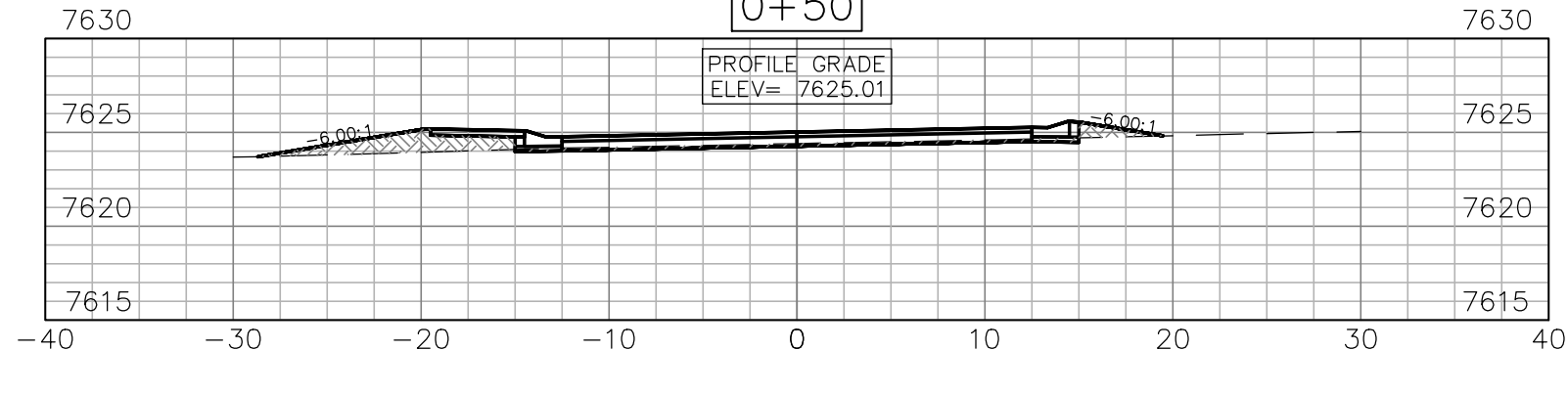
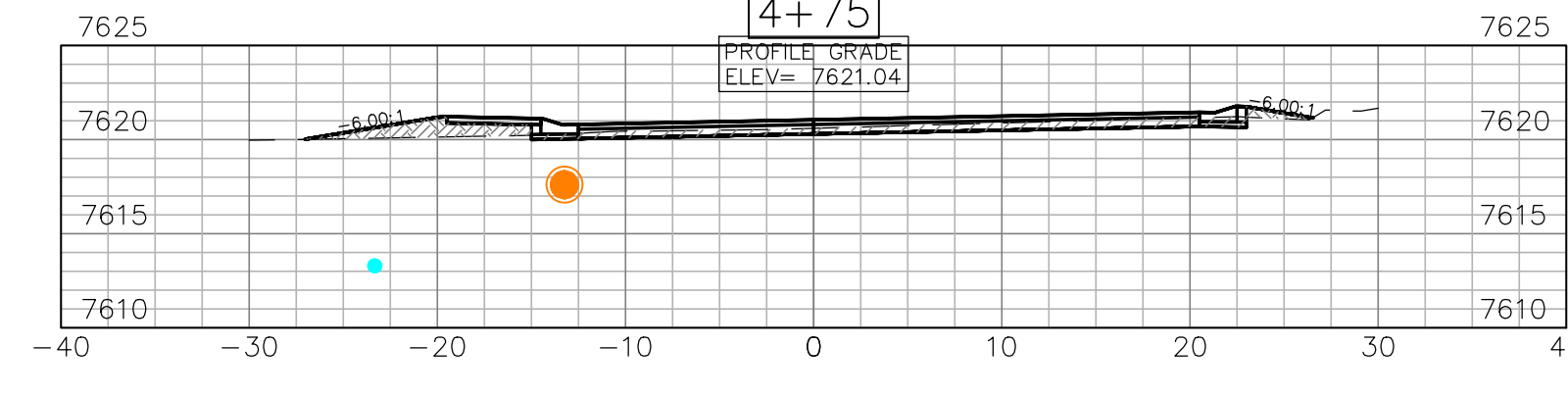
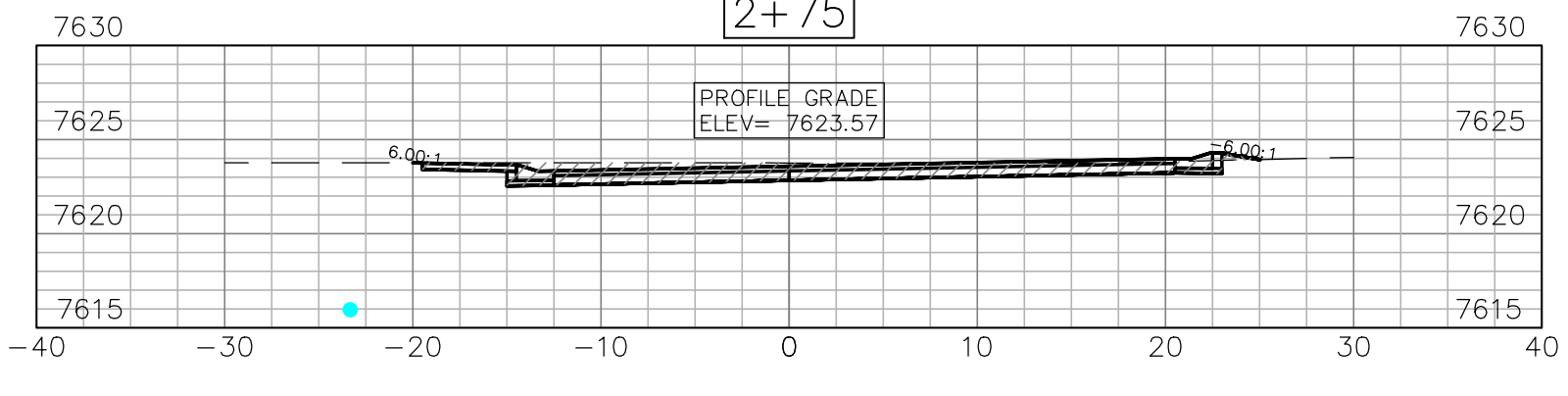
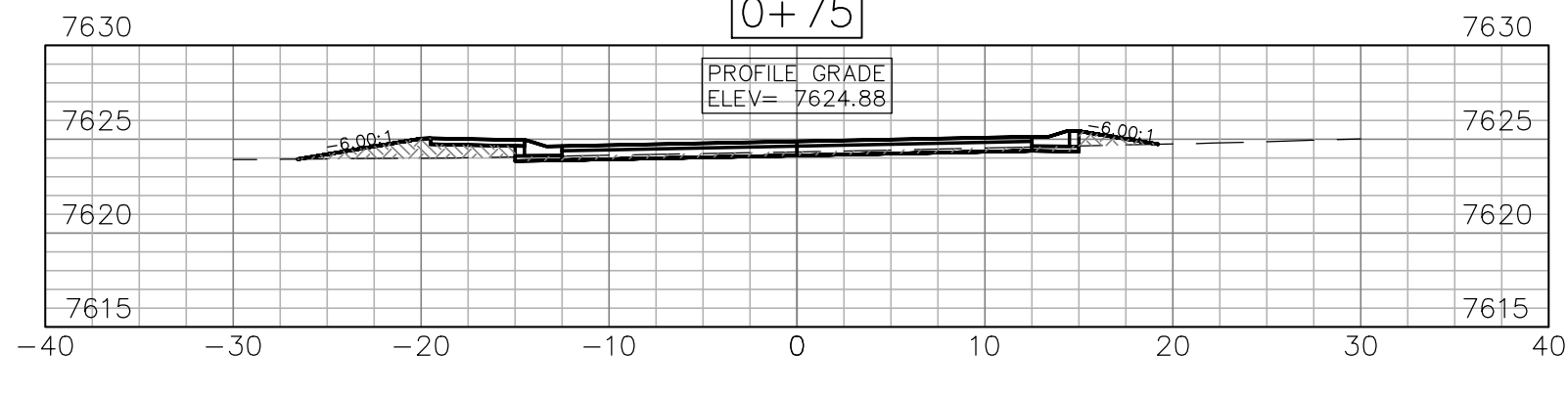
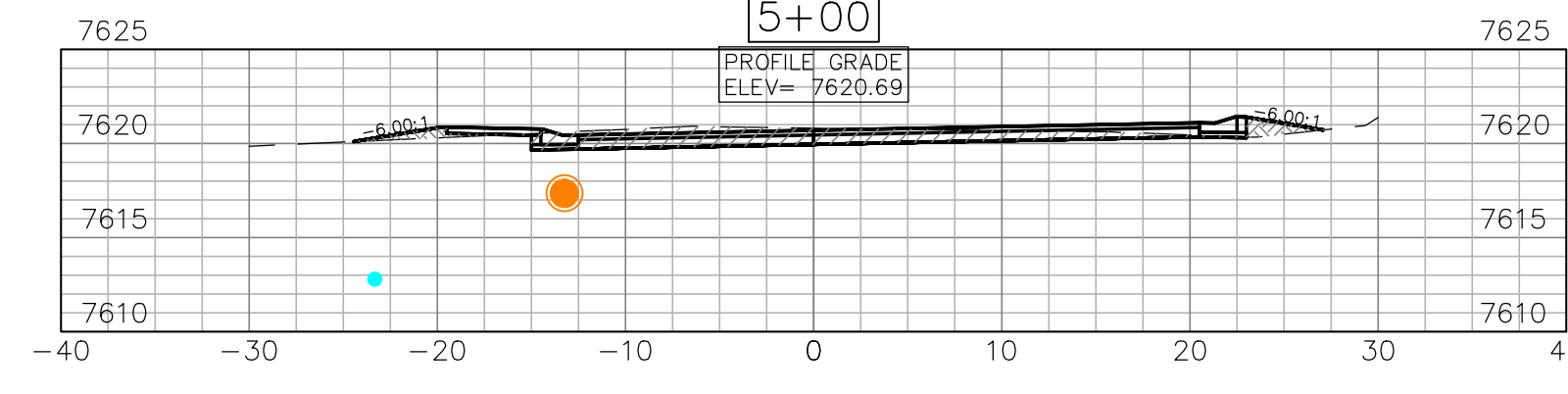
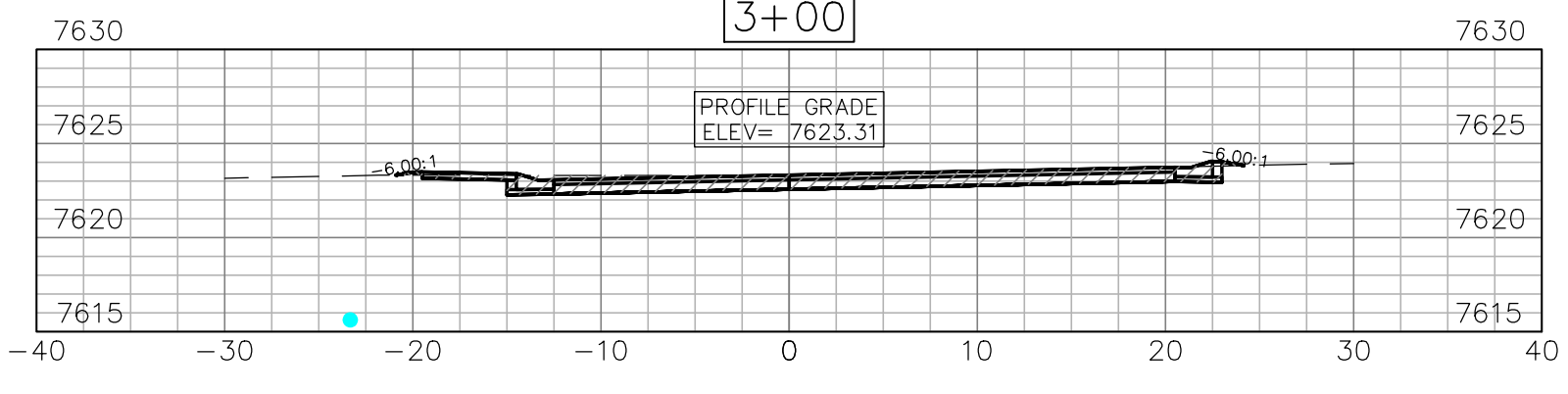
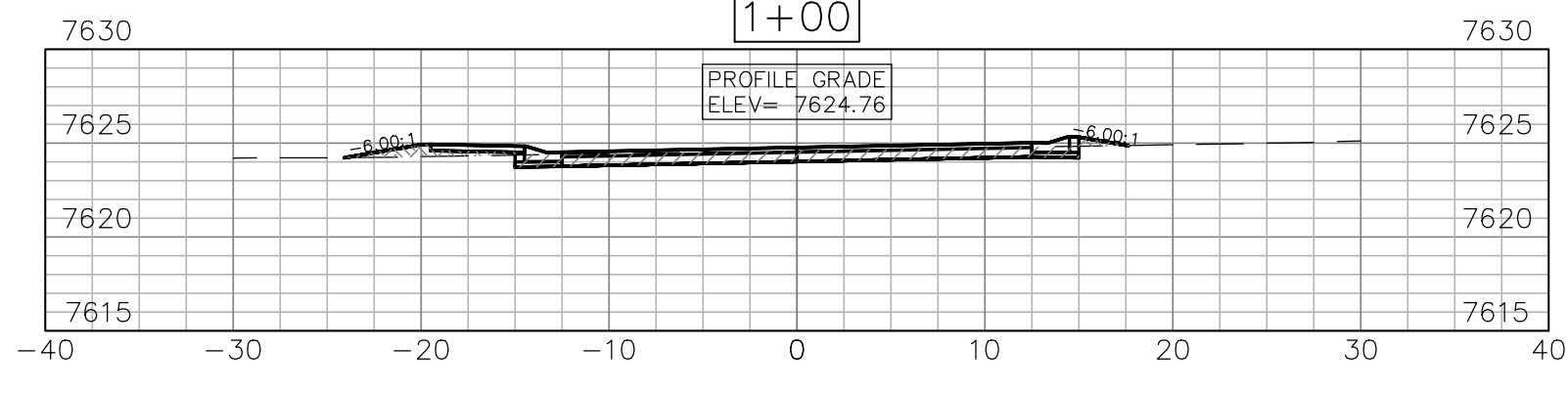
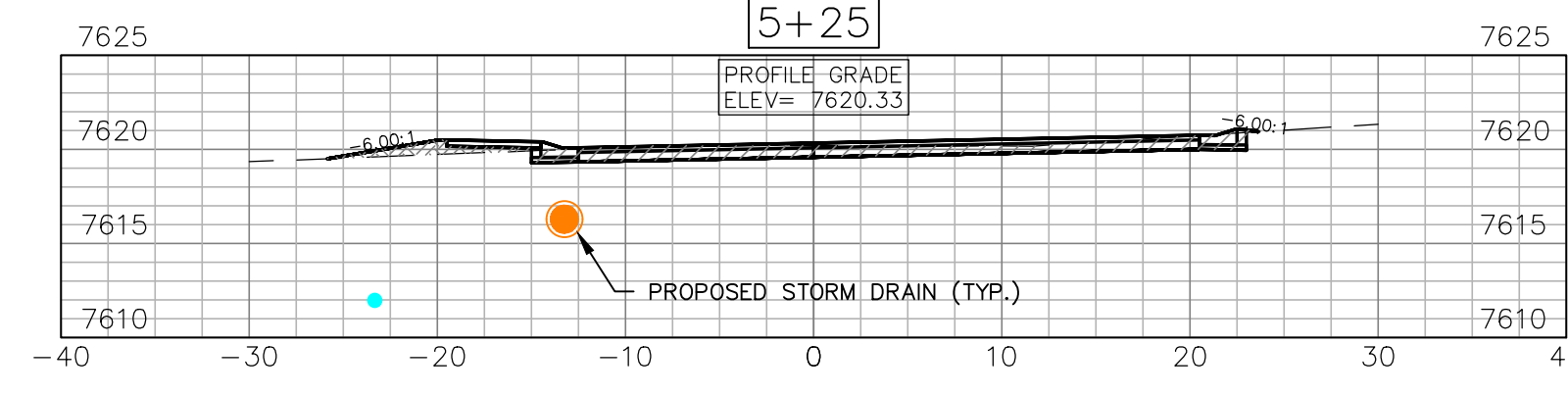
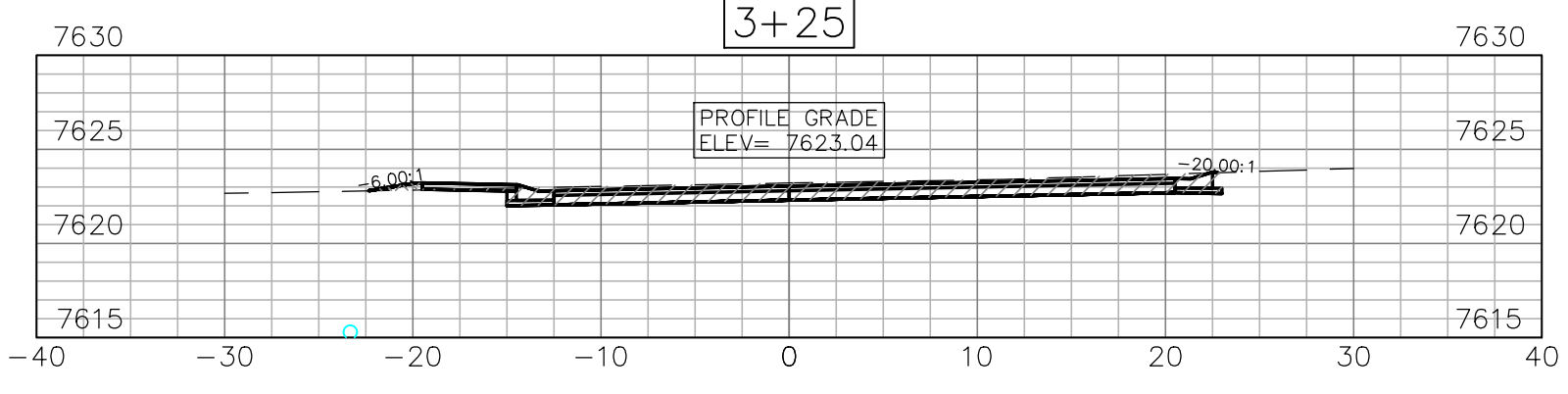
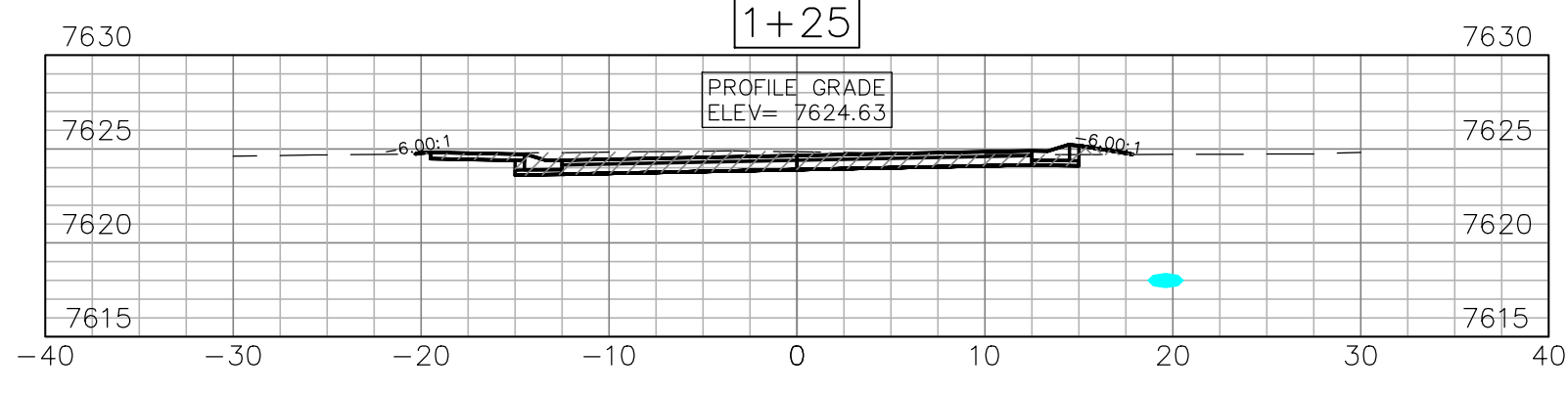
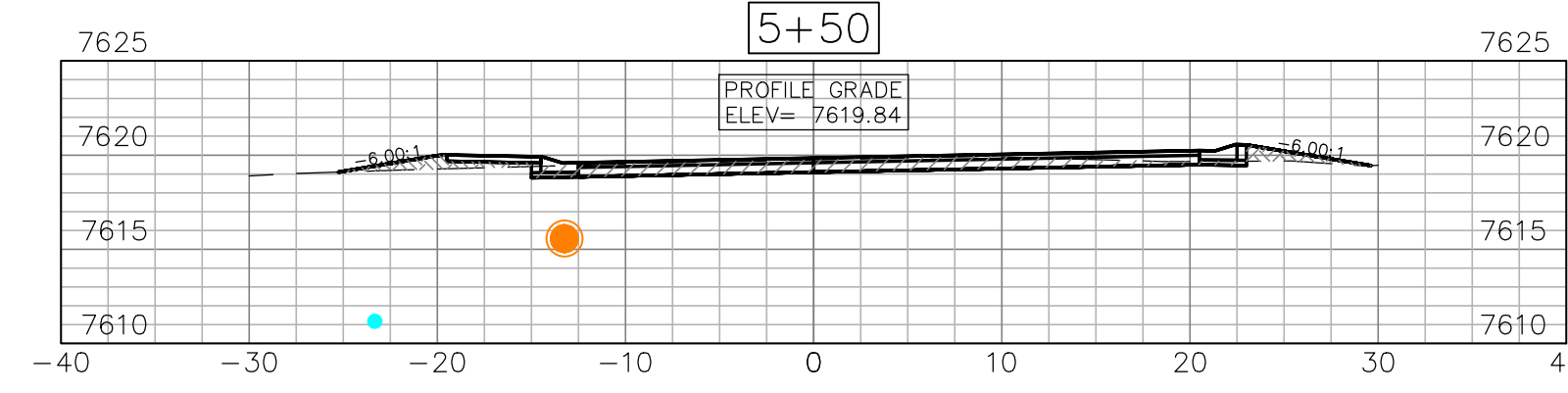
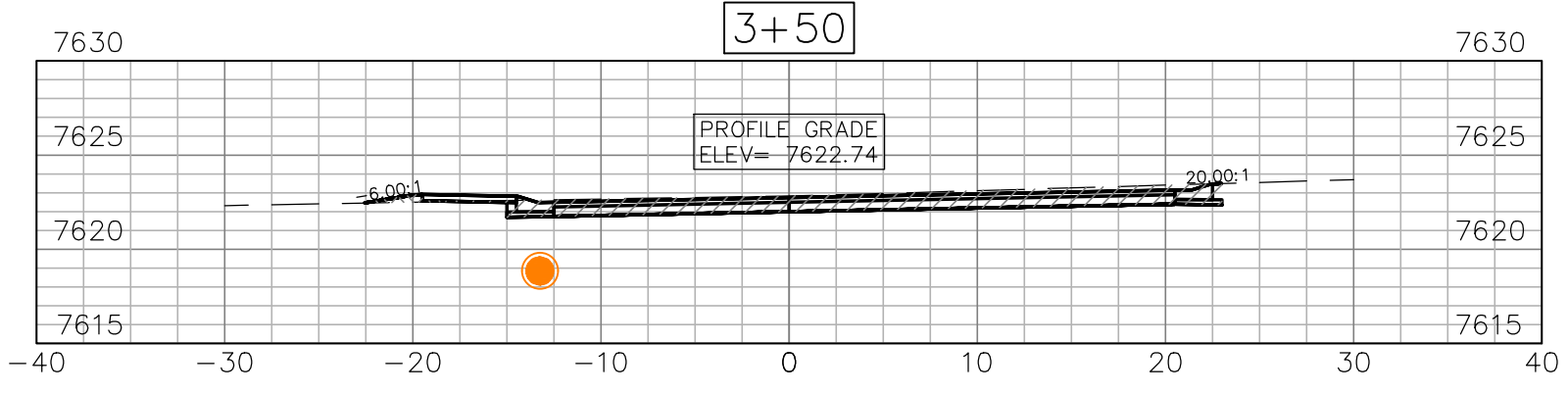
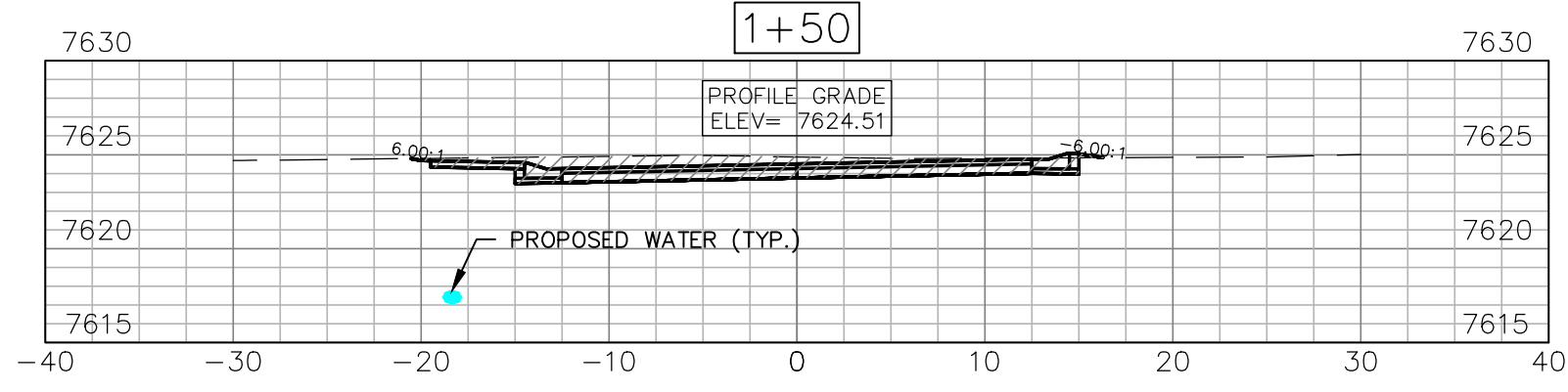
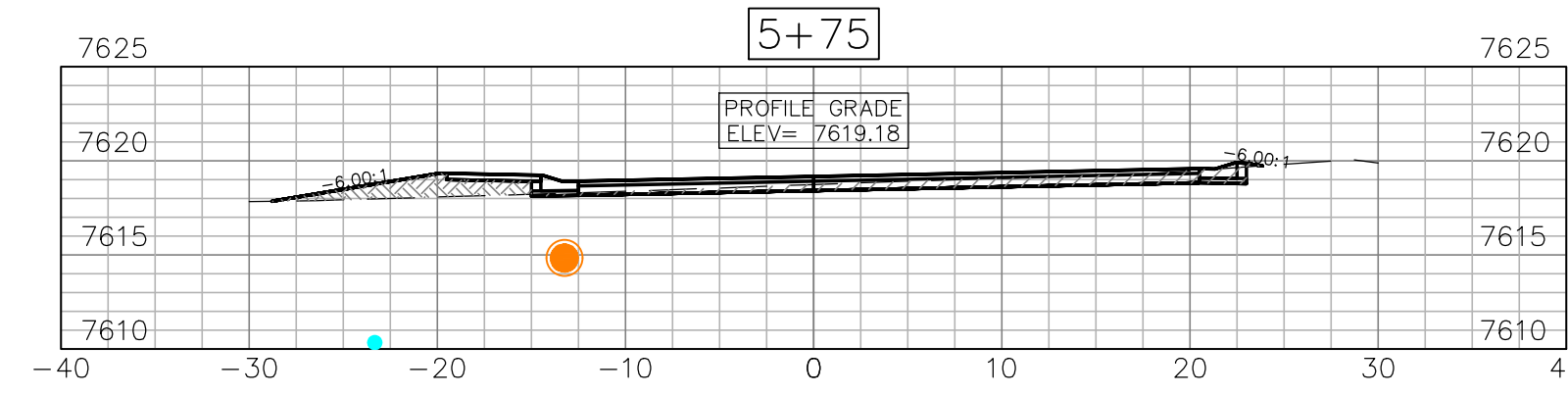
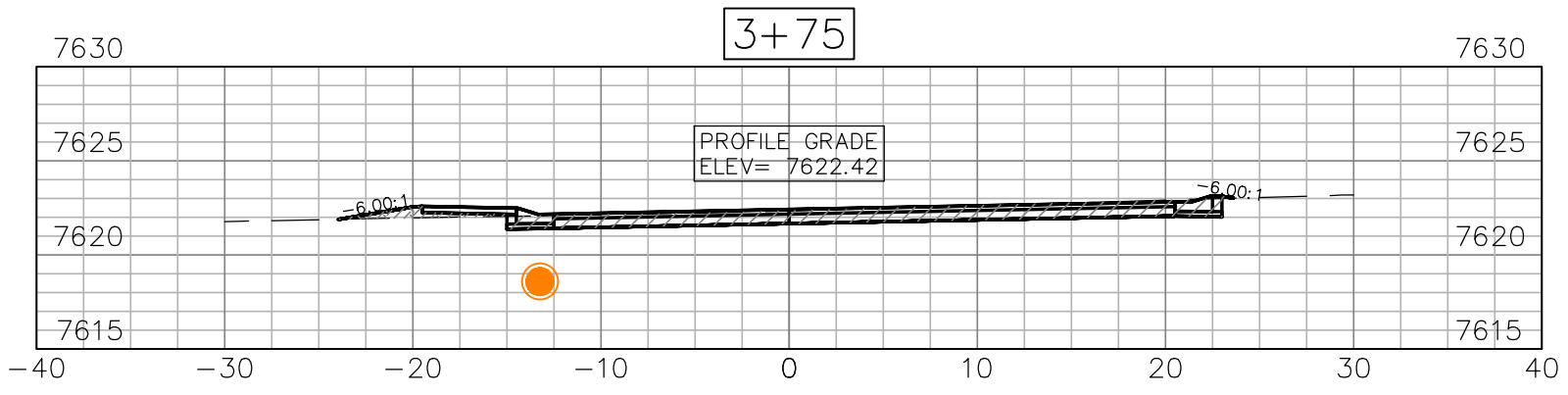
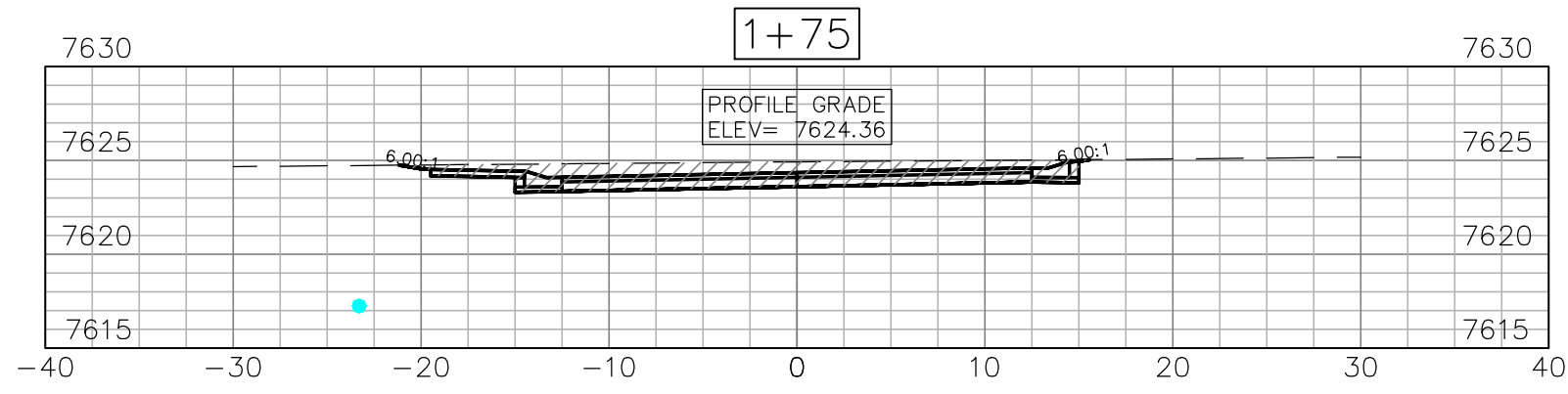
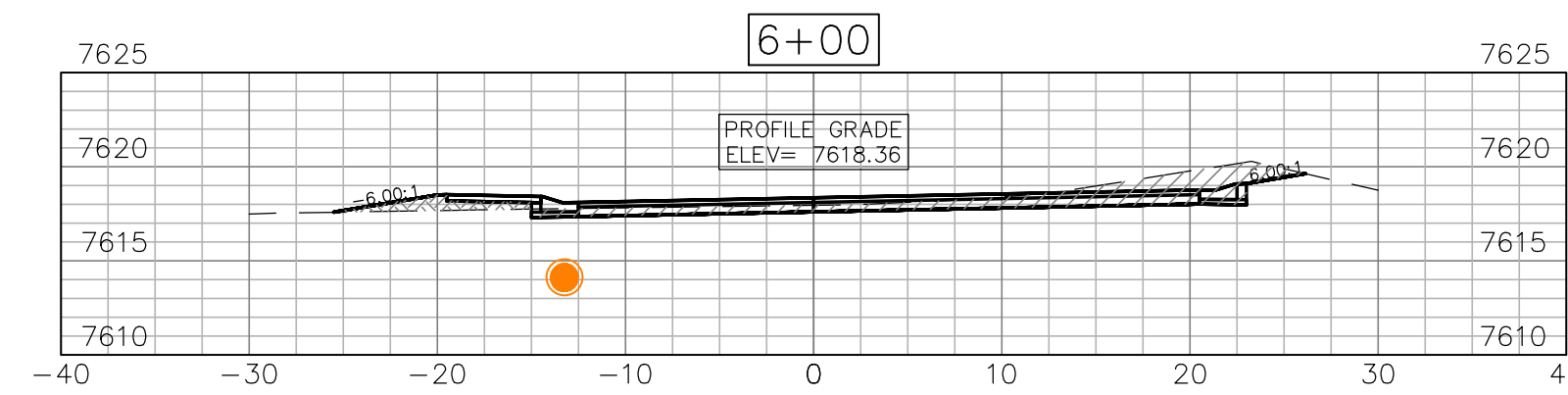
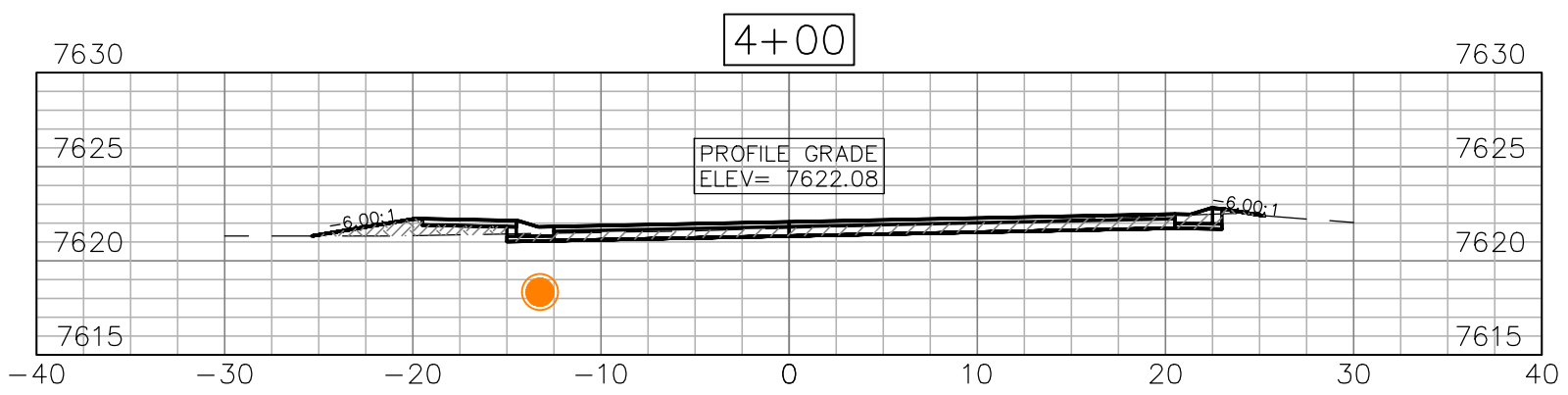
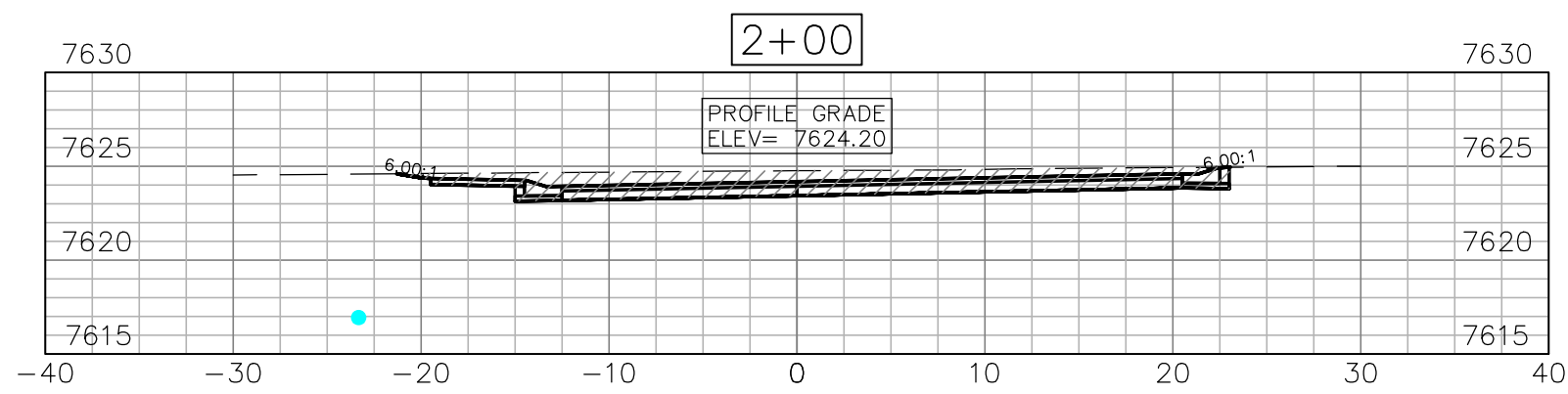
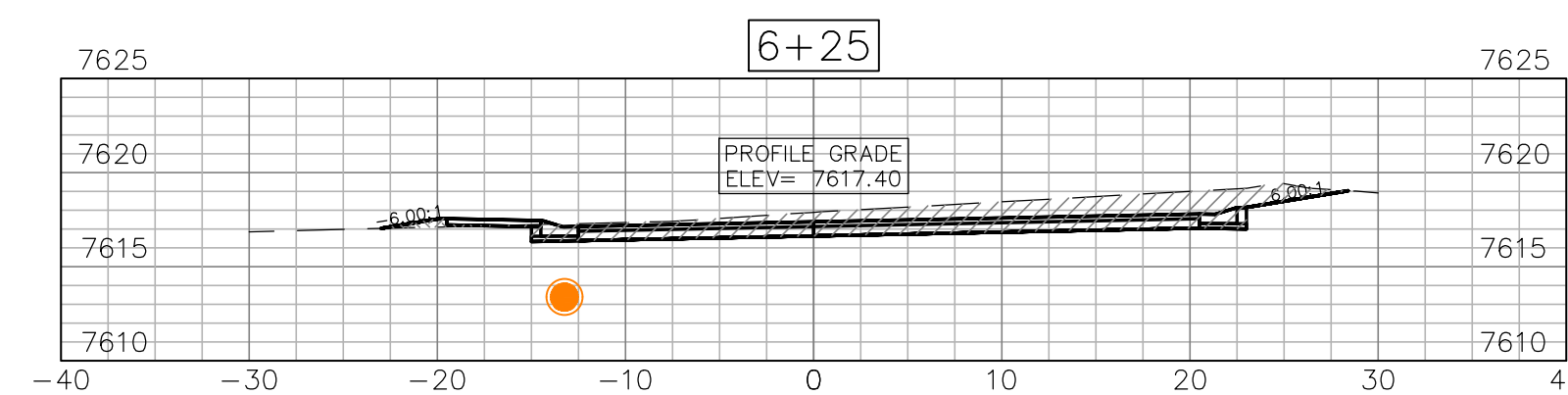
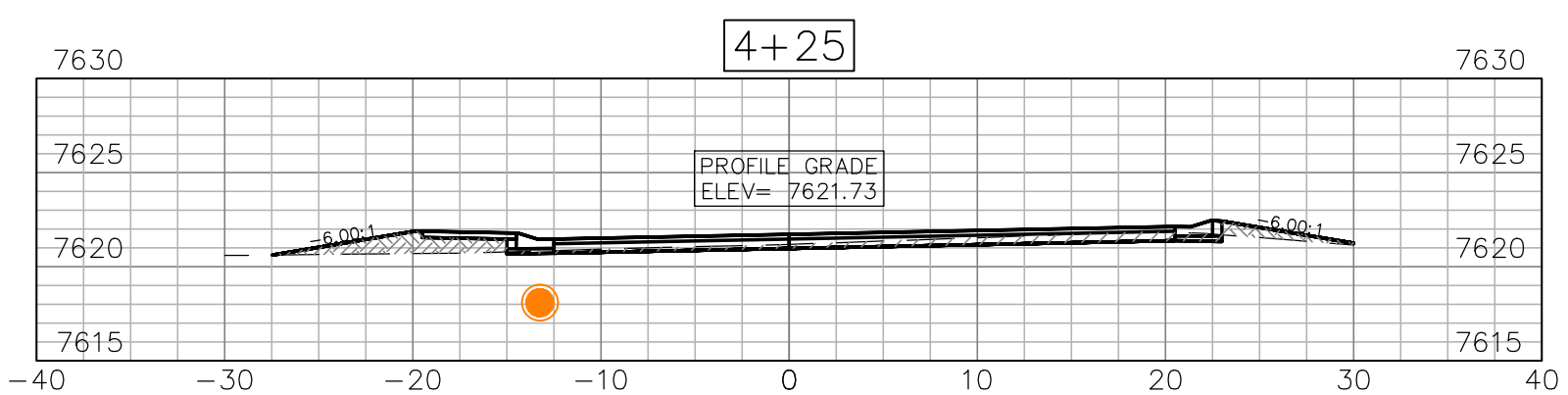
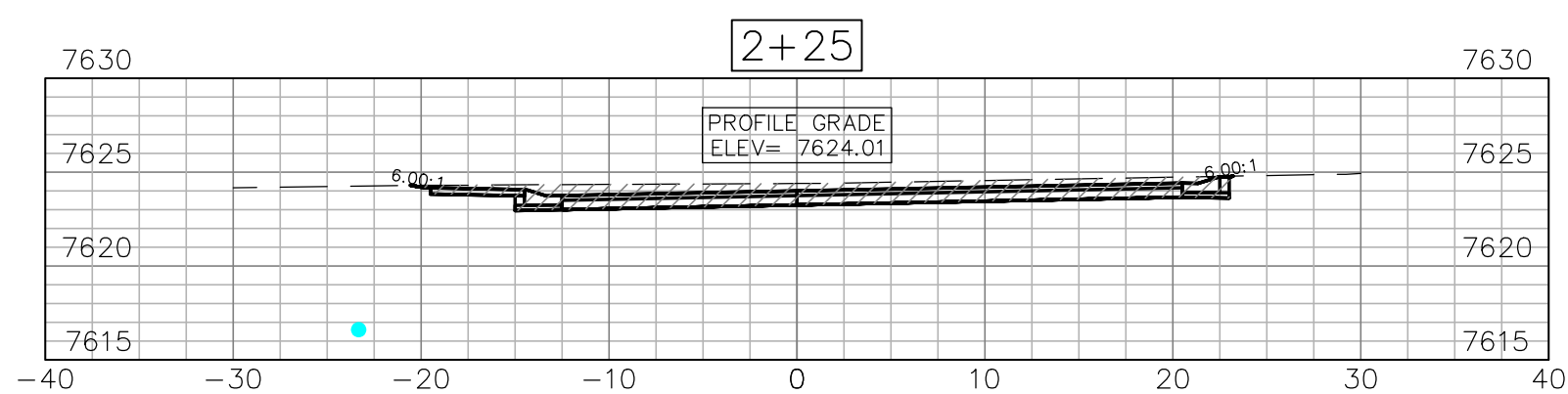
Issue Record:
SCHEMATIC 05-05-2023

Revisions:

Project Number: 21-116
Drawn By: JAE
Designed by: RSH
Checked By: RSH

Sheet
RD3.02

WATERVIEW ST.
PHASE 1 CROSS SECTION



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WATERVIEW AFFORDABLE HOUSING SUBDIVISION
OURAY, COLORADO

Issue Record:
SCHEMATIC 05-05-2023

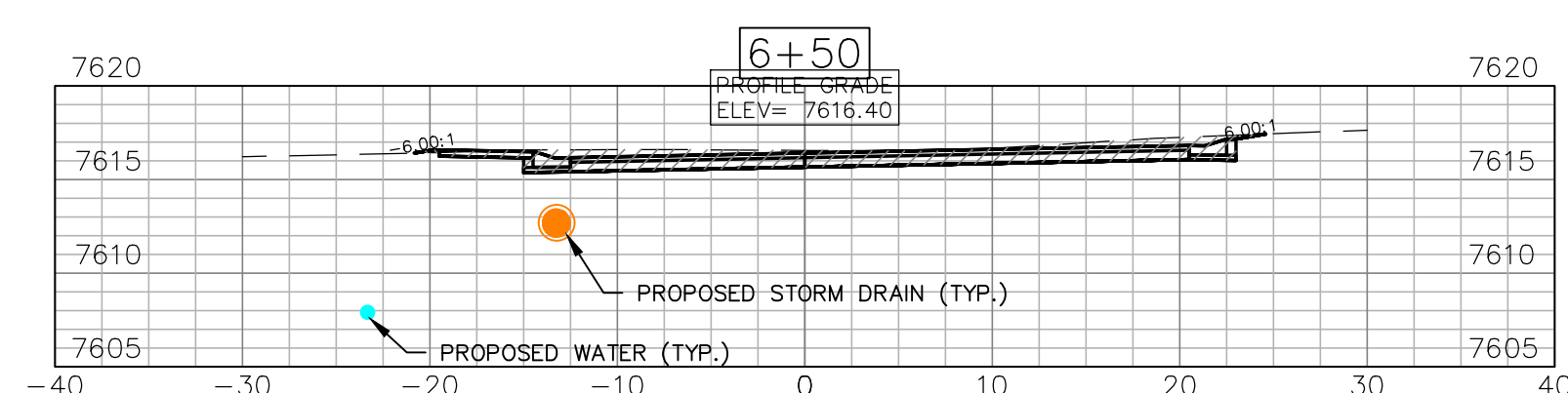
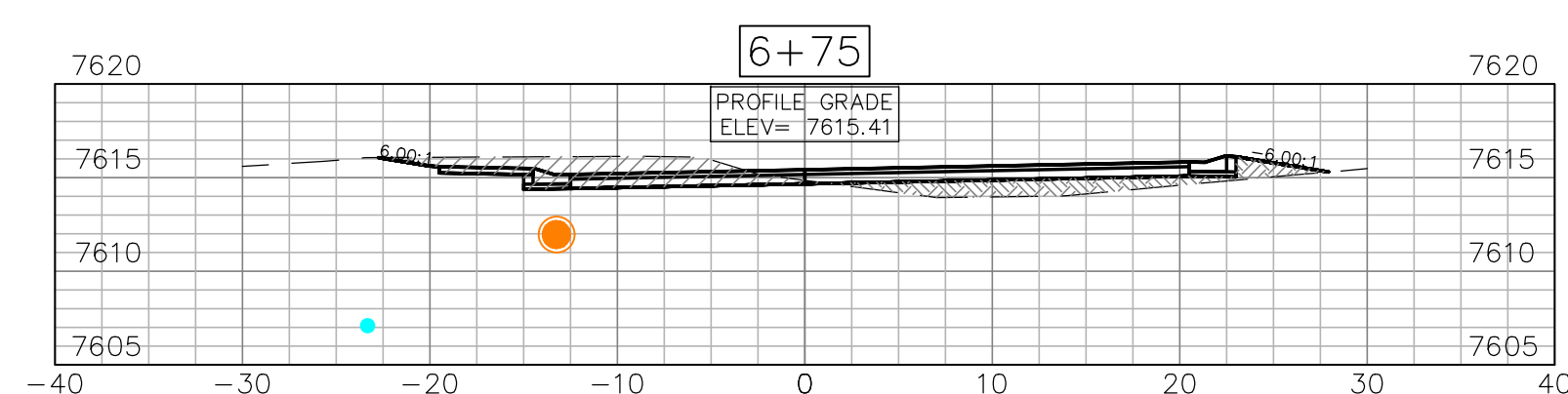
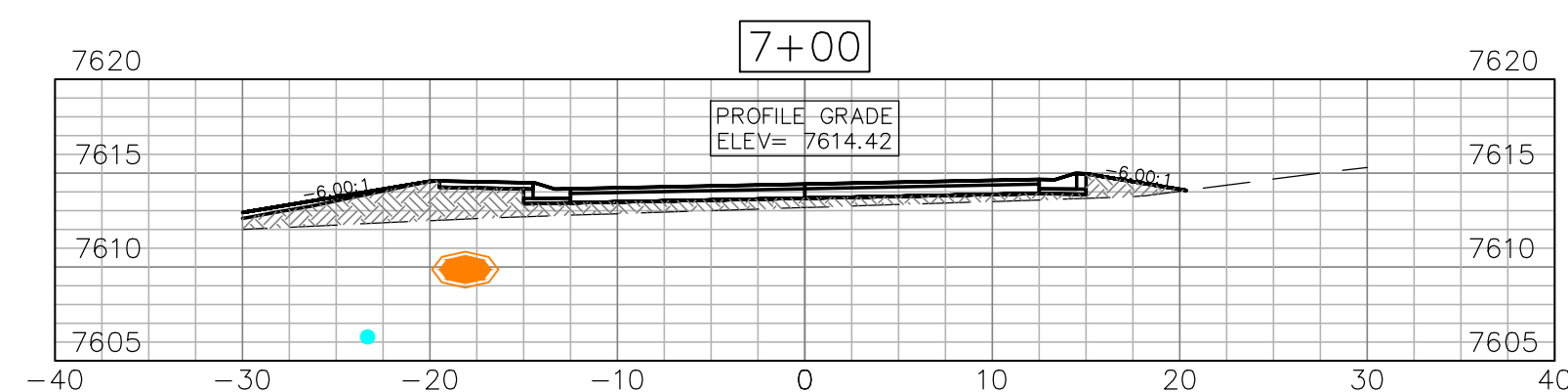
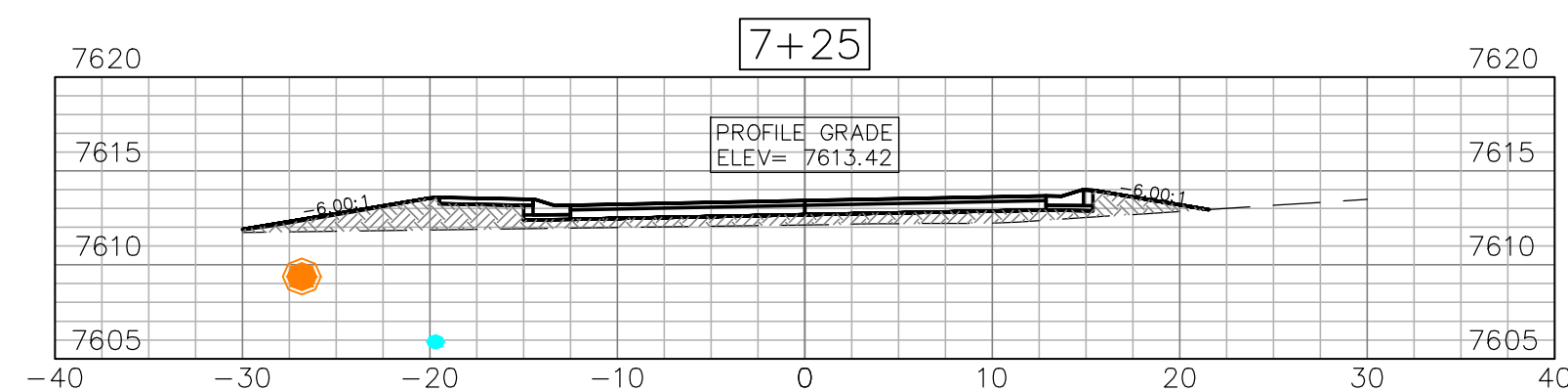
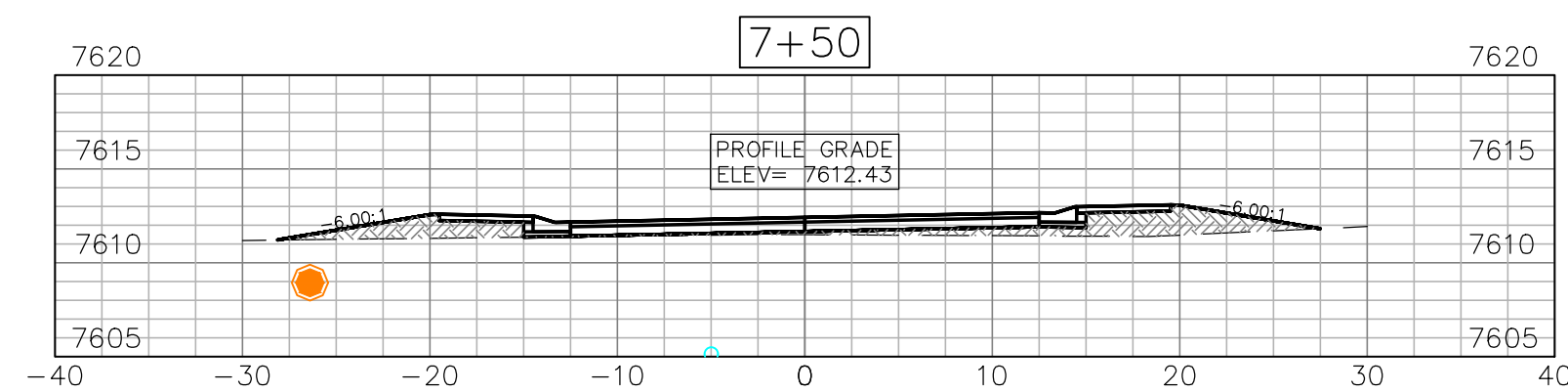
Revisions:

Project Number: 21-116
Drawn By: JAE
Designed by: RSH
Checked By: RSH

Sheet
RD3.03

WATERVIEW ST.
PHASE 1 CROSS SECTION

WATERVIEW STREET EARTHWORK TABULATION						
Station	Fill Area (SF)	Cut Area (SF)	Fill Volume (CY)	Cut Volume (CY)	Cumulative Fill Vol (CY)	Cumulative Cut Vol (CY)
0+50.00	11.41	4.23	0.00	0.00	0.00	0.00
0+75.00	8.61	5.82	12.67	4.64	12.67	4.64
1+00.00	3.32	17.36	5.84	10.75	18.51	15.39
1+25.00	0.73	28.88	1.87	21.40	20.38	36.79
1+50.00	0.14	35.89	0.50	28.58	20.88	65.37
1+75.00	0.00	42.59	0.09	34.18	20.97	99.55
2+00.00	0.00	51.76	0.00	43.69	20.97	143.24
2+25.00	0.00	46.54	0.00	45.51	20.97	188.75
2+50.00	0.13	38.98	0.06	39.59	21.03	228.34
2+75.00	0.38	34.74	0.24	34.13	21.27	262.47
3+00.00	0.28	32.43	0.31	31.10	21.58	293.57
3+25.00	0.60	35.49	0.41	31.45	21.99	325.02
3+50.00	0.75	34.76	0.63	32.52	22.61	357.54
3+75.00	2.32	28.09	1.42	29.10	24.03	386.64
4+00.00	5.22	18.41	3.49	21.53	27.52	408.16
4+25.00	11.36	11.09	7.67	13.66	35.20	421.82
4+50.00	13.07	6.61	11.31	8.20	46.51	430.02
4+75.00	8.28	13.87	9.89	9.49	56.39	439.50
5+00.00	4.07	25.54	5.72	18.25	62.11	457.75
5+25.00	3.93	23.11	3.70	22.52	65.82	480.27
5+50.00	6.20	20.55	4.69	20.21	70.50	500.48
5+75.00	9.88	14.35	7.44	16.16	77.95	516.64
6+00.00	4.66	28.98	6.73	20.06	84.68	536.70
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6+50.00	0.11	39.36	0.51	44.51	87.80	620.91
6+75.00	17.07	24.84	7.96	29.72	95.76	650.63
7+00.00	40.41	0.00	26.61	11.50	122.37	662.13
7+25.00	36.23	0.00	27.44	0.00	149.81	662.13
7+50.00	28.90	0.00	28.82	0.00	178.63	662.13



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WATERVIEW AFFORDABLE HOUSING SUBDIVISION

OURAY, COLORADO

Issue Record:
SCHEMATIC 05-05-2023

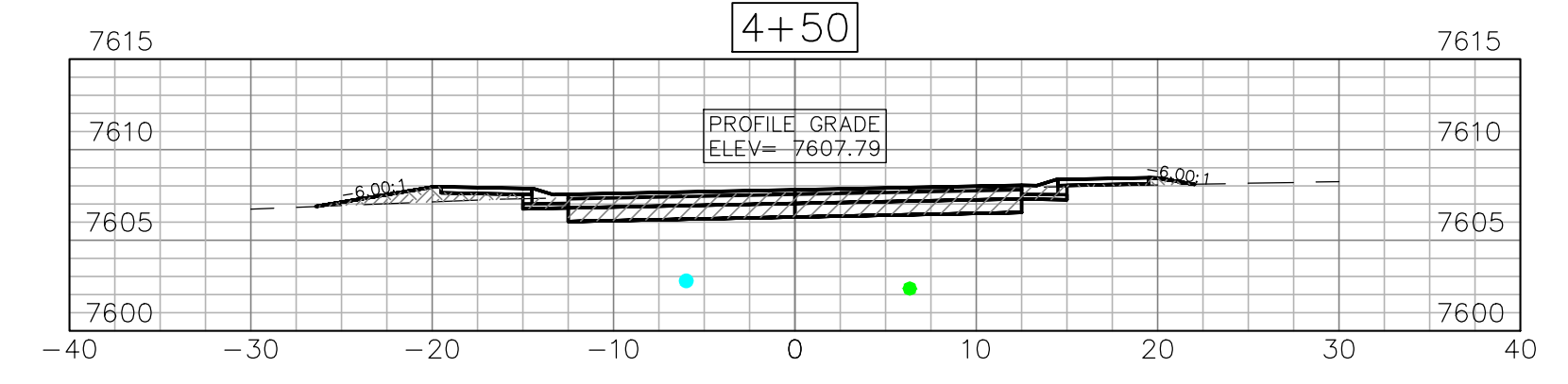
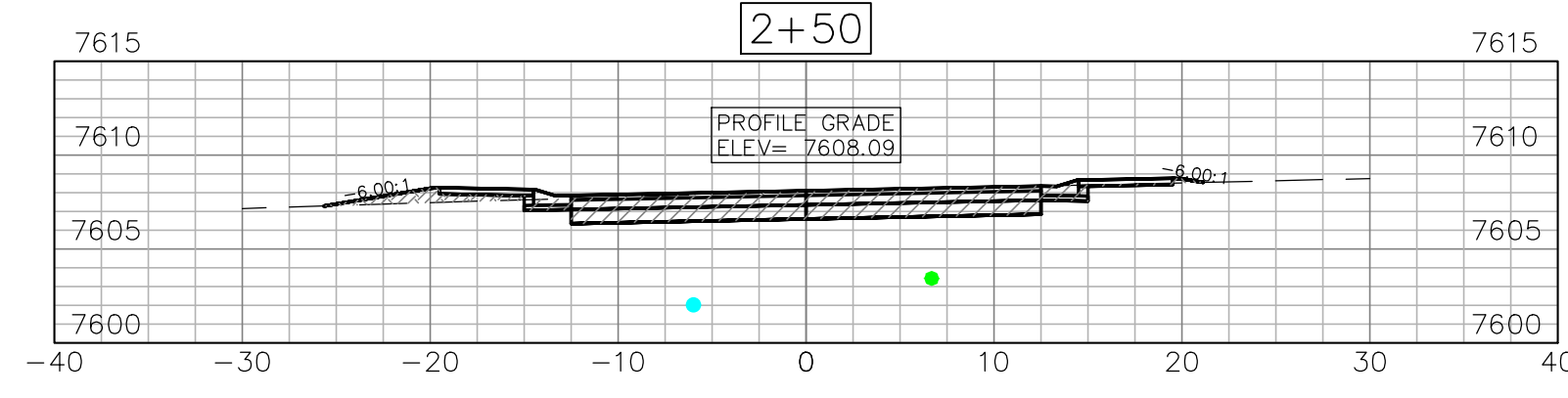
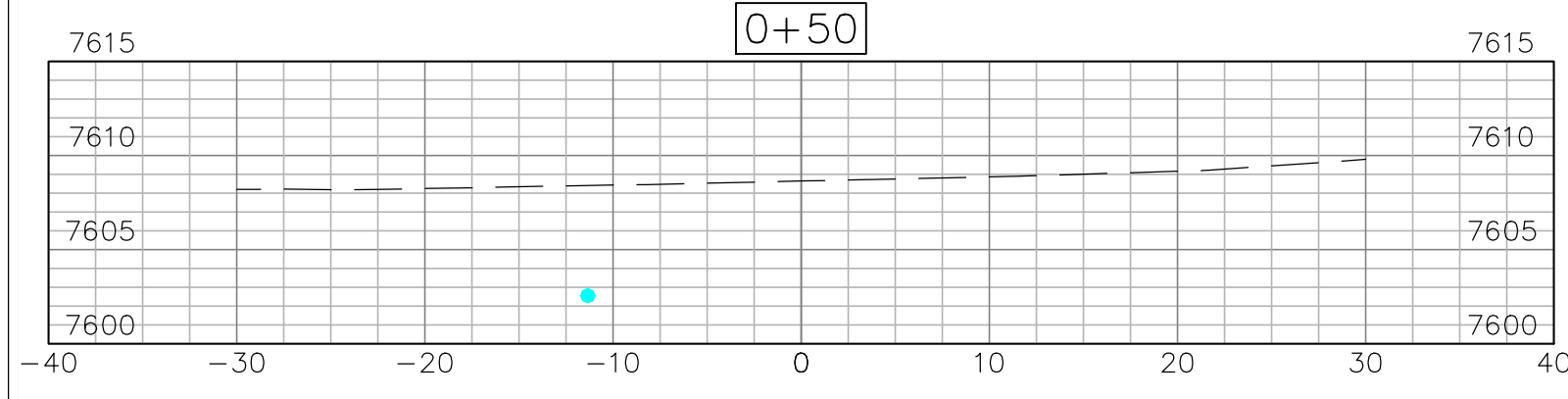
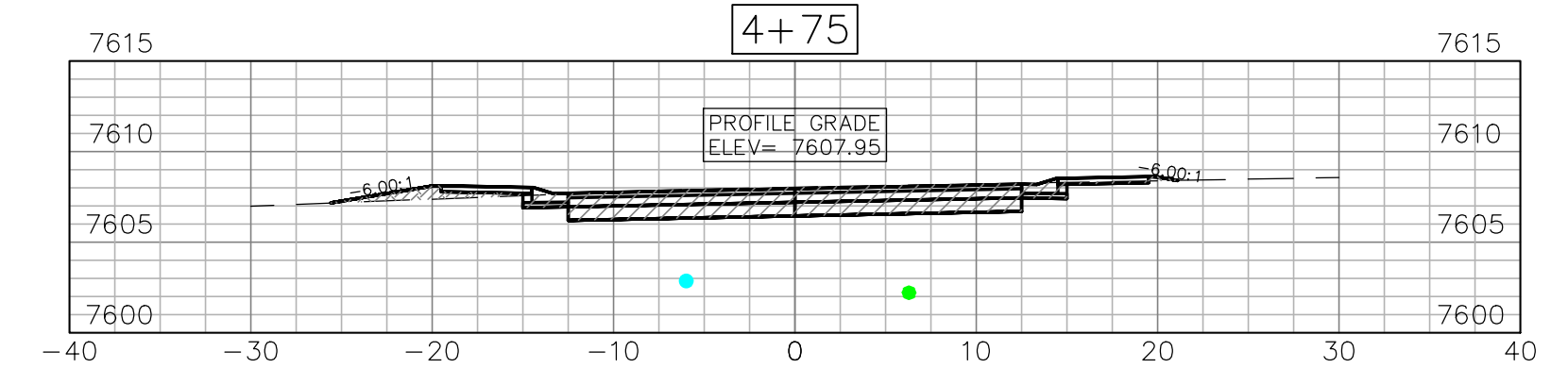
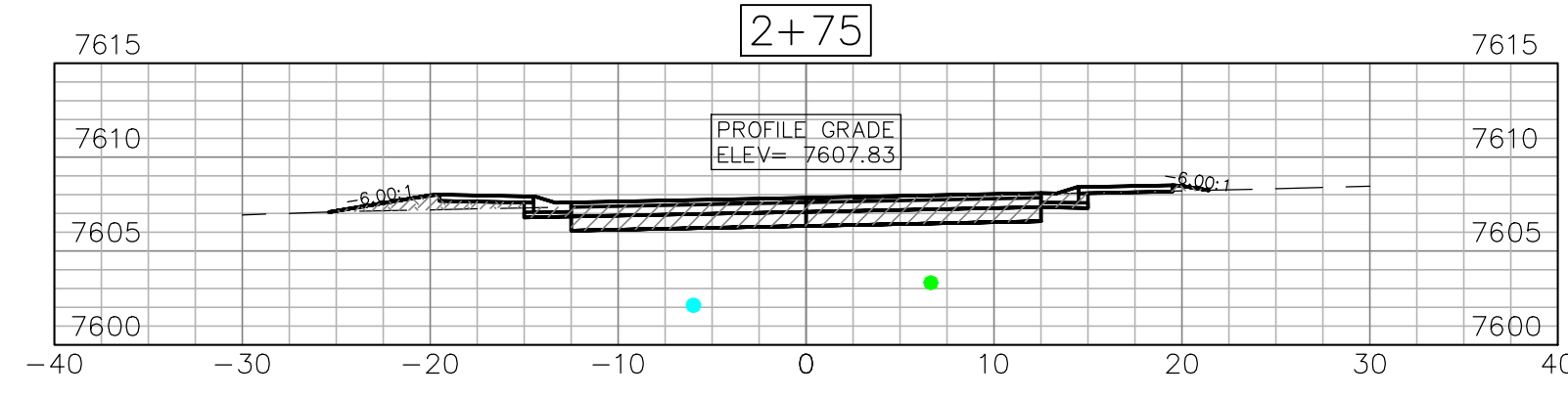
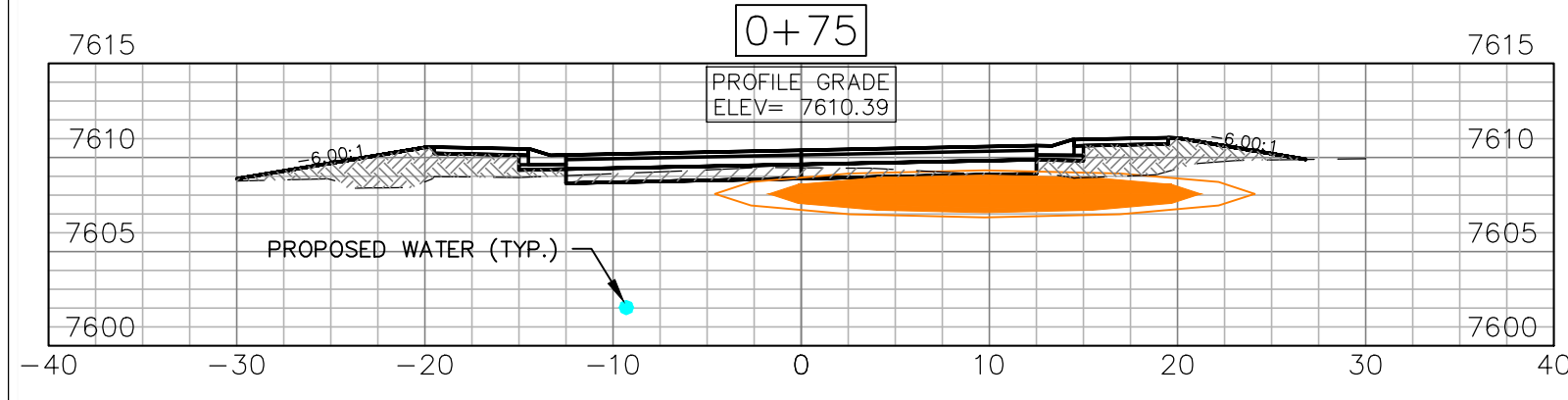
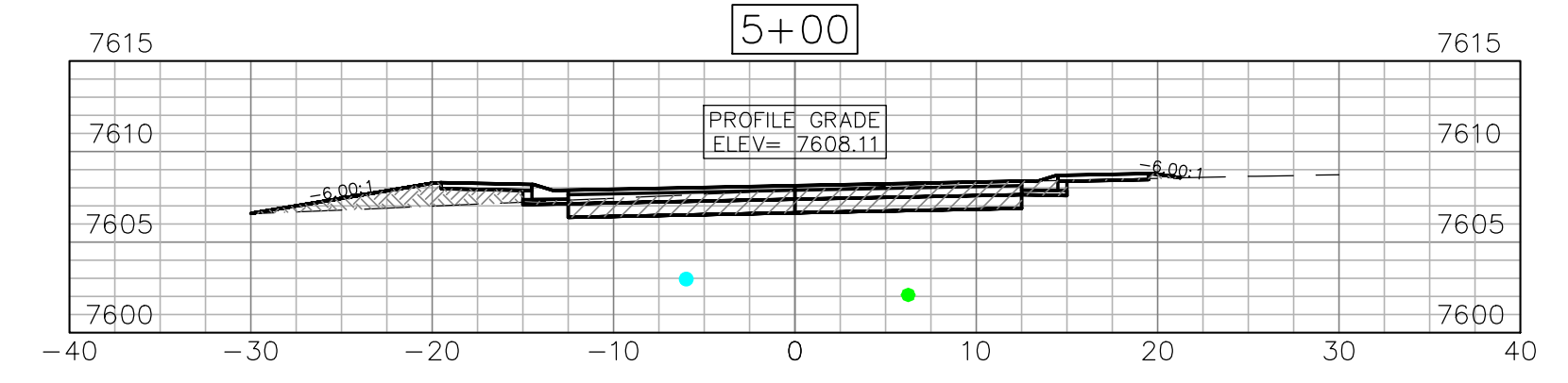
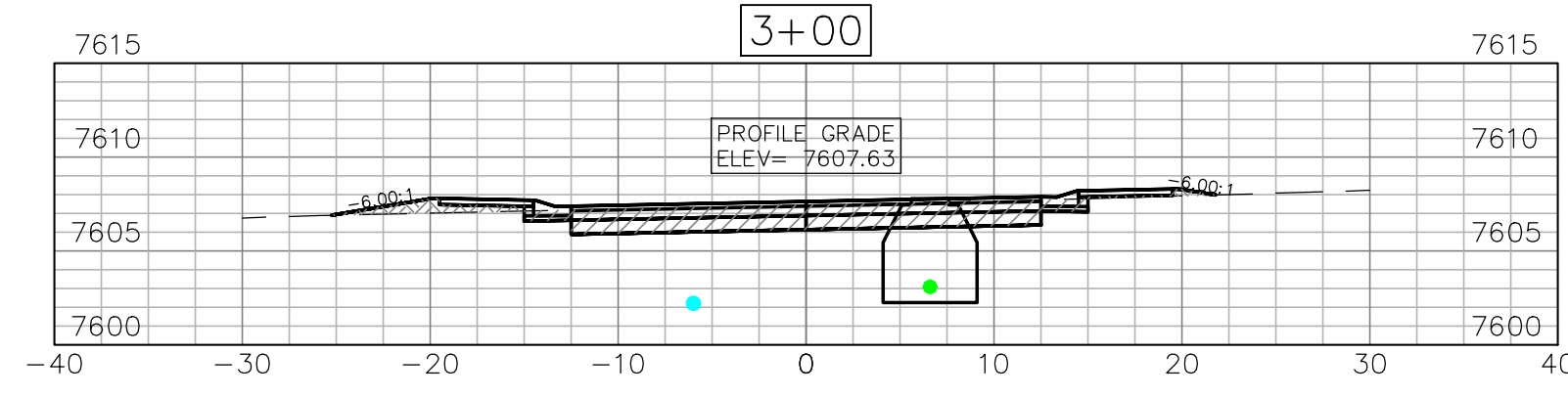
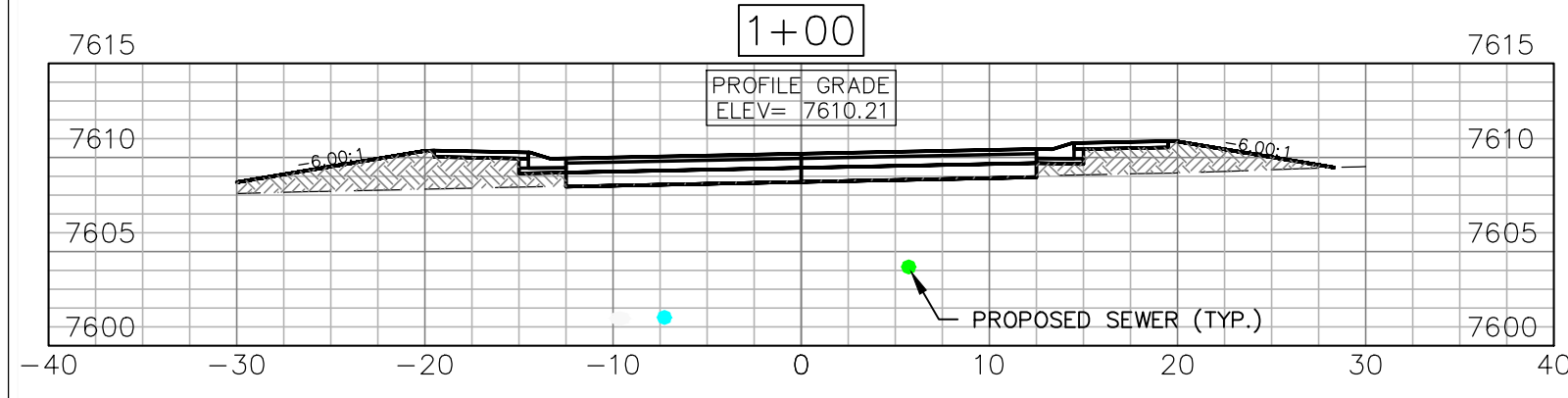
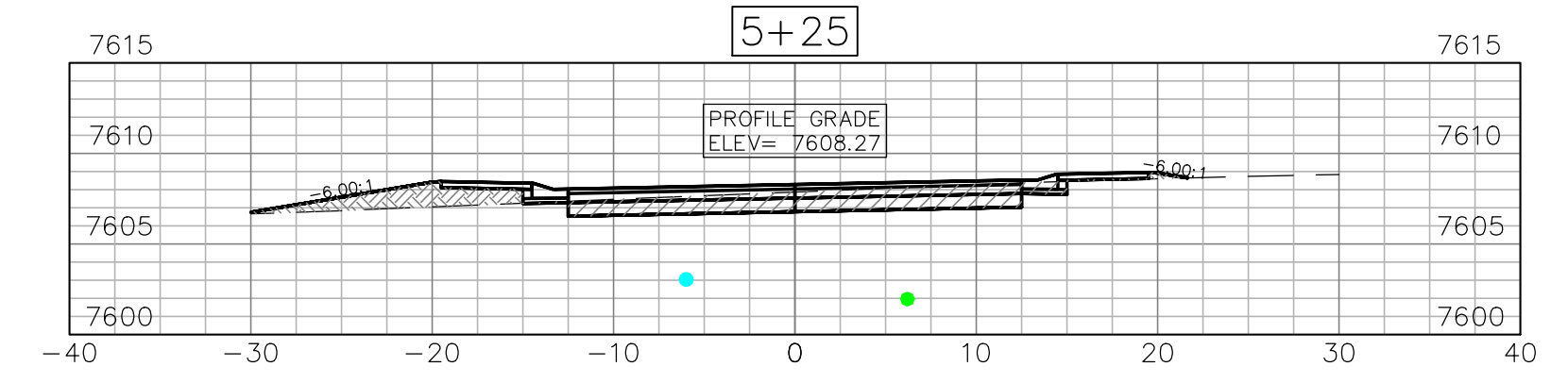
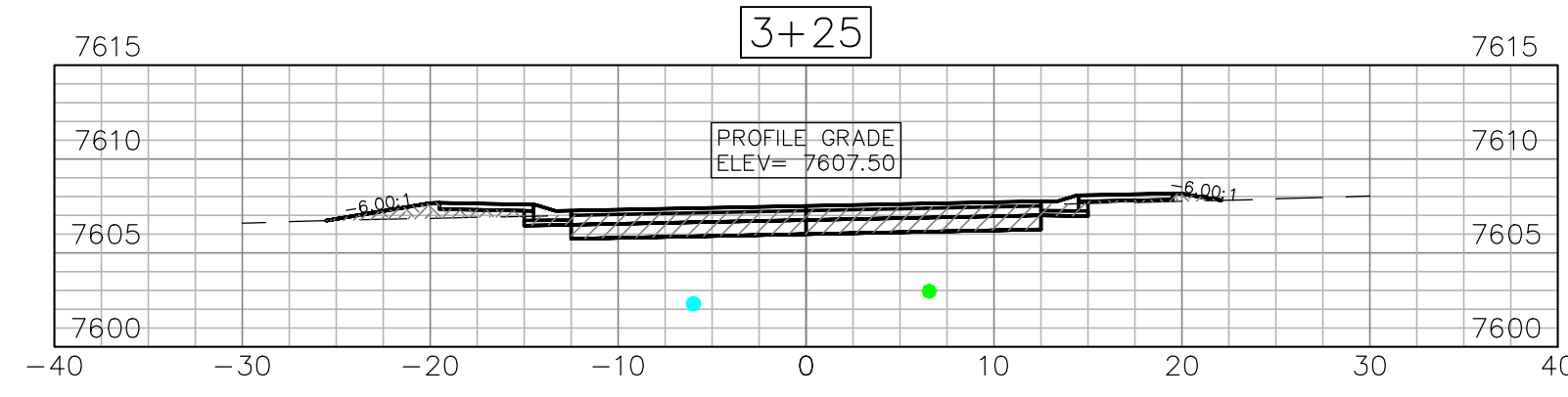
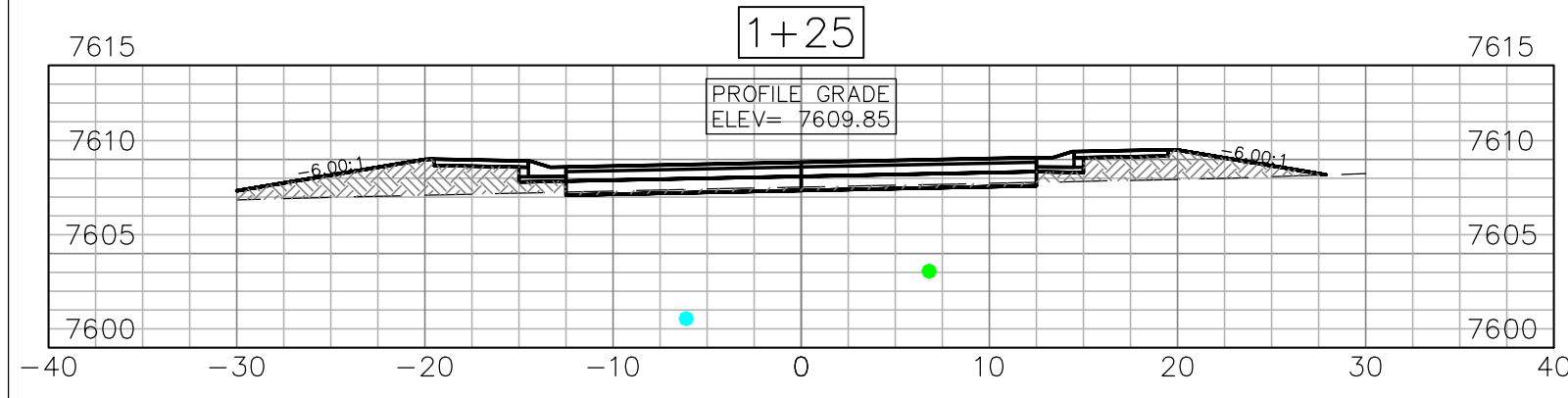
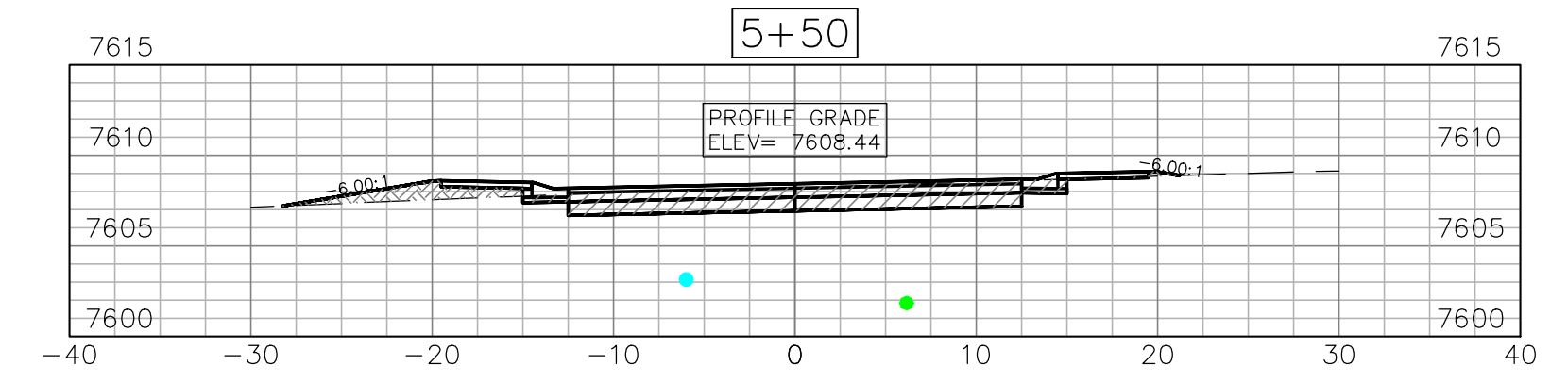
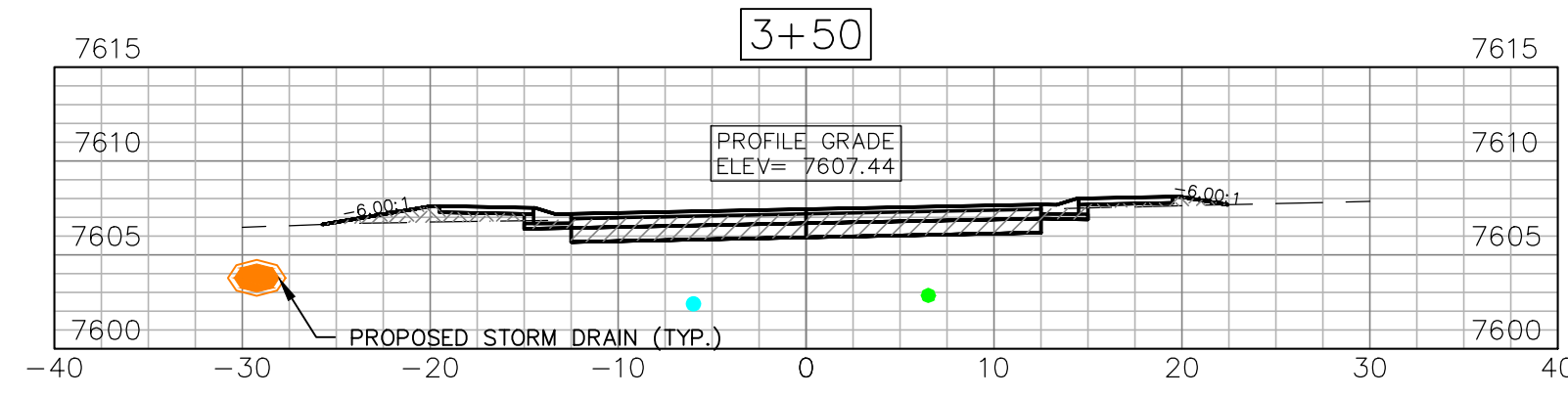
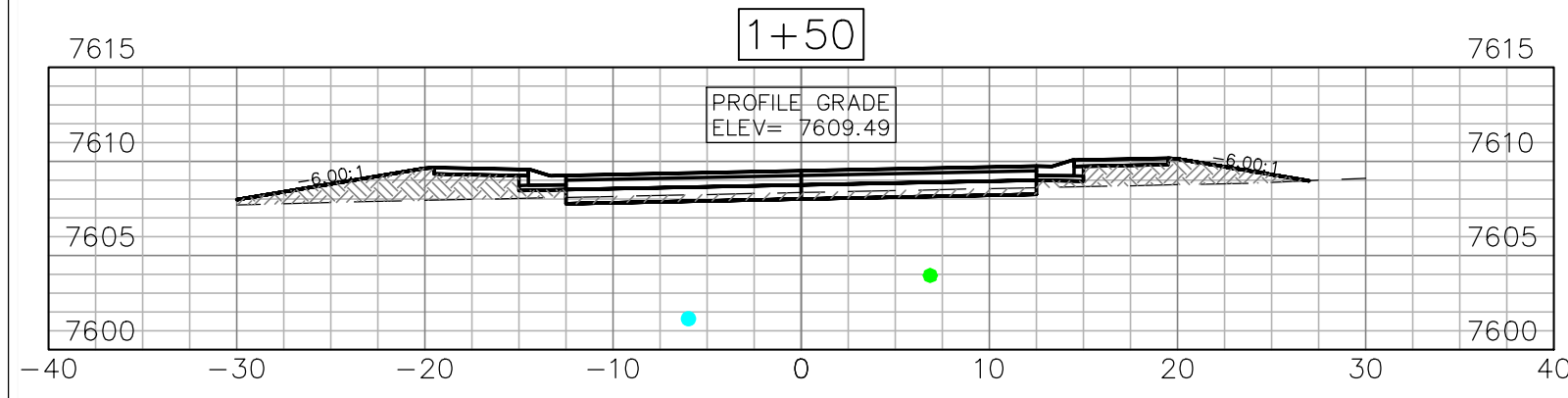
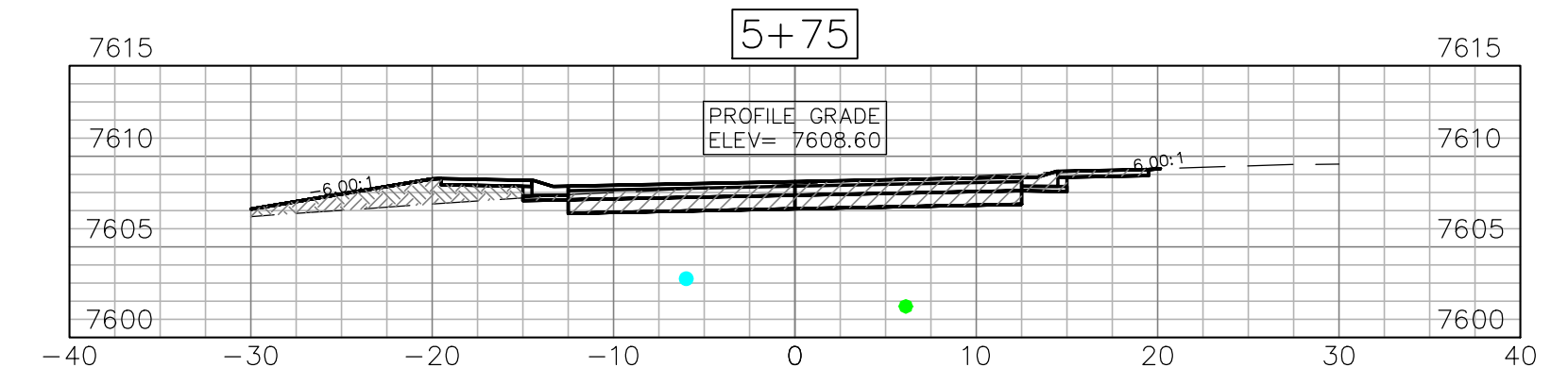
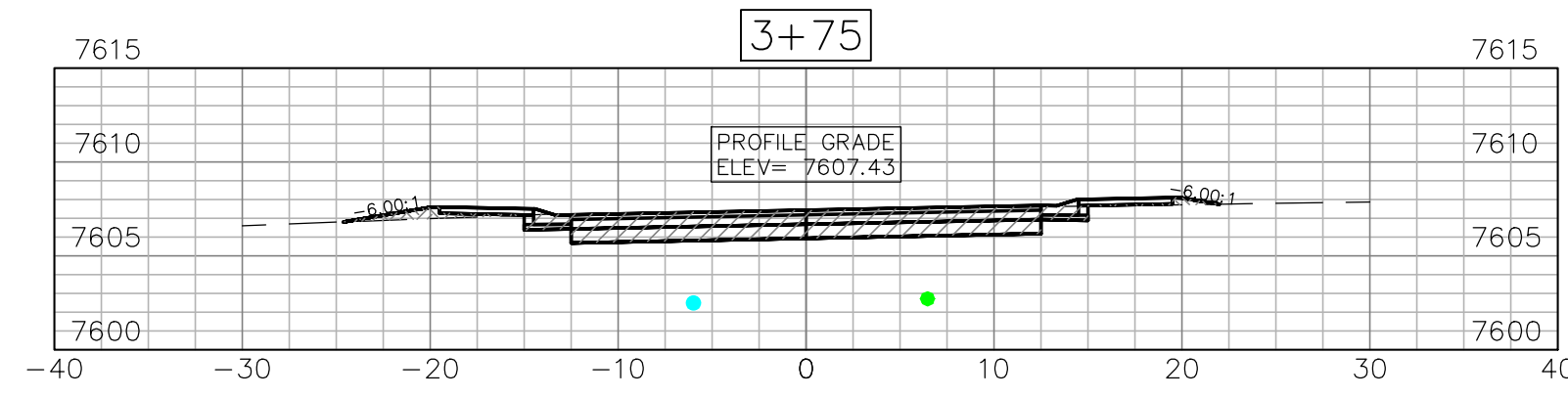
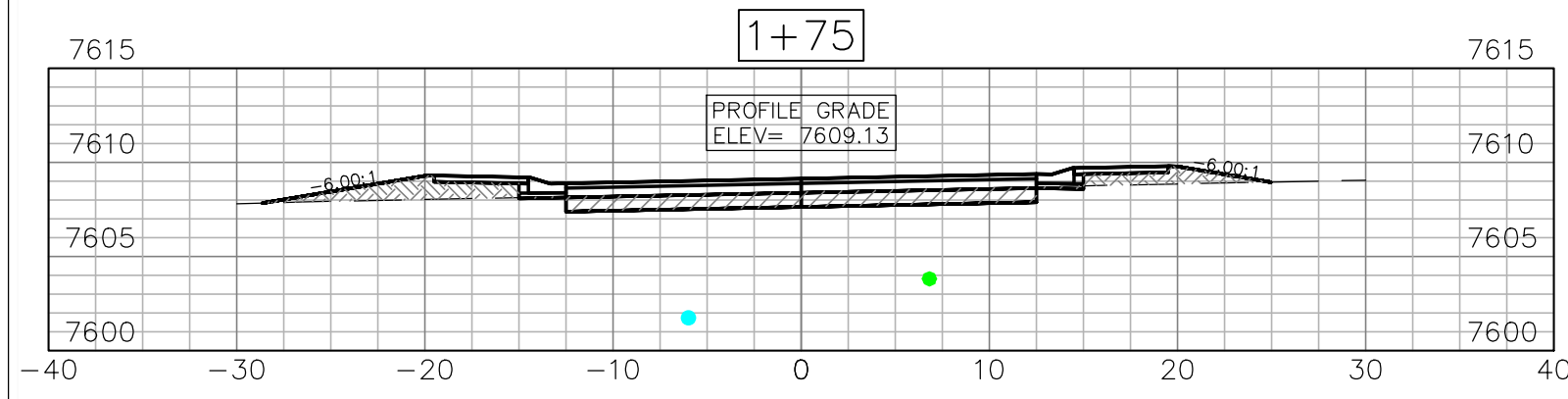
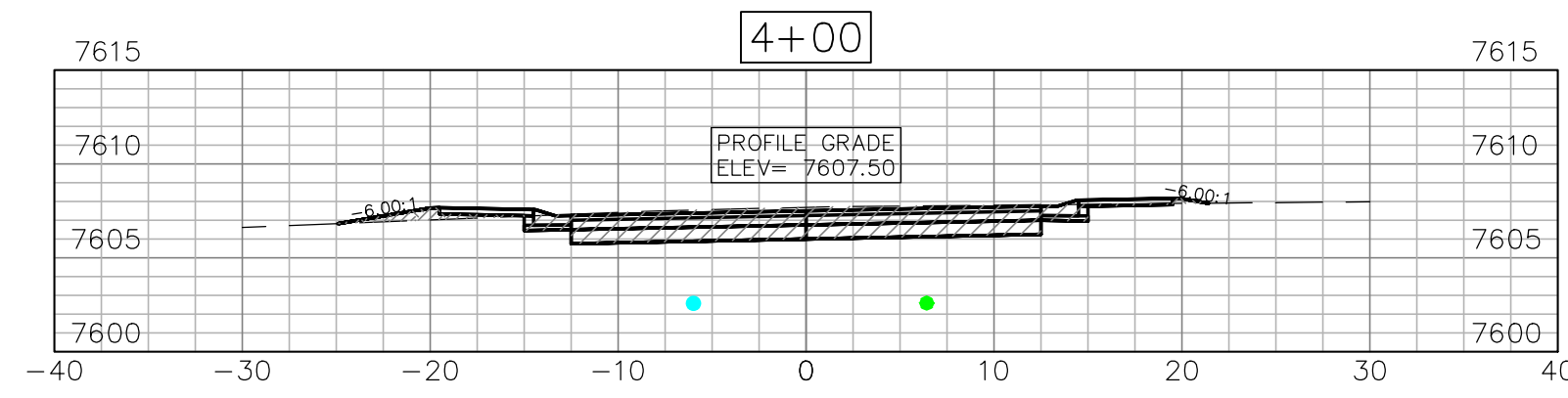
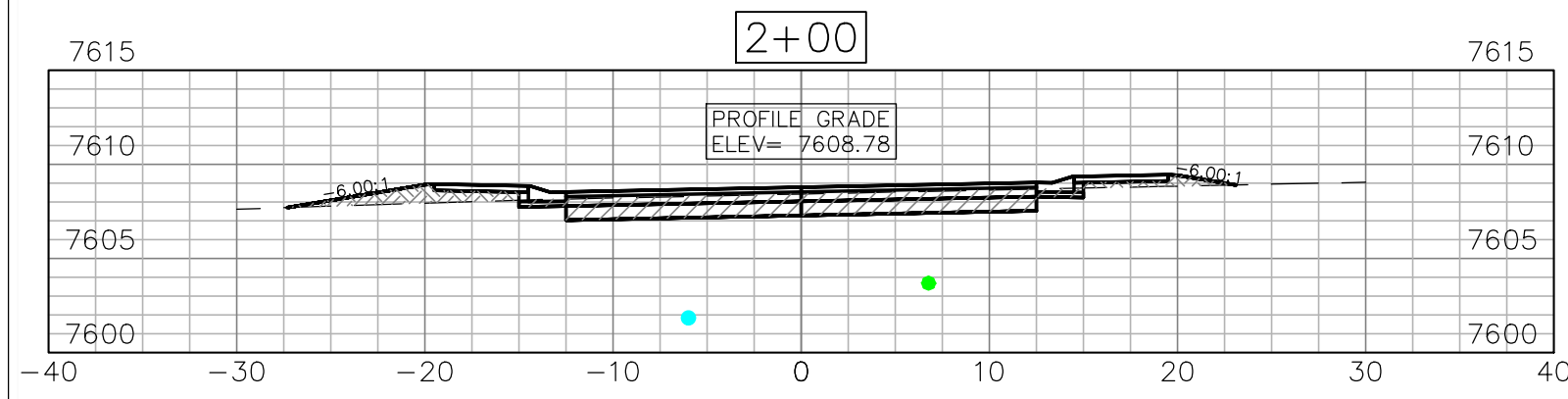
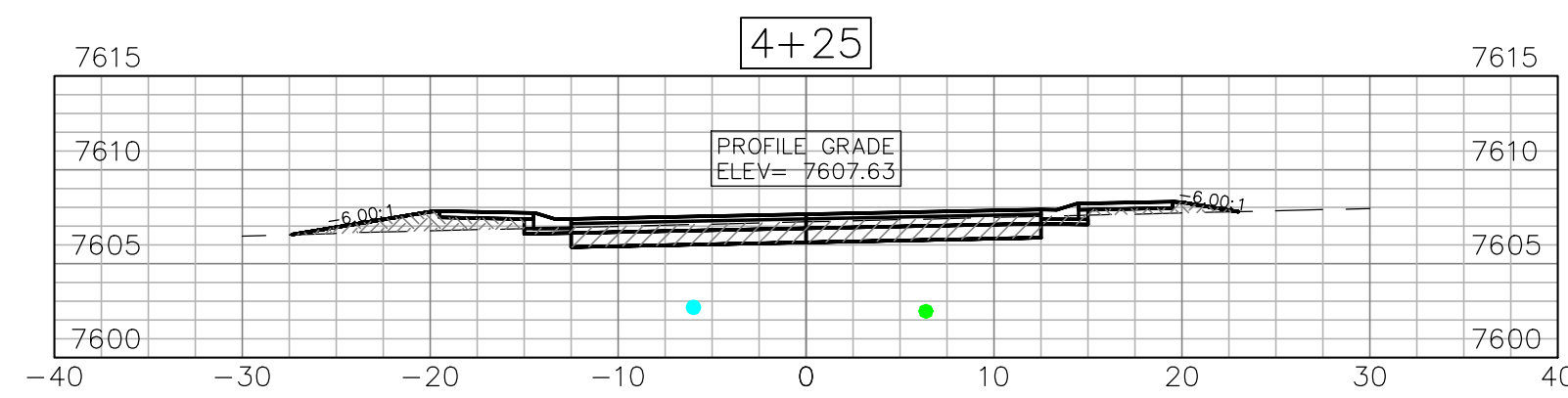
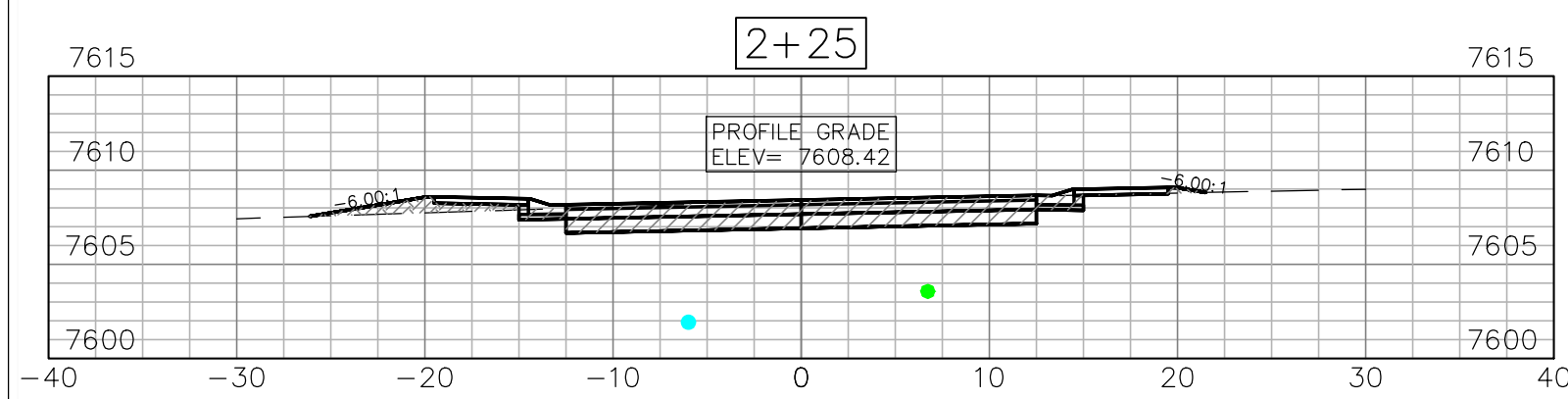
Revisions:

Project Number: 21-116
Drawn By: JAE
Designed by: RSH
Checked By: RSH

Sheet

RD3.04

WATERVIEW ST.
PHASE 2 CROSS SECTION



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WATERVIEW AFFORDABLE HOUSING SUBDIVISION
OURAY, COLORADO

Issue Record:
SCHEMATIC 05-05-2023

Revisions:

Project Number: 21-116
Drawn By: JAE
Designed by: RSH
Checked By: RSH

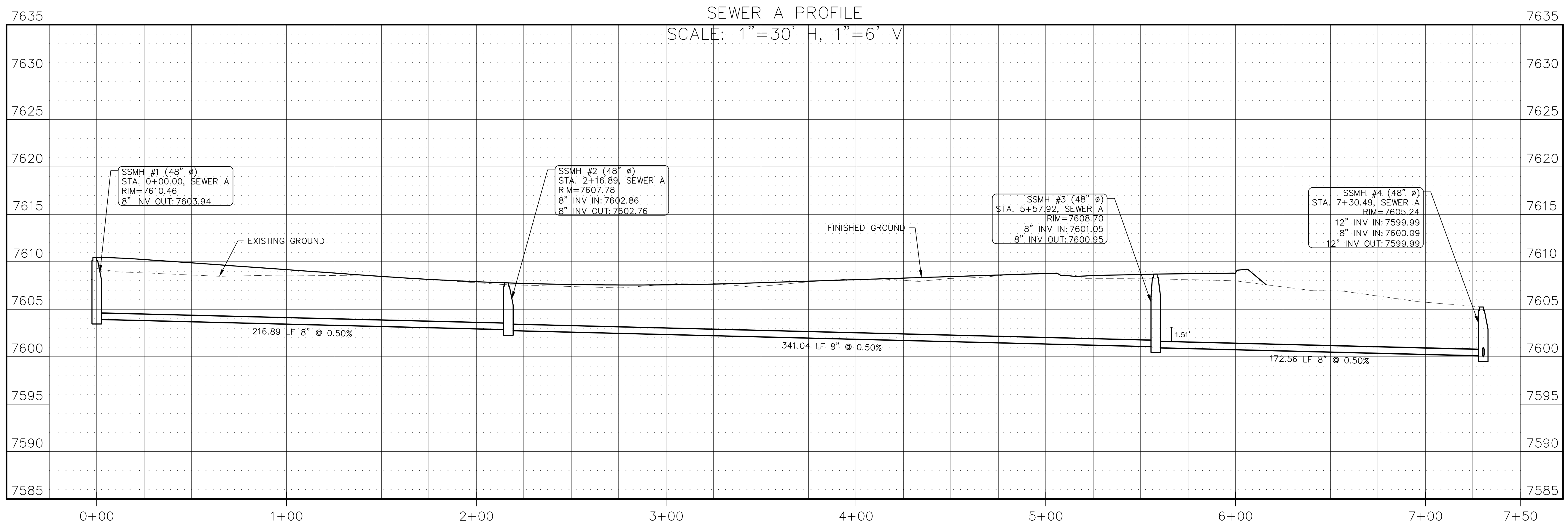
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WATERVIEW ST.
PHASE 2 CROSS SECTION

WATERVIEW STREET PH2 EARTHWORK TABULATION						
Station	Fill Area (SF)	Cut Area (SF)	Fill Volume (CY)	Cut Volume (CY)	Cumulative Fill Vol (CY)	Cumulative Cut Vol (CY)
0+50.00	0.00	0.00	0.00	0.00	0.00	0.00
0+75.00	32.92	10.11	15.24	4.68	15.24	4.68
1+00.00	38.81	1.17	33.21	5.22	48.45	9.90
1+25.00	34.91	4.45	34.46	2.60	82.90	12.50
1+50.00	28.96	8.78	29.69	6.12	112.60	18.63
1+75.00	15.37	20.49	20.52	13.55	133.12	32.18
2+00.00	9.05	30.58	11.31	23.64	144.43	55.82
2+25.00	5.04	38.74	6.52	32.09	150.95	87.91
2+50.00	4.28	39.77	4.32	36.35	155.27	124.26
2+75.00	4.51	37.46	4.07	35.76	159.34	160.02
3+00.00	4.81	35.63	4.32	33.84	163.65	193.86
3+25.00	5.54	34.78	4.79	32.60	168.45	226.45
3+50.00	6.34	32.77	5.50	31.27	173.94	257.73
3+75.00	3.11	40.84	4.38	34.08	178.32	291.81
4+00.00	2.89	45.59	2.78	40.01	181.10	331.82
4+25.00	9.35	29.29	5.67	34.66	186.77	366.48
4+50.00	5.53	36.39	6.89	30.41	193.66	396.89
4+75.00	3.78	43.38	4.31	36.93	197.97	433.82
5+00.00	11.01	33.81	6.85	35.73	204.82	469.55
5+25.00	12.79	29.16	11.02	29.15	215.84	498.70
5+50.00	7.59	34.92	9.43	29.67	225.27	528.37
5+75.00	13.41	38.60	9.72	34.04	234.99	562.41

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**WATERVIEW AFFORDABLE
HOUSING SUBDIVISION**

OURAY, COLORADO

Issue Record:
SCHEMATIC 05-05-2023

Revisions:

Project Number: 21-116
Drawn By: JAE
Designed by: RSH
Checked By: RSH

Sheet
SS1.01

SEWER A PLAN & PROFILE

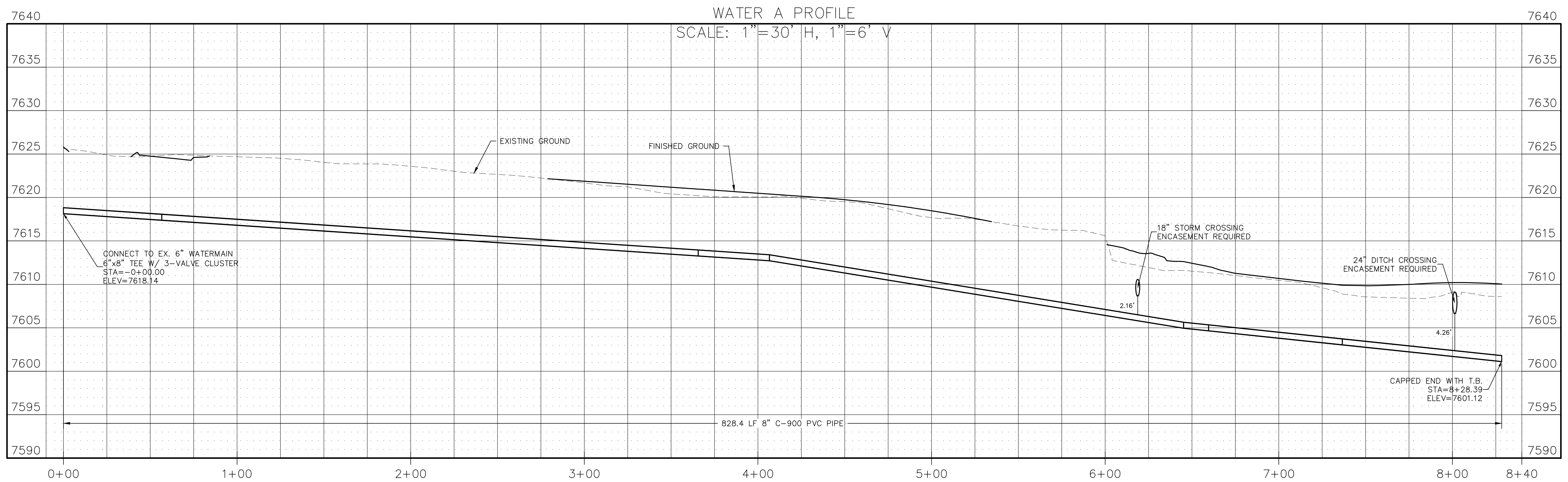
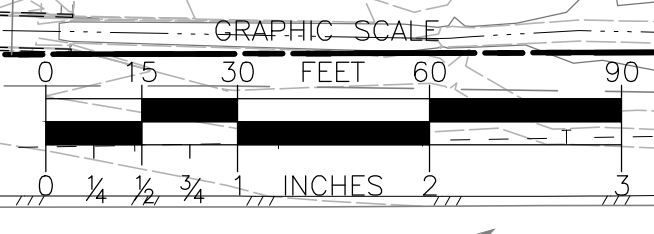
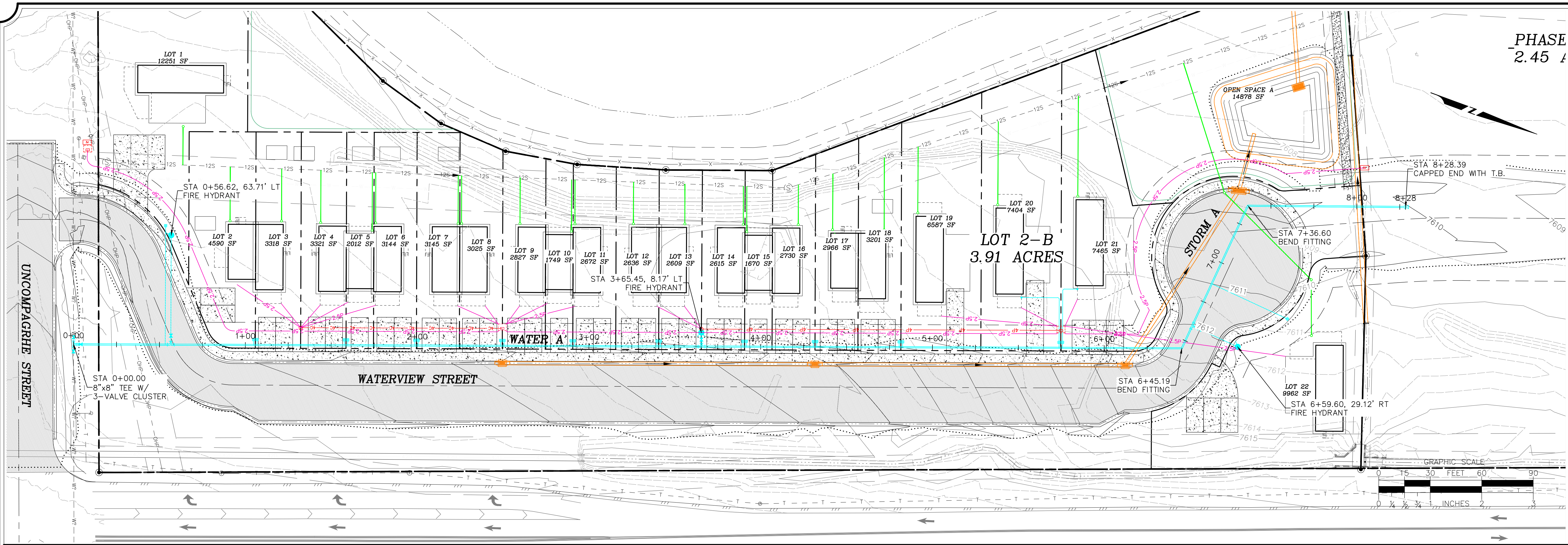
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GOFF ENGINEERING & SURVEYING, INC.
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DURANGO, COLORADO 81302
(970) 247-1705
www.GoffEngineering.com

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WATERVIEW AFFORDABLE HOUSING SUBDIVISION
 OURAY, COLORADO

Issue Record:
SCHEMATIC 05-05-2023

Revisions:

Project Number: 21-116
 Drawn By: JAE
 Designed by: RSH
 Checked By: RSH

Sheet
W1.01

WATER A PLAN & PROFILE

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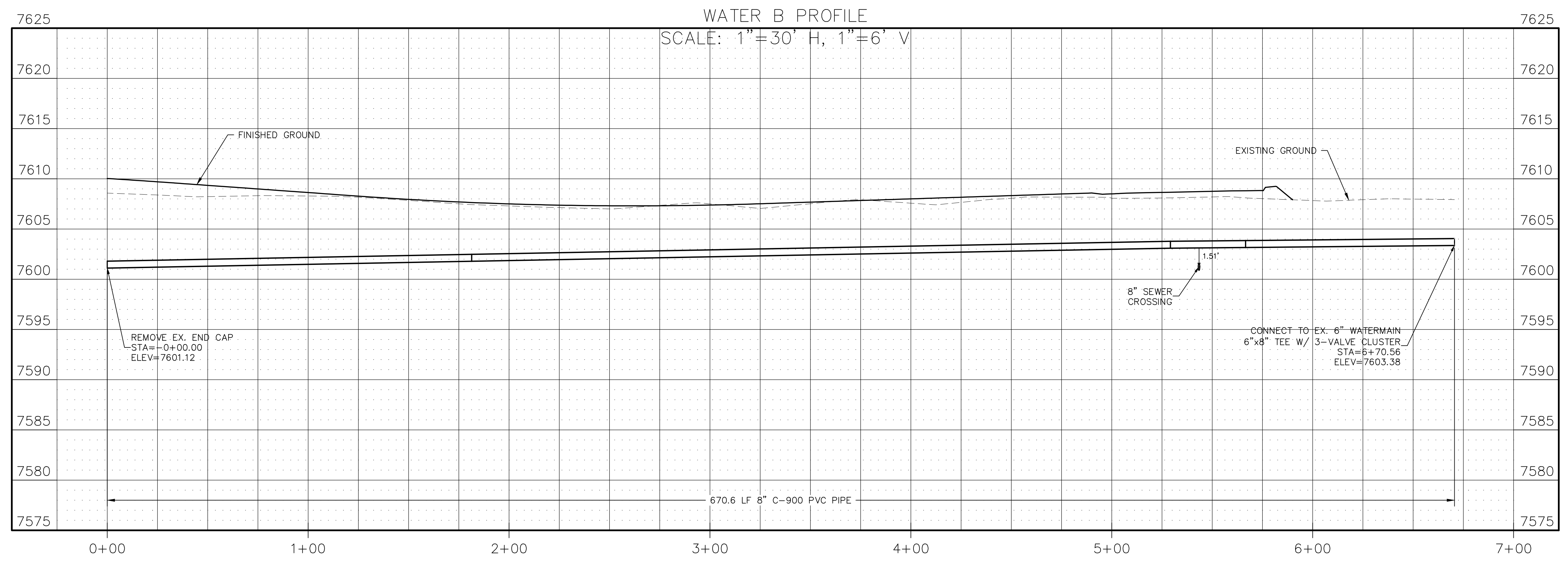
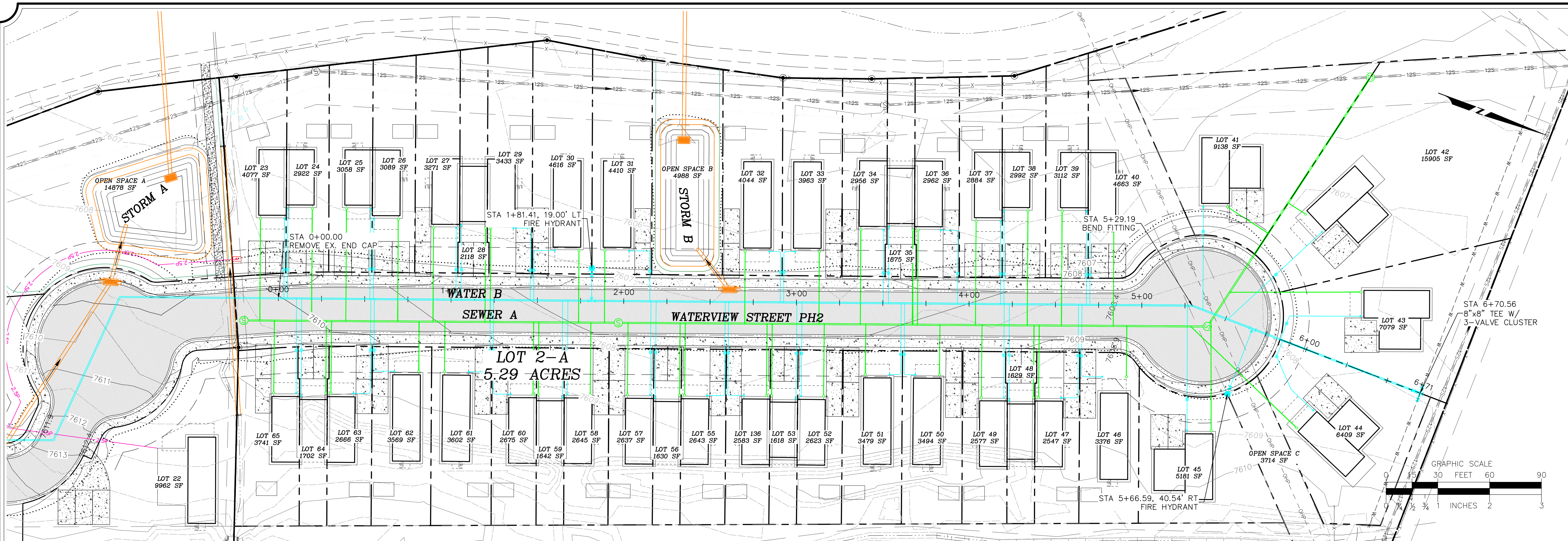
WATERVIEW AFFORDABLE HOUSING SUBDIVISION
OURAY, COLORADO

Issue Record:
SCHEMATIC 05-05-2023

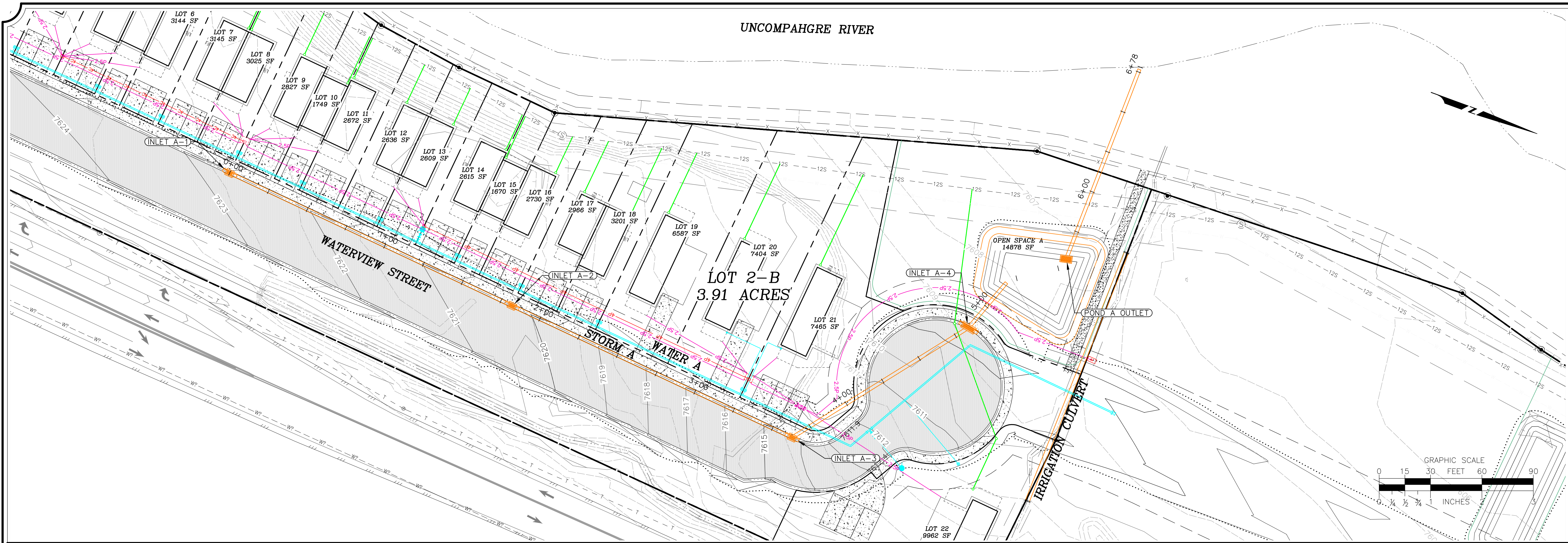
Revisions:

Project Number: 21-116
Drawn By: JAE
Designed by: RSH
Checked By: RSH

Sheet
W1.02
WATER B PLAN & PROFILE

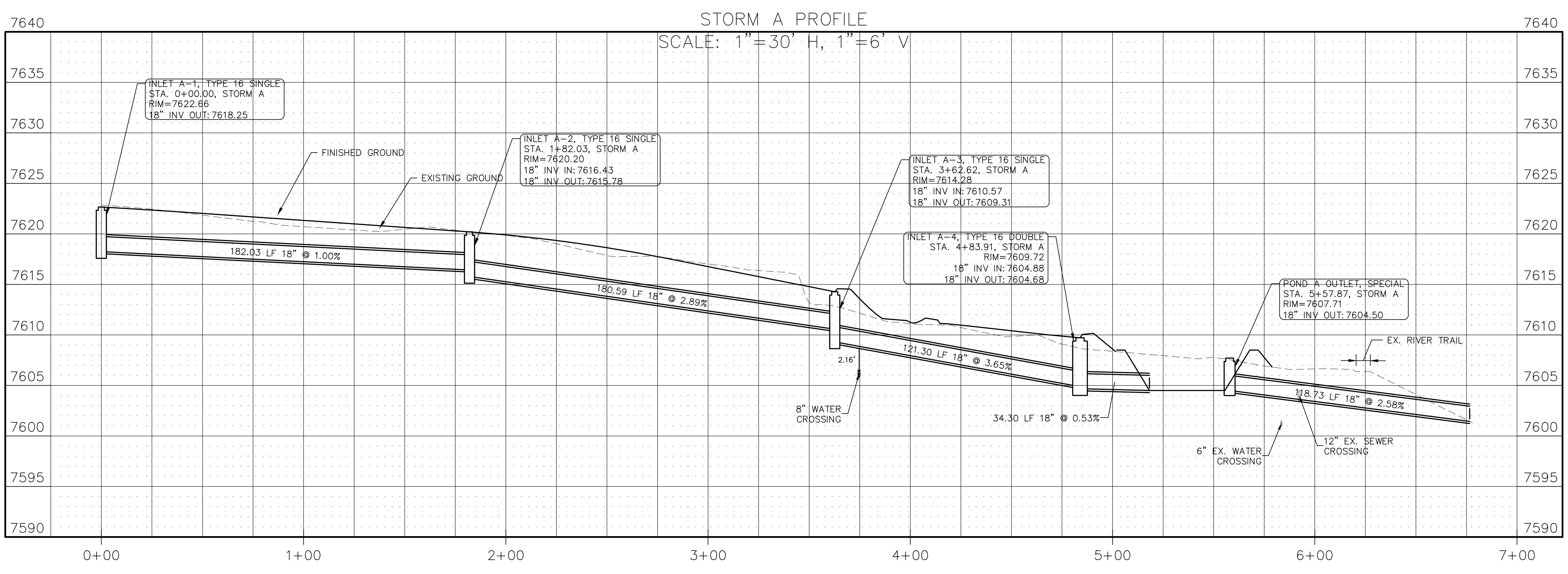
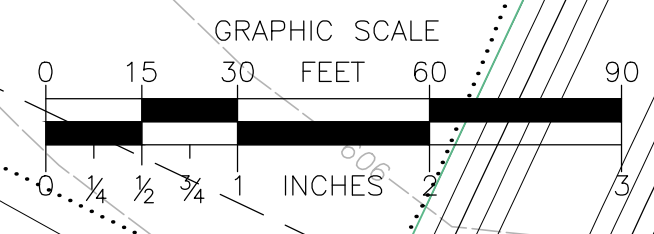


© 2023 G&S 116 affordable housing\work\plans\w1.02 water b plan & profile.dwg DATE: 5/9/2023 USER: ENG001 PLOT SCALE: 1:1



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WATERVIEW AFFORDABLE HOUSING SUBDIVISION
 OURAY, COLORADO

Issue Record:
SCHEMATIC 05-05-2023

Revisions:

Project Number: 21-116
 Drawn By: JAE
 Designed by: RSH
 Checked By: RSH

Sheet
SD1.01

STORM DRAIN A PLAN & PROFILE

P:\2023\21-116_ouray_affordable_housing\work\plans\sheet\01_storm_drain_a_plan & profile.dwg DATE: 5/11/2023 USER: RSH E:\G:\E\01_SHEET\01.dwg SCALE=1:1

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WATERVIEW AFFORDABLE HOUSING SUBDIVISION

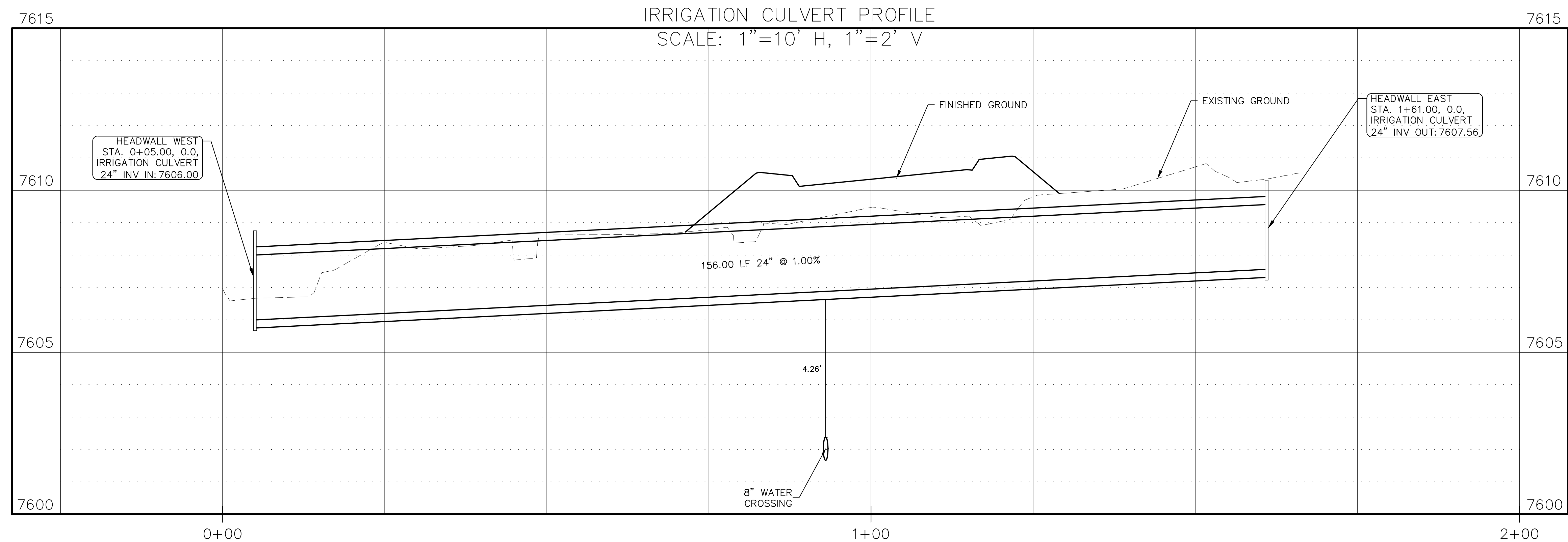
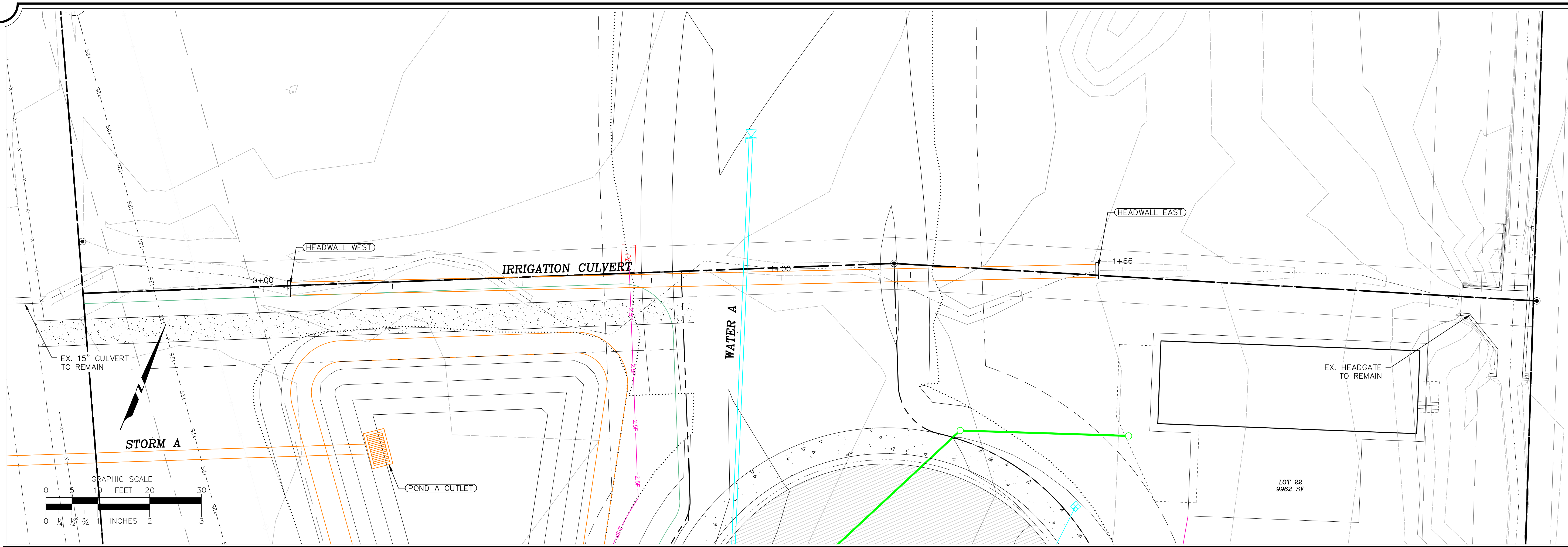
OURAY, COLORADO

Issue Record:
SCHEMATIC 05-05-2023

Revisions:

Project Number: 21-116
Drawn By: JAE
Designed by: RSH
Checked By: RSH

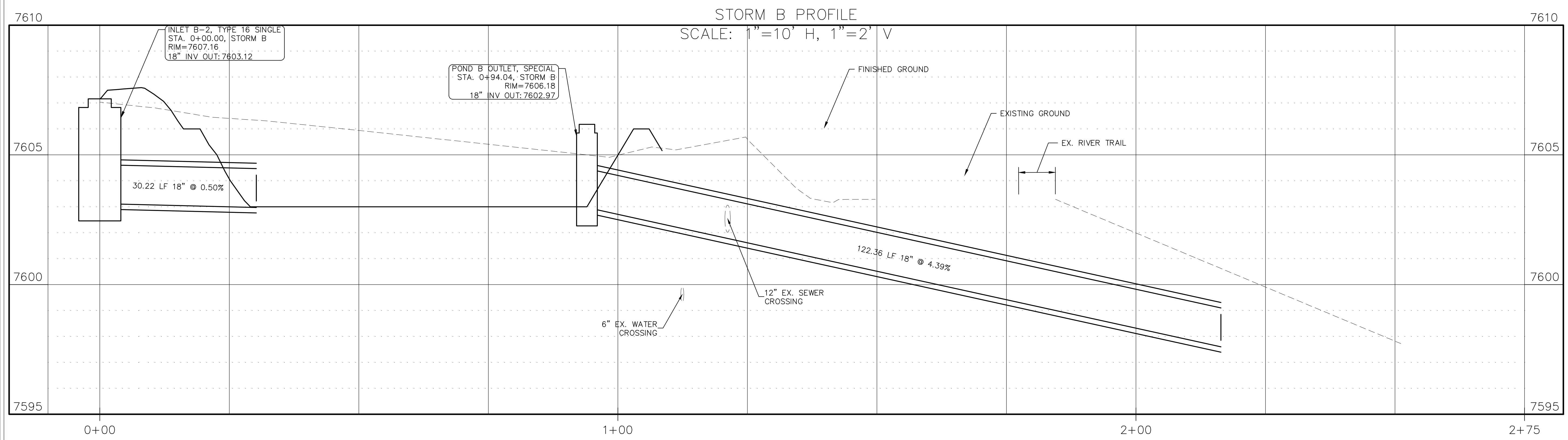
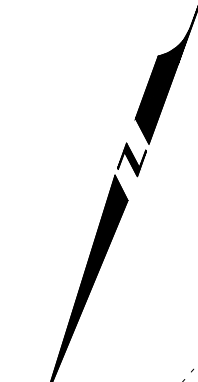
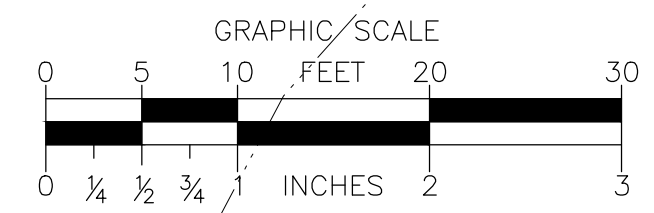
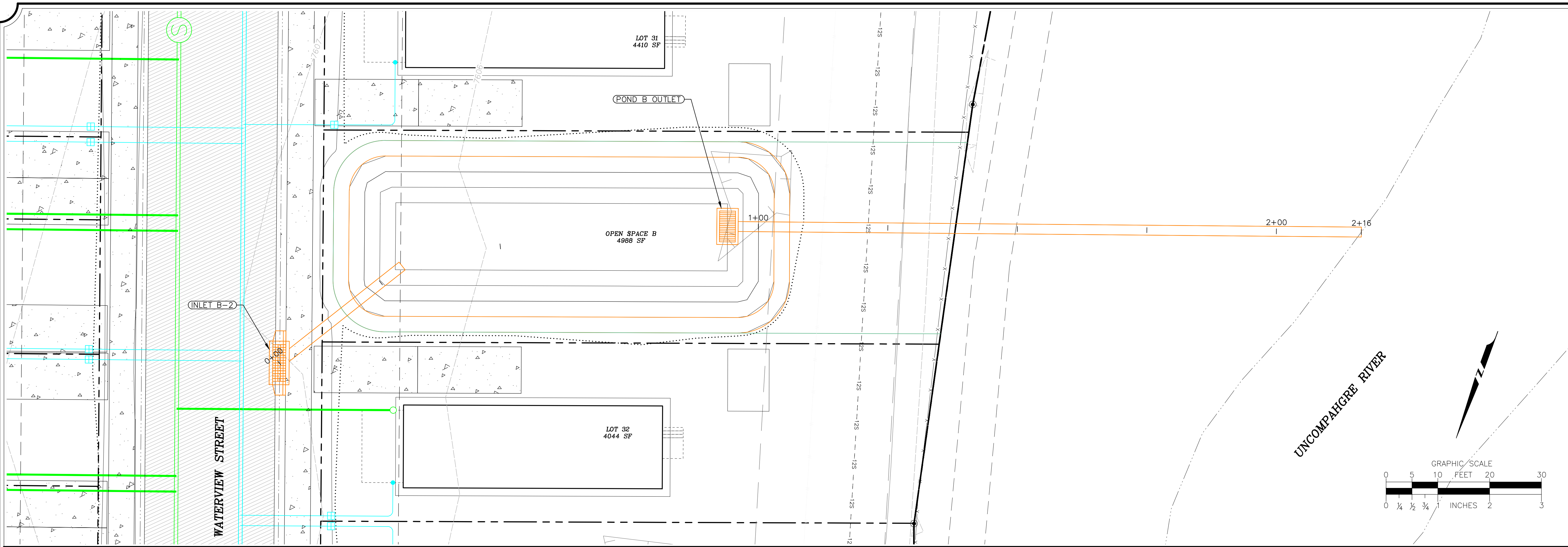
Sheet
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IRRIGATION CULVERT PLAN & PROFILE



F:\2023\21-116_ouray_affordable_housing\work\plans\irrigation_culvert_plan & profile.dwg DATE: 5/9/2023 USER: RND\JAE PLT SCALE: 1:1

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WATERVIEW AFFORDABLE HOUSING SUBDIVISION
OURAY, COLORADO

Issue Record:
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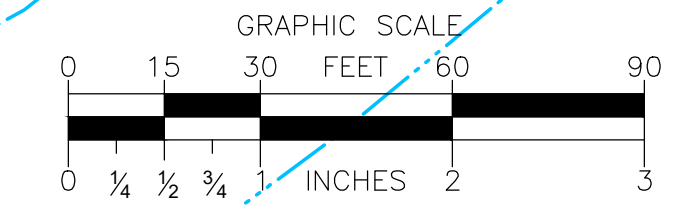
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Project Number: 21-116
Drawn By: JAE
Designed by: RSH
Checked By: RSH

Sheet
SD1.03

STORM DRAIN B
PLAN & PROFILE

P:\2023\21-116_ouray_affordable_housing\work\plans\sheet_103_storm_drain_b_plan & profile.dwg DATE: 5/9/2023 10:55:42 AM USER: JAE PLOT SCALE=1:1



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WATERVIEW AFFORDABLE HOUSING SUBDIVISION

OURAY, COLORADO

Issue Record:
SCHEMATIC 05-05-2023

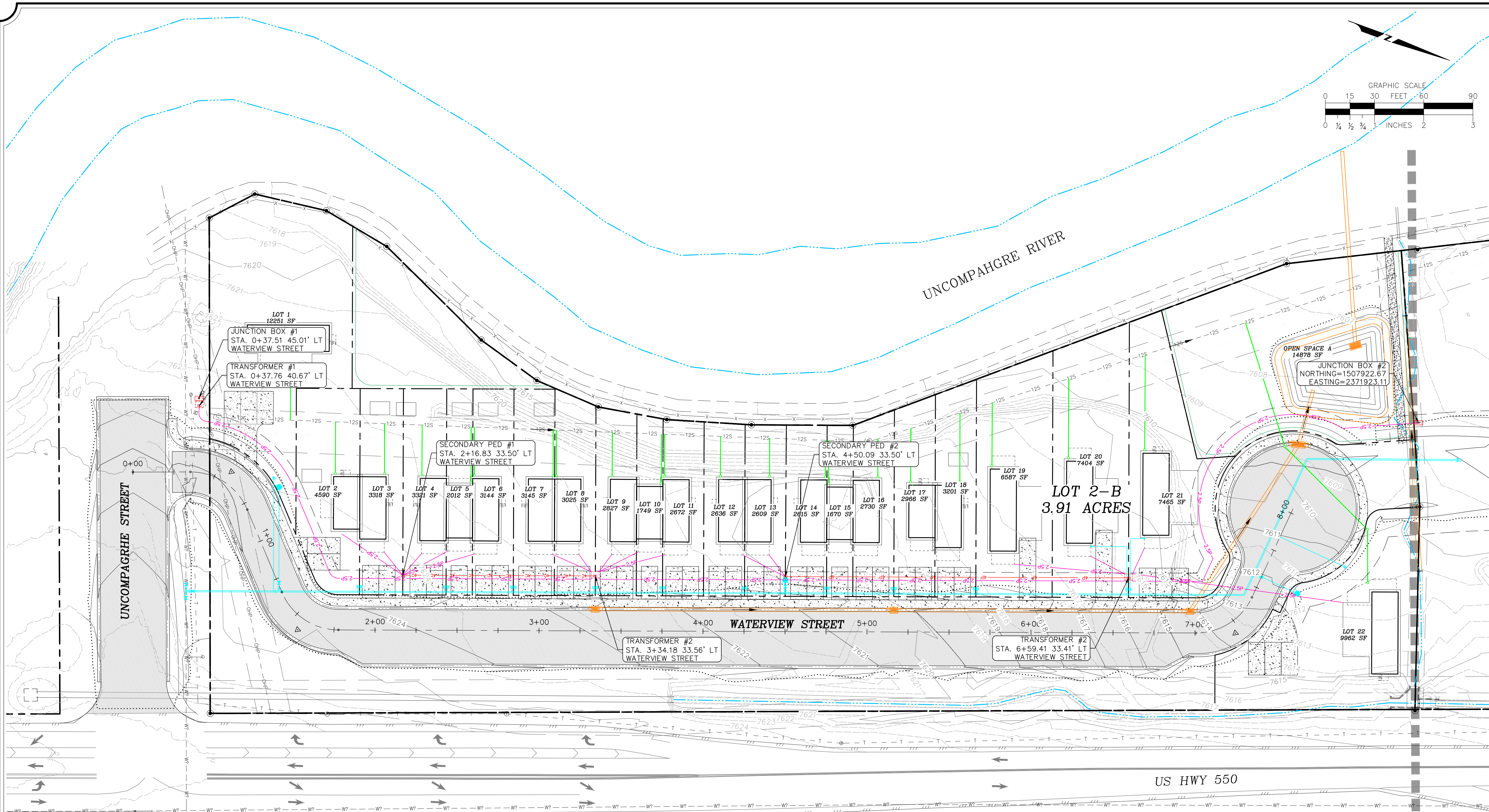
Revisions:

Project Number: 21-116
Drawn By: JAE
Designed by: RSH
Checked By: RSH

Sheet

DU1.01

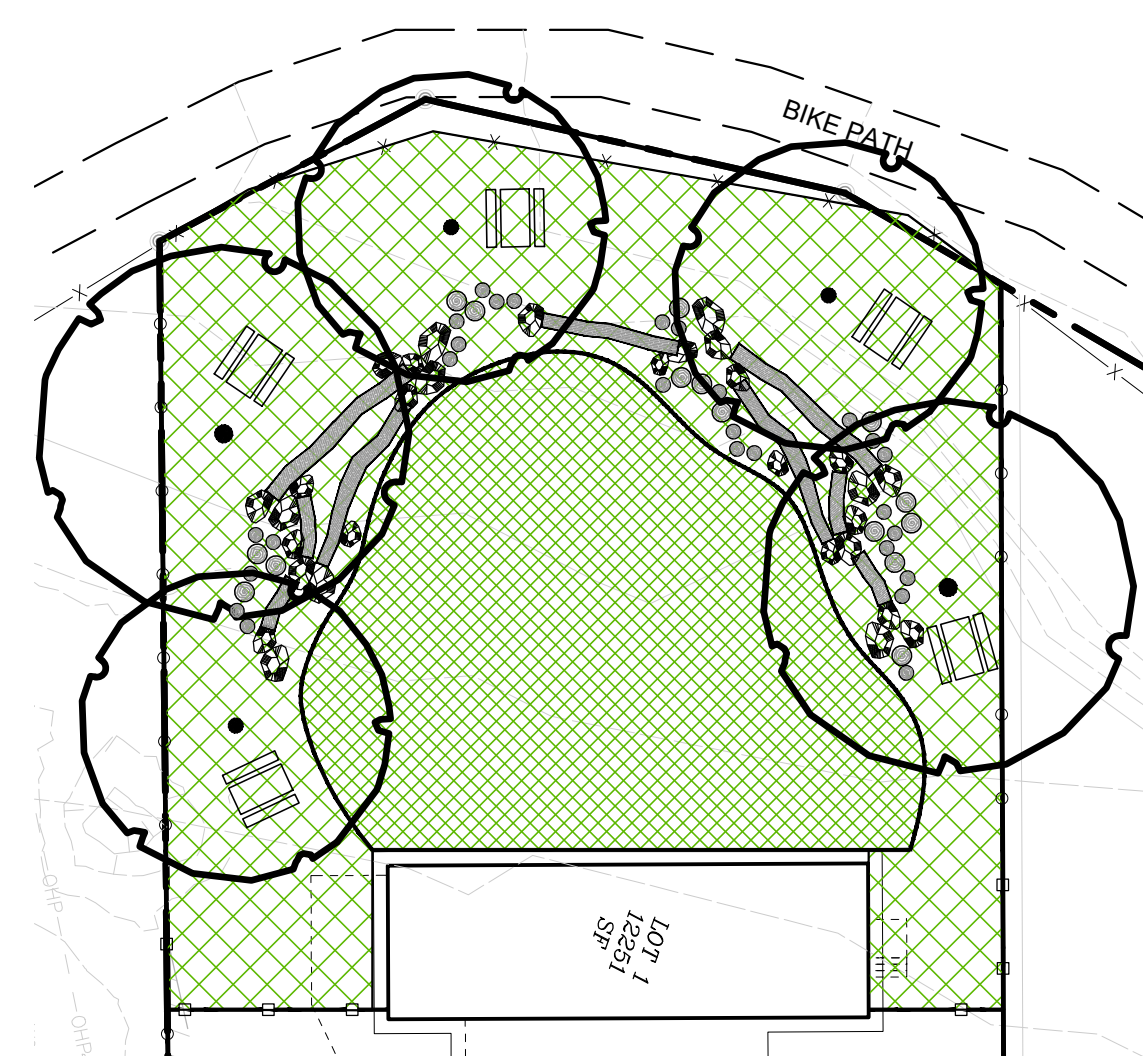
PHASE 1 DRY UTILITIES



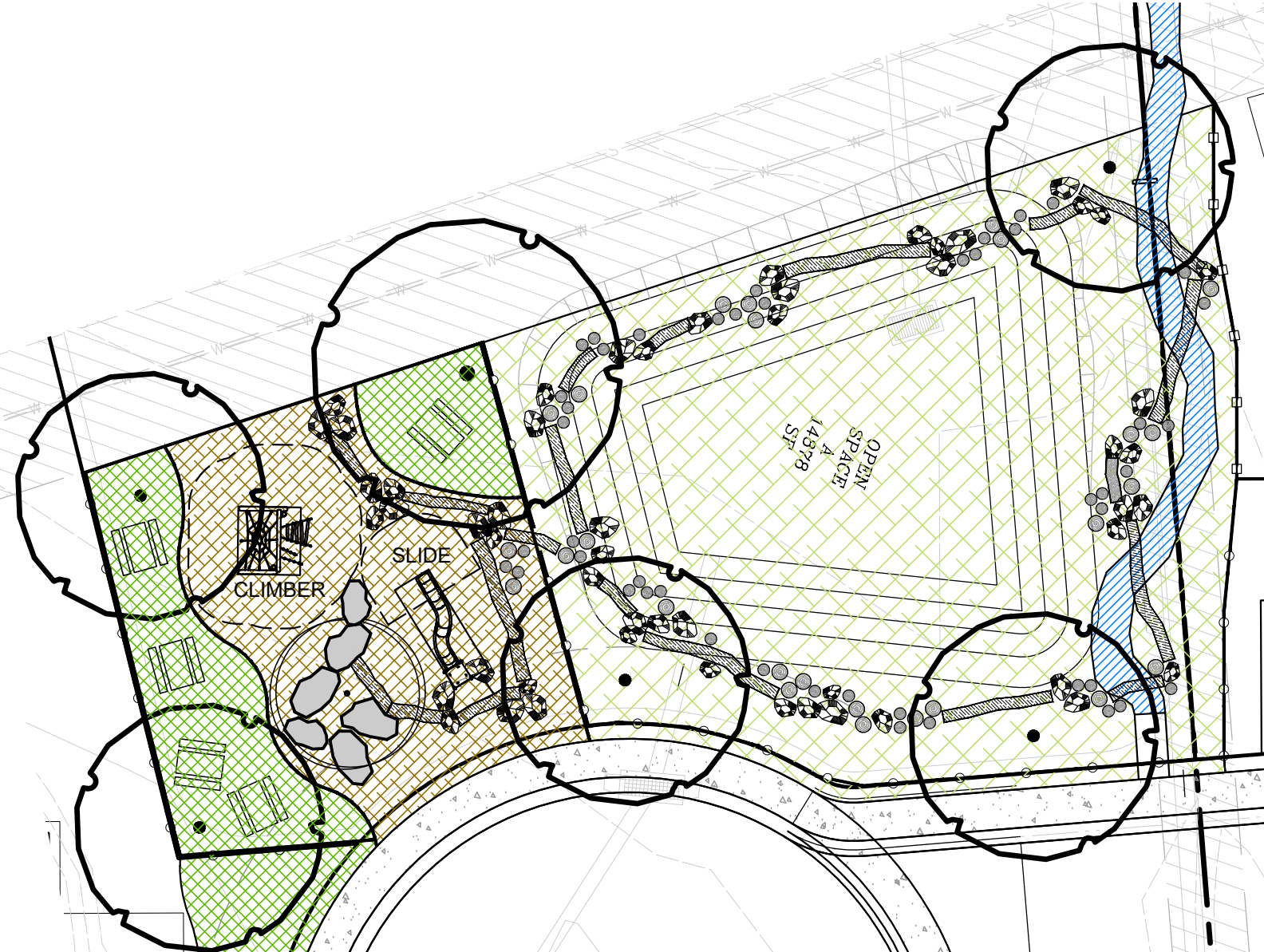
DRY UTILITY LEGEND

ELECTRICAL LEGEND

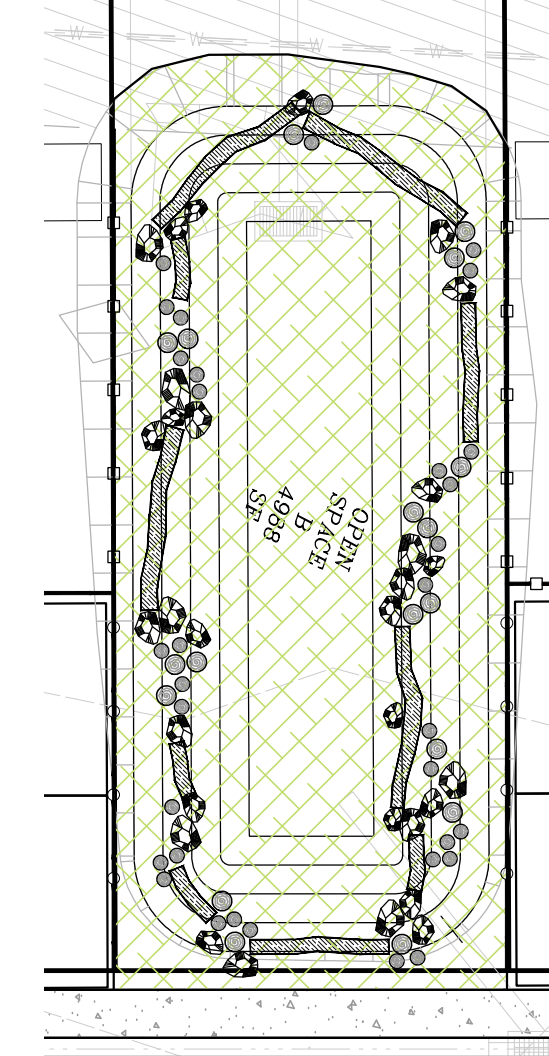
- STREETLIGHT
- TRAIL LIGHT
- TRANSFORMER
- JUNCTION BOX (1-PH 200 A)
- JUNCTION BOX (3-PH 200A)
- JUNCTION BOX (3-PH 600A)
- SWITCH CABINET (600A)
- 3 PHASE PRIMARY POWER
IN 6" SCH 40 PVC CONDUIT
- 1 PHASE PRIMARY POWER
IN 4" SCH. 40 PVC CONDUIT
- 2" SCH 40 PVC POWER CONDUIT
(FOR SERVICES)



A Lot 1 Play Area
1" = 20'



B Open Space A Play Area
1" = 20'



C Open Space B Play Area
1" = 20'

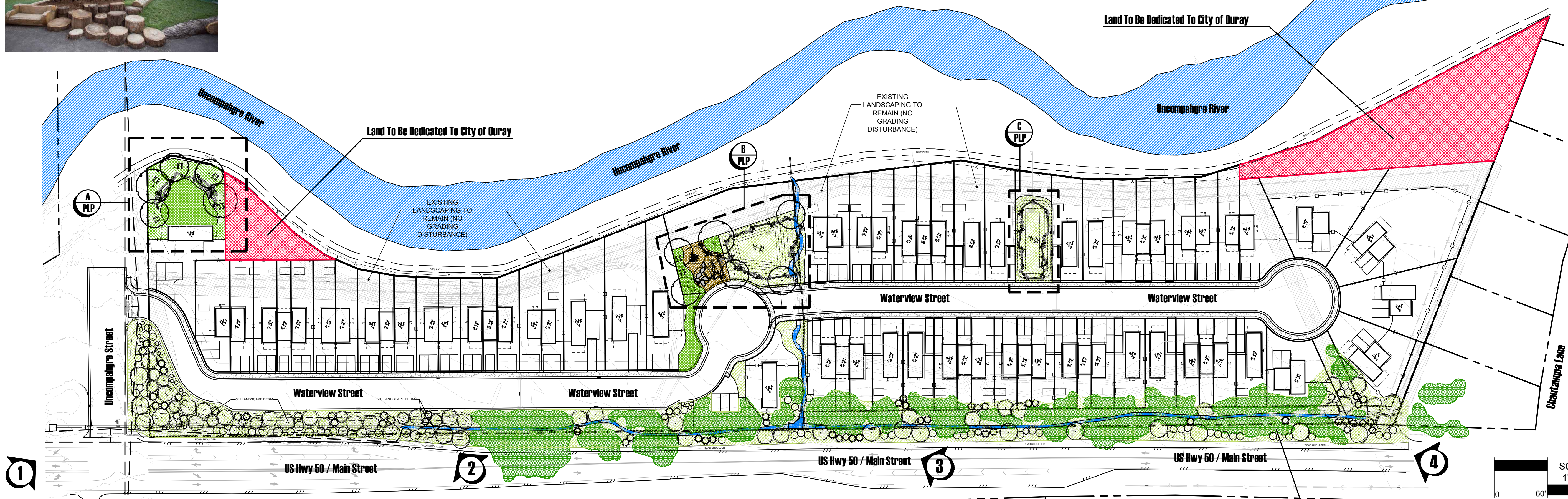
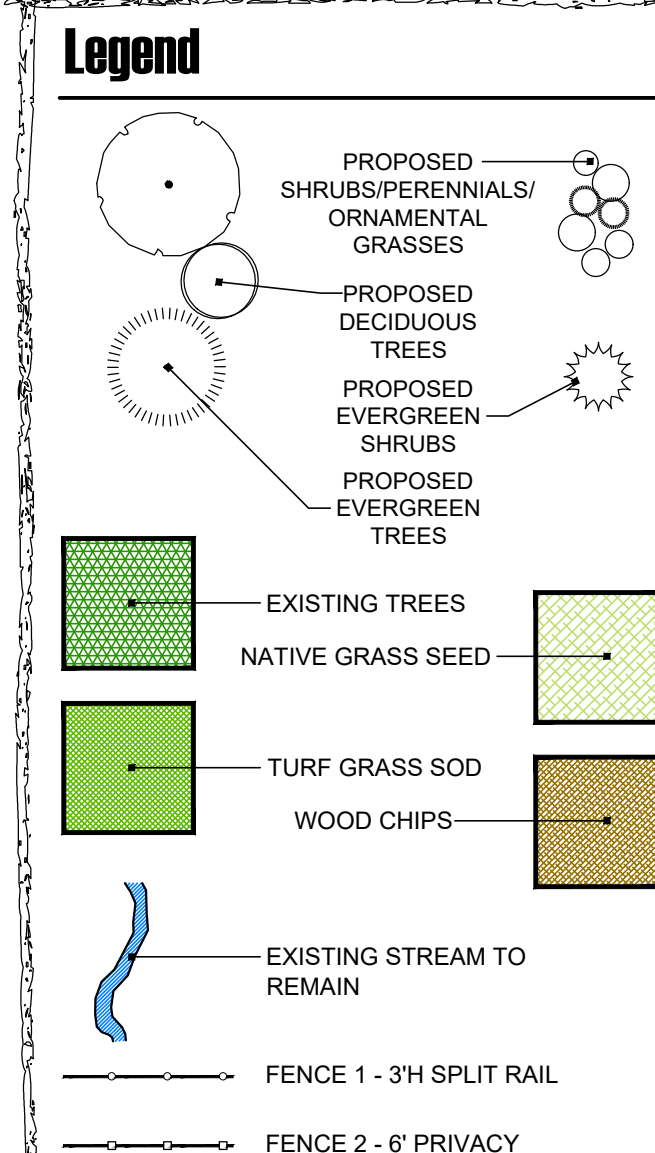


Project Name:
Ouray Waterview
Ouray, Colorado

Client:
Paul Major
Ouray Homes, LLC
PO Box 4222
Telluride, CO 81435
970-209-2880
paul@ruralhomesproject.co

Landscape Architect:
NVISION DESIGN STUDIO, INC.
677 25 Road Grand Junction, CO 81505
Phone: 970.210.2155 Email: rb@nviz.biz
Web: www.nviz.biz
Landscape Architecture | Visual Simulation | Graphic Design

Registration:
Robert A. Breeden
LA 462
03/31/2008
State of Colorado
LICENSED LANDSCAPE ARCHITECT

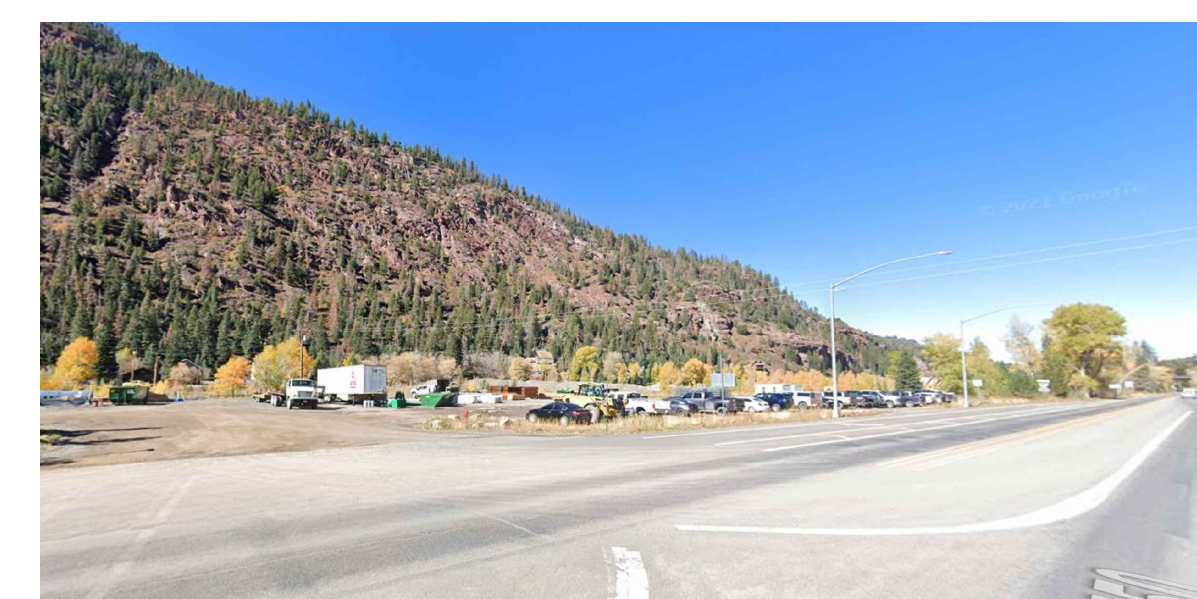


Landscape Buffer

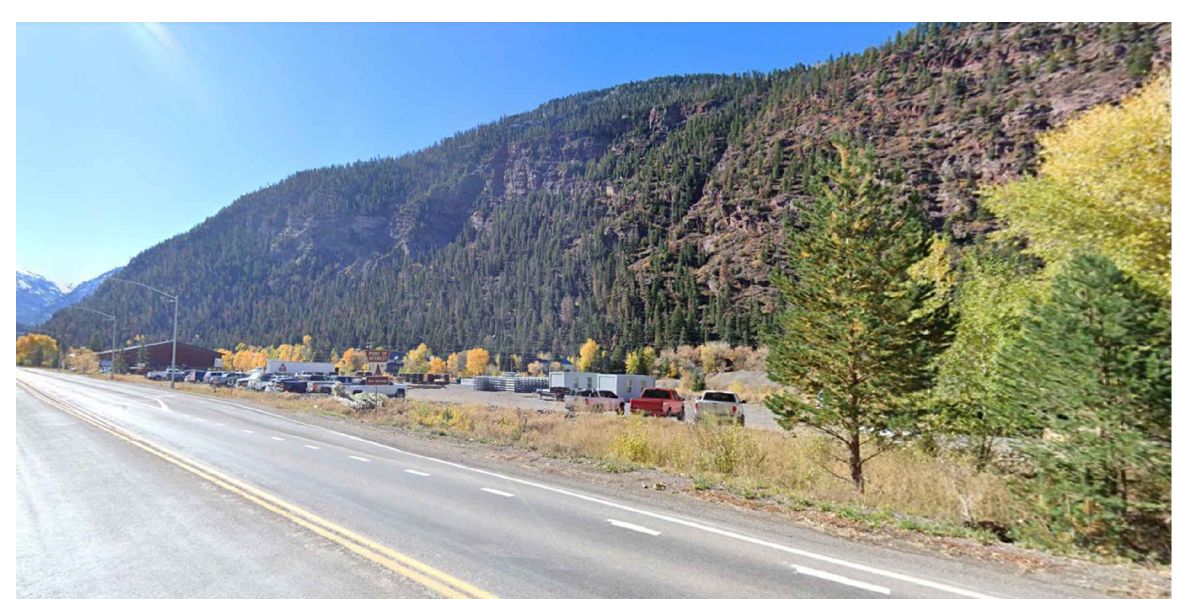
MUCH OF THE EXISTING LANDSCAPE ALONG THE HIGHWAY IS IN HEALTHY CONDITION AND PROVIDES AN EXCELLENT BASIS FOR BUFFERING THE VISUAL IMPACTS OF THE DEVELOPMENT. SOME DEAD TREES AND SHRUBS DO EXIST AND WILL BE REMOVED AS PART OF THE INITIAL LANDSCAPE TREATMENT. WHERE VOIDS ARE CREATED FROM THIS DEAD WOOD REMOVAL, NEW PLANTS WILL BE ADDED. THE PROPOSED LANDSCAPE PLAN IS TO SUPPLEMENT THE EXISTING PLANT MATERIAL WITH NEW PLANTS THAT WILL ACHIEVE AN EFFECTIVE LANDSCAPE BUFFER. THE FOLLOWING EXISTING PLANT SPECIES HAVE BEEN OBSERVED AND ALL HEALTHY PLANTS SHALL REMAIN UNDISTURBED:

COMMON NAME	BOTANICAL NAME
WILLOW	SALIX
OAK	QUERCUS
BIRCH	BETULA
COTTONWOOD	POPULUS
PINE	PINUS
MAPLE, BOXELDER	ACER
BLACKBERRY/ DEWBERRY	RUBUS
RASPBERRY	RUBUS
SPRUCE	PICEA
FIR	ABIES
SERVICEBERRY	AMELANCHIER
JERSEY TEA	CEANOTHUS
DOGWOOD	CORNUS
JUNIPER, RED CEDAR	JUNIPERUS
ELDERBERRY	SAMBUCUS

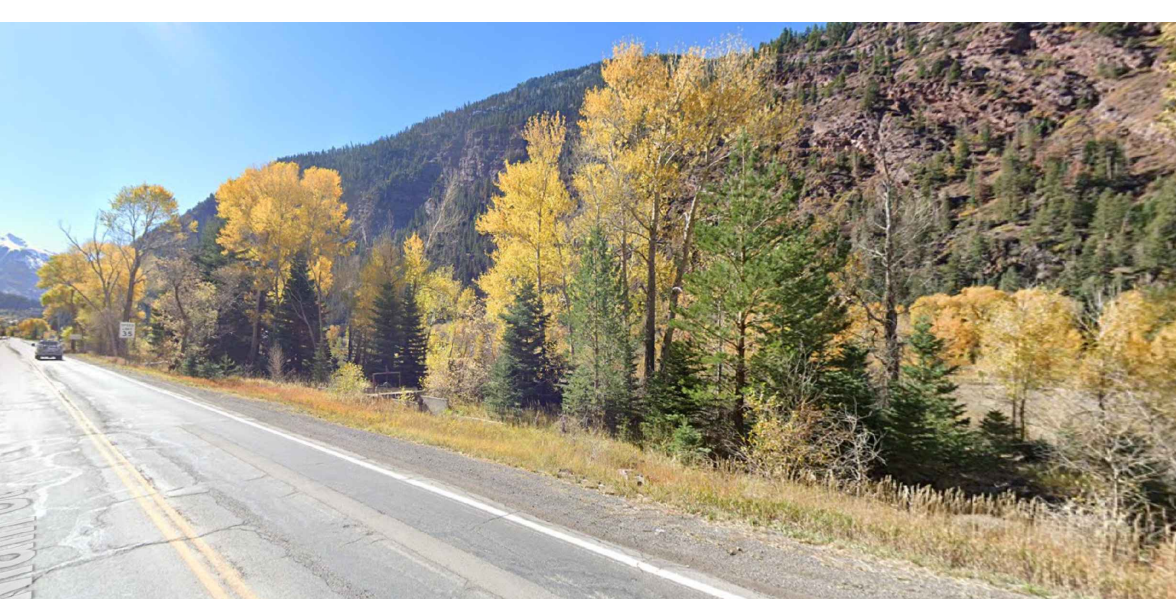
NOTES:
1. GROUND COVER FOR THE LANDSCAPE BUFFER AREA WILL CONSIST OF LOCALLY PROCESSED WOOD CHIPS.
2. NATIVE GRASS SEED SHALL BE BROADCAST ONTO THE FOREST FLOOR INTO THE WOOD CHIPS TO CREATE A LOW VEGETATIVE COVER.
3. IRRIGATION FOR THE PROJECT WILL BE FROM AN UNDERGROUND PRESSURIZED SYSTEM FROM THE DOMESTIC WATER SUPPLY AND SHALL BE OPERATED BY A SMART CONTROLLER.
4. LARGE FALLEN LOGS (OVER 12" Ø) SHALL REMAIN IN PLACE AND BE USED TO NATURALIZE THE AREA.
5. ALL DEAD WOOD LESS THAN 12" Ø TO BE REMOVED AND CHIPPED ON-SITE FOR RE-USE AS MULCH IN THE LANDSCAPE.



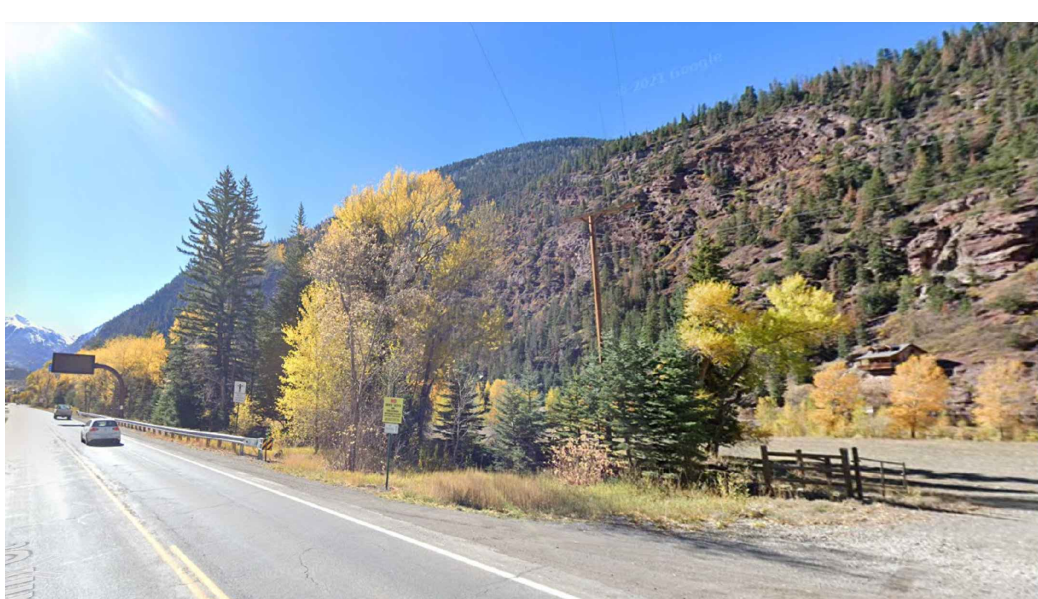
1 View 1 - Existing Condition



2 View 2 - Existing Condition



3 View 3 - Existing Condition



4 View 4 - Existing Condition

IN PROGRESS
FOR INTERNAL REVIEW ONLY

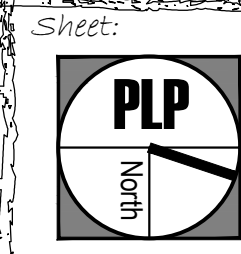
ACCEPTANCE BLOCK
THE CITY OF OURAY REVIEW CONSTITUTES GENERAL COMPLIANCE WITH THE CITY'S DEVELOPMENT STANDARDS SUBJECT TO THEIR PLANS BEING READED, BIDDING AND DATED BY THE PROFESSIONAL OF RECORD. REVIEW BY THE CITY DOES NOT CONSTITUTE APPROVAL OF THE PLAN DESIGN. THE CITY NEITHER ACCEPTS NOR ASSUMES ANY LIABILITY FOR ERRORS OR OMISSIONS. ERRORS IN THE DESIGN OR CALCULATIONS REMAIN THE RESPONSIBILITY OF THE PROFESSIONAL OF RECORD. CONSTRUCTION MUST COMMENCE WITHIN ONE YEAR FROM THE DATE OF PLAN SIGNATURE.

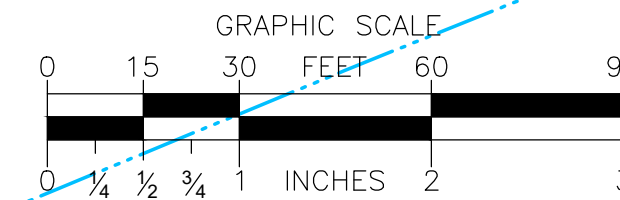
CITY PLANNER _____ DATE _____

Sheet Title:
Preliminary Landscape Plan

Project: Ouray Waterview
Date: May 15, 2023
Scale: 1" = 60'

Preliminary
Not For Construction



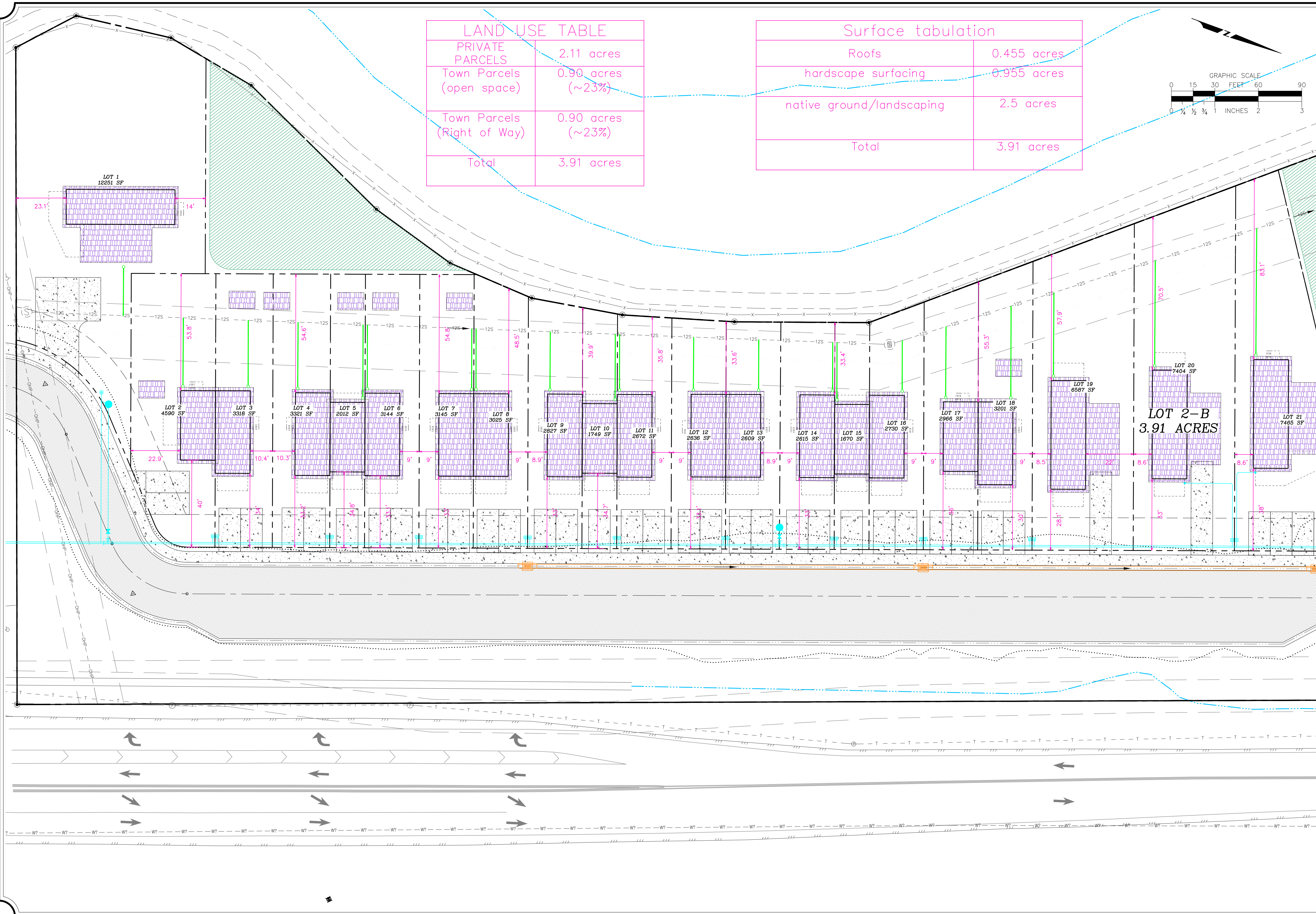


LAND USE TABLE	
PRIVATE PARCELS	2.11 acres
Town Parcels (open space)	0.90 acres (~23%)
Town Parcels (Right of Way)	0.90 acres (~23%)
Total	3.91 acres

Surface tabulation	
Roofs	0.455 acres
hardscape surfacing	0.955 acres
native ground/landscaping	2.5 acres
Total	3.91 acres

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WATERVIEW AFFORDABLE HOUSING SUBDIVISION
OURAY, COLORADO

Issue Record:
SCHEMATIC 09-09-2023

Revisions:

Project Number: 21-116
Drawn By: JAE
Designed by: RSH
Checked By: RSH

Sheet
RD1.02

PHASE 1 SITE PLAN

Ouray County

Home Purchasing Price Based on Mortgage (Examples)

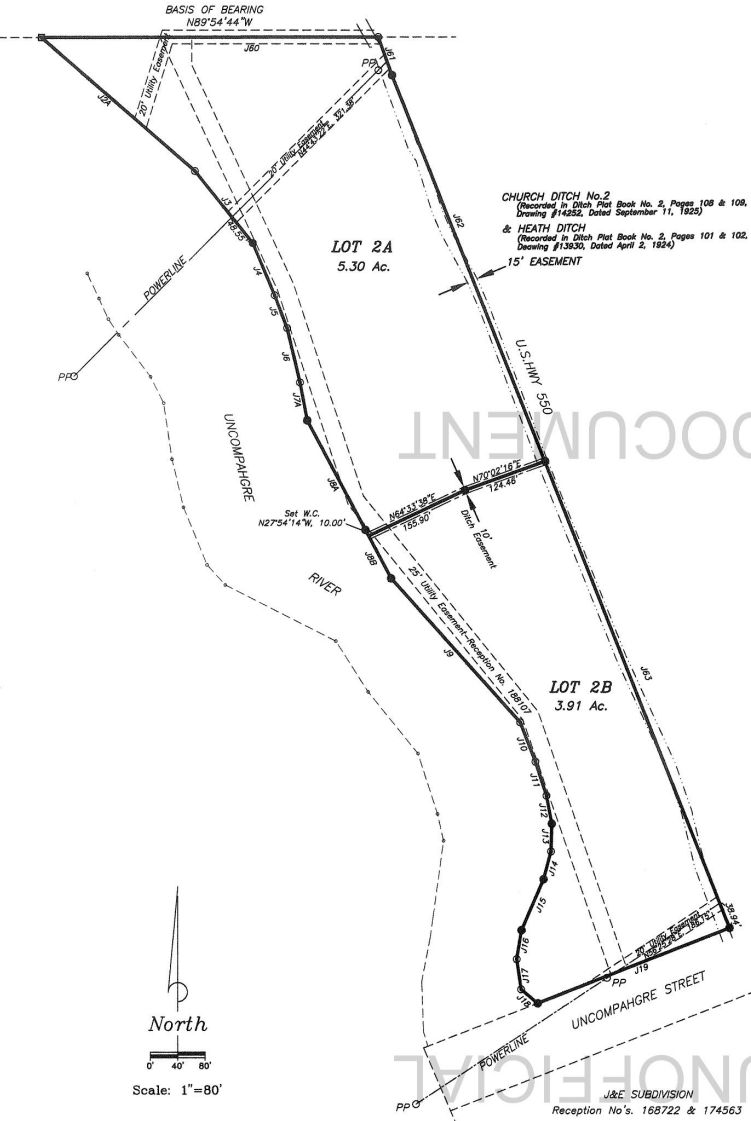
Household Area Median Income (AMI)	Household Size (Persons)	Household Income (Maximum)	Ouray Homes Preferred Lender - 5.5% interest rate; 30 year fixed amortized; buyers pays 10% down payment cost	
120 -100%	1	\$ 78,225	\$	333,494
	3	\$ 100,575	\$	428,777
	5	\$ 120,750	\$	514,785
Area Median Income (AMI)	Household Size (Persons)	Household Income (1) (Maximum)	Ouray Homes Preferred Lender - 4.9% interest rate; 30 year fixed amortized; buyers receives 10% down payment assistance	
100-81%	1	\$ 65,188	\$	277,912
	3	\$ 83,813	\$	357,314
	5	\$ 100,625	\$	428,988
Area Median Income (AMI)	Household Size (Persons)	Household Income (1) (Maximum)	Ouray Homes Preferred Homes - 2.5% interest rate; 30 year fixed amortized; buyers receives \$25,000 down payment assistance	
80% and less	1	\$ 52,150	\$	320,180
	3	\$ 67,050	\$	411,659
	5	\$ 80,500	\$	494,234

For Illustrative Purposes Only

OURAY WATERVIEW SUBDIVISION LOT 2 LOT SPLIT

Also being a Lot Split of East Part of Lot 3, J&E Subdivision
City of Ouray, Colorado

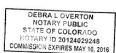
Chautauqua at Ouray Subdivision
Reception No. 190634



CERTIFICATE OF OWNERSHIP AND DEDICATION:
 KNOW ALL MEN BY THESE PRESENTS, that the undersigned owners of said property, located in the City of Ouray, State of Colorado, being described as Lot 2 of the Ouray Waterview Subdivision per Reception No. 190637 in the office of the Ouray County Clerk and Recorder.
 MAKE BY THESE PRESENTS, covenanted to be laid out, platted and subdivided the above described into lots, as shown on this plat, under the name and style of Ouray Waterview Subdivision Lot 2 Lot Split and do hereby grant, dedicate and convey to the City of Ouray, State of Colorado, perpetual utility easements as shown hereon, across Lots 2A & 2B. We do hereby grant, dedicate and convey the 15' Irrigation Easement and the 10' Ditch Easement, as shown hereon, for the purposes of installation, maintenance, repair & replacement of water pipelines, transmission and related structures and facilities, together with all rights of reasonable access for such purposes, to the benefit of Richard P. Jossi, successors, heirs and assigns.

Owners: **J&E Investment Corporation, A Colorado Corporation**
 By: **Richard P. Jossi, President**

STATE OF Colorado as
 COUNTY OF Ouray
 The foregoing signature was acknowledged before me this 11 day of October, A.D. 2013, by Richard Jossi
 My commission expires May 10 2011
 Witness my hand and seal Debra A. Winters
 Notary Public



CERTIFICATE OF LIEN HOLDERS:
 The undersigned holders of mortgages, which encumber the land subdivided, hereby agree to the subdivision and dedications.
 1st Mortgage _____
 2nd Mortgage _____
 by _____
 STATE OF _____ as
 COUNTY OF _____
 The foregoing signature was acknowledged before me this _____ day of _____, A.D. 20____, by _____
 My commission expires _____
 Witness my hand and seal _____
 Notary Public
 no lien holders

ATTORNEY'S CERTIFICATE:
 I certify that I have examined the title to the platted property and that the record owners and holders of encumbrances affecting the property have executed this plat and joined in the subdivision and reservation of easements.

 Attorney at Law Registration No. _____ Date _____

APPROVAL OF PLANNING COMMISSION:
 Approved by the City of Ouray Planning Commission this 7th day of October, A.D. 2013.

 Chairman

APPROVAL OF CITY COUNCIL:
 Approved by the Ouray City Council this 11th day of October, A.D. 2013.

 Mayor

APPROVAL OF CITY ATTORNEY:
 Approved by the City Attorney this 11th day of October, A.D. 2013 by Richard Jossi, City Attorney.

 Attorney at Law Registration No. _____ Date _____

BASIS OF BEARING:
 The bearing between the northeast corner of Lot 2, Ouray Waterview Subdivision, defined by a rebar & cap, LS 31160 and the northwest corner of said Lot 2, defined by a rebar & cap, LS 31160, is assumed to be N89°54'44"W as shown on the Ouray Waterview Subdivision Plat recorded at Reception No. 190672 in the records of the Ouray County Clerk & Recorder.

SURVEYOR'S CERTIFICATE:
 I, Robert A. Larson, a Registered Land Surveyor in the State of Colorado, do hereby certify that this plat accurately represents to the best of my knowledge and information the survey made by me or under my direct supervision, and that said survey conforms to all State laws and standards for property boundaries.

 Robert A. Larson LS 31160 Date _____ SEAL

RECORDER'S CERTIFICATE:
 This plat was filed for record in the office of the Clerk and Recorder of Ouray County at Ouray, on the 11th day of October, A.D. 2013, in Book _____ Page _____ Reception No. 211000

 Deputy County Clerk and Recorder

NOTICE: According to Colorado Law you must commence any legal action upon any defect in this survey within three years after you first discovered such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

- LEGEND**
- Found #5 Rebar & 1.5" Aluminum Survey Cap - LS 10738
 - ⊙ Found #5 Rebar & 2" Aluminum Survey Cap - LS 31160
 - Set #5 Rebar & 2" Aluminum Survey Cap - LS 31160

Line	Bearing	Distance
J2A	S46°31'41"E	297.22'
J3	S32°33'24"E	130.34'
J4	S22°39'39"E	82.71'
J5	S20°42'17"E	51.35'
J6	S13°19'50"E	81.80'
J7A	S10°44'19"E	56.48'
J8A	S27°54'14"E	181.35'
J8B	S27°54'14"E	70.30'
J9	S41°47'36"E	282.57'
J10	S21°03'43"E	61.53'
J11	S17°54'59"E	52.35'
J12	S10°43'03"E	41.79'
J13	S01°43'43"W	40.66'
J14	S14°20'16"W	42.15'
J15	S32°21'15"W	81.17'
J16	S02°21'24"W	42.88'
J17	S08°18'18"E	46.77'
J18	S48°46'10"E	31.40'
J19	N88°30'00"E	301.39'
J60	N89°54'44"W	490.27'
J61	Δ=1°11'01" R=2905.00' L=60.01'	
J62	S21°33'07"E	606.11'
J63	S21°33'07"E	734.06'

PLAT NOTE:
 Access to Highway 550 from Lot 2A is subject to State Highway Access Code.

SURVEYED BY		DATE	SCALE	MONADNOCK MINERAL SERVICES 542-7722 Fax: P.O. Box 88, Ouray, Colorado 81427 FOR INFO: 542-6855
R.A.L.		10/11/13	1"=80'	
DRAWN BY		T.A.P.	J13027	
SHEET 1 of 1				

Dear City of Ouray Planning & Zoning Commission,

I am writing to request an amendment to the approved Sketch Plan that was presented to the Commission Tuesday January 10, 2023. The amended Waterview Subdivision Sketch Plan remains substantially similar to the approved Sketch Plan in terms of project density, unit type, and overall intent and mission of the PUD.

In fact, this amended plan is better aligned with our goal to build affordable and attainable housing for the workforce, as it eliminates some major cost components of the horizontal development plan and responds to the feedback provided by the P&Z on January 10. The updated scheme eliminates the need to introduce new water and sewer mains into Phase 1. Additionally, it eliminates the need to construct a retaining wall where the previous layout of the road interfaced with topography on the western property boundary. The next paragraph of this letter outlines the specific changes that I would like the commission to consider. I would like to highlight that the updated plan provides space to incorporate the feedback that we heard from the Commission in the January hearing, in that it provides space to include a vegetative buffer between the project and the highway.

The most substantial change in the amended Sketch Plan before you is the layout of the primary subdivision access road in Phase 1 that is designed to be built in the southern portion of the property. In the new plan, you will notice a chicane, serpentine curve, in the road that runs from the southern property boundary on Uncompahgre Street northeast into the subdivision. This alternative road layout has a number of benefits. Primarily, the road eliminates the need to construct an alley. In the initial sketch plan, the alley was proposed to be a reduced width of 12 feet and function only as a one-way alley. As we developed the engineering, we discovered that we did not have enough space in the project site to include an alley, as it would need to be built over the existing ditch easement and we would need to culvert the ditch, which must remain exposed to daylight. The chicane road creates space to place residential units on the western side of the property.

This new layout has a number of benefits. The homes' front facades face the highway, which would give a more 'friendly' first impression of the project. As opposed to having off-street parking being the primary view of the subdivision from the highway, now there is room to build a vegetative screen, a public street and right of way, and the view of the homes will be inviting, with front porches and more dynamic front facades. Secondly, the chicane road will keep traffic moving slowly. The green hatch on the site plan shows the travel path of a fire truck, built to state and federal standards.

In terms of reducing the overall project's infrastructure cost, which in turn reduces the per-unit cost of each home, there is now no need to construct extensions of water and sewer mains for Phase 1. The easement will run in the rear of the phase 1 lots and we can run shorter laterals directly from that easement. Additionally, there is no need to design a retaining wall, as notated in the January sketch plan.

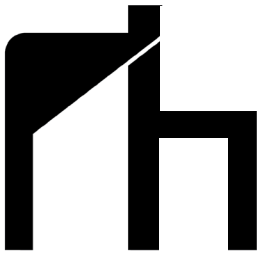
There are minor changes to the number of units and project density. Phase 1 of Waterview will now include three home-based childcare units. Two of those units will be located around the central roundabout and a third will face Uncompahgre Street where we can design a turnaround and drop off. Situating the home care units near these roundabouts and central nodes of the PUD would be a great benefit for maintaining proper traffic flow and providing areas for pick-up and drop off.

Before proceeding with our Preliminary Plat application, we felt that it was important to discuss these changes with the Planning & Zoning Commission. We look forward to continuing to develop this project. Finally, we are excited to have the support of the City through the HB1271 IHOI Affordable Housing Incentives Grant Program. The City has been awarded \$1,050,000 which will go a long way towards helping us achieve our mission of building affordable housing for the Ouray County workforce. This is a big win for the City of Ouray.

Thank you and I look forward to discussing these changes with you next Tuesday March 21 at the P&Z meeting.

Sincerely,

David Bruce
Project Manager
Rural Homes: For Sale, For Locals
Waterview PUD



Rural Homes Sketch Plan
Ouray Waterview Application

to: Lily Oswald, Ouray Community Development Director
 Silas Clark, Ouray City Administrator
from: David Bruce, Project Manager Rural Homes LLC

Table of Contents

p3	Mission Statement
p4-5	What is the Rural Homes Model?
p6-9	Rural Homes Project Portfolio
p10	Fading West
p11	All-electric & solar photo-voltaic program
p12	Sketch Plan Application

Supporting Documentation:

Deed of Ownership -

“1_31734_Ouray Waterview_CHIFO Deed of Trust signed”

“85007577_Ouray Land Closing documents”

Existing Conditions Survey -

“220829_Existing Conditions Map”

Sketch Plan - Schematic Design Document -

“Waterview SD 10-20-2022”

Mission Statement

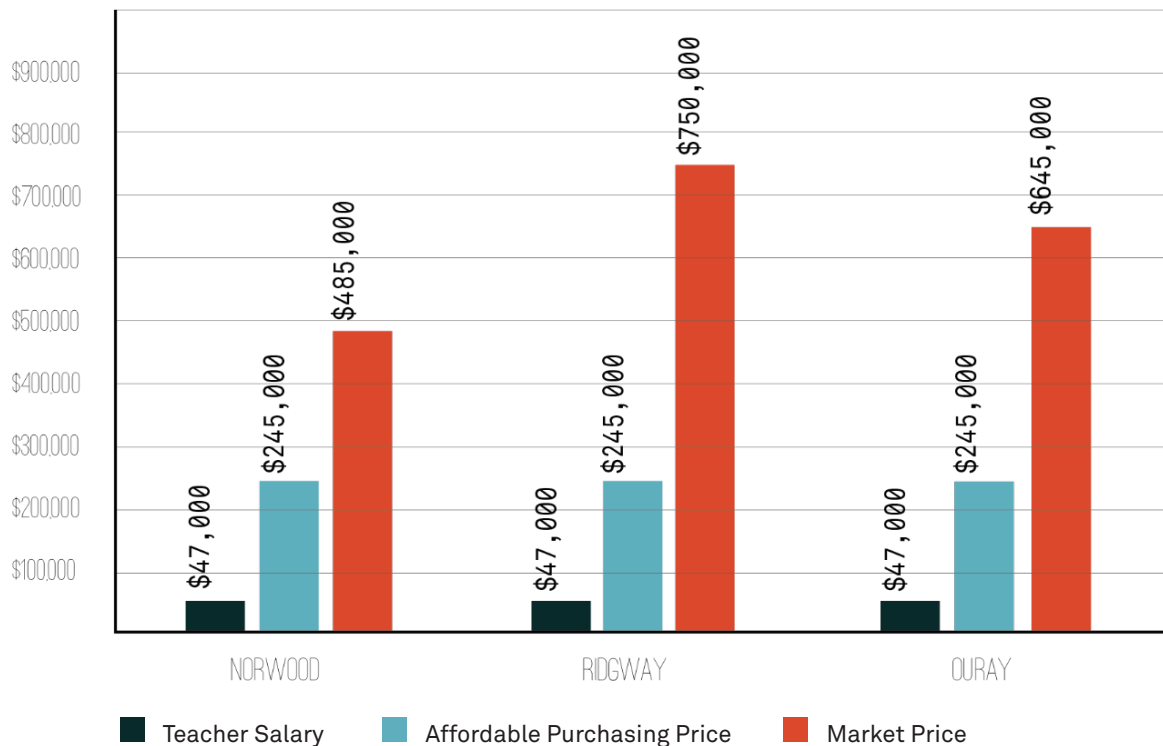
There is a lack of affordable housing in mountain communities across Colorado. According to the Mountain Migration Report conducted across six counties with tourism-driven economies, the pandemic led to record-high home purchase and rent prices, accompanied by a sharp decrease in unit availability.

Ouray is not immune to these trends. Small business owners, the school district, and local government (all of whom have representatives on the *Rural Homes Ouray Committee*) all struggle to find employees. They cite a lack of housing options as the primary reason. Without the development of new housing options priced for the local workforce, the community of Ouray will struggle to keep businesses open and provide key services. Multiple *Rural Homes Ouray Committee* members have noted that they currently spend an unsustainable amount of time trying to locate housing for prospective and current employees, and this is one of the main reasons they wanted to become part of the Committee. The problem is apparent throughout Colorado, but magnified in land-constrained and desirable locations such as Ouray, which is why it is a perfect location for a project spearheaded by Rural Homes.

What is the Rural Homes Model?

There is a gap between what a teacher earns, what a teacher can afford, and the prices of homes that are available in the market (see graph below). Teachers are not alone, countless essential workers across Colorado face this dilemma. **Rural Homes aims to reduce the cost to build rural housing.**

By integrating donated land, factory-manufactured construction, and low-cost construction finance into a toolkit, we are restructuring the way affordable housing can be built for our region's essential workforce: teachers, medical professionals, immigrants, federal employees that earn between 60-120% of Area Median Income (AMI). Our ambition is to inform and refine a model that minimizes the cost of building single-family homes so that it can be replicated and scaled across rural Colorado. By adding new building stock to a housing market that is saturated with old, dilapidated homes or inflated by vacation markets, we are addressing key determinants of public health and long-term economic sustainability in the region.



Our approach tries to whittle down the cost of construction by combining pre-fabricated off-site home building, low-interest construction finance, offsetting the cost of land, and connecting qualified home buyers with low-interest lenders and down payment assistance.

What is the Rural Homes Model? *Continued*

Cost of Capital

Partners across Colorado's community organizations and philanthropic entities are interested in new approaches to building affordable housing. We've raised construction finance loans with 0.5% interest and below by working with philanthropic funders such as: The Colorado Health Foundation, El Pomar Foundation, Donnell Kay Foundation, Kenneth King Foundation, Caring for Colorado, Dakota Foundation and Boettcher Foundation.

Furthermore, the Department of Local Affairs and The Division of Housing have matched the philanthropic dollars donated to the projects. We are also pursuing additional "gap financing" funding to subsidize additional costs such as infrastructural improvements related to the project with the goal of reducing the final price of each unit built.

Cost of Land

We can reduce the overall property values of our homes by securing land donations from municipal entities like towns or counties, or by securing funding to purchase land from private donors and state organizations. San Miguel County has donated land for development in Norwood, and philanthropic funding has been offered for land in Ridgway. Here in Ouray, we have taken advantage of the opportunity to buy one of the last major parcels in the City and are searching for avenues to off-set the cost of purchase. The ideal site has strict criteria in order to control the per-unit costs of building the homes. They are flat, infill, and adjacent to existing civic infrastructure in order to minimize grading, new street construction, or the extension of water and sewer lines.

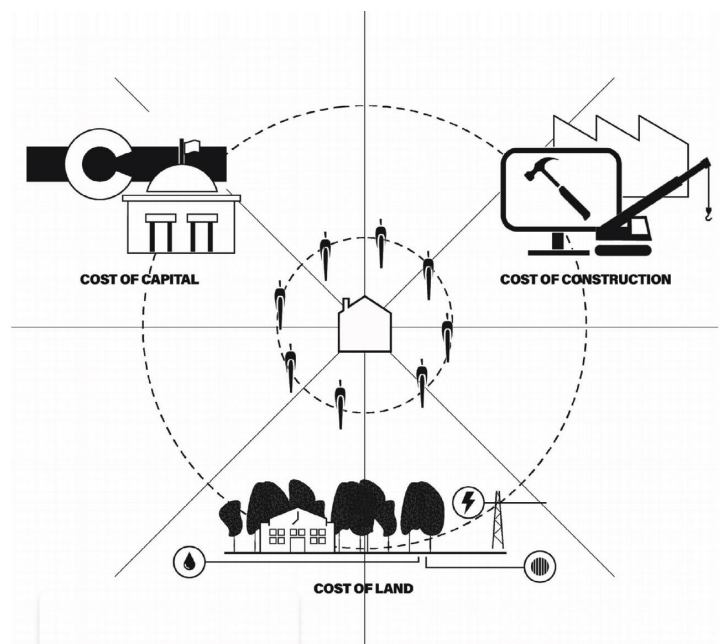
Cost of Construction

Standard stick-built construction is expensive and wasteful: on average, 30% of the material purchased for home construction ends up in a dumpster. In addition to this, the local labor force is (mostly) involved in high-end home construction, so even if subcontractors are compelled to work on affordable housing, the market sets a price of labor too expensive to build affordably.

By partnering with innovative Colorado companies such as Fading West (modular construction) and Simple Homes (panelized construction), we can significantly lower these on-site construction costs. For instance, Fading West builds 85% of the homes in their factory and ships them to the site in parts, allowing us to not only lock in prices on 85% of the house 8 months before construction, but also to save money on subcontractors by reducing the time it takes to assemble the house.

Community Led Process

Each project is guided by a community design process that integrates the strength of each community to build new neighborhoods that improve economic, social, cultural, health, and environmental outcomes. Networks of residents, local governments, affordable housing advocates, business owners and government officials are all required to build places that reflect the desires of the community.



RH Portfolio:

Wetterhorn Homes Ridgway

Under Construction - 14 Townhomes
Expected move-in April 2023



RH Portfolio:

Wetterhorn Homes Ridgway

Under Construction - 14 Townhomes
Expected move-in April 2023



RH Portfolio:

Pinion Park Norwood

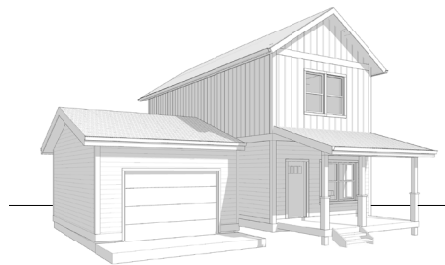
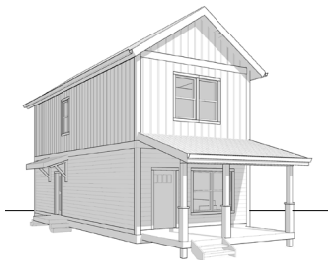
Under Construction - 10 Townhomes, 14 Single-Family Detached Homes
Expected move-in January 2022



RH Portfolio:

Pinion Park Norwood

Under Construction - 10 Townhomes, 14 Single-Family Detached Homes
 Expected move-in January 2022



The Wilson

Farmhouse Gable
 3 Bedrooms
 3 Bathrooms
 Detached
 1216 square feet
 8' x 12' shed
 Rooftop Solar
 Air Conditioning
 Electric Vehicle-ready
 Raw water tap
 GE appliances
 Fiber internet

The Hastings

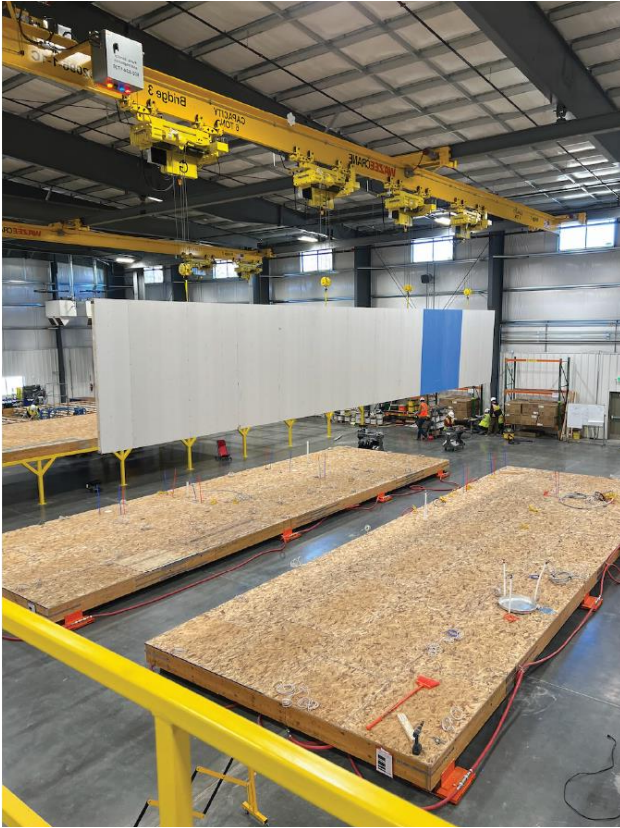
Farmhouse Gable
 3 Bedrooms
 3 Bathrooms
 Detached
 1648 square feet
 18' x 24' garage
 Rooftop Solar
 Air Conditioning
 Electric Vehicle-ready
 Raw water tap
 GE appliances
 Fiber internet

The Sunshine

Mountain Modern
 2 Bedrooms
 2 Bathrooms
 Attached
 1024 square feet
 10' x 16' shed
 Rooftop Solar
 Air Conditioning
 Electric Vehicle-ready
 Raw water tap
 GE appliances
 Fiber internet

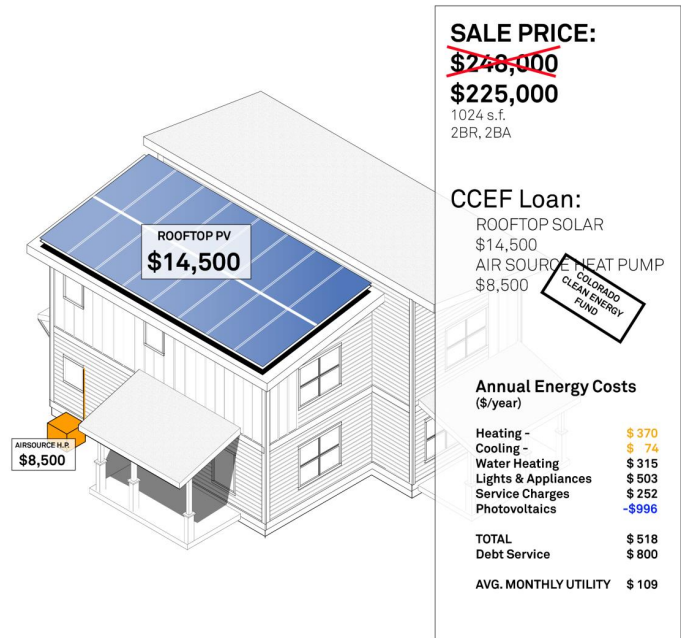
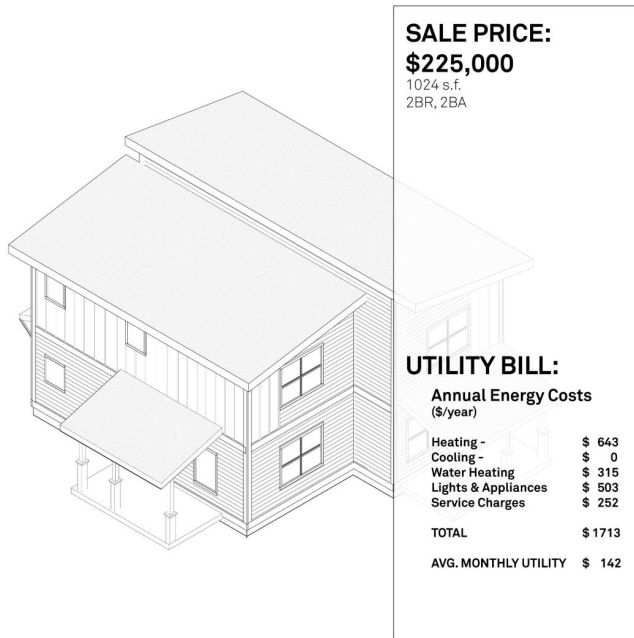
The McKee

Mountain Modern
 3 Bedrooms
 3 Bathrooms
 Attached
 1216 square feet
 10' x 20' shed
 Rooftop Solar
 Air Conditioning
 Electric Vehicle-ready
 Raw water tap
 GE appliances
 Fiber internet



Strategic Partner

Colorado Clean Energy Fund



Pinion Park Pilots Tariff On-Bill Financing for Solar & Air Source Heat Pumps

Rooftop solar provides direct benefits to homeowners, including reduced utility bills, increased property values, and lower carbon footprints. However, the benefits of rooftop solar are only realized by middle- and higher-income homeowners due to the additional upfront costs of purchasing and installing a system. Homeowners at all income levels deserve access to the benefits of rooftop solar. Eliminating the financing hurdle is the key to extending the benefits of solar to lower income homeowners.

Tariff On-Bill Financing (TOBF) provides an opportunity to integrate solar into for-sale construction that is priced for affordable and workforce markets. TOBF can realize the benefits of rooftop solar without requiring lower income families to take on an additional loan to finance the system. In concept, with TOBF, a homeowner pays off the cost of the solar system through their utility bill payments and sees a reduced electrical bill because of rooftop solar power generation. All homeowners pay electric bills. The key is to finance the system at a rate and term that ensures the monthly utility bill is lower than the alternative without the system.

Rural Homes (RH) is developing a proposal with the Colorado Clean Energy Fund (CCEF) and Elemental Energy (EE) to install solar on Pinion Park homes. The program will achieve homeowner savings on their monthly utility bills by up to 25%. In some cases that could be \$100 or more per month in electric utility bills savings. Once the loan is paid in full and the TOBF payments are expired (well before the usable end of life for the system) then the homeowner's savings increase further.

This program proposes to pilot a TOBF approach in partnership with San Miguel Power Association for the Norwood Pinion Park affordable housing project. Pinion Park broke ground on the construction of for-sale single family and townhouse homes in March 2022, and homeowners will move-in September 2022.

Every Pinion Park home is designed to be constructed as all-electric and will be wired for electric vehicle charging. The spirit of this development is to provide ownership pathways to working community members. Providing equitable access to energy efficiency, solar and other bill savings is imperative to every income homeowner.

The Pinion Park rooftop photo-voltaic (PV) solar systems will be financed by the Colorado Clean Energy Fund, with loan payments administered via a surcharge on the homeowner's monthly utility bill. The system design will be done by Elemental Energy. Installation will be done by CAM Electronic a sub-contractor of Stryker Construction, the general contractor for Pinion Park. Both the installation and financing of the solar system will be seamless does not require the homeowner take on any additional financing. Roof orientations at Pinion Park will allow for up to 7-10kW per home.

Every homeowner deserves equitable access to lower utility bills and clean energy.

Ouray Waterview

Sketch Plan

Deed of Ownership:

Please refer to the attached documents:

- 85007577_Ouray Land Closing documents
- 1_31734_Ouray Waterview_CHIFO Deed of Trust signed

Total Acreage of Property:

9.21 acres

Uses & Project Program:

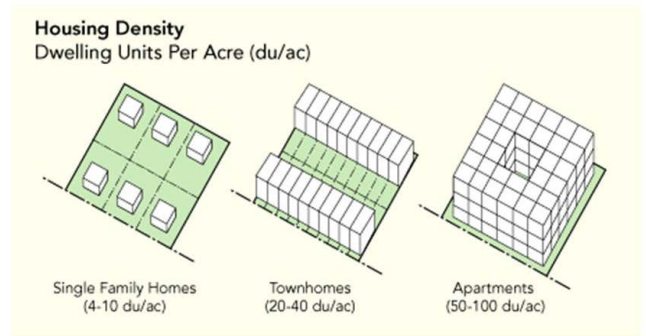
The Ouray Waterview Subdivision Sketch Plan proposes 67 units. Units will include Single Family Dwellings and Townhomes. Townhomes will not exceed clusters of three units (duplexes & triplexes). Unit uses will also include in-unit home-childcare. Additionally, the site will be programmed with streets that contain on-street parking and alleys in a Right of Way. We intend to dedicate the Right of Way to the City of Ouray for ownership and maintenance upon successful and accepted completion of the horizontal development. Finally, the proposal includes recreational green space, planted open space, and storm water detention ponds that will be programmed as landscape spaces. These green spaces will occur on the western fringe of the lot with a direct adjacency to the existing river trail in order to provide future residents with a direct connection to the trail. We intend to dedicate all green space to Ouray Parks & Recreation for long term ownership & maintenance.

Current Zoning; Future Zoning:

Current: C-2 Commercial-Industrial; Future: Planned Unit Development within C-2 Commercial Industrial

Density:

7.27 Dwelling Units/Acre



Existing Conditions Survey:

Please see [Appendix 1: 220829_Existing Conditions Map](#) for existing utility easements & infrastructure

Utilities:

Water: We will request to tap into Ouray's municipal water service. Typical maximum daily water demand per single family homes is 350 gallons per day per unit during the summer season. This estimate includes 50 GPD for outside irrigation. These volumes are typically 100 GDP higher than actual measured flows and are used for planning purposes. Given this 350 GDP figure, the Waterview Subdivision would generate a demand of 23,450 gallons per day of water.

Sewer: We understand that there are planned service upgrades to the City's sewer treatment plant and that may cause limitations to project timing, or a project delivery in two phases. Once the capacity of the sewer treatment plant can handle the project, we will request to tap into Ouray's municipal sewer service. We estimate that these units will generate 300 gallons of sewage per day.

Electric: There appears to be available overhead power lines to tap into electric service. We have not yet engages SMPA for a service engineering request.

Natural gas: The subdivision's units will not require natural gas services. Homes will be all-electric and provided with air-source heat pumps.

Fiber: The project will be connected to broadband Internet. The provider is currently unknown.

Ditch: We have reached out to the owner of the ditch company and have the support to drop a culvert in the ditch that runs east-west between Lots 2A & 2B in order to cross the ditch with our road that runs north-south

Ouray Zoning Map

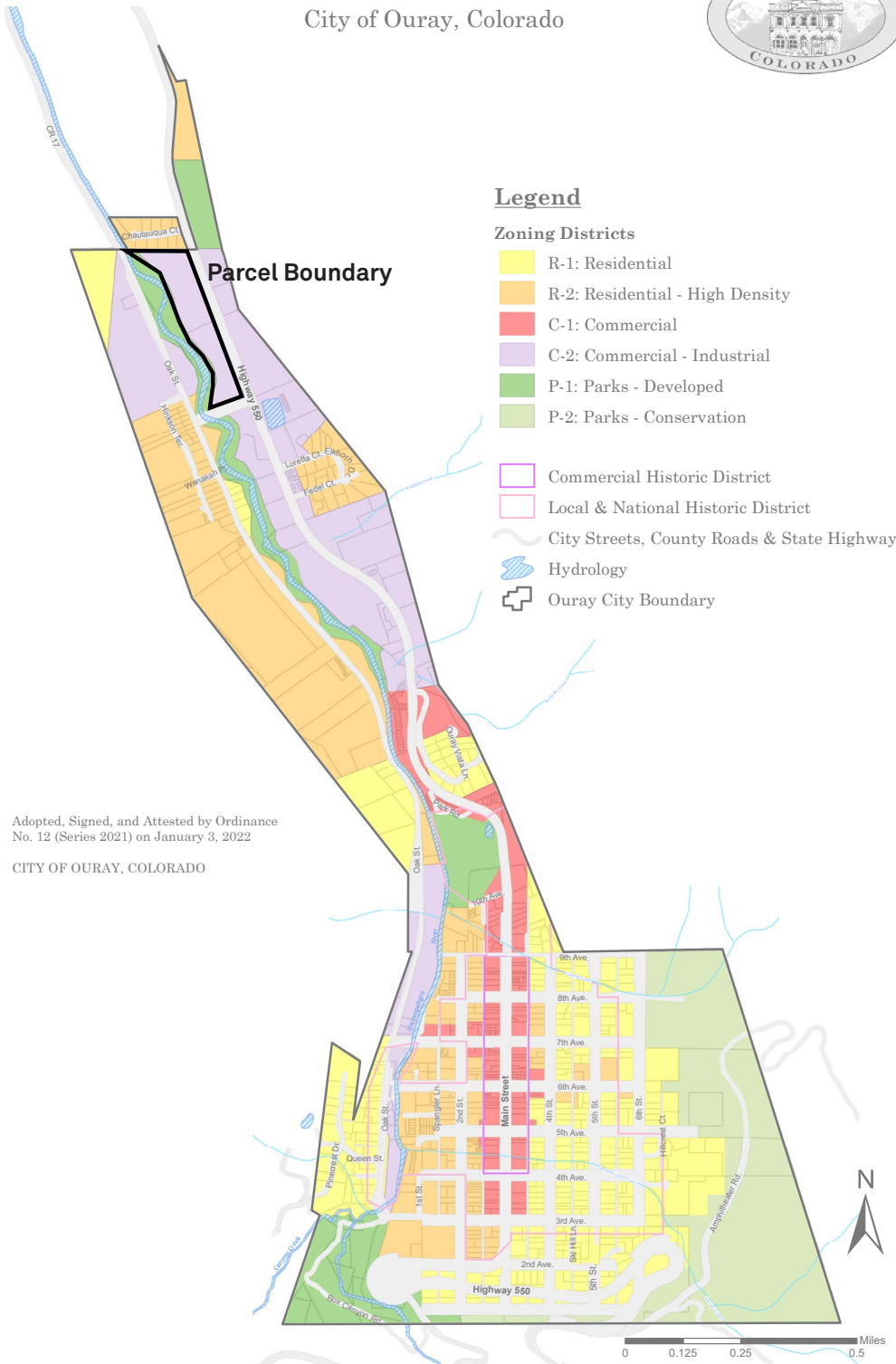
City of Ouray, Colorado



Legend

Zoning Districts

- R-1: Residential
- R-2: Residential - High Density
- C-1: Commercial
- C-2: Commercial - Industrial
- P-1: Parks - Developed
- P-2: Parks - Conservation
- Commercial Historic District
- Local & National Historic District
- City Streets, County Roads & State Highway
- Hydrology
- Ouray City Boundary



Adopted, Signed, and Attested by Ordinance No. 12 (Series 2021) on January 3, 2022

CITY OF OURAY, COLORADO

Current zoning district is **C-2 Commercial-Industrial**. Zoning will remain C-2 Commercial-Industrial but we will pursue a Planned Unit Development (PUD) pursuant to Ouray Land Use Code section (7-8). Please see the next page for 7-8 excerpts.

7-8 Planned Unit Developments (PUD)

A. Statement of Objectives of Development

The intent of this section is to promote the Planned Unit Development Act of 1972 and **encourage innovative developments with unique and valued community attributes**. PUD's allow for consideration of development proposals that differ from required development improvements identified in the OLUC. PUD's offer different options to the applicant when planning and obtaining City approval for their development. PUD's allow flexibility with respect to dimensional requirements and increased densities under certain conditions or circumstances. PUD's encourage conservation of a site's natural characteristics, innovative residential, commercial and industrial development plans which will result in a more efficient use of open space and provide affordable housing for year around residents.

B. Criteria for a Planned Unit Development (PUD)

1. A PUD shall be in general conformity with the City Community Plan and consistent with the objectives as stated in Subsection A above.
2. Compliance with the Colorado Planned Unit Development Act of 1972.
3. A PUD shall have a minimum of 1 unit or lot.

C. Permitted Uses

1. Recreational Facilities and "permitted" and "conditional uses" in the zone or zones in which the PUD is located shall be permitted when approved as part of the Planned Unit Development.

Permitted uses in C-2 include: "Any use allowed in R-1, R-2 or C-1 Districts" "Multi-Family Dwellings" "Duplexes" "Single-family dwellings"

2. Residences may be clustered into duplexes or multi-family residences.

D. Dimensional Requirements and Densities

1. The dimensional requirements for various PUD items may differ from what is required in the OLUC if the Planning Commission determines that such deviations will promote the public health, safety and welfare.
2. Residential PUD's may have additional residential units for each acre in the PUD, above what would be allowed otherwise in the zoning district or districts involved.
3. A minimum of 20% of the gross area of the PUD must be preserved as parks or open space.

E. Procedures

1. Planned Unit Developments (PUD) shall be reviewed in accordance with the same procedures for review of subdivisions as found in Subsection 7-7-C.
2. The preliminary and final PUD plan shall comply with all requirements for a preliminary and final subdivision plat, to the extent applicable.
3. A public notice of the hearing on the preliminary planned development plan and any substantial amendments thereto, shall be given by publishing a notice and posting a notice on the property at least 15 days prior to the hearing.

F. Required Improvements and Standards

1. PUD plans shall comply with design standards in Subsection 7-7-E and provide construction improvements as required for subdivisions in Subsection 7-7-F, unless granted otherwise by the Planning Commission.
2. PUD development improvement agreements and required securities must comply with Subsection 7-7-F-2.

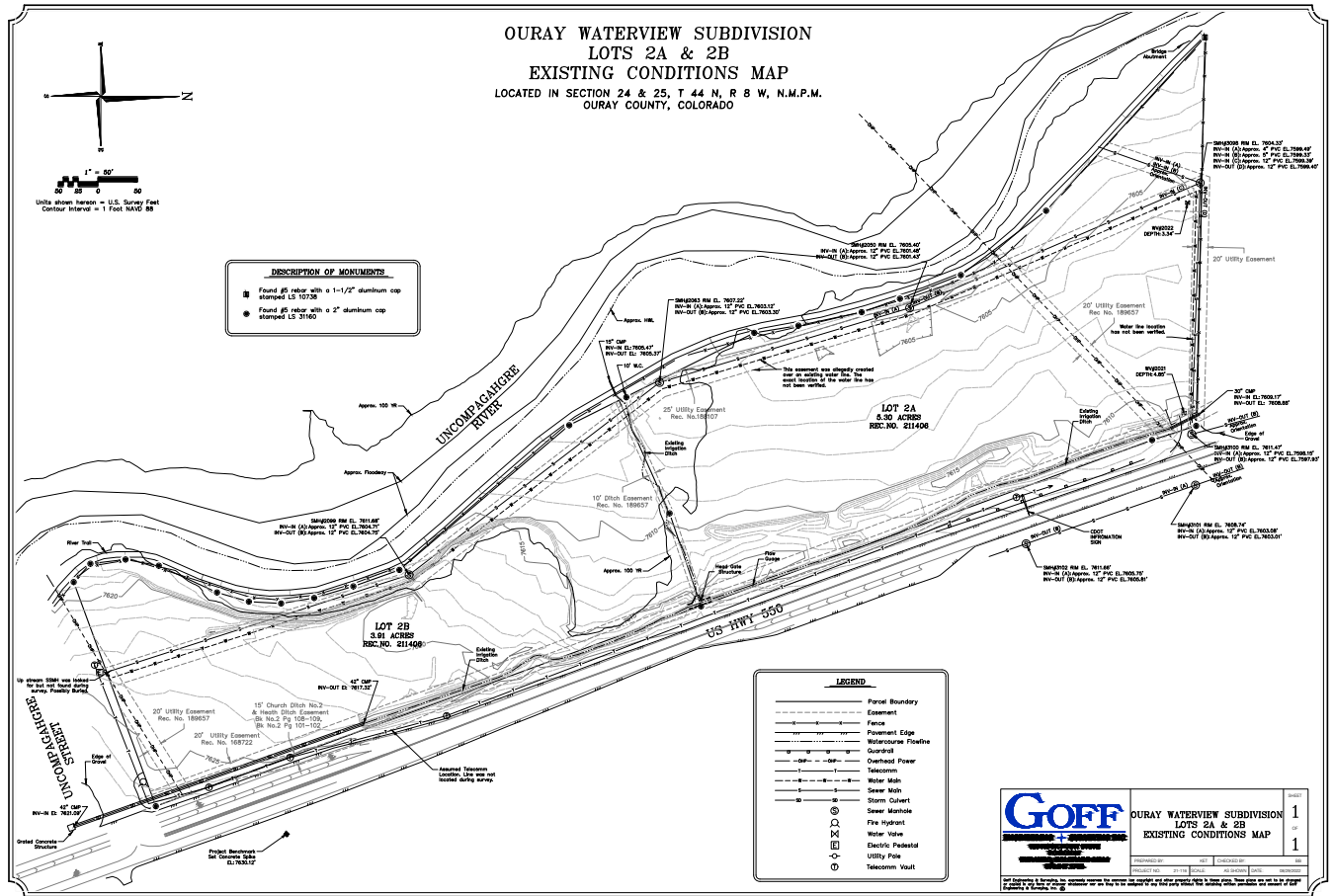
G. Additional Requirements:

1. Other information necessary to show compliance with the requirements of this subsection shall also be submitted with the Planned Unit Development plan. Where appropriate, parameters, limits or specifications may be approved in lieu of exact locations, numbers and sizes.

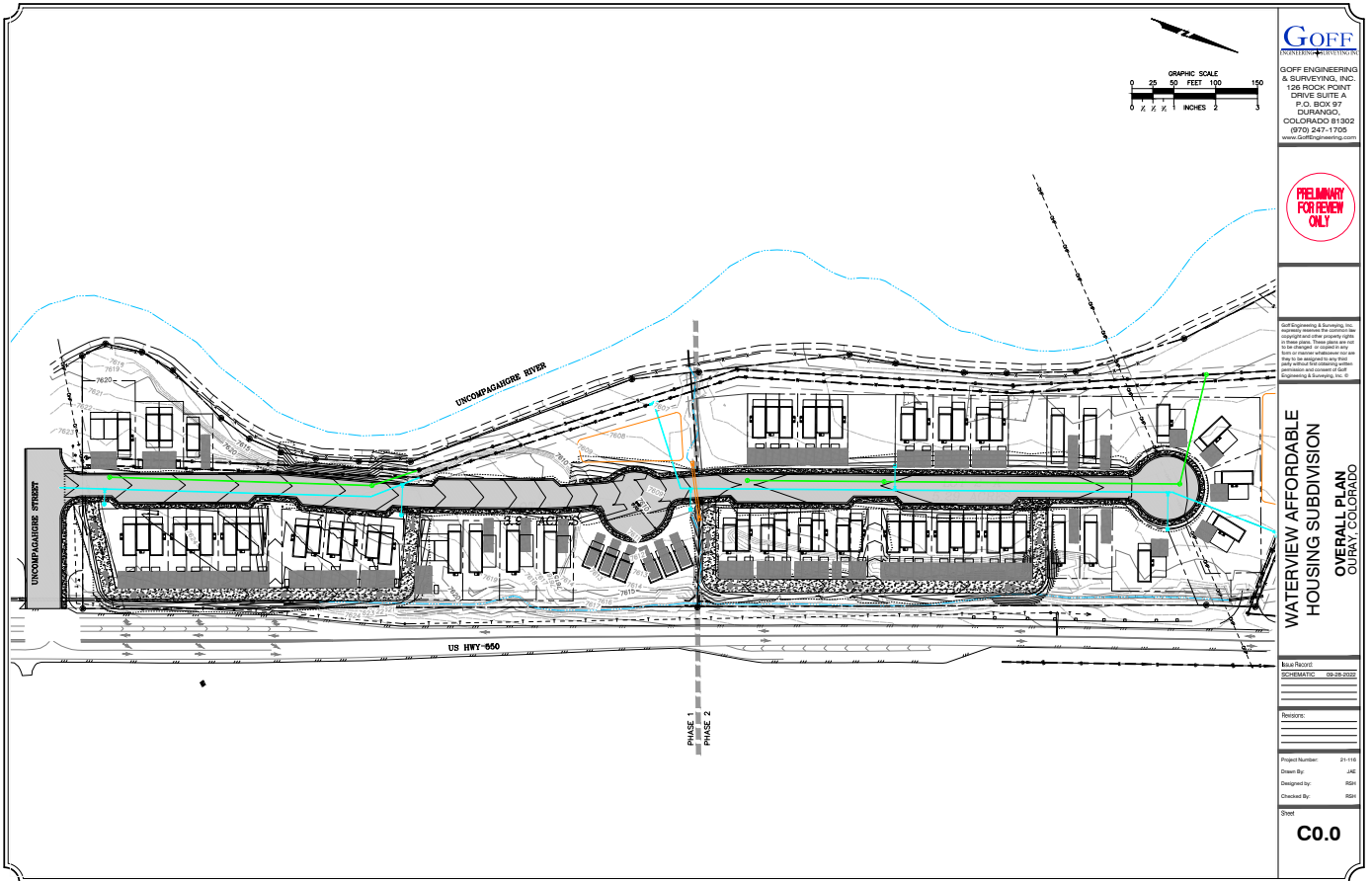
2. The PUD plan may be also enforced in accordance with and in the same manner as the provisions of the Planned Unit Development Act of 1972, as amended. C.R.S. 24-67-101, et. seq.

3. Approval of a PUD by the City is purely discretionary. If the City and applicant do not agree on all required conditions and the plan, the City may deny approval, or the City may unilaterally impose conditions. If the applicant does not accept all conditions, that development must adhere to standard subdivision and zoning requirements.





Please refer to the attachment "220829_Existing Conditions Map"



Please refer to the attachment **“Waterview SD 10-20-2022”**

The attachment is a four page document that shows the schematic proposal in detail.

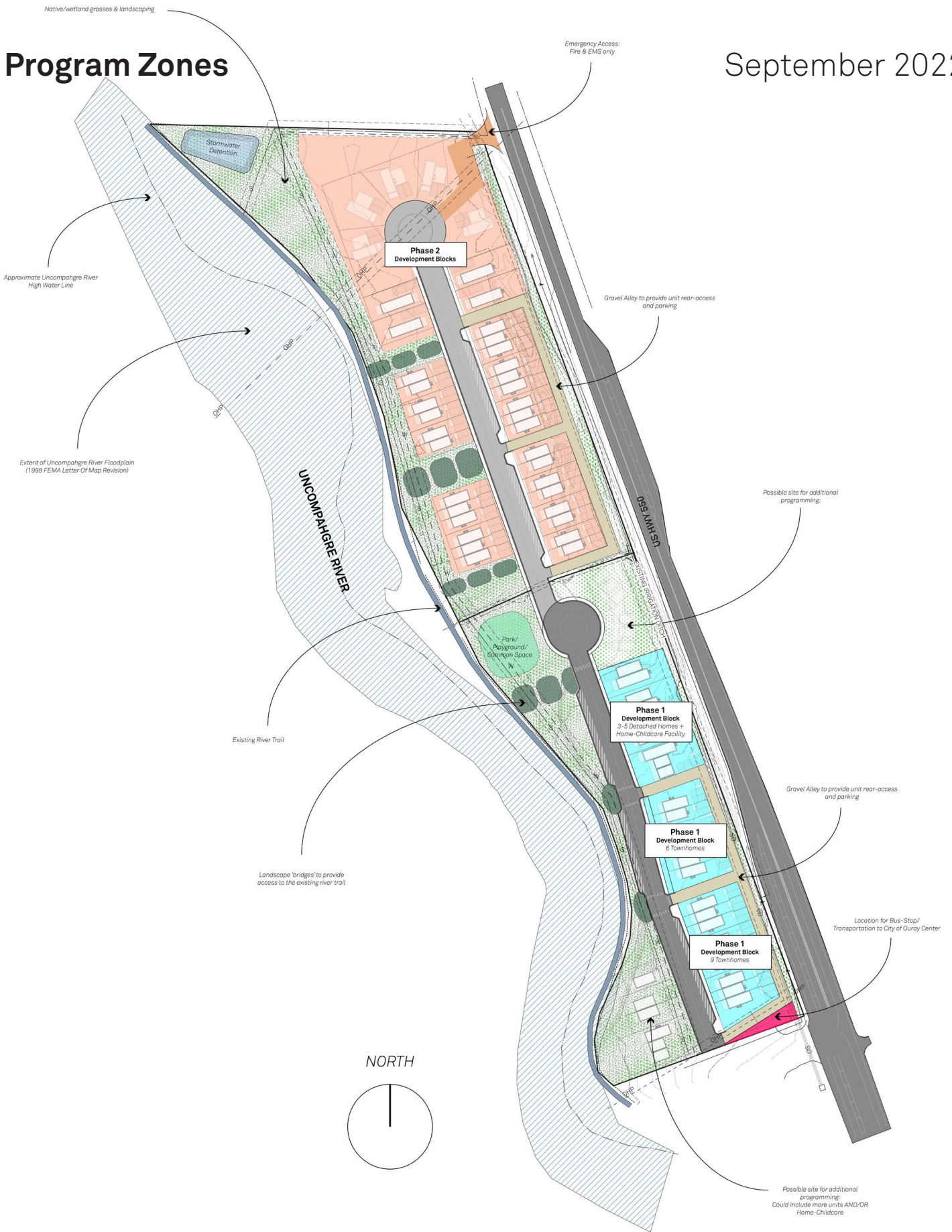
Street name: We do not currently have a proposed street name. We will put this question to the Ouray Housing Committee.

Street dimensions: The proposed street section will include two 12’ drive lanes and one 8’ on-street parking lane. All units have been provided with 2 off-street parking stalls dimensioning 10’x20’. The alley is proposed as a one-way at 14’ wide.

A school bus stop could be located in the center of the site at the first round-about or at the southern end of the site between the alley and Uncompahgre Street.

Program Zones

September 2022



Green denotes open green space, blue is a possible phase 1, orange is a possible phase 2. Note that detention ponds have moved from this diagram to the SD set. The SD set is the latest plan set and is what our civil engineer has proposed.

Before



After





Lily Oswald <loswald@cityofouray.com>

Waterview PUD Preliminary Plat Review // Comments

Ruth Stewart <rstewart.ocems@gmail.com>
Reply-To: rstewart@ouraycountyco.gov
To: Lily Oswald <loswald@cityofouray.com>

Thu, May 18, 2023 at 9:37 AM

Hi Lily,

While understanding that my boss, Kim would be the one to provide any official feedback from EMS, she is currently out of the country and won't be back prior to your meeting so I'll pass on the couple thoughts I have but also encourage you to follow up with her after her return on May 29th.

The three things that I can see on the plans or would like to mention simply from experience are these:

- 1) I would encourage a different name for 'Uncompahgre street' as there is an 'Uncompahgre court' in Dallas Meadows and unfortunately having very similarly names streets in entirely different areas of the county has caused problems in the past. So if possible, I would love to see a name that isn't fundamentally the same as another one in the area.
- 2) The plans don't make it clear to me whether any on-street parking is allowed or not but I would just like to make sure that the cul-de-sacs are large enough for an ambulance to turn around regardless of the parking situation. Obviously this means that if parking is allowed in the cul-de-sacs then they would need to be larger. If there is always through access to the emergency egress road this would be less important though still potentially quite helpful.
- 3) And this one is purely from experience but please plan any address markers to be visible AT NIGHT with nothing more than headlights on a car or possibly a porch light. All too many buildings have addresses that are difficult to see even during daylight or if visible during daylight are in an entirely unlit area at night making locating a specific home quite difficult.

Those would be my few thoughts, feel free to reach out with any further questions or for clarification.

Regards,

—Ruth

Ruth Stewart
Paramedic
Ouray County Emergency Medical Services
P.O.Box 124
[251 Railroad street](#)
[Ridgway, CO 81432](#)
Office: 970-325-7275
Fax: 970-325-9967

[Quoted text hidden]

Lambert and Associates

CONSULTING GEOTECHNICAL ENGINEERS AND MATERIAL TESTING

GEOTECHNICAL ENGINEERING STUDY
PROPOSED WATERVIEW DEVELOPMENT
OURAY, COLORADO

Prepared for:

OURAY HOMES LLC

PROJECT NUMBER: M22059GE

FEBRUARY 3, 2023

Lambert and Associates

CONSULTING GEOTECHNICAL ENGINEERS AND MATERIAL TESTING

February 3, 2023

Ouray Homes LLC
P.O. Box 4222
Telluride, Colorado

Attention: Mr. Paul Major

PN: M22059GE

Subject: Geotechnical Engineering Study for the
Proposed Waterview Development
Ouray, Colorado

Mr. Major:

Lambert and Associates is pleased to present our geotechnical engineering study for the subject project. The field study was completed on October 10, 2022. The laboratory study was completed on December 1, 2022. The analysis was performed and the report prepared from December 1, 2022 through February 3, 2023. Our geotechnical engineering report is attached.

We are available to provide material testing services for soil and concrete and provide foundation excavation observations during construction. We recommend that Lambert and Associates, the geotechnical engineer, for the project provide material testing services to maintain continuity between design and construction phases.

If you have any questions concerning the geotechnical engineering aspects of your project please contact us. Thank you for the opportunity to perform this study for you.

Respectfully submitted,

LAMBERT AND ASSOCIATES

Daniel R. Lambert, P.E.

P.O. Box 3986
Grand Junction, CO 81502
(970) 245 6506

P.O. Box 45
Montrose, CO 81402
(970) 249 2154

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1.0 INTRODUCTION

This report presents the results of the geotechnical engineering study we conducted for the proposed Waterview Development. The study was conducted at the request of Mr. Paul Major, Ouray Homes LLC, in general accordance with our proposal for geotechnical engineering services dated August 13, 2022.

The conclusions, suggestions and recommendations presented in this report are based on the data gathered during our site and laboratory study and on our experience with similar soil conditions. Factual data gathered during the field and laboratory work are summarized in Appendices A and B.

1.1 Proposed Construction

It is our understanding the proposed construction is to include residential structures, associated paved parking and drive areas and associated utilities.

1.2 Scope of Services

Our services included geotechnical engineering field and laboratory studies, analysis of the acquired data and report preparation for the proposed site. The scope of our services is outlined below.

- The field study consisted of describing and sampling the soil materials encountered in six (6) small diameter continuous flight auger advanced test borings.
- The materials encountered in the test borings were described and samples retrieved for the subsequent laboratory study.
- The laboratory study included tests of select soil samples obtained during the field study to help assess:
 - . the soil strength potential (internal friction angle and cohesion) of samples tested,
 - . the swell and expansion potential of the samples tested,
 - . the settlement/consolidation potential of the samples tested,
 - . the moisture content and density of samples tested,
 - . the moisture content-dry density relationship (Proctor) test of the subgrade support soil

- sample tested,
- . the soil support characteristics of pavement subgrade material samples.

- This report presents our geotechnical engineering comments, suggestions and recommendations for planning and design of site development including:
 - . viable foundation types for the conditions encountered,
 - . allowable bearing pressures for the foundation types,
 - . lateral earth pressure recommendations for design of laterally loaded walls,
 - . geotechnical engineering considerations and recommendations for concrete slab on grade floors,
 - . geotechnical engineering considerations and recommendations for compacted structural fill and
 - . several roadway pavement section thickness alternatives.

- Our comments, suggestions and recommendations are based on the subsurface soil and ground water conditions encountered during our site and laboratory studies.

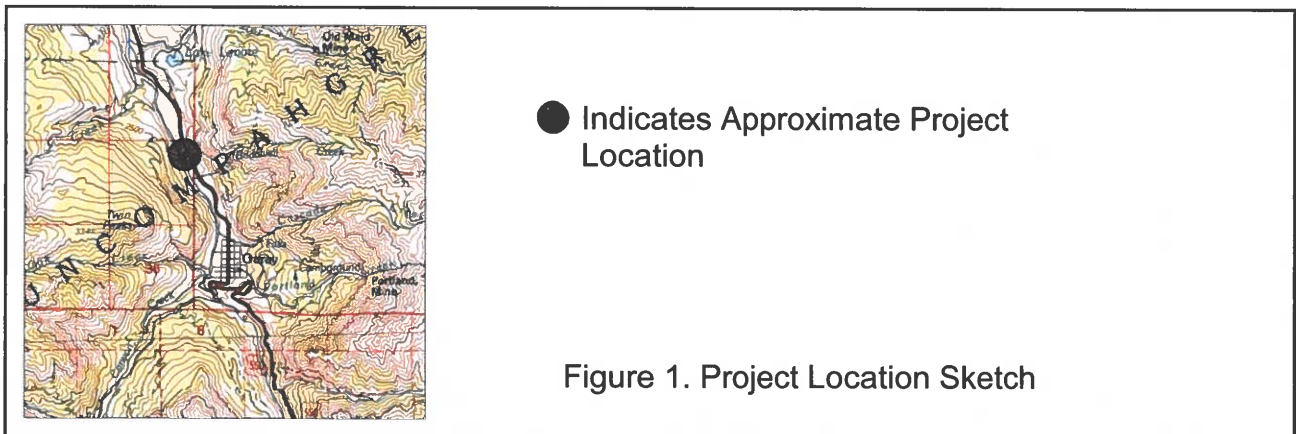
- Our study did not include any environmental or geologic hazard issues.

2.0 SITE CHARACTERISTICS

Site characteristics include observed existing and pre-existing site conditions that may influence the geotechnical engineering aspects of the proposed site development.

2.1 Site Location

The site is located west of U.S. Hwy 550, north of Uncompahgre Street, east of the Uncompahgre River, Ouray, Colorado.

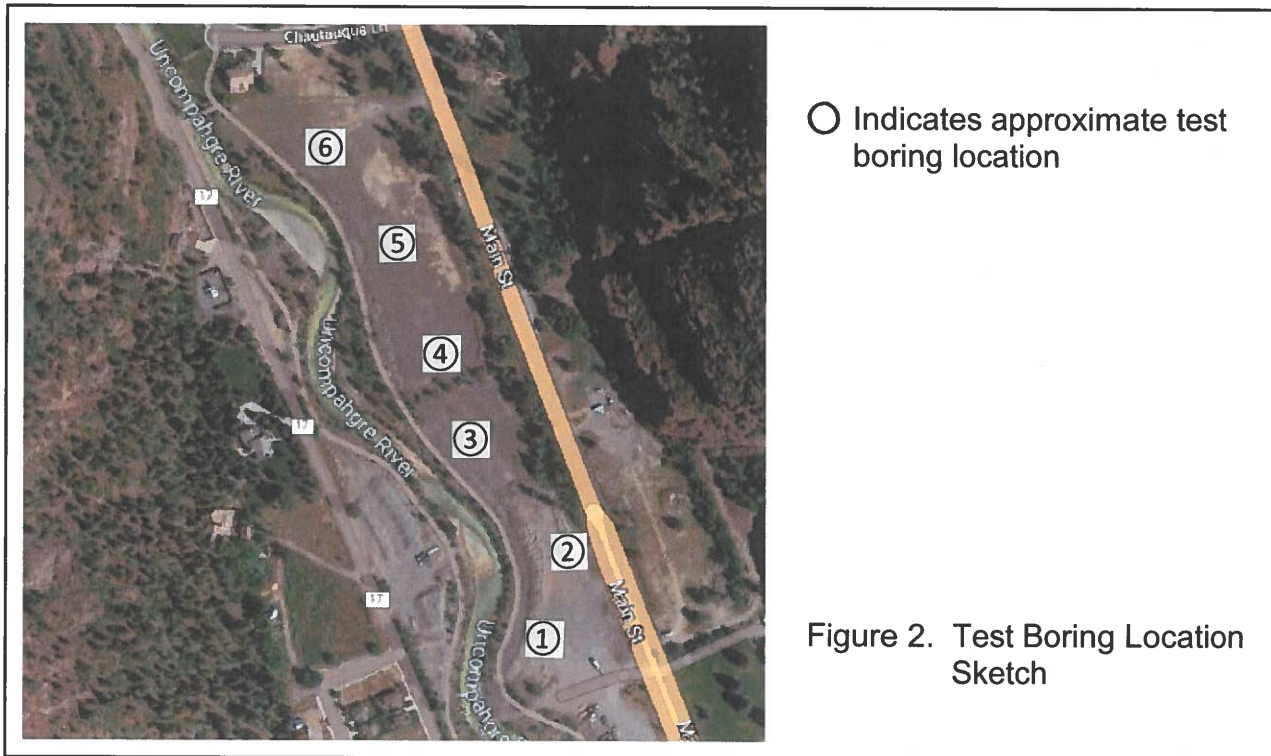


2.2 Site Conditions

The site is currently undeveloped. The site is relatively flat exhibiting positive surface drainage in the north and west directions. The site is bordered to the west by the Uncompahgre River, to the east by U.S. Hwy 550. The southern portion of the site has been elevated with fill material.

2.3 Subsurface Conditions

The subsurface exploration consisted of observing, describing and sampling the soil materials encountered in six (6) small diameter auger advanced test borings. The approximate locations of the test borings are shown on Figure 2.



The logs describing the soil materials encountered in the test borings are presented in Appendix A.

The soil materials encountered within the test borings generally consisted of granular fill material underlain by silty sands and gravels with cobbles. Approximately four (4) to six and one half (6-1/2) feet of fill material was encountered on the southern portion of the site. Increased moisture contents were observed at approximate depths of twelve and one half (12-1/2)

1/2) to thirteen (13) feet below existing site grades.

At the time of our field study the proposed development site was not irrigated. It has been our experience that after the site is developed and once landscape irrigation begins the free subsurface water level may tend to rise. In some cases the free subsurface water level rise, as a result of landscape irrigation and other development influences, can be fairly dramatic and the water level may become shallow.

It is difficult to predict if unexpected subsurface conditions will be encountered during construction. Since such conditions may be found, we suggest that the owner and the contractor make provisions in their budget and construction schedule to accommodate unexpected subsurface conditions.

2.4 Site Geology

A brief discussion of the general geology of the area near the site is presented in Appendix C. The surface geology of the site was determined by observation of the surface conditions at the site and observing the soils encountered in the test borings on the site.

2.5 Seismicity

According to the International Building Code, 2018 Edition, and based on the subsurface conditions encountered and the assumption that the soils described in the test borings are likely representative of the top 100 feet of the soil profile, we recommend that the site soil profile be S_C , Very dense soil and soft rock.

3.0 PLANNING AND DESIGN CONSIDERATIONS

A geologic hazard study was not requested as part of the scope of this report.

All of the suggestions and design parameters presented in this report are based on high quality craftsmanship, care during construction and post construction cognizance of the potential for swell or settlement of the site support materials and appropriate post construction maintenance.

All construction excavations should be sloped to prevent excavation wall collapse. We suggest that as a minimum the excavation walls should be sloped at an inclination of one-and-one-half (1-1/2) to one (1) (horizontal to vertical) or flatter. The area above the foundation

excavations should be observed at least daily for evidence of slope movement during construction. If evidence of slope movement is observed we should be contacted immediately.

We anticipate that excavation and fill placement operations may be associated with the proposed site development. Excavations in the area which generate vertical or sloped exposures should be kept to a minimum.

Excavations which result in cut slopes with a vertical height greater than about four (4) feet or with a slope or structure above should be analyzed on a site specific basis. Temporary excavation cut slopes in competent material should not exceed a one-and-one-half to one (1 -1/2 to 1) (horizontal to vertical) inclination. All construction excavations should conform to Occupational Safety and Health Administration (OSHA) standards or safer. All permanent slopes should be constructed with inclinations of three to one or flatter.

Generally, fill material placed on a site surface which will be used to support structures or additional fill material should be placed so that the contact between the existing site surface and the added fill material will be strong enough to support the added load. This should be addressed on a site and fill area specific basis. The technique recommended will be based on the site configuration, the finished fill configuration the actual material to be used for the fill material and the size of the area thus constructed. Frequently the preparation of the site area to receive fill material will include removing organic and loose near surface native material in the area to receive fill material, placing the material in thin horizontal lifts which are compacted at the appropriate moisture content. Some fill areas could benefit from the installation of a subsurface drain system at the fill material/natural material contact. We are available to, and recommend that, we discuss this with you and provide site and fill specific recommendations when this portion of your development plan merits the additional study.

4.0 ON-SITE DEVELOPMENT CONSIDERATIONS

We anticipate that the subsurface water elevation may fluctuate with seasonal and other varying conditions. Excavations may encounter subsurface water and soils that tend to cave or yield. If water is encountered it may be necessary to dewater construction excavations to provide more suitable working conditions. Excavations should be well braced or sloped to prevent wall collapse. Federal, state and local safety codes should be observed. All construction excavations should conform to Occupational Safety and Health Administration (OSHA) standards or safer.

The site construction surface should be graded to drain surface water away from the site

excavations. Surface water should not be allowed to accumulate in excavations during construction. Accumulated water could negatively influence the site soil conditions. Construction surface drainage should include swales, if necessary to divert surface water away from the construction excavations.

Organic soil materials in areas to receive fill material or structure components should be removed. The organic soil materials are not suitable for support of the structure or structural components.

Man placed fill material may exist on site. The quality of any man placed fill encountered appears to be suitable to support structures, however, unknown portions of the fill material may not be suitable for support of the structure or structural components. The man placed fill material should be observed in each excavation prior to the placement of additional fill material or structural components. Fill material that is not suitable for use should be removed and replaced with compacted structural fill prior to supporting building or building components on the fill.

The soil materials exposed in the bottom of the excavations may be moist and may become yielding under construction traffic during construction. It may be necessary to use techniques for placement of fill material or foundation concrete which limits construction traffic in the vicinity of the very moist soil material. If yielding should occur during construction it may be necessary to construct a subgrade stabilization fill blanket or similar to provide construction traffic access. The subgrade stabilization blanket may include over excavating the subgrade soils one (1) to several feet and replacing with aggregate subbase course type material. The stabilization blanket may also include geotextile stabilization fabric at the bottom of the excavation prior to placement of aggregate subbase course stabilization fill. Other subgrade stabilization techniques may be available. We are available to discuss this with you.

It has been our experience that sites in developed areas may contain existing subterranean structures or poor quality man placed fill. If subterranean structures or poor quality man placed fill are suspected or encountered, they should be removed and replaced with compacted structural fill as discussed under COMPACTED STRUCTURAL FILL below.

5.0 FOUNDATION RECOMMENDATIONS

Geotechnical engineering considerations which influence the foundation design and construction recommendations presented below are discussed in Appendix D.

We have analyzed spread footing foundations as potential foundation systems for the proposed residential structures. These are discussed below. Due to the number of possible foundation types available and design and construction techniques there may be design alternatives which we have not presented in this report. We are available to discuss other foundation types.

We recommend that each entire structure be supported on only one foundation type. Combining foundation types will result in differential and unpredictable foundation performance between the varying foundation types. We recommend that the structure footprint not be traversed by the cut/fill contact which would result in a portion of the structure underlain by fill material and part of the structure underlain by materials exposed by excavated cut. If this condition will exist please contact us so that we can revise our recommendations to accommodate the cut/fill contact scenario.

All of the design parameters presented below are based on techniques performed by an experienced competent contractor and high quality craftsmanship and care during construction. We recommend post construction cognizance of the volume change potential of the near surface soil materials and the need for appropriate post construction maintenance.

The spread footing recommendations include recommended design and construction techniques to reduce the influence of movement of the soil materials supporting the foundation but should not be interpreted as solutions for completely mitigating the potential for movement from the support soil material volume change.

Exterior column supports should be supported by foundations incorporated into the foundation system of the structure not supported on flatwork. Column supports placed on exterior concrete flatwork may move if the support soils below the concrete slab on grade become wetted and swell or freeze and raise or settle. Differential movement of the exterior columns may cause stress to accumulate in the supported structure and translate into other portions of the structure.

5.1 Spread Footing Foundations

In our analysis it was necessary to assume that the material encountered in the test borings extended throughout the building site and to a depth below the maximum depth of the influence of the foundations. We should be contacted to observe the soil materials exposed in the foundation excavations prior to placement of foundations to verify the assumptions made during our analysis.

The bottom of the foundation excavations should be thoroughly cleaned and observed when excavated. Any loose or disturbed material exposed in the foundation excavation should be removed or compacted prior to placing foundation concrete.

The bottom of the foundation excavations should be compacted prior to placing compacted structural fill or foundation concrete. We suggest the materials exposed be compacted to at least ninety (90) percent of the materials moisture content-dry density relationship (Proctor) test, ASTM D1557. Excavation compaction is to help reduce the influence of any disturbance that may occur during the excavation operations. Any areas of loose, low density or yielding soils evidenced during the excavation compaction operation should be removed and replaced with compacted structural fill. Caution should be exercised during the excavation compaction operations. Excess rolling or compacting may increase pore pressure of the subgrade soil material and degrade the integrity of the support soils. Loose or disturbed material in the bottom of the foundation excavations which are intended to support structural members will likely result in large and unpredictable amounts of settlement, if the loose or disturbed material is not removed or compacted.

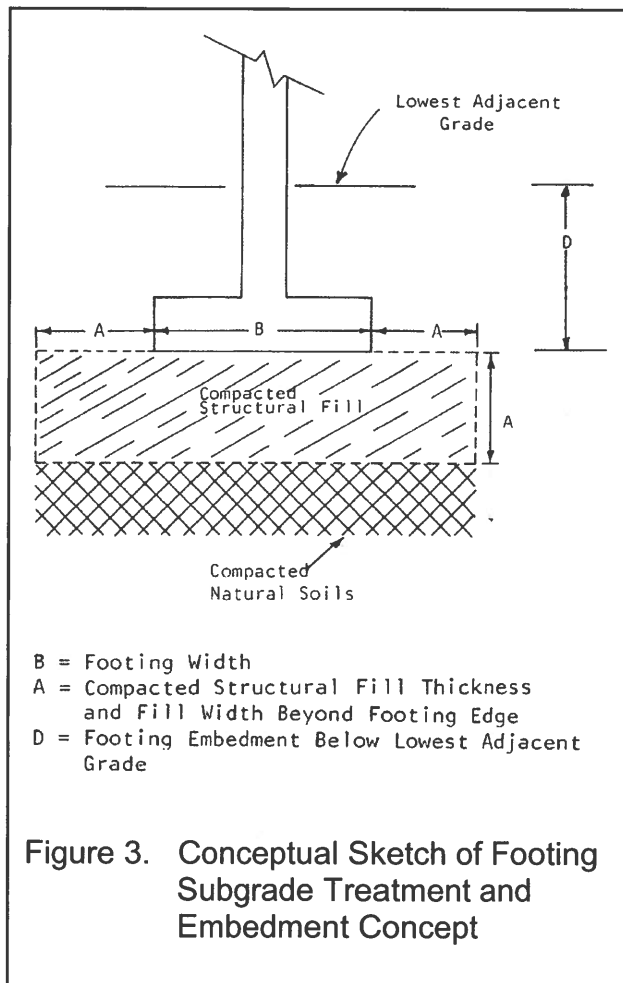


Figure 3. Conceptual Sketch of Footing Subgrade Treatment and Embedment Concept

The bottom of any footings exposed to freezing temperatures should be placed below the maximum depth of frost penetration for the area. Refer to the local building code for details.

All footings should be appropriately proportioned to reduce the post construction differential settlement. Footings for large localized loads should be designed for bearing pressures and footing dimensions in the range of adjacent footings to reduce the potential for differential settlement. We are available to discuss this with you.

Foundation walls should be reinforced for geotechnical engineering purposes. The structural engineer should be consulted for foundation design. The structural engineering reinforcing design tailored for this project will be more appropriate than the suggestions

presented above.

The structure may be founded on spread footings. We recommend the use of a blanket of structure fill material beneath the spread footing foundation members. Spread footings may be placed either on the natural undisturbed soils or on a blanket of compacted structural fill. The blanket of compacted structural fill is to help provide uniform support for the footings and to help reduce the theoretical calculated post construction settlement. The theoretical calculated post construction settlement and associated fill thickness supporting the footings are presented below.

We suggest that you consider the foundation be supported on a blanket of compacted structural fill. The blanket of compacted structural fill should be approximately one (1) foot thick to help mask the influence of volume change soil materials supporting the footings. The blanket of compacted structural fill will not prevent movement of the footings from volume change in the support soil materials but will mask the influence of volume changes of the soils supporting the footings. If the footings are supported on a blanket of compacted structural fill the blanket of compacted structural fill should extend beyond each edge of each footing a distance at least equal to the fill thickness. This concept is shown on Figure 3. Geotechnical engineering recommendations for constructing compacted structural fill are presented below.

Fill sections below foundation members may benefit from the inclusion of a subgrade stabilization fabric such as a Mirafi 500X or similar placed on prepared subgrade material prior to the placement of the compacted fill materials

All footings should have a minimum depth of embedment of at least one (1) foot below the lowest adjacent grade when placed either on the natural undisturbed soils or a blanket of compacted structural fill. Deeper embedment will be needed for footings exposed to exterior climate. Other characteristics may influence embedment. The embedment concept is shown on Figure 3.

We suggest the continuous spread footing members with widths of two (2) feet or less and a minimum one (1) foot embedment be designed using an allowable bearing capacity of 1,975 pounds per square foot.

We suggest the isolated spread footing members with widths of three (3) feet or less and a minimum one (1) foot embedment be designed using an allowable bearing capacity of 1,750 pounds per square foot.

The bearing capacity will depend on the minimum depth of embedment of the bottom of the footings below the lowest adjacent grade and the support characteristics of the soils supporting the foundation.

The bearing capacity may be increased by twenty (20) percent for transient loads such as wind and seismic loads.

It is our opinion that footings exposed to frost or freezing ground influences and all exterior footings should be embedded to frost depth or deeper. Interior footings should have a minimum depth of embedment of at least one (1) foot on all sides to provide a more predictable long term performance of the footing. We understand that construction techniques typically used in the area may result in some of the footings in the crawl space constructed without significant embedment of the bottom of the footing below the lowest adjacent grade. For this reason we have provided design values for footings constructed with little or no embedment. It is our opinion that the performance of footing constructed without embedment may be influenced by erosion, temperature changes, moisture content changes, swell potential of the soil supporting the footings and weathering of the soils supporting the footings and will have a less predictable settlement response than footings with embedment.

Exterior footings and footings with uneven backfill may result in movement of the footings. Embedment of the footings on all sides will help reduce the potential for movement of footings with uneven backfill. We do not recommend exterior footings or footings with uneven backfill be constructed without a minimum depth of embedment of the bottom of the footing below the lowest adjacent grade of at least one (1) foot on all sides of the interior footings and frost depth for exterior footings.

The minimum depth of embedment is sufficient only to develop the bearing capacity for design purposes and does not account for frost influences. Actual design and construction should result in interior footings with one (1) foot or more embedment and exterior footings with frost depth or more embedment. Typically deeper embedment will increase bearing capacity and decrease post construction settlement and decrease the influence of expansive soils.

The soil samples tested had measured swell pressures of less than 100 to approximately 400 pounds per square foot, however, the actual swell pressure of the support materials could be greater. When wetted the site soil materials may have the ability to raise supported foundation members with loads less than the swell pressure. The foundation design should be as rigid as possible with as high of a dead load as can be available. The greater the dead load on the footings the less the potential for movement from the foundation soils should they become wetted. If the soils become wetted they will swell and will raise the foundation portions

supported on the wetted soils. If the structure is supported on spread footings the owner must realize that post construction movement of the footings is likely. We are available to discuss the implications of supporting foundations on swelling soils.

Interior column loads supported on spread footings which are structurally connected to the other foundation members will provide more uniform performance of the interior footings with respect to the other foundation members and will help reduce the potential differential settlement between interior and exterior foundation members. The foundation walls should be designed to act as beams to distribute stresses associated with the swelling volume changes of soils. The beam design should be addressed by the project structural engineer.

Exterior column supports should be supported by foundations incorporated into the foundation system of the structure not supported on flatwork. Column supports placed on exterior concrete flatwork may move if the support soils below the concrete slab on grade become wetted and swell or freeze and raise or settle. Differential movement of the exterior columns may cause stress to accumulate in the supported structure and translate into other portions of the structure.

The calculated theoretical estimated post construction settlement and swell potential may be reduced by placing the footings on a blanket of compacted structural fill. The calculated theoretical estimated post construction settlement and associated thickness of compacted structural fill are presented below.

<u>THICKNESS OF COMPACTED STRUCTURAL FILL SUPPORTING FOOTINGS</u>	<u>CALCULATED THEORETICAL ESTIMATED POST CONSTRUCTION SETTLEMENT FOR CONTINUOUS SPREAD FOOTINGS (INCHES)</u>
0 feet	7/8 to 1-1/8
1 foot	1/2 to 3/4
2 feet	3/8 to 1/2

<u>THICKNESS OF COMPACTED STRUCTURAL FILL SUPPORTING FOOTINGS</u>	<u>CALCULATED THEORETICAL ESTIMATED POST CONSTRUCTION SETTLEMENT FOR ISOLATED SPREAD FOOTINGS (INCHES)</u>
0 feet	7/8 to 1-1/8
1 foot	5/8 to 7/8
2 feet	3/8 to 5/8

The calculated theoretical settlement estimated values above are appropriate for continuous spread footings with a width of about two (2) feet or less and isolated spread footings with a width of about three (3) feet or less. Larger footings should be analyzed on a footing, load and width specific basis.

Footings should be sized so that each footing is in a similar size and load range as nearby footings to encourage similar performance. Very large footings or heavily loaded footings will influence the support soil materials to a deeper depth than small or lightly loaded footings and therefore will have different post construction performance characteristics.

The calculated settlement estimates are theoretical only. Actual settlement could vary throughout the site and with time.

If the footings are supported on a blanket of compacted structural fill, the blanket of compacted structural fill should extend beyond each edge of each footing a distance at least equal to the fill thickness. This concept is shown on Figure 3. Compacted Structural Fill is discussed in Section 8.0 below.

The site soil samples tested have measured swell pressures of less than 100 to approximately 400 pounds per square foot, however, the actual swell pressure of the support material could be greater. This swell pressure was measured for soils at the initial moisture content of the soil sample tested. The swell potential of the site soil materials could vary significantly and could be greater than that measured. The measured swell pressure may be influenced by disturbance of the sample during the sampling operation and the soil suction potential and initial moisture content.

Changes in the initial moisture content will significantly influence the swell pressure of the site soils. If the initial moisture content of the foundation soils is less than that of the test sample the actual swell pressures will likely be significantly higher than measured. If the initial moisture content of the foundation soils is greater than that of the test sample the actual swell pressures may be less than measured.

The bottom of the foundation excavations should be thoroughly cleaned and observed by the project Geotechnical Engineer or his representative when excavated. Any loose or disturbed material exposed in the foundation excavation should be removed or remedied prior to additional construction.

We recommend that we be contacted to observe the foundation excavations and backfill operations during construction to verify the soil support conditions and our assumptions upon

which our recommendations are based. If necessary we may revise our recommendations based on our observations. We are available to provide material testing services during the construction phase of the project.

If lightly loaded structure members are supported on spread footings on expansive soil material then the owner must realize that post construction movement of the footings is likely. These lightly loaded areas of the footing should be designed with sufficient structural integrity to resist the forces from swelling soils.

Foundation members that will have significantly small or low dead loads, such as foundations beneath wall openings such as doorways, may be provided with a strengthened grade beam and/or positive separation between the foundation concrete and the underlying soil materials. That separation may be provided by using commercial void form material. We recommend that the structural engineer be consulted concerning the void form design concept.

If the void form design concept is part of the foundation design we suggest that the foundation design may consider including a four (4) to six (6) inch corrugated paper void form material beneath the footings in the lightly loaded portions of the foundation. The corrugated paper void forms provide temporary support for foundation concrete during construction. The low strength of the void form material is intended to allow the underlying soil materials to expand into the void form thereby exerting less or no uplift pressure on the foundation in the areas it is used. We are available to discuss the implications of supporting foundations on swelling soils.

6.0 INTERIOR FLOOR SLAB DISCUSSION

It is our understanding that, as currently planned, the floor may be either a concrete slab on grade or a supported structural floor. The natural soils that will support interior floor slabs are stable at their natural moisture content. However, the owner should realize that when wetted, the site soils may experience volume changes. The site soil samples tested had measured swell pressures of less than 100 to approximately 400 pounds per square foot and associated magnitudes of up to 0.3 percent of the wetted soil volume at a surcharge load of 100 pounds per square foot and the actual swell pressure could be greater.

The recommendations in this report do not address a monolithic floor slab/footing combination. The design and construction characteristics of the monolithic floor slab need geotechnical engineering design parameters tailored specifically for a monolithic slab and integral footing. Generally this type foundation/floor combination in this area with these site conditions does not perform as well as other choices.

Conditions which vary from those encountered during our field study may become apparent during excavation. We should be contacted to observe the conditions exposed at concrete slab on grade subgrade elevation to verify the assumptions made during the preparation of this report and to provide additional geotechnical engineering suggestions and recommendations as needed.

Engineering design dealing with swelling soils is an art which is still developing. The owner is cautioned that the soils on this site may have swelling potential and concrete slab on grade floors and other lightly loaded members may experience movement when the supporting soils become wetted. We suggest you consider floors suspended from the foundation systems as structural floors or a similar design that will not be influenced by subgrade volume changes. If the owner is willing to accept the risk of possible damage from swelling soils supporting concrete slab on grade floors, the following recommendations to help reduce the damage from swelling soils should be followed. These recommendations are based on generally accepted design and construction procedures for construction on soils that tend to experience volume changes when wetted and are intended to help reduce the damage caused by swelling soil materials. Lambert and Associates does not intend that the owner, or the owner's consultants should interpret these recommendations as a solution to the problems of swelling soils, but as measures to reduce the influence of swelling soils.

The shallow soil materials tested have a low to moderate volume change potential under light loading conditions. Concrete slab on grade floors may experience movement when supported by the natural onsite soils. Concrete slab on grade floors will perform best if designed to tolerate movement introduced by the subgrade soil materials.

Concrete flatwork, such as concrete slab on grade floors, should be underlain by compacted structural fill. The layer of compacted fill should be at least one (1) foot thick or thicker and constructed as discussed under COMPACTED STRUCTURAL FILL below. A one (1) foot thick or thicker blanket of structural fill material beneath the concrete flatwork is not sufficient to entirely mask the settlement or swell potential of the subgrade soil material but will only provide better subgrade conditions for construction. The concrete slab on grade should be designed by a structural engineer to be compatible with the site soil conditions.

The natural soil materials exposed in the areas supporting concrete slab on grade floors should be kept very moist during construction prior to placement of concrete slab on grade floors. This is to help increase the moisture regime of the potentially expansive soils supporting floor slabs and help reduce the expansion potential of the soils. We are available to discuss this concept with you.

Concrete slab on grade floors should be provided with a positive separation, such as a slip joint, from all bearing members and utility lines to allow their independent movements and to help reduce possible damage that could be caused by movement of soils supporting interior slabs. The floor slab should be constructed as a floating slab. All water and sewer pipe lines should be isolated from the slab. Any equipment placed on the floating floor slab should be constructed with flexible joints to accommodate future movement of the floor slab with respect to the structure. We suggest partitions constructed on the concrete slab on grade floors be provided with a void space above or below the partitions to relieve stresses induced by elevation changes in the floor slab.

Floor slabs should not contact/extend directly over foundations or foundation members. Floor slabs which directly contact foundations or foundation members will likely experience post construction movement as a result of foundation movements. We are available to discuss this with you.

The concrete slabs should be scored or jointed to help define the locations of any cracking. We recommend that joint spacing be designed as outlined in ACI 224R. In addition joints should be scored in the floors a distance of about three (3) feet from, and parallel to, the walls.

It should be noted that when curing fresh concrete experiences shrinkage. This shrinkage almost always results in some cracks in the finished concrete. The actual shrinkage depends on the configuration and strength of the concrete and placing and finishing techniques. The recommended joints discussed above are intended to help define the location of the cracks but should not be interpreted as a solution to shrinkage cracks. The owner must understand that concrete flatwork will contain shrinkage cracks after curing and that all of the shrinkage cracks may not be located in control joints. Some cracking at random locations may occur.

If moisture migration through the concrete slab on grade floors will adversely influence the performance of the floor or floor coverings we suggest that a moisture barrier may be installed beneath the floor slab to help discourage capillary and vapor moisture rise through the floor slab. The moisture barrier may consist of a heavy plastic membrane, six (6) mil or greater, protected on the top and bottom by clean sand. The clean sand will help to protect the plastic from puncture. The layer of clean sand on the top of the plastic membrane will help the overlying concrete slab cure properly. According to the American Concrete Institute, proper curing requires at least three (3) to six (6) inches of clean sand between the plastic membrane and the bottom of the concrete. The plastic membrane should be lapped and taped or glued and protected from punctures during construction.

If the moisture content of the slab on grade floor will be influential to the performance of the

future floor coverings then the moisture content of the slab can be measured. We are available to monitor the floor slab moisture content prior to the installation of the floor covering. If this service is needed please contact us during the construction phase of the project.

The Portland Cement Association suggests that welded wire reinforcing mesh is not necessary in concrete slab on grade floors when properly jointed. It is our opinion that welded wire mesh may help improve the integrity of the slab on grade floors. We suggest that concrete slab on grade floors should be reinforced, for geotechnical purposes, with at least 6 x 6 - W2.9 x W2.9 (6 x 6 - 6 x 6) welded wire mesh positioned midway in the slab. The structural engineer should be contacted for structural design of floor slabs.

7.0 PAVEMENT SECTION DESIGN RECOMMENDATIONS

It is our understanding that the proposed development will include paved parking and drive areas. The paved areas will include asphalt paved parking areas, concrete paved aprons and concrete sidewalks. Our pavement section analysis was based on estimated traffic volumes, laboratory test results of the soils sampled during our field study, and on our experience on similar projects. The traffic volume used in our analysis assumed 18,000 pound equivalent single axle loads (ESALs) of 100,000 and 200,000 repetitions for a twenty (20) year life. Our analysis included pavement sections based on dynamic loading as discussed in the Colorado Department of Transportation 2014 Pavement Design Manual.

7.1 Subgrade Preparation

Proper performance of the subgrade support soils requires surface preparation, scarification and moisture conditioning, compaction, and surface and subsurface drainage during construction prior to placement of the overlying pavement section materials.

Subgrade preparation may result in areas which yield under construction traffic. If yielding areas are encountered during subgrade preparation in the paved areas, the subgrade material may be overexcavated to a depth of about one foot below the subgrade elevation or more if needed and backfilled with a compacted structural fill. The structural fill material may aid in construction of the paved areas subgrade. The structural fill material should be an aggregate subbase course or aggregate base course type material placed and compacted as discussed below.

All organic and other deleterious material should be removed from the areas proposed for pavement section construction. The soils exposed by the removal of the organic materials should be scarified to a depth of about twelve (12) inches, moisture conditioned to

approximately three (3) to six (6) percent above optimum moisture content, and compacted to at least ninety (90) percent of maximum dry density as defined by ASTM D1557, modified moisture content-dry density relationship (Proctor) test. The moisture conditioning may require addition of water, or air drying if the soil is too moist, in either case, the material should be sufficiently mixed to promote a uniform soil moisture content. The soils should be compacted using machinery designed for soil compaction. Wheel rolling with loaded equipment and other techniques may not provide a uniform, properly compacted roadway subgrade.

Utility trench backfill in areas supporting pavement or other structural components should be placed in thin lifts and compacted to at least ninety (90) percent of the maximum dry density as defined by ASTM D1557 to subgrade elevation.

After the subgrade soils have been prepared the surface should be crowned or surface graded in the same orientation as the proposed final surface of the asphalt pavement. The reason for this is to promote water migration away from the roadway more readily. If the subgrade soil surface is not graded to properly drain, water may accumulate within the pavement section soils. The increased moisture content and subsequent soil strength decrease may promote pavement section support degradation. If a full section asphalt concrete design is used, the subgrade soils should be graded parallel the final asphalt concrete surface for drainage so that a uniform asphalt concrete thickness exists.

7.2 Aggregate Sub-Base and Base Course Material Characteristics and Placement

Specific aggregate types and sources for potential use on the project were not known at the time of the preparation of this report. Our analysis assumed that the proposed aggregate base course would consist of a Class 6 type material, and the aggregate sub-base course would consist of a Class 2 type material, as designated in the "Colorado Department of Highways Standard Specification for Road and Bridge Construction", 1991. If it is desirable to use material which does not meet these criteria we should be contacted to assess the specific material characteristics of the proposed road base and provide additional pavement design sections for differing materials.

The aggregate sub-base and base course materials should be placed on the prepared subgrade soils as soon as possible after the subgrade soils are compacted and graded to drain. Placement of the aggregate materials will help limit the influence of construction and other traffic on the subgrade soil conditions.

The aggregate materials should not be allowed to become segregated either at the source, prior to hauling to the project site, or during the placement of the materials. The coarser

aggregate sub-base soils have a greater tendency to become segregated, particularly during the grading and placement operations. Segregated sub-base and base course do not provide as uniform support as well blended materials.

The sub-base and base course materials should be moisture conditioned and compacted to at least ninety-five (95) percent of maximum dry density as defined by ASTM D1557, modified moisture-content-dry density relationship (Proctor) test.

7.3 Asphalt Concrete Materials and Placement

The asphalt concrete should be prepared using a mix design which has been prepared by a professional engineer experienced in asphalt concrete materials. The mix design should establish, as a minimum, the quality of the aggregates used, asphalt concrete material properties, asphalt cement content, mix and lay down temperatures. Either the Marshall Method or Hveem Stabilometer method of mix design may be used for the mix design preparation. We suggest that the asphalt concrete be compacted to between ninety-two (92) and ninety-six (96) percent of the maximum mix design density.

Aggregate shape maximum size and particle size distribution are important factors influencing the performance of an asphalt concrete mix. Crushed aggregate with fractured faces and angular shapes tend to interlock and provide an asphalt concrete with high strength and limited flexibility. Natural aggregates with rounded shapes tend to provide an asphalt concrete which is more flexible and may have lower strengths than mixes produced with angular shaped aggregates. Incorrect particle or grain size distribution of the aggregate used to manufacture the asphalt concrete can result in poor performance of the in-place asphalt mix. The grain size distribution of the mix aggregate will influence the size and volume of voids and the stability of the asphalt mix. Verification of the asphalt mix design aggregate properties and the asphalt concrete mix should be performed by testing prior to and during the paving operation.

7.4 Flexible Pavement Design Sections

Based upon the soil materials encountered during the drilling operations, a "CBR" value of 10 was used in our analysis. Alternative pavement sections are presented below. The pavement thickness sections below are based on the Design Nomograph for Flexible Pavements as recommended in the Colorado Department of Transportation 2014 pavement Design Manual.

Construction traffic may have a greater influence on the performance of the pavement section than the commercial use after construction. The design recommendations presented below are based on typical post construction commercial use and do not include accommodation for

heavy loading as a result of construction traffic. It may be beneficial to consider partial pavement section construction for use during on-site development construction with the section repaired and completed after the heavy construction traffic use has ended. This technique may provide a more serviceable and structurally acceptable pavement for the completed project.

PAVEMENT THICKNESS DESIGN SECTIONS

*ESAL = 100,000

Asphalt Concrete (inches)	Aggregate Base Course Class 6 or Similar (inches)	Aggregate Subbase Course Class 2 or Similar (inches)	Reconditioned Subgrade (inches)
3	4	4	12
3	7	0	12

PAVEMENT THICKNESS DESIGN SECTIONS

*ESAL = 200,000

Asphalt Concrete (inches)	Aggregate Base Course Class 6 or Similar (inches)	Aggregate Subbase Course Class 2 or Similar (inches)	Reconditioned Subgrade (inches)
3	4	7	12
3	9-1/2	0	12
4	6	0	12

* Equivalent 18,000 pounds single axle load

Pavement thickness design section of less than three (3) inches of asphalt over aggregate base course may be used, although, because of the shorter life before maintenance and the relatively poor long term performance, we suggest that this be considered as an intermediate design section only. If a lesser design section is used we suggest you consider a later asphalt overlay of appropriate thickness to extend the life of the pavement section. The overlay should be constructed prior to any visible distress occurring in the pavement.

The asphalt concrete pavement should be placed on the prepared support section as soon as possible so that interim traffic does not decrease the integrity of the support section.

7.5 Rigid Pavement Thickness Design Recommendations

Our pavement thickness recommendations for rigid Portland cement concrete pavement are based on an assumed traffic volume, a modulus of rupture of 650 psi and a modulus of subgrade reaction obtained from the California Bearing Ratio test performed on the subgrade soil sample obtained during our field study. A modulus of subgrade reaction of 170 psi/inch was used in our analysis.

The rigid pavement may be designed using a concrete thickness of four and one half (4-1/2) inches for an estimated 18,000 pounds equivalent single axle load (ESAL) less than 100,000.

Concrete sidewalks should have a nominal thickness of four (4) inches if no vehicle traffic will be allowed on them. The concrete sidewalks and aprons may be placed on a leveling course of aggregate base course material. The leveling course should be at least four (4) inches thick and compacted as discussed above for aggregate base course. We suggest the use of rigid pavement in areas where heavy vehicles will be accelerating, decelerating or turning sharply, such as the aprons for the trash dumpster enclosures and any areas in the bus drop off/pick up areas where the buses will be turning.

The concrete should be supported on prepared subgrade which is at least twelve (12) inches thick. The prepared subgrade should consist of either compacted structural fill to establish subgrade elevation or natural soils which are scarified to a depth of twelve (12) inches, moisture conditioned to approximately two (2) to four (4) percent above optimum moisture content and recompact to at least ninety (90) percent of the maximum dry density as defined by ASTM D1557, modified moisture content-dry density relationship test. If during subgrade preparation any loose or yielding area or any areas of poorly constructed man-placed fill are encountered they should be removed and replaced with compacted structural fill. Suggestions for constructing compacted structural fill are presented below.

The Portland cement concrete should be from an approved concrete mix design stating the proportions and mixtures of the mix. We recommend verification of the mix design prior to paving. The coarse and fine aggregate used in the concrete mix should be tested for their suitability for use as concrete aggregate.

The concrete pavement should be appropriately jointed and structurally reinforced to help control the location of cracking. The structural engineer should be contacted to provide

structural design recommendations or structural reinforcement and joint design of the concrete pavement.

8.0 COMPACTED STRUCTURAL FILL

Material characteristics desirable for compacted structural fill are discussed in Appendix D. Areas that are over excavated or slightly below grade should be backfilled to grade with properly compacted structural fill or concrete, not loose fill material. If backfilled with other than compacted structural fill material or concrete there will be significant post construction settlement proportional to the amount of loose material.

If the on site granular soil materials are used as compacted structural fill the soils should be moisture conditioned to within approximately two (2) percent of optimum moisture content and compacted to at least ninety (90) percent of the maximum dry density as defined by ASTM D1557, modified moisture-density relationship (Proctor) test. The soil materials should be placed in thin lifts about six (6) inches in compacted thickness and compacted. Care should be taken so that areas of the natural on site soils which have appreciable expansive fine grained portions are not used for compacted structural fill material.

All areas to receive compacted structural fill should be properly prepared prior to fill placement. The preparation should include removal of all organic or deleterious material. The areas to receive fill material should be compacted after the organic deleterious material has been removed prior to placing the fill material. The area may need to be moisture conditioned for compaction. Any areas of soft, yielding, or low density soil, evidenced during the excavation compaction operation should be removed. The area excavated to receive fill should be moisture conditioned to wet of optimum moisture content as part of the preparation to receive fill. Fill should be moisture conditioned, placed in thin lifts not exceeding six (6) inches in compacted thickness and compacted to at least ninety (90) percent of maximum dry density as defined by ASTM D1557, modified moisture content-dry density (Proctor) test.

After placement of the structural fill the surface should not be allowed to dry prior to placing concrete or additional fill material. This may be achieved by periodically moistening the surface of the compacted structural fill as needed to prevent drying of the structural fill. We are available to discuss this with you.

The soil materials exposed in the bottom of the excavation may be very moist and may become yielding under construction traffic during construction. It may be necessary to use techniques for placement of fill materials or foundation concrete which limit construction traffic

in the very moist soil materials. If yielding should occur during construction it may be necessary to construct a subgrade stabilization fill blanket or similar to provide construction traffic access. We are available to discuss this with you.

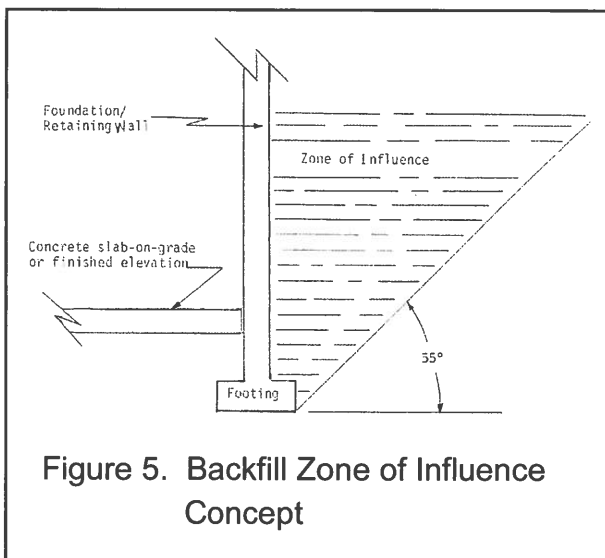
We recommend that the geotechnical engineer or his representative be present during the excavation compaction and fill placement operations to observe and test the material.

9.0 LATERAL EARTH PRESSURES

Laterally loaded walls supporting soil, such as basement walls, will act as retaining walls and should be designed as such. Walls that are designed to deflect and mobilize the internal soil strength should be designed for active earth pressures. Walls that are restrained so that they are not able to deflect to mobilize internal soil strength should be designed for at-rest earth pressures. The values for the lateral earth pressures will depend on the type of soil retained by the wall, backfill configuration and construction technique. If the backfill is not compacted the lateral earth pressures will be very different from those noted below.

Lateral earth pressure (L.E.P.) values are presented below:

	Level Backfill with on-site soils <u>(pounds per cubic foot per foot of depth)</u>
Active L.E.P.	68
At-rest L.E.P.	88
Passive L.E.P.	228



The soil samples tested had measured swell pressures of less than 100 to approximately 400 pounds per square foot however the actual swell pressure of the backfill material could be greater. If the retained soils should become moistened after construction the soil may swell against retaining walls. The walls should be designed to resist the swell pressure of the soil materials if these are used as part of the backfill within the zone of influence. The zone of influence concept is presented on Figure 5.

The above lateral earth pressures may be

reduced by overexcavating the wall backfill area beyond the zone of influence and backfilling with crushed rock type material. The zone of influence concept is presented below.

The lateral earth pressure design parameters may change significantly if the area near the wall is loaded or surcharged or is sloped. If any of these conditions occur we should be contacted for additional design parameters tailored to the specific site and structure conditions.

Suggested lateral earth pressure (L.E.P.) values if the backfill is overexcavated beyond the zone of influence and backfilled with crushed rock are presented below.

	Level Backfill with crushed rock material (pounds per cubic foot per foot of depth)
Active L.E.P.	25
At-rest L.E.P.	40

If the area behind a wall retaining soil material is sloped we should be contacted to provide lateral earth pressure design values tailored for the site specific sloped conditions.

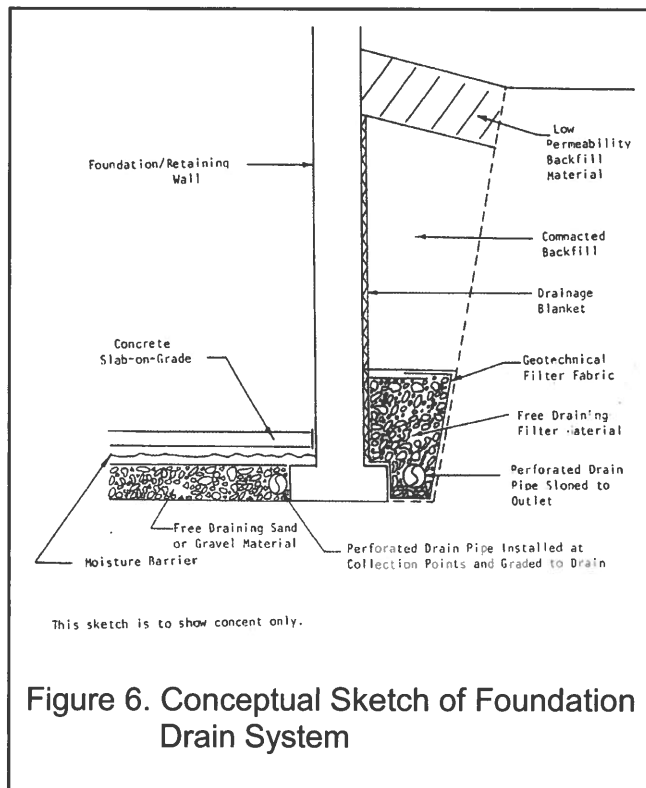
Resistant forces used in the design of the walls will depend on the type of soil that tends to resist movement. We suggest that you consider a coefficient of friction of 0.20 for the on site soil.

The lateral earth pressure values provided above, for design purposes, should be treated as equivalent fluid pressures. The lateral earth pressures provided above are for level well drained backfill and do not include surcharge loads or additional loading as a result of compaction of the backfill. Unlevel or non-horizontal backfill either in front of or behind walls retaining soils will significantly influence the lateral earth pressure values. Care should be taken during construction to prevent construction and backfill techniques from overstressing the walls retaining soils. Backfill should be placed in thin lifts and compacted, as discussed in this report to realize the lateral earth pressure values.

Walls retaining soil should be designed and constructed so that hydrostatic pressure will not accumulate or will not affect the integrity of the walls. Drainage plans should include a subdrain behind the wall at the bottom of the backfill to provide positive drainage. Exterior retaining walls should be provided with perimeter drain or weep holes to help provide an outlet for collected water behind the wall. The ground surface adjacent to the wall should be sloped to permit rapid drainage of rain, snow melt and irrigation water away from the wall backfill. Sprinkler systems should not be installed directly adjacent to retaining or basement walls.

10.0 DRAIN SYSTEM

A drain system should be provided around building spaces below the finished grade and behind any walls retaining soil. The drain systems are to help reduce the potential for hydrostatic pressure to develop behind retaining walls. A sketch of the drain system is shown below.



Subdrains should consist of a three (3) or four (4) inch diameter perforated rigid pipe surrounded by a filter. The filter should consist of a filter fabric or a graded material such as washed concrete sand or pea gravel. If sand or gravel is chosen the pipe should be placed in the middle of about four (4) cubic feet of aggregate per linear foot of pipe. The drain system should be sloped to positive gravity outlets. If the drains are daylighted the drains should be provided with all weather outlets and the outlets should be maintained to prevent them from being plugged or frozen. We do not recommend that the drains be discharged to dry well type structures. Dry well structures may tend to fail if the surrounding soil material becomes wetted and swells or if the ground water rises to a elevation of or

above the discharge elevation in the dry well. We should be called to observe the soil exposed in the excavations and to verify the details of the drain system.

11.0 CRAWL SPACE CONSIDERATIONS

We anticipate that moist conditions may exist in crawl space areas during wetter seasons. We suggest that if it is desired to reduce the influence of water in the crawl space area a foundation drain should be installed as discussed above.

The surface of the crawl space may be provided with a layer of about six (6) inches of clean washed gravel or an impervious geotextile fabric to reduce the inconvenience of very moist or muddy crawl space conditions if these should occur. The crawl space should be adequately vented to reduce the potential for humidity to accumulate in the crawl space area.

12.0 BACKFILL

Backfill areas and utility trench backfill should be constructed such that the backfill will not settle after completion of construction, and that the backfill is relatively impervious for the upper few feet. The backfill material should be free of trash and other deleterious material. It should be moisture conditioned and compacted to at least ninety (90) percent relative compaction using a modified moisture content-dry density (Proctor) relationship test (ASTM D1557). Only enough water should be added to the backfill material to allow proper compaction. Do not pond, puddle, float or jet backfill soil materials.

Improperly placed backfill material will allow water migration more easily than properly recompacted fill. Improperly compacted fill is likely to settle, creating a low surface area which further enhances water accumulation and subsequent migration to the foundation soils.

Improperly placed backfill will allow water to migrate along the utility trench or backfill areas to gain access to the subgrade support soils with subsequent mobilization of the swell or settlement mechanism resulting in movement of the supported structure. Moisture migration could also result in the inconvenience of free water in the crawl space.

Backfill placement techniques should not jeopardize the integrity of existing structural members. We recommend recently constructed concrete structural members be appropriately cured prior to adjacent backfilling.

13.0 SURFACE DRAINAGE

The foundation soil materials should be prevented from becoming wetted after construction. Post construction wetting of the soil support soil materials can initiate swell potential or settlement potential as well as decrease the bearing capacity of the support soil materials. Protecting the foundation from wetting can be aided by providing positive and rapid drainage of surface water away from the structure.

The final grade of the ground surface adjacent to the structure should have a well defined slope away from the foundation walls on all sides. The ability to establish proper site surface drainage away from the structure foundation system may be influenced by the existing topography, existing structure elevations and the grades and elevations of the ground surface adjacent to the proposed structure. We suggest where possible a minimum fall of the surface grade away from the structure be that which will accommodate other project grading constraints and provide rapid drainage of surface water away from the structure. If there are no other project constraints we suggest a fall of about one (1) foot in the first ten (10) feet

away from the structure foundation. Appropriate surface drainage should be maintained for the life of the project. Future landscaping plans should include care and attention to the potential influence on the long term performance of the foundation and/or crawl space if improper surface drainage is not maintained.

Roof runoff should be collected in appropriate roof drainage collection devices, such as eave gutters or similar, and directed to discharge in appropriate roof drainage systems. Roof runoff should not be allowed to fall on or near foundations, backfill areas, flatwork, paved areas or other structural members. Downspouts and faucets should discharge onto splash blocks that extend beyond the limits of the backfill areas. Splash blocks should be sloped away from the foundation walls. Snow storage areas should not be located next to the structure. Proper surface drainage should be maintained from the onset of construction through the proposed project life.

If significant water concentration and velocity occurs erosion may occur. Erosion protection may be considered to reduce soil erosion potential. A landscape specialist or civil engineer should be consulted for surface drainage design, erosion protection and landscaping considerations.

14.0 LANDSCAPE IRRIGATION

An irrigation system should not be installed next to foundations, concrete flatwork or paved areas. If an irrigation system is installed, the system should be placed so that the irrigation water does not fall or flow near foundations, flatwork or pavements. The amount of irrigation water should be controlled.

We recommend that wherever possible xeriscaping concepts be used. Generally, the xeriscape includes planning and design concepts which will reduce irrigation water. The reason we suggest xeriscape concepts for landscaping is because the reduced landscape water will decrease the potential for water to influence the long term performance of the structure foundations and flatwork. Many publications are available which discuss xeriscape. Colorado State University Cooperative Extension has several useful publications and most landscape architects are familiar with the subject. Montrose Botanical Society has a Botanical Garden, 1800 Pavilion Drive, south of Niagara Drive, Montrose, Colorado, that has a very good exhibit with examples and information regarding successful xeriscape concepts.

Due to the expansive nature of the soils tested we suggest that the owner consider landscaping with only native vegetation which requires only natural precipitation to survive. Additional irrigation water will greatly increase the likelihood of damage to the structure as a

result of volume changes of the material supporting the structure.

Impervious geotextile material may be incorporated into the project landscape design to reduce the potential for irrigation water to influence the foundation soils.

15.0 SOIL CORROSIVITY TO CONCRETE

Our scope of services did not include performing chemical tests to help identify the potential for soil corrosivity to concrete.

It has been our experience that much of the soils in the area contain sufficient water soluble sulfate content to be corrosive to concrete. We suggest sulfate resistant cement be used in concrete which will be in contact with the on-site soils. American Concrete Institute recommendations for sulfate resistant cement based on the water soluble sulfate content should be used.

16.0 RADON CONSIDERATIONS

Our experience indicates that many of the soils in western Colorado produce small quantities of radon gas. Radon gas may tend to collect in closed poorly ventilated structures. Radon considerations are presented in Appendix D.

17.0 POST DESIGN CONSIDERATIONS

The project geotechnical engineer should be consulted during construction of the project to observe site conditions and open excavations during construction and to provide materials testing of soil and concrete.

This subsurface soil and foundation condition study is based on limited sampling; therefore, it is necessary to assume that the subsurface conditions do not vary greatly from those encountered in the field study. Our experience has shown that significant variations are likely to exist and can become apparent only during additional on site excavation. For this reason, and because of our familiarity with the project, Lambert and Associates should be retained to observe foundation excavations prior to foundation construction, to observe the geotechnical engineering aspects of the construction and to be available in the event any unusual or unexpected conditions are encountered. The cost of the geotechnical engineering observations and material testing during construction or additional engineering consultation is not included in the fee for this report. We recommend that your construction budget include site visits early during construction schedule for the project geotechnical engineer to observe

foundation excavations and for additional site visits to test compacted soil.

We recommend that the observation and material testing services during construction be retained by the owner or the owner's engineer or architect, not the contractor, to maintain third party credibility. We are experienced and available to provide material testing services. We have included a copy of a report prepared by Van Gilder Insurance which discusses testing services during construction. It is our opinion that the owner, architect and engineer be familiar with the information. If you have any questions regarding this concept please contact us.

We suggest that your construction plans and schedule include provisions for geotechnical engineering observations and material testing during construction and your budget reflect these provisions.

It is difficult to predict if unexpected subsurface conditions will be encountered during construction. Since such conditions may be found, we suggest that the owner and the contractor make provisions in their budget and construction schedule to accommodate unexpected subsurface conditions.

17.1 Structural Fill Quality

It is our understanding that the proposed development may include compacted structural fill. The quality of compacted structural fill will depend on the type of material used as structural fill, fill lift thickness, fill moisture condition and compactive effort used during construction of the structural fill. Engineering observation and testing of structural fill is essential as an aid to safeguard the quality and performance of the structural fill.

Fill materials placed on sloped areas require special placement techniques that key the fill materials unto the underlying support materials. These techniques include a toe key at the toe contact of the slope fill and benching the fill/natural contact up the slope into the competent natural material. The placing technique will also include subdrains at several locations to intercept subsurface water and route it away from the fill materials. We are available to discuss these techniques with you and your earthwork contractor.

Testing of the structural fill normally includes tests to determine the grain size distribution, swell potential and moisture-density relationship of the fill material to verify the material suitability for use as structural fill. As the material is placed the in-place moisture content and dry density are tested to indicate the relative compaction of the placed structural fill. We recommend that your budget include provisions for observation and testing of structural fill

during construction.

Testing of the compacted fill material should include tests of the moisture content and density of the fill material placed and compacted prior to placement of additional fill material. We suggest that a reasonable number of density tests of the fill material can best be determined on a site, material and construction basis although as a guideline we suggest one test per about each 300 to 500 square feet of each lift of fill material. Utility trench backfill may need to be tested about every 100 linear feet of lift of backfill.

17.2 Concrete Quality

It is our understanding current plans include reinforced structural concrete for foundations and walls and may include concrete slabs on grade and pavement. To insure concrete members perform as intended, the structural engineer should be consulted and should address factors such as design loadings, anticipated movement and deformations.

The quality of concrete is influenced by proportioning of the concrete mix, placement, consolidation and curing. Desirable qualities of concrete include compressive strength, water tightness and resistance to weathering. Engineering observations and testing of concrete during construction is essential as an aid to safeguard the quality of the completed concrete.

Testing of the concrete is normally performed to determine compressive strength, entrained air content, slump and temperature. We recommend that your budget include provisions for testing of concrete during construction. We suggest that a reasonable frequency of concrete tests can best be determined on a site, materials and construction specific basis although as a guideline American Concrete Institute, ACI, suggests one test per about each fifty (50) cubic yards or portion thereof per day of concrete material placed.

18.0 LIMITATIONS

It is the owner's and the owner's representatives' responsibility to read this report and become familiar with the recommendations and suggestions presented. We should be contacted if any questions arise concerning the geotechnical engineering aspects of this project as a result of the information presented in this report.

The scope of services for this study does not include either specifically or by implication any environmental or biological (such as mold, fungi, bacteria, etc.) Assessment of the site or identification or prevention of pollutants, hazardous materials or conditions. If the owner is concerned about the potential for such contamination or pollution, other studies should be

performed.

The recommendations outlined above are based on our understanding of the currently proposed construction. We are available to discuss the details of our recommendations with you and revise them where necessary. This geotechnical engineering report is based on the proposed site development and scope of services as provided to us by Mr. Paul Major, Ouray Homes LLC, the type of construction planned, existing site conditions at the time of the field study, and on our findings. Should the planned, proposed use of the site be altered, Lambert and Associates must be contacted, since any such changes may make our suggestions and recommendations inappropriate. This report should be used ONLY for the planned development for which this report was tailored and prepared, and ONLY to meet information needs of the owner and the owner's representatives. In the event that any changes in the future design or location of the building are planned, the conclusions and recommendations contained in this report shall not be considered valid unless the changes are reviewed and conclusions of this report are modified or verified in writing. It is recommended that the geotechnical engineer be provided the opportunity for a general review of the final project design and specifications in order that the earthwork and foundation recommendations may be properly interpreted and implemented in the design and specifications.

This report does not provide earthwork specifications. We can provide guidelines for your use in preparing project specific earthwork specifications. Please contact us if you need these for your project.

This report presents both suggestions and recommendations. The suggestions are presented so that the owner and the owner's representatives may compare the cost to the potential risk or benefit for the suggested procedures.

This report contains suggestions and recommendations which are intended to work in concert with recommendations provided by the other design team members to provide somewhat predictable foundation performance. If any of the recommendations are not included in the design and construction of the project it may result in unpredictable foundation performance or performance different than anticipated. We recommend that we be requested to provide geotechnical engineering observation and materials testing during the construction phase of the project as discussed in this report. The purpose for on site observation and testing by us during construction is to help provide continuity of service from the planning of the project through the construction of the project. This service will also allow us to revise our recommendations if conditions occur or are discovered during construction that were not evidenced during the initial study. We suggest that the owner and the contractor make provisions in their construction budget and construction schedule to accommodate unexpected

subsurface conditions.

We represent that our services were performed within the limits prescribed by you and with the usual thoroughness and competence of the current accepted practice of the geotechnical engineering profession in the area. No warranty or representation either expressed or implied is included or intended in this report or our contract. We are available to discuss our findings with you. If you have any questions please contact us. The supporting data for this report is included in the accompanying figures and appendices.

This report is a product of Lambert and Associates. Excerpts from this report used in other documents may not convey the intent or proper concepts when taken out of context, or they may be misinterpreted or used incorrectly. Reproduction, in part or whole, of this document without prior written consent of Lambert and Associates is prohibited.

This report and information presented can be used only for this site, for this proposed development, and only for the client for whom our work was performed. Any other circumstances are not appropriate applications of this information. Other development plans will require project specific review by us.

Please call when further consultation or observations and tests are required.

If you have any questions concerning this report or if we may be of further assistance, please contact us.

Respectfully submitted:

LAMBERT AND ASSOCIATES

Daniel R. Lambert, P.E.
Project Engineer



APPENDIX A

The field study was performed on October 10, 2022. The field study consisted of logging and sampling the soils encountered in six (6) test borings. The approximate locations of the test borings are shown on Figure 2. The log of the soils encountered in the test borings are presented on Figures A2 through A7.

The test borings were logged by Lambert and Associates and samples of significant soil types were obtained.

The engineering field description and major soil classification are based on our interpretation of the materials encountered and are prepared according to the Unified Soil Classification System, ASTM D2488. The description and classification which appear on the test boring log is intended to be that which most accurately describes a given interval of the test boring (frequently an interval of several feet). Occasionally discrepancies occur in the Unified Soil Classification System nomenclature between an interval of the soil log and a particular sample in the interval. For example, an interval on the test boring log may be identified as a silty sand (SM) while one sample taken within the interval may have individually been identified as a sandy silt (ML). This discrepancy is frequently allowed to remain to emphasize the occurrence of local textural variations in the interval.

The stratification lines presented on the logs are intended to present our interpretation of the subsurface conditions encountered in the test boring. The stratification lines represent the approximate boundary between soil types and the transition may be gradual.

LOG OF TEST BORING

Date Drilled: October 10, 2022 **Field Engineer:** DRL **Boring Number:** 1
Location: See test boring location diagram **Elevation:**
Diameter: 4 inches **Total Depth:** 15 feet **Depth to Water at Time of Drilling:** None Encountered

Symbol	Depth	Sample		Soil Description	Laboratory Test Results
		Type	N		
X	0			Fill Material - Gravel, sand, cobbles * Intermittent Clayey Sand Lenses	
	5	Bulk	□		Swell/Consolidation Test: DD: 123 pcf MC: 5.6%
.				Sand, clayey, gravels, dense, moist, brown, gray * Increased Cobble * Increased Moisture Observed	
	10	Bulk	□		
	15			Bottom of Test Boring at 15 feet	
	20				
	25				

Project Name: Waterview Development - Ouray **Project Number:** M22059GE **Figure:** A2

LOG OF TEST BORING

Date Drilled: October 10, 2022 **Field Engineer:** DRL **Boring Number:** 2
Location: See test boring location diagram **Elevation:**
Diameter: 4 inches **Total Depth:** 9 feet **Depth to Water at Time of Drilling:** None Encountered

Symbol	Depth	Sample		Soil Description	Laboratory Test Results
		Type	N		
Boring Log Header					
0	1			Fill Material - Gravel, sand, cobbles * Intermittent Clayey Sand Lenses	
5	5	Bulk		Sand, clayey, gravels, dense, moist, brown, gray * Increased Cobble	Direct Shear Test: DD: 114 pcf MC: 14.0%
10	10			Auger Refusal at 9 feet	
15	15				
20	20				
25	25				

Project Name: Waterview Development - Ouray **Project Number:** M22059GE **Figure:** A3

LOG OF TEST BORING

Date Drilled: October 10, 2022 **Field Engineer:** DRL **Boring Number:** 3
Location: See test boring location diagram **Elevation:**
Diameter: 4 inches **Total Depth:** 10-1/2 feet **Depth to Water at Time of Drilling:** None Encountered

Symbol	Depth	Sample		Soil Description	Laboratory Test Results
		Type	N		
	0				
	1			Fill Material - Gravel, sand, cobbles * Intermittent Clayey Sand Lenses	
	5				
	10			Sand, clayey, gravels, dense, moist, brown, gray * Increased Cobble	
	15			Auger Refusal at 10-1/2 feet	
	20				
	25				

Project Name: Waterview Development - Ouray **Project Number:** M22059GE **Figure:** A4

LOG OF TEST BORING

Date Drilled: October 10, 2022 **Field Engineer:** DRL **Boring Number:** 4
Location: See test boring location diagram **Elevation:**
Diameter: 4 inches **Total Depth:** 15 feet **Depth to Water at Time of Drilling:** None Encountered

Symbol	Depth	Sample		Soil Description	Laboratory Test Results
		Type	N		
	0			Sand, clayey, gravels, dense, moist, brown, gray * Increased Cobble	
	5	Bulk	□		Swell/Consolidation Test: DD: 124 pcf MC: 6.3%
	10	Bulk	□		Swell/Consolidation Test: DD: 126 pcf MC: 5.9% * Increased Moisture Observed
	15			Bottom of Test Boring at 15 feet	
	20				
	25				

Project Name: Waterview Development - Ouray **Project Number:** M22059GE **Figure:** A5

LOG OF TEST BORING

Date Drilled: October 10, 2022 **Field Engineer:** DRL **Boring Number:** 5
Location: See test boring location diagram **Elevation:**
Diameter: 4 inches **Total Depth:** 5 feet **Depth to Water at Time of Drilling:** None Encountered

Symbol	Depth	Sample		Soil Description	Laboratory Test Results
		Type	N		
	0				
	1			Sand, clayey, gravels, dense, moist, brown, gray	
	2			* Increased Cobble	
	3				
	4				
	5			Auger Refusal at 5 feet	
	6				
	7				
	8				
	9				
	10				
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Project Name: Waterview Development - Ouray **Project Number:** M22059GE **Figure:** A6

LOG OF TEST BORING

Date Drilled: October 10, 2022 **Field Engineer:** DRL **Boring Number:** 6
Location: See test boring location diagram **Elevation:**
Diameter: 4 inches **Total Depth:** 15 feet **Depth to Water at Time of Drilling:** None Encountered

Symbol	Depth	Sample		Soil Description	Laboratory Test Results
		Type	N		
	0			Sand, clayey, gravels, dense, moist, brown, gray * Increased Cobble	
	5	Bulk	□	* Increased Moisture Observed * Intermittent Silty Sand Lense	Swell/Consolidation Test: DD: 125 pcf MC: 6.1%
	15			Bottom of Test Boring at 15 feet	
	20				
	25				

Project Name: Waterview Development - Ouray **Project Number:** M22059GE **Figure:** A7

APPENDIX B

The laboratory study consisted of performing:

- . Moisture content and dry density tests,
- . Swell-consolidation tests, and
- . Direct Shear Strength tests.

It should be noted that samples obtained did experience some disturbance during the sampling operations. The test results obtained using these samples are used only as indicators of the in situ soil characteristics.

TESTING

Moisture Content and Dry Density

Moisture content and dry density were determined for each sample tested of the samples obtained. The moisture content was determined according to ASTM Test Method D2216 by obtaining the moisture sample from the drive sleeve. The dry density of the sample was determined by using the wet weight of the entire sample tested. The results of the moisture and dry density determinations are presented on the logs of borings, Figures A2 through A7.

Swell Tests

Loaded swell tests were performed on drive samples obtained during the field study. These tests are performed in general accordance with ASTM Test Method D2435 to the extent that the same equipment and sample dimensions used for consolidation testing are used for the determination of expansion. A sample is subjected to static surcharge, water is introduced to produce saturation, and volume change is measured as in ASTM Test Method D2435. Results are reported as percent change in sample height.

Consolidation Tests

One dimensional consolidation properties of drive samples were evaluated according to the provisions of ASTM Test Method D2435. Water was added in all cases during the test. Exclusive of special readings during consolidation rate tests, readings during an increment of load were taken regularly until the change in sample height was less than 0.001 inch over a two hour period. The results of the swell-consolidation load test are summarized on Figures B1 through B4, swell-consolidation tests.

It should be noted that the graphic presentation of consolidation data is a presentation of volume change with change in axial load. As a result, both expansion and consolidation can be illustrated.

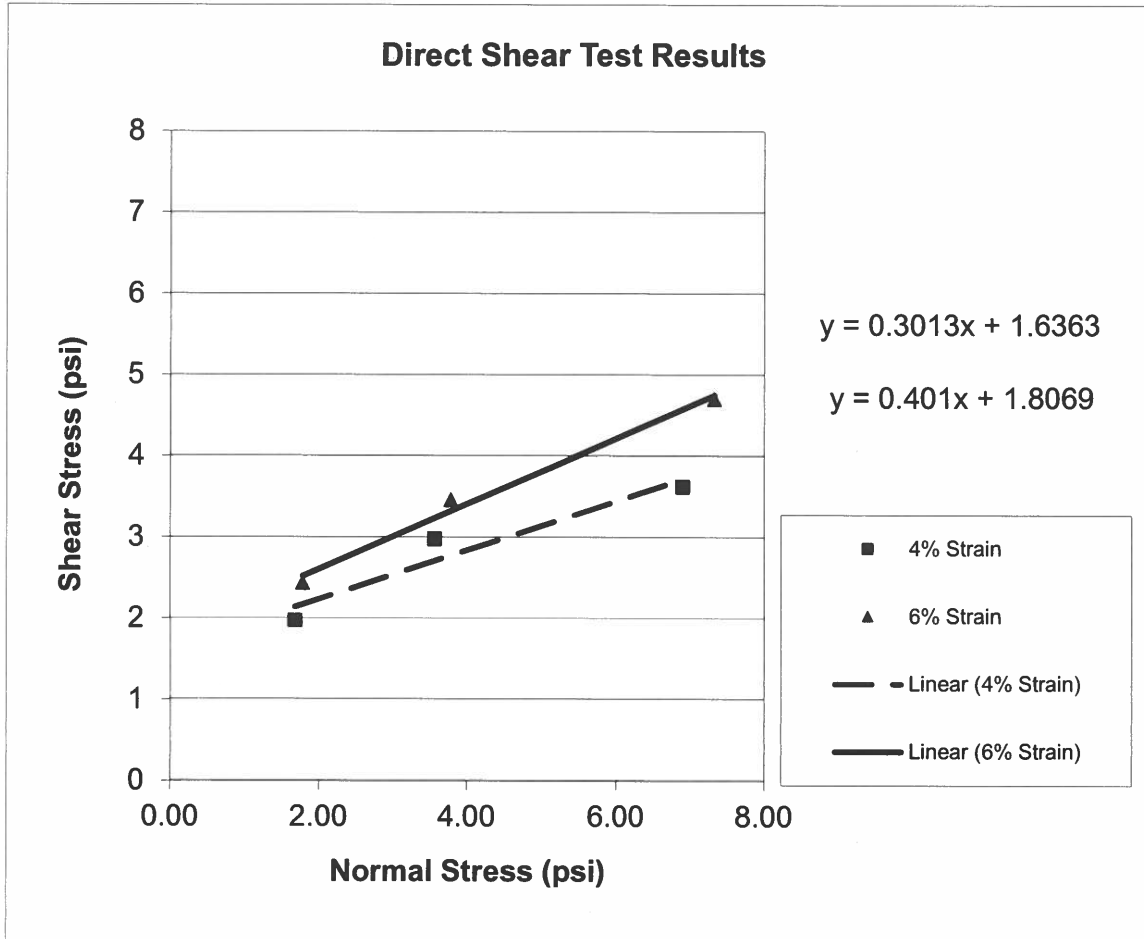
Direct Shear Strength Tests

Direct shear strength properties of drive samples were evaluated in general accordance with testing procedures defined by ASTM Test Method D3080. The results of the direct shear strength test are summarized on Figure B5, direct shear test.

Lambert and Associates

CONSULTING GEOTECHNICAL ENGINEERS AND MATERIAL TESTING

Project: Waterview Development	Project Number: M22059GE	Date Sampled: 10/10/2022
Location: Ouray, CO	Sample Source: TB 2 @ 5 ft	Lab Sample #: 4343
Sample Description: Sand, gravel, clayey, brown	Date Tested: 11/16/2022	Tested By: AC



% Strain	Cohesion (psf)	Friction Angle (deg)
4	236	17
6	260	22

Project No.:	M22059GE
Date:	February 3, 2023
Figure:	B5

APPENDIX C

GEOLOGY DISCUSSION
SOUTHWEST COLORADO GEOLOGY

Southwest Colorado exhibits many geologic features formed by a multitude of geologic processes. Regional inundation, uplift, volcanism and glaciation are responsible for some of the complex geology of the region. Many theories and speculations concerning the mode of occurrence of the regions's geology have been presented over the years. This cursory discussion of the geology of southwest Colorado presents some theories accepted by the geologic community, but is only intended to introduce the basic concepts and restraints that arise due to geologic activity.

Prior to the formation of the Rocky Mountains southwest Colorado was a primarily a flat lying region with little topographic expression. The North American continent was experiencing many episodes of deposition. The Transcontinental Sea was transgressing and regressing across the continent, these transgressions and regressions are the cause for such diverse rock types. The stratigraphic column in southwestern Colorado expresses rock types from variable depositional environments. Limestones are formed in deeper water, sandstones are formed in beach and tidal flat environments, while arkosic sandstone and conglomerates are formed in alluvial plains and fans. Particle size and mineralogic content in rock units are related to the depositional environment. A sandstone or conglomerate would not be likely to form in a deep sea environment because there would not be enough energy to carry such large particles a great distance from the source lands. As one observes the stratigraphic column of southwest Colorado a siltstone may be overlain by a sandstone which is in turn overlain by a siltstone. This represents a regressional then transgressional sequence. Many such sequences or combinations of other rock units are exhibited throughout southwest Colorado.

The final regression of the sea may have been caused by orogenic activity and uplift. This uplift was not confined to Colorado, it was a regional uplift that occurred in many stages. The uplift is what caused the formation of the ancestral rockies. The Larimide Orogenic episode is responsible for the formation of the San Juan dome. (Note: The San Juan dome theory is not accepted by the entire geologic community. It is used here for descriptive purposes). The San Juan dome was essentially an upwarp of the stratigraphy formed by sedimentation during the Transcontinental Sea. An actual dome probably never

existed due to erosion during the uplift. The idea being that a dome of sediments and rock units would have existed had erosion and diastrophism not taken place. The orientation of bedding planes forms a radial pattern around the San Juan region which seems to vindicate this theory.

The stresses need to "upwarp" this large area were obviously tremendous. Locally occurring stresses may not be sufficient to move this quantity of material, global tectonics, directly or indirectly, may have been involved. Compression of the entire North American plate could have occurred. The magnitude of the stresses and the deep seated origin of these stresses also have caused extensive volcanism. Colorado has many large remnants of Calderas that were active during the orogenic activity. The Silverton and Lake City Calderas are the largest in the San Juan region. Activity in the Silverton Caldera has been estimated (radiometrically) to have occurred 22 million years ago. Calderas of this magnitude are believed to have formed by the collapse of epierogenic magma chambers. Volcanic and metamorphic rock bodies are common in the San Juan region, many of these units are related to the orogenic activity in the region.

Faults associated with local orogenic activity are another common geologic feature found in southwestern Colorado. As stated previously, extreme stresses were probably associated with the formation of the San Juan Mountains and may be responsible for deep-seated volcanic and metamorphic processes. These stresses had to be released, the geologic mode for stress release is faulting. Diastrophic activity in the area today is quite low, the lack of seismic activity indicates that stresses are not currently being released. An explanation for the loss of stresses is through faulting.

The last episode of regional geologic activity in the area was glaciation. The most recent period of glacial activity ended approximately 10,000 years ago. Glacial activity is responsible for much of the topographic expression in the area. "U-Shaped" valleys, moraine deposits, tarns, (glacial formed lakes), and rock glaciers are the most prominent features which are found in southwestern Colorado as a result of glacial activity. The valley configurations are a result of the erosional activity of the glaciers. Moraine deposits developed during the glacial activity. Rock glaciers are moving masses of rock which are thought to have an ice core which may be the last remnant of glacial ice. As the subsurface ice core moves and melts, the overlying mass of rock also moves.

APPENDIX D

GENERAL GEOTECHNICAL ENGINEERING CONSIDERATIONS

D1.0 INTRODUCTION

Appendix D presents general geotechnical engineering considerations for design and construction of structures which will be in contact with soils. The discussion presented in this appendix are referred to in the text of the report and are intended as tutorial and supplemental information to the appropriate sections of the text of the report.

D2.0 FOUNDATION RECOMMENDATIONS

Two criteria for any foundation which must be satisfied for satisfactory foundation performance are:

- contact stresses must be low enough to preclude shear failure of the foundation soils which would result in lateral movement of the soils from beneath the foundation, and
- settlement or heave of the foundation must be within amounts tolerable to the superstructure.

The soils encountered during our field study have varying engineering characteristics that may influence the design and construction considerations of the foundations. The characteristics include swell potential, settlement potential, bearing capacity and the bearing conditions of the soils supporting the foundations. The general discussion below is intended to increase the readers familiarity with characteristics that can influence any structure.

D2.1 Swell Potential

Some of the materials encountered during our field study at the anticipated foundation depth may have swell potential. Swell potential is the tendency of the soil to increase in volume when it becomes wetted. The volume change occurs as moisture is absorbed into the soil and water molecules become attached to or adsorbed by the individual clay platlets. Associated with the process of volume change is swell pressure. The swell pressure is the force the soil applies on its surroundings when moisture is absorbed into the soil. Foundation design considerations concerning swelling soils include structure tolerance to movement and dead load pressures to help restrict uplift. The structure's tolerance to movement should be addressed by the structural engineer and is dependent upon many facets of the design including the overall structural concept and the building material. The uplift forces or pressure due to wetted clay soils can be addressed by designing the foundations with a minimum dead load and/or placing the foundations on a blanket of compacted structural fill. The compacted structural fill blanket will increase the dead load on the swelling foundations soils and will increase the separation of the foundation from the swelling soils. Suggestions and

recommendations for design dead load and compacted structural fill blanket are presented below. Compacted structural fill recommendations are presented under COMPACTED STRUCTURAL FILL below.

D2.2 Settlement Potential

Settlement potential of a soil is the tendency for the soil to experience volume change when subjected to a load. Settlement is characterized by downward movement of all or a portion of the supported structure as the soil particles move closer together resulting in decreased soil volume. Settlement potential is a function of;

- . foundation loads,
- . depth of footing embedment,
- . the width of the footing, and
- . the settlement potential or compressibility of the influenced soil.

Foundation design considerations concerning settlement potential include the amount of movement tolerable to the structure and the design and construction concepts to help reduce the potential movement. The settlement potential of the foundation can be reduced by reducing foundation pressures and/or by placing the foundations on a blanket of compacted structural fill. The anticipated post construction settlement potential and suggested compacted fill thickness recommendations are based on site specific soil conditions and are presented in the text of the report.

D2.3 Soil Support Characteristics

The soil bearing capacity is a function of;

- . the engineering properties of the soil material supporting the foundations,
- . the foundation width,
- . the depth of embedment of the bottom of the foundation below the
- . lowest adjacent grade,
- . the influence of the ground water, and
- . the amount of settlement tolerable to the structure.

Soil bearing capacity and associated minimum depth of embedment are presented in the text of the report.

The foundation for the structure should be placed on relatively uniform bearing conditions. Varying support characteristics of the soils supporting the foundation may result in nonuniform or differential performance of the foundation. Soils encountered at foundation depths may contain cobbles and boulders. The cobbles and boulders encountered at foundation depths may apply point loads on the foundation resulting in nonuniform bearing conditions. The

surface of the formational material may undulate throughout the building site. If this is the case it may result in a portion of the foundation for the structure being placed on the formational material and a portion of the foundation being placed on the overlying soils. Varying support material will result in nonuniform bearing conditions. The influence of nonuniform bearing conditions may be reduced by placing the foundation members on a blanket of compacted structural fill. Suggestions and recommendations for constructing compacted structural fill are presented under COMPACTED STRUCTURAL FILL below and in the text of the report.

D3.0 COMPACTED STRUCTURAL FILL

Compacted structural fill is typically a material which is constructed for direct support of structures or structural components.

There are several material characteristics which should be examined before choosing a material for potential use as compacted structural fill. These characteristics include;

- . the size of the larger particles,
- . the engineering characteristics of the fine grained portion of material matrix,
- . the moisture content that the material will need to be for compaction with respect to the existing initial moisture content,
- . the organic content of the material, and
- . the items that influence the cost to use the material.

Compacted fill should be a non-expansive material with the maximum aggregate size less than about two (2) inches and less than about twenty five (25) percent coarser than three quarter (3/4) inch size.

The reason for the maximum size is that larger sizes may have too great an influence on the compaction characteristics of the material and may also impose point loads on the footings or floor slabs that are in contact with the material. Frequently pit-run material or crushed aggregate material is used for structural fill material. Pit-run material may be satisfactory, however crushed aggregate material with angular grains is preferable. Angular particles tend to interlock with each other better than rounded particles.

The fine grained portion of the fill material will have a significant influence on the performance of the fill. Material which has a fine grained matrix composed of silt and/or clay which exhibits expansive characteristics should be avoided for use as structural fill. The moisture content of the material should be monitored during construction and maintained near optimum moisture content for compaction of the material.

Soil with an appreciable organic content may not perform adequately for use as structural fill material due to the compressibility of the material and ultimately due to the decay of the

organic portion of the material.

D4.0 RADON CONSIDERATIONS

Information presented in "Radon Reduction in New Construction, An Interim Guide: OPA-87-009 by the Environmental Protection Agency dated August 1987 indicates that currently there are no standard soil tests or specific standards for correlating the results of soil tests at a building site with subsequent indoor radon levels. Actual indoor levels can be affected by construction techniques and may vary greatly from soil radon test results. Therefore it is recommended that radon tests be conducted in the structure after construction is complete to verify the actual radon levels in the home.

We suggest that you consider incorporating construction techniques into the development to reduce radon levels in the residential structures and provide for retrofitting equipment for radon gas removal if it becomes necessary.

Measures to reduce radon levels in structures include vented crawl spaces with vapor barrier at the surface of the crawl space to restrict radon gas flow into the structure or a vented gravel layer with a vapor barrier beneath a concrete slab-on-grade floor to allow venting of radon gas collected beneath the floor and to restrict radon gas flow through the slab-on-grade floor into the structure. These concepts are shown on Figure D1.

If you have any questions or would like more information about radon, please contact us or the State Health Department at 303-692-3030.

CHAUTAUQUA SUBDIVISION HOMEOWNERS ASSOCIATION
2505 CHAUTAUQUA LANE OURAY, CO 81427

Friday, April 28, 2023

Ouray City Council
Mayor Ethan Funk
Mayor Pro Tem, Josh Smith
Ms. Tamara Gulde, Council Member
Ms. Peggy Lindsey, Council Member
Mr. K. John wood, Council Member

Dear Mayor and Members of the City of Ouray City Council:

On behalf of the Chautauqua Subdivision Homeowners Association (the "HOA") and as President of that organization, I am writing you with comments regarding the Waterview PUD preliminary plat application (the "Application"), which is to be considered by you at a regular meeting.

We are writing in support of the approval of the Application; however, we do have some concerns and request that you consider them in your deliberations.

We believe you should consider approving the Application in two stages, not in one, as is being proposed, since Phase 2 must wait until the completion of the expansion of the sewer system.

This extensive 9.2-acre development can overburden Ouray, especially since the developer proposes that the City maintain streets, open areas, and water retention ponds after completing what will be the most significant development in Ouray's history. The project, if approved, will increase the area's population density, inevitably leading to increased demands for additional police and fire protection and public services such as roads, water supply, sewage, garbage collection, and other utilities.

While we recognize the need for affordable housing, we must also ensure that any development in our small town is done responsibly and sustainably. The responsible thing to do is to approve Phase 1 of this development, which is, as previously stated, all that Ouray's infrastructure allows for now. There is plenty of time and ability to adjust to the second phase based on the experience gained from the first phase.

Ouray must understand the community's housing needs and develop a plan to build affordable housing that meets Ouray's needs instead of unnecessarily approving in advance more affordable housing than Ouray's current infrastructure can accommodate.

There is a need for caution. Overbuilding affordable housing in a small town can negatively impact the City if there is an economic downturn. The increased population can strain existing infrastructure, such as roads, public services, and the local job market, which can lead to a decrease in property values and reduce the money available to the City to fund other projects and services.

By taking a phased approach, we can better understand the impact of affordable housing on our community. This approach will allow us to make informed decisions to ensure that any future development is in line with the needs and desires of our community. It will also allow us to address any potential issues or concerns that may become apparent from Phase 1.

It also does not make sense to us to rush forward and prematurely approve both phases of this project at a time when the only evidence we have relative to affordable housing is anecdotal. The City recently commissioned a housing needs study to be done by Economic and Planning Systems, Inc. at the cost of \$38,500. The purpose of this study is to understand the housing needs within the City quote: "...to understand the specific housing needs within the City, to understand the local market needs, how the City can play a role in meeting these needs, and how to prioritize investment and other actions." Phase 2 for this project should be deferred until the completion of the study, and delivery of the study to the City Council and the citizens of Ouray, with an opportunity for public discussion on the study's results.

The two-phased approach will not only allow us to learn from the first phase. It will give the City time to see and learn independently from other affordable housing projects, such as Pinion Park in Norwood and Wetterhorn in Ridgway. For example, does the City know the lottery results for Pinion Park? What was the number of qualified lottery buyers for that 24-unit development? How many of those lottery winners closed and moved in? We have learned from other instances that construction can go awry and a two-phase approval appears to be the most sustainable course of action.

Should you choose not to approve this project in two phases but instead to approve it all at once, we ask that you be cognizant of and consider the City zoning regulations requirements of Section 6 "Commercial – Industrial District – C-2 (a) Purpose. "Each use will be required to mitigate its particular negative impacts determined to exist so as to provide for the reasonable enjoyment of adjacent properties." In its Sketch Plan approval, the Planning Commission chose to overlook this regulation as it affects adjacent Chautauqua homeowners. We request that the City and the developer meet with adjoining property owners and make a good-faith effort to address the project's negative impacts as currently planned. The Ouray City ordinance requires this whether the development is residential or industrial.

The Planning Commission addressed the negative impact this project will have on motorists driving along Highway 550 with the backyards of the affordable houses facing Highway 550 but ignored the same adverse effects that the project has on adjacent Chautauqua properties.

Let's work together in the best interest of everyone.

We thank you for considering our concerns and request that this letter be part of the public record of the City Council meeting to be held regarding the Waterview PUD.

With kindest regards,



David P. Smith
President, Chautauqua Subdivision HOA

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David P. Smith
President, Chautauqua Subdivision HOA

Rural Homes: For Sale, For Locals

AFFORDABLE HOUSING REGULATIONS AND GUIDELINES

OURAY WATERVIEW HOMES

Ouray County

Approved by the Colorado Attorney General and DOLA

Adopted by the City of Ouray on [date]

WELCOME

GENERAL POLICY GOALS: The general goal of the Rural Homes: For Sale, For Locals (RH) is to provide high quality homes that will remain affordable for working residents and their families who make a living primarily from employment in the Ouray School District R-1 boundaries, whose income and assets are below certain targeted limits, and who choose to be part of the local community. This is accomplished, for the most part, by regulating and restricting occupancy and sale of the Housing Units covered by these Affordable Housing Regulations and Guidelines (Guidelines) to “Qualified Households” as defined herein.

Qualified Households must meet specific economic means tests that may include both Household Income and Household Net Assets. Such tests of economic means are intended to promote diversity within the target community.

The Housing Units covered by these Guidelines are subject to price limitations for sale, resale and/or rental. These limitations are intended to insure affordability for the current Household and for the long-term affordability of the Housing Unit.

These Guidelines are intended to provide for clear, fair, and consistent administration of the Rural Homes: For Sale, For Locals Deed Restriction and Covenant Ouray Waterview Homes (referred to as “Covenant” or “Deed Restriction”), associated with each Housing Unit (also referred to as Unit). It is recognized that there are individual Households and Housing Units that may not fit clearly within the specific provisions of the Guidelines but still meet these general policy goals. For these cases, Exception and Appeal processes have been established (Section 11).

The Housing Authority (HA) or its designee is authorized to adopt specific policy directives as necessary to clarify and aid in the application and enforcement of the Deed Restriction. Any policy directives shall be adopted by HA at a properly noticed public meeting.

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1. DEFINITIONS

Definitions of terms and phrases contained within the Deed Restriction and Guidelines:

- 1.1 **ACCESSORY DWELLING UNIT (ADU)** - a building, or portion thereof, the use of which is incidental to that of the main building, and which is located on the same lot or parcel with the main building or use, and which building has a separate kitchen, separate bathroom, a separate entrance, and which is restricted by rent and occupancy requirements as described in these Guidelines.
- 1.2 **APPEAL** - is the process used when the Applicant understands and acknowledges the Covenant and Guidelines criteria and believes that after an initial determination, the criteria have been applied to him or her incorrectly.
- 1.3 **APPLICANT** - a Household that has submitted the required application either for qualification as a Buyer or a Renter or who submits a request for an Exception.
- 1.4 **AREA MEDIAN INCOME (AMI)** - a statistical number based on Household Size and Income for residents of the county in Colorado in which the Housing Unit is located and that is used in these Guidelines as a basis for the Income Eligibility Tiers applied to specific Housing Units. HA shall update the AMI once per year based upon an analysis of the best available data for County Household Incomes. Data sources and methods for this analysis are documented in Appendix A.
- 1.5 **ASSETS** - anything owned by an individual that has commercial or exchange value. Assets consist of specific property or claims against others, in contrast to obligations due others. Assets include both liquid and non-liquid assets. Liquid Assets include cash in savings, checking or other forms of bank accounts and stocks, bonds or other instruments that can readily be converted to cash. Non-liquid Assets are those items not easily converted to cash.

The most recent assessed value as provided by the applicable assessor's office will be used to determine the value of Assets, including real estate holdings, regardless of setoffs by encumbrances, costs of sale or holding, or percent of ownership interest. Assets shall include funds or property held in a living trust or any similar entity or interest, where the person has management rights or the ability to apply the assets to the payment of debts. Assets in a qualified retirement plan and intangible assets will not be included in the asset calculations for each income category. Household Net Assets equals gross Household Assets less gross Household Liabilities.

NOTE: A one-time gift of up to 30% of the Original Purchase Price used exclusively as a down payment for the purchase of a Housing Unit may be considered as a net asset, and not as Unearned Income for the purposes of initial qualification.

- 1.6 **BEDROOM** - area designed to be used for sleeping purposes that shall contain a closet, have access to a bathroom and meets applicable Building Code requirements for light, ventilation, sanitation, and egress.

1.7 BUSINESS OWNER - a person or entity that owns or operates a business located in and serving the County, with a local workforce working in the School District, and who has been certified by the Housing Authority to own a Housing Unit and who has agreed to the rental restrictions set forth in the Deed Restriction and these Guidelines. Note: Businesses who are in the business of residential property management, residential property rentals, mobile home park ownership or rental and/or residential property ownership may not be certified as a Business Owner.

1.8 BUYER - a person who is buying a Housing Unit.

1.9 CAPITAL IMPROVEMENTS AND PERMITTED CAPITAL IMPROVEMENTS - a Capital Improvement is any fixture, construction or installation that is erected, constructed, or installed as a permanent improvement to real property or non-recurring expenses for physical improvements that provide a long-term upgrade or improvement to the Housing Unit, not to include ordinary repair and maintenance. A Permitted Capital Improvement is a Capital Improvement that has been approved by HA prior to erection and shall NOT include luxury items, upgrades for esthetic or personal preference, landscaping, or cost associated with ordinary repair, replacement, and maintenance. For example, installing a stained-glass window in place of a functioning clear glass window would be considered a luxury item.

Permitted Capital Improvements are established for determining Maximum Sales Price as the terms are defined in Section 6.11.

1.10 COMMERCIAL PROPERTY - property which is used for any of the following uses as defined by the applicable Land Use Code: Commercial; Industrial; Accommodations (including Hotel, Lodge, Boarding and Rooming houses, Lock-off units, and Short-term Dwelling Units); and Agricultural Land.

1.11 CO-SIGNER - a joint signatory of a promissory note whose obligations are the same as those of the primary borrower. If the primary borrower does not repay the loan, the co-signer accepts responsibility for the debt. A Co-signer shall not occupy the Housing Unit unless qualified by HA.

1.12 COUNTY - the county in the state of Colorado in which the Housing Unit is located.

1.13 DECLARANT - the person or entity who is purchasing the Housing Unit and who signs the Deed Restriction and Covenant.

1.14 DEED RESTRICTION – a contract prepared by HA in coordination with Rural Homes (RH) and entered into between HA, RH, and the Owner or Buyer of real property identifying and burdening the conditions of use, occupancy and sale which shall not be altered by any party without the written consent of all parties, also referred to as Covenant.

1.15 DESIGNEE - a person or entity that is named and authorized to act in place of the person or entity granting the designation.

1.16 DISABLED PERSON – See Individual with a Disability.

- 1.17 DOWN PAYMENT - a cash payment made by the purchaser toward the purchase price of the Housing Unit.
- 1.18 EARNED INCOME STANDARD - total Household Earned Income must be at least 75% of the total Household Income. Unearned Income cannot exceed 25% of total Household Income. See INCOME.
- 1.19 ELDERLY - a person who is at least 65 years of age.
- 1.20 ELIGIBILITY - qualification requirements applied to a Household based on the specific Housing Unit the Household intends to occupy.
- 1.21 EMPLOYEE - a person who is self-employed or is working for another person or business and is compensated for such work on an hourly, weekly, monthly or commission basis or any combination of such compensation.
- 1.22 ESSENTIAL RESPONSE PERSONNEL - those persons required to report to their designated work location to ensure the operation of essential functions during an emergency. Qualified Essential Response Personnel are employees (on call 12 hours/day, a minimum of 8 times per month or its equivalent) of a community-based organization, in the Ouray School District R-1 boundaries that provides on-scene assistance and personal care to victims. Community-based organizations include but are not limited to the Fire Department, Search & Rescue, Police, Marshal, and Sheriff's Departments, Emergency Medical Services, Social Services, and Emergency Dispatch.
- 1.23 EXCEPTION, REQUEST FOR - the process used when the Applicant understands and acknowledges the Covenant and Guidelines criteria and believes that there exists a legitimate and compelling reason why the Applicant should be excused from such criteria or allowed a modification of the criteria.
- 1.24 FAIR MARKET VALUE - the price at which bona fide non-distress sales have been consummated for assets of like type, quality, and quantity in a particular market.
- 1.25 FAMILY - see Immediate Family
- 1.26 FEE SIMPLE ESTATE - the maximum possible estate that one can possess in real property, complete and absolute ownership of indefinite duration, freely transferable, and inheritable.
- 1.27 FINANCIAL STATEMENT - a statement detailing all personal assets, liabilities, and net assets (the difference between gross assets and liabilities) as of a specific date.
- 1.28 FIRST MORTGAGE - a deed of trust or mortgage that is recorded senior to any other deeds of trust or liens against a property to secure a loan used to purchase a property by a Mortgagee.
- 1.29 FREE-MARKET PROPERTY - a property that is not restricted by any Deed Restriction or covenant regarding price or terms of sale.

- 1.30 FULL-TIME EMPLOYEE - a person who works a minimum of 1,200 hours per year by working no less than eight (8) of every twelve (12) months on a rolling twelve (12) month basis AND during the qualifying eight (8) months must work at least forty (40) hours per month.
- 1.31 GOVERNMENT PERSONNEL - any Full-time Employee of a federal, state, or County agency, or any local government, including law enforcement agencies.
- 1.32 GRIEVANCE - any dispute that Seller, Buyer, Owner, or Applicant may have with HA with respect to an action or failure to act in accordance with the individual's rights, duties, welfare, or status.
- 1.33 GUEST - a person with whom a Household shares the same living quarters who has no proprietary interest including no leasehold interest in the Housing Unit, who is not on the title to the unit, who does not provide financial assistance to the Household, and whose stay is limited to less than thirty (30) days every six (6) months.
- 1.34 GUIDELINES - these Rural Homes: For Sale, For Locals Affordable Housing Regulations and Guidelines, Ouray Waterview Homes, are a set of operational regulations adopted by RH and the HA and are amended from time to time that set out definitions, standards and procedures that further define and detail the Rural Homes: For Sale, For Locals Deed Restriction and Covenant, Ouray Waterview Homes and are to be applied to specific Housing Units.
- 1.35 HEALTH CARE PERSONNEL - any Full-time Employee, who is licensed or otherwise authorized by the State of Colorado to provide health care services and who is employed as such by a nonprofit institution within the Ouray School District R-1 boundaries.
- 1.36 HOME OCCUPATION - any business conducted principally within a dwelling unit, an enclosed garage or accessory building, which is carried on by the inhabitants of the Housing Unit. Home Occupation does not include: an individual working at home that does not routinely conduct meetings in the home; does not have routine contact with employer, employee, consultant and/or client in the home; and does not conduct traditional sales or retail activities on the premise of their workplace; and/or does not place any identifying signs on the exterior of the workplace.
- 1.37 HOUSEHOLD - one or more persons who intend to live together in a Housing Unit as a single housekeeping entity.
- 1.38 HOUSING AUTHORITY (HA) - Housing Authority will have the responsibility to administer the Deed Restriction and Guidelines, including qualifying owners, enforcement, and making any exceptions. Each RH development will be assigned a HA within that jurisdiction. As used in these Guidelines, HA may also mean staff and the Board of Directors of the Housing Authority or its designee, as the context requires.
- 1.39 HOUSING UNIT - a residential unit that is subject to the Covenant and Guidelines and any additional covenants that run with the land.
- 1.40 IMMEDIATE FAMILY - the Qualified Employee and the spouse of the Qualified Employee and their siblings, the parents and/or offspring of the Qualified Employee and

the spouse of the Qualified Employee, all of whom may be related either biologically, by marriage, by civil union and/or by legal adoption, and regardless of age. Immediate Family also includes: a minor child for whom the Qualified Employee or the spouse of the Qualified Employee becomes a legal guardian and a minor child for whom the Qualified Employee or the spouse of the Qualified Employee becomes a legal foster parent. Such children shall be treated as biological children and have the same Immediate Family status, regardless of age.

1.41 IMPROVED RESIDENTIAL PROPERTY - property that contains at least one (1) dwelling unit as defined in the applicable Land Use Code.

1.42 INCOME -

a. Earned Income -

- i. Income derived from one's own labor or through active participation on a regular, continuous, and substantial basis in a business and including retirement funds from deferred income earned from employment, Social Security benefits, alimony, and child support; and
- ii. Net income derived from a business after reasonable deductions for expenses, depreciation, taxes, and similar allowances.
- iii. For Qualified Elderly, retirement and/or pension income, regardless of origin, is considered Earned Income.

b. Household Income - combined Gross Income of all individuals in the Household.

c. Unearned Income - income derived from investments, rental property, trusts, inheritance, etc. and any other passive activity.

d. Gross Income - the total of all income from whatever source before deductions.

1.43 INCOME ELIGIBILITY TIER - the specification and limits of Household Income that applies to a particular Housing Unit.

1.44 INDIVIDUAL WITH A DISABILITY- has the same meaning as set forth in the federal "Americans with Disabilities Act of 1990", 42 U.S.C. sec. 12131, and its related amendments and implementing regulation, as amended, which currently defines a person with a disability as "Any person who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such impairment; or is regarded as having such an impairment." (see also, Mobility Disabled Person).

1.45 INITIAL SALES PRICE - the sale price for a Housing Unit that is recorded as the Original Purchase Price [OPP] of that Housing Unit at the time the original Deed Restriction for the Housing Unit is executed and recorded in the County Clerk and Recorder's Office.

1.46 JOINT TENANCY - ownership of real estate between two or more parties who have been named in one conveyance as joint tenants. Upon the death of one tenant, surviving joint tenant(s) have the right of survivorship.

1.47 LAND CONTRIBUTOR - the entity that provided the land upon which the Rural Homes, For Sale, For Locals Project was built.

- 1.48 LAND CONTRIBUTOR UNITS - those deed-restricted properties that have been designated for purchase by the Land Contributor. A Land Contributor Unit is a Housing Unit.
- 1.49 LANDLORD - the owner of the Housing Unit, who, in an exchange for rent, leases the entire Housing Unit or a room in the Housing Unit to another individual known as the Tenant.
- 1.50 LEASE - a written agreement between an Owner/Landlord and a Tenant/Tenant Household that creates a Leasehold Interest.
- 1.51 LEASEHOLD INTEREST - a less than Fee Simple Estate that a Tenant possesses in real property.
- 1.52 LEAVE OF ABSENCE - an Exception from the requirement that a Qualified Household maintain the Housing Unit as its primary place of residence granted according to the Exception Procedure in Section 5.2.4.1.
- 1.53 LIABILITIES - the total amount owed to other persons including loans, liens, accounts payable, and other financial obligations as defined by generally accepted accounting practice.
- 1.54 LONG-TERM RENTAL - rental of a Housing Unit for any period of time equal to or greater than six consecutive months.
- 1.55 LUXURY ITEMS - are non-essential appliances, fixtures, or upgrades to a Housing Unit.
- 1.56 MAXIMUM SALE PRICE (MSP) - the maximum purchase price that can be paid by any purchaser of a Housing Unit. The MSP is not a guaranteed price, but merely the highest price an Owner may obtain for the sale of a Housing Unit. The Owner's MSP is determined as defined in Sections 5.8 and 8.2.3 and according to the Covenant covering the Housing Unit.
- 1.57 MINIMUM WORK STANDARD - in order to meet the Minimum Work Standard, a person must work 1,200 hours per year by working physically within the Ouray School District R-1 boundaries no less than eight (8) of every twelve (12) months on a rolling twelve (12) month basis AND during the qualifying eight (8) months must work at least forty (40) hours per month.
- 1.58 MOBILITY DISABLED PERSON - a person who is an Individual with a Disability and who suffers from a long-term limitation in independent, purposeful physical movement of the body or of one or more extremities.
- 1.59 MORTGAGEE - any bank, savings and loan association, or any other institutional lender that is licensed to engage in the business of providing purchase money mortgage financing for residential real property and that is the beneficiary of a deed of trust or the mortgagee under a mortgage encumbering the Housing Unit.

- 1.60 NET WORTH - the estimated sum of the assets of the Qualified Owner and/or Qualified Occupant and/or Qualified Household less liabilities, the term is synonymous with Net Assets.
- 1.61 NOTICE OF VIOLATION - a formal written notice from the HA or its Designee to a Housing Unit Owner, Occupant, or Tenant who may be in violation of provisions of the Deed Restriction for the Housing Unit or of the provisions of the Guidelines.
- 1.62 OCCUPANT - any person who occupies the Housing Unit as his or her Primary Residence but who has no ownership interest in the Housing Unit.
- 1.63 ORIGINAL PURCHASE PRICE (OPP) - the sale price for a Housing Unit that is recorded at the time the Covenant for the Housing Unit is executed and recorded in the County Clerk and Recorder's Office.
- 1.64 OWNER - individual(s) who has a legal right to the Housing Unit by deed, tenancy in common, joint tenancy, or tenancy in the entirety or other relationship; an individual who may have a proprietary interest in the Housing Unit, and may include any subsequent buyer, heir, devisee, transferee, grantee, or holder of title, or any portion of title, to the Housing Unit.
- 1.65 PURCHASE PRICE - all consideration paid by the Buyer to the Seller for a Housing Unit.
- 1.66 PREQUALIFICATION - a borrower's tentative written mortgage approval from a lender.
- 1.67 PRIMARY RESIDENCE - the sole and exclusive place of residence.
- 1.68 PRIORITY - the order in which Housing Units are offered to Applicant Households based on the applicable selection procedure (e.g., a lottery, waiting list). Priority is created by RH and the HA and not all Housing Units are subject to Priority.
- 1.69 PROPERTY - includes all real estate of any kind, improved or unimproved, including but not limited to land, commercial property, investment property, and residential property.
- 1.70 QUALIFICATION - the minimum standards of employment, residency and/or net assets that are applied to a Qualified Household according to the Covenant covering the Housing Unit and as defined in Sections 3 and 5.
- 1.71 QUALIFIED EMPLOYEE - an Employee who meets the Minimum Work Standard, is certified by the HA, and who maintains compliance pursuant to the Covenant and Guidelines.
- 1.72 QUALIFIED ENTITY OWNER-an Owner who is a Business Owner, Land Contributor, Local Government or Special District located in and serving the County, with a local workforce working in the School District, that has been certified as Qualified by the HA to own a Housing Unit and who has agreed to the rental restrictions set forth in the Deed Restriction and these Guidelines.

- 1.73 QUALIFIED HOUSEHOLD - all Owners and Occupants who meet the requirements of Sections 3 and 5 who are certified by the HA to own and/or occupy the Housing Unit according to the terms and conditions of the Deed Restriction and Guidelines and who maintain compliance pursuant to the Covenant and Guidelines.
- 1.74 QUALIFIED OCCUPANT - a person who meets the requirements of Sections 3 and 5 to occupy the Housing Unit, who is certified by the HA, and who maintains compliance pursuant to the Covenant and Guidelines. Entity Owners shall not be considered Qualified Occupants.
- 1.75 QUALIFIED OWNER - a person who meets the requirements of Sections 3 and 5 at the time that they take initial ownership interest or transfer of interest in a Housing Unit, is certified by the HA, and who maintains compliance pursuant to the Covenant and Guidelines. Entity Owners may be considered Qualified Owners subject to the Covenant and Guidelines.
- 1.76 RIGHT OF FIRST REFUSAL: a provision in a lease or other agreement that gives a potentially interested party the right to buy a property before the seller negotiates any other offers.
- 1.77 SALE - a sale is the exchange of a Housing Unit for an agreed amount of money in a single transaction in which title to the Housing Unit is transferred to a new Qualified Household.
- 1.78 SELF-EMPLOYED - a person who carries on a trade or business as a sole proprietor or independent contractor who is working for oneself as a freelancer rather than for an employer including part-time business or a member of a partnership that carries on a trade or business.
- 1.79 SELLER - a person who owns and is selling a Housing Unit.
- 1.80 SELLER'S LISTING CHECKLIST - the list of items required to be in good order as defined in the "Minimum Standards" required for a sale at Maximum Sale Price (Section 6.8).
- 1.81 SELLER'S PROPERTY DISCLOSURE - the residential form approved by the Colorado Real Estate Commission and customarily required in transactions involving the purchase and sale of residential real estate in the State of Colorado.
- 1.82 SCHOOL DISTRICT – the Ouray School District R-1, the school district in which the Housing Unit is located.
- 1.83 SCHOOL DISTRICT PERSONNEL - any Full-time Employee, including independent contractors, of the Ouray School District R-1 who provides health, educational, administrative, social, psychological, custodial, food service, transportation, law enforcement, or childcare services.
- 1.84 SHORT-TERM RENTAL - rental of a Housing Unit for any period of time less than thirty (30) consecutive days.

- 1.85 SPECIAL DISTRICT- is a quasi-municipal corporation and political subdivision of the State of Colorado formed to provide necessary public services that the county or municipality cannot otherwise provide. The formation and operation of a special district is governed by Title 32 of the Colorado Revised Statutes and other applicable laws.
- 1.86 TENANT - a person who has the temporary use and occupancy of real property owned by another subject to the Guidelines.
- 1.87 TOWN - the Town or City in which the Housing Unit is located.
- 1.88 TRANSFER - an act of a Party, or of the law, by which the title to the Housing Unit is wholly or partially transferred to another; including but not limited to the sale, assignment voluntary or involuntary transfer, or transfer by operation of law (whether by deed, contract of sale, gift, devise, bequest, trustee's sale, deed in lieu of foreclosure, or otherwise) of any interest in the Housing Unit, including but not limited to a fee simple interest, a joint tenancy interest, a tenancy in common, a life estate, a leasehold interest or any interest evidenced by a land contract by which possession of the Housing Unit is transferred and Owner retains title, except that, this definition does not include any transfer of an interest by the Housing Authority.
- 1.89 UNIMPROVED RESIDENTIAL PROPERTY - vacant property, which is restricted solely to residential uses, and uses accessory thereto, as defined in the applicable Land Use Code.

2. PURPOSE AND APPLICABILITY

The purpose of the Guidelines is to provide a comprehensive and consistent set of provisions that apply to housing created by Rural Homes: For Sale, For Locals and the Housing Authority.

Every sale or rental of a Housing Unit shall be subject to the Deed Restriction and Guidelines in effect at the time of sale or rental. Owners and Tenants are subject to the Guidelines in effect and as amended during their ownership or lease.

Violations of these Guidelines are violations of the Deed Restriction and are subject to the penalties adopted for such violations in addition to remedies provided herein.

These Guidelines are considered regulations in order to control and enforce the applicable RH Deed Restriction and have the force and effect of law and can be enforced by the Beneficiaries and the HA or its authorized agents and/or representatives. These rules have binding effect on all individuals and courts.

3. HOUSEHOLD QUALIFICATION and ELIGIBILITY

A Qualified Owner or a Qualified Household must maintain its Qualification continuously as long as it owns, rents, or occupies the Housing Unit.

3.1 Household Initial Qualification. Qualified Owners and Qualified Households must meet each of the following requirements for initial purchase or occupancy as described below in the following sections:

- 3.1.1 Minimum Work Standard
- 3.1.2 Earned Income Standard
- 3.1.3 Residency Standard
- 3.1.4 Property Ownership Standard
- 3.1.5 Net Assets Standard

3.1.1 Minimum Work Standard.

3.1.1.1 Qualified Employee. At least one member of the Household who is an Owner shall be a Qualified Employee who must demonstrate and verify 1,200 hours of employment physically performed in the School District boundaries for a minimum of forty (40) hours per month for at least eight (8) of the previous twelve (12) months immediately prior to submission of an application or provide verifiable intent to physically perform 1,200 hours of work in the School District boundaries within twelve (12) months of application at a minimum of forty (40) hours per month for eight (8) of the next twelve (12) months.

3.1.1.2 Exemptions. Those who have been determined by HA to be Qualified Elderly or Qualified Individual with a Disability as defined below, prior to application for ownership or rental, as well as Immediate Family and Dependents of a Qualified Employee are exempt from the required employment hours.

3.1.1.2.a Qualified Individual with a Disability – Those persons with a disability may apply to be Qualified Individual with a Disability by providing a verifiable history of employment meeting the Minimum Work Standard on a rolling twelve (12) month basis for at least five (5) of the seven (7) years within the County immediately prior to application for Qualified Individual with a Disability as defined. Note: Persons with a disability who cannot meet this exemption standard may request an Exception under §11.1.3

3.1.1.2.b Qualified Elderly – Those who are 65 years or older may apply to be Qualified Elderly by providing a verifiable history of employment meeting the Minimum Work Standard on a rolling twelve (12) month basis for at least five (5) of the seven (7) years within the County, immediately prior to application for Qualified Elderly as defined.

3.1.1.3 Exception. Employees who are employed by a business located in the School District boundaries with a workforce physically located within the School District boundaries and who are required to perform tasks outside the School District boundaries, may apply for an Administrative Exception to the “physically performed” requirement, §1.1.1 above.

3.1.2 Earned Income Standard.

3.1.2.1 Total Household Earned Income must be at least 75% of the total Household Income. Unearned Income cannot exceed 25% of total Household Income.

3.1.2.2 Households must qualify for the AMI standard associated with the Housing Unit and show proof of Income not to exceed the income range allowed for the Housing Unit.

3.1.2.2a For purposes of Initial Qualification under this standard for Applicants who do meet the local Minimum Work Standard, the HA shall examine historical data. Historical data is a hybrid of previous year's tax returns and current year-to-date employer payment information that creates a total income for the twelve-month period immediately prior to the application submittal. All other income received or earned in the same twelve-month period is included in the income total.

3.1.2.2.b For purposes of Initial Qualification under this standard for Applicants who do **not** meet the local Minimum Work Standard and who provide verifiable intent to work, the HA shall use prospective information and income related to the applicant's employment in the School District going forward. The start date of the “intent to work” shall begin the twelve-month period of analysis, including anticipated income from all sources.

3.1.2.3 Applicant representations of Gross Income are subject to verification and evaluation of reasonableness by HA.

3.1.2.4 The following are exempt from the Earned Income Standard:

3.1.2.4.a Those who are Qualified Individual with a Disability per the provisions of Section 3.1.1.2.a; and

3.1.2.4.b. Those who are Qualified Elderly per the provisions of Section 3.1.1.2.b.

3.1.3 Residency Standard. Applicants purchasing a Housing Unit are not subject to a prior residency requirement but must intend to, and in fact, occupy the Housing Unit as their sole and Primary Residence.

3.1.4 Property Ownership Standard.

3.1.4.1 At the time of application, a Household may own other improved or unimproved residential or commercial property, however, Applicant must enter into an Intent to Sell Agreement for all Improved Residential Property located within a one-hundred and fifty (150) mile radius from the Housing Unit. Further all Improved Residential Property must be listed for sale within seven days of taking title to the Housing Unit and sold for fair market value within one year of taking title to the Housing Unit.

3.1.4.2 Households that desire to acquire Improved Residential Property located within a one-hundred and fifty (150) mile radius from the Housing Unit after taking ownership of a Housing Unit must apply for and be granted an Exception prior to taking ownership of the additional property.

3.1.4.3 Households that desire to retain Improved Residential Property located within a one-hundred and fifty (150) mile radius from the Housing Unit after taking ownership of a Housing Unit must apply for and be granted an Exception before purchasing the Housing Unit.

3.1.5 Net Assets Standard.

3.1.5.1 Total Household Net Assets shall not exceed three (3) times the Original Purchase Price (“OPP”) of the Housing Unit. All Household members’ shares of business assets, including real estate, shall be included in determination of the Household Net Assets.

3.1.5.2 Disposition of Assets. Any member of a Household who has assigned, conveyed, transferred, or otherwise disposed of property or other assets within the last two (2) years without fair consideration in order to meet the net asset limitation or the property ownership limitation shall be ineligible to purchase a Housing Unit.

3.2. Household Eligibility Criteria.

3.2.1 Income Eligibility Tiers. Households must meet Income Eligibility Tiers in addition to the Household Initial Qualification criteria. Eligibility criteria may differ between units that are targeted to different Tiers, as defined in Appendix A, and as designated in the Covenant.

The existence of more than one Eligibility Tier does not guarantee that the HA will construct or otherwise make available housing in that Tier.

3.2.2 Household Size. The total number of people in a Household shall not be less than the following Minimum Household Sizes or exceed the Maximum Household Sizes:

Unit Type:*	Minimum Household Size:	Maximum Household Size
Studio/1 Bedroom	1 person	3 persons
2 Bedroom	1 person	4 persons
3 Bedroom	2 persons	6 persons
4 Bedroom	3 persons	8 persons

*this chart does not guarantee houses will be built or available in all listed types.

3.2.2.a If Declarant’s Household Size falls below the minimum size required, Declarant shall rent a room to a Qualified Tenant pursuant to the Covenant and Guidelines.

3.3 Qualified Entity Owners. Qualified Entity Owners shall be exempt from the Initial Qualification Standards and Eligibility Criteria. Tenants of all Qualified Entity Owner Housing Units shall meet the requirements above as required by Section 7, below.

4. INITIAL HOUSEHOLD APPLICATION PROCESS

4.1 Application Process. Applications for qualification shall be made to HA. HA may request any combination of documentation reasonably related to proof of income, assets, and employment. Household shall sign a release of information so that HA may obtain such information. HA will require a sworn statement of the facts contained in the application including at least the following certifications:

4.1.1 That the facts contained in the application are true and correct to the best of the Applicant’s knowledge; that the Applicant has been given the standard application information packet by HA; and

4.1.2 That the Applicant, on the basis of the application presented, believes that the Household qualifies to occupy the Housing Unit in question according to the Deed Restriction, these Guidelines and all other applicable procedures, rules, and regulations.

4.1.3 Any material misstatement of fact or deliberate fraud by the Household in connection with any information supplied to HA shall be cause for immediate expulsion from the application process and/or forced sale or vacation of the Housing Unit.

4.1.4 Qualified Entity Owners. Qualified Entity Owners shall have a streamlined application process which may vary among entity type.

4.2 Homeowners Associations. The Housing Unit is not currently subject to a homeowner's association ("HOA"). However, HOAs and related dues are authorized in Colorado under Colorado Revised Statutes §38-33.3-101 et seq. If an HOA is formed and applicable, all Owners of Housing Units are required to timely remit payment of HOA dues. It is the Household's responsibility to be aware of any HOA dues or interest charges.

5. CONTINUING HOUSEHOLD QUALIFICATION AND COMPLIANCE VERIFICATION

5.1 Maintaining Qualified Household Status. HA requires Households, including all occupants of Housing Units, to maintain Qualified Household status on an on-going basis.

5.1.1 Changes to Households. Changes to Qualified Households impact ongoing qualifications and may jeopardize qualification, such as a pending separation or divorce, the death of a Household member, or departure of a Household member, and the addition of Immediate Family members. All changes to the Household shall be reported to HA within thirty (30) days of said change. HA will make every effort to maintain stable housing for Households in transition but shall require the Household to come into compliance within a reasonable period prior to issuing a Notice of Violation.

5.1.2 Compliance Checks. In order to verify compliance with Deed Restrictions and the Guidelines, HA will conduct regular Compliance Checks and may initiate them to investigate complaints or reports of non-compliance. Any on-site Housing Unit inspection is subject to a twenty-four (24) hour notice requirement.

5.1.3 Verification of Qualification. HA shall require Households to verify that they remain a Qualified Household within twenty-one (21) days of a written notice of Compliance Check or a penalty will be assessed (see Appendix E). A sworn statement of the facts required for maintaining Qualified Status shall be required as detailed in Section 4 for initial Compliance Check submissions.

5.2 Qualified Household Continuing Requirements. Verification of the following shall be required:

5.2.1 Continuing Minimum Work Standard.

5.2.1.1 At least one member of the Household must be a Qualified Employee who meets the Minimum Work Standards.

5.2.1.2 Qualified Elderly, Qualified Individual with a Disability and Immediate Family of Qualified Employees are exempt from the continuing Minimum Work Standard.

5.2.2 Continuing Earned Income Standard.

5.2.2.1 Household shall meet the Earned Income Standard, Section 3.1.2.1.

5.2.3 Continuing Net Income Standard.

5.2.3.1 Household Net Income shall not be considered for ongoing qualification for Owners.

5.2.3.2 Tenant Households shall continue to meet the Earned Income Eligibility Tier as designated by Appendix A.

5.2.4 Continuing Residency Standard. Qualified Households shall occupy the Housing Unit for at least eight (8) of every twelve (12) months on a rolling twelve (12) month basis.

5.2.4.1 Leave of Absence. In the event a Household wishes to not occupy the unit for more than four (4) months, the Household may apply to HA for a Leave of Absence for a term not to exceed two (2) years. The Household must provide clear and convincing evidence showing both a bona fide reason for leaving and a commitment to re-occupy the Housing Unit. HA shall condition the granting of the Leave of Absence on the Household offering the Housing Unit for rent to a Qualified Household, during the period of the requested leave. HA may include conditions on the Leave of Absence, as it deems necessary. Applications for a Leave of Absence shall be made to HA according to the Exceptions Procedure in Section 11.1. Short-term rental of Housing Units is otherwise prohibited.

5.2.5 Ownership of Improved Residential Property. Household is prohibited from ownership of other Improved Residential Property located within a one-hundred and fifty (150) mile radius from the Housing Unit unless the HA approves an Exception, see Section 11.1.

5.2.6 Household Net Assets. Household Net Assets shall not exceed three (3) times the Initial Sales Price of the Unit.

5.2.7 Household Size. Minimum and Maximum Household Size are on-going requirements. See Section 3.2.2, above.

5.3 Qualified Entity Owners. Qualified Entity Owners shall be subject to verification of Qualification of Entity Status. Tenants of all Qualified Entity Owner Housing Units shall meet all continuing requirements of the Covenant and Guidelines. Failure to do either or both is a material breach of the Covenant.

6. SALE AND RESALE OF HOUSING UNITS

The initial sale of all Housing Units shall be in accordance with applicable lottery, wait list or other selection procedures as determined by the HA.

6.1 **Notification Required.**

6.1.1 Written notice to HA shall be required for any pending change in financing or ownership of a Housing Unit. Failure to timely notify HA is considered a serious breach of the Deed Restriction and violation of the Guidelines and shall be subject to a Notification Required Penalty (see Appendix E) for each day the failure to notify persists.

6.1.2 Notice of Intent to Sell a Housing Unit must be given at least sixty (60) days prior to the sale of the unit on notice forms available from HA.

6.1.3 Notice of transfer of any interest in a Housing Unit must be given at least thirty (30) days prior to the transfer and will require the execution of a new Deed Restriction.

6.1.4 Notice of refinancing of a Housing Unit must be given at least thirty (30) days prior to closing of the loan.

6.2 Consult with HA. Sellers are advised to consult with HA prior to offering a Housing Unit for sale, in order to obtain the most current information about applicable Guidelines and processes, and to verify the Maximum Sale Price and other applicable provisions of the Deed Restriction concerning the Sale.

6.3 Independent Legal Counsel. All Sellers and Buyers of Housing Units are advised to consult independent legal counsel regarding the examination of title and all contracts, agreements, and title documents. The retention of such counsel, or related services, shall be at Buyer's and Seller's own expense.

6.4 Title Company. HA advises Buyers to use a local title company and escrow agent with experience in closings of Housing Units to close the sale transaction. The title documents involved in the closing of Housing Units are unique and technical. Mistakes in the closing documents are easily made and difficult to correct. Seller shall authorize HA to review the conveyance documents prior to closing.

6.5 Sales Fee. After the initial sale, at the closing of the sale, the Buyer, will pay to HA a fee equal to 1% of the sales price. HA may instruct the title company to pay such fees out of the funds held in escrow at closing. The sales fee is waived for the sale from the developer to the first purchaser. HA may also waive the fee, or a portion thereof, in its sole discretion, to promote affordable housing. Fees due to HA shall be paid regardless of any action or services that the Buyer or Seller may undertake or acquire.

6.6 Beneficiaries with the Right to Acquire Ownership. Upon Owner's Notice of Intent to Sell, or upon exercise of Notice of Election to Require Sale as defined in the Covenant, Section 10.3, or if an Owner receives any offer to purchase or tenders any offer of sale for the Housing

Unit either of the Beneficiaries, or their successors, shall be notified within five (5) days of such event and have the Right of First Refusal to purchase the Housing Unit for the Maximum Sale Price or at the offered sales price outlined in the Covenant, Section 7.3.

6.7 Resale Options. Sellers of Housing Units have the following options for advertisement and marketing of their units:

6.7.1 Seller may advertise, market, and sell a Unit directly, or list the Unit with a real estate broker licensed to do business in the State of Colorado provided that:

6.7.1.1 The Buyer meets the Qualified Household requirements of Section 3;
and

6.7.1.2 In all events the HA will assist the Seller as it is able.

6.8 Maximum Sales Price.

6.8.1 Maximum Sale Price as Only Exchange of Value. The Maximum Sale Price of the Housing Unit shall be calculated according to its Deed Restriction. In no case shall any Housing Unit be sold for more than the Maximum Sale Price. The contracted sale price shall be the only exchange of value between parties to any sale of the Housing Unit. Both Buyer and Seller must execute a sworn statement affirming that the contracted sale price is the only exchange of value in the sale. Any exchange of value outside the contract sale price shall invalidate the sale in addition to being a violation of applicable provisions of Colorado law that provide for additional civil and criminal remedies.

6.8.2 Minimum Standards for Maximum Sale Price. The Owner, Buyer and HA should work together in addressing repairs necessary to bring a Housing Unit to Minimum Standards for Maximum Sale Price. Owners and Buyers shall use the following checklist of Minimum Standards for a sale at Maximum Sale Price (Seller's Listing Checklist), including but not limited to:

- Clean, odor-free interior;
- Carpets steam-cleaned within seven (7) days of closing;
- Surface scratches, marks, holes in doors, floors, walls, woodwork, cabinets, counter tops, other than normal wear and tear, repaired;
- Walls in good repair and paint-ready;
- Windows and window locks in good repair;
- Broken windowpanes replaced;
- Window screens in place and in good repair;
- Doors and door locks in good repair; keys for all locks must be delivered at closing;
- Light fixtures, outlets, switches secure and in working order;
- Plumbing in good repair with no leaks;
- Tile grout in good repair and clean;
- Roof in good repair with no leaks (if home is a single-family) including an expected remaining life of ten years; and
- Safety hazards resolved.

6.9 Mitigation of Repairs.

6.9.1 HA shall conduct a walk-through of the Housing Unit for purposes of verifying the Seller's Listing Checklist and identifying necessary repairs pursuant to Section 6.8. The Seller shall make identified repairs to bring the unit to Minimum Standards for Maximum Sale Price prior to closing.

6.9.2 If a unit does not meet the Minimum Standards, HA may, at its discretion, require:

- 6.9.2.1 That the cost of necessary repairs be deducted from the closing sale price; or
- 6.9.2.2 That a credit be required from the Seller to the Buyer; or
- 6.9.2.3 That the Seller places into escrow the funds necessary to ensure satisfactory repairs, the balance of which, after necessary repairs, shall be returned to the Seller.

6.9.3 Buyer is strongly encouraged to hire, at its own expense, a licensed inspector to conduct a thorough inspection of the Housing Unit.

6.10. Disclosure of Relevant Contracts and Information.

6.10.1 Both Buyer and Seller of any Housing Unit must sign a release of information allowing HA to obtain copies of all documents relevant to the sale and must disclose all relevant information known to them. All financial information shall remain confidential except as noted in Section 12.1.

6.10.2 Relevant documents include but are not limited to:

- 6.10.2.1 The sales contract for the Housing Unit;
- 6.10.2.2 The Buyer's application for financing and related documentation; and
- 6.10.2.3 Title and escrow documents related to the sale.

6.10.3 Sellers must inform Buyers of any proposed or pending increases in homeowner association dues, as well as any proposed or pending assessments, if any.

6.11 Permitted Capital Improvements. Permitted Capital Improvements, as defined in Section 1.9 provide a long-term upgrade or improvement to the Housing Unit. Permitted Capital Improvements shall NOT include luxury items, upgrades for esthetic or personal preference, landscaping, or cost associated with ordinary repair, replacement, and maintenance.

Ordinary Repair and Maintenance including roof repair and replacement, siding repair and replacement, driveway repair and replacement, and other similar maintenance cost are not considered Capital Improvements. Labor costs provided by the Owner may be authorized for up to 50% of the Permitted Capital Improvements upon approval by the HA.

It is the Owner's responsibility to secure any approval necessary from the Housing Unit's homeowners association and HA prior to undertaking any Capital Improvements.

6.11.1 ADUs and Capital Improvements. The new construction of an ADU, where permissible, will not be included in the Capital Improvement calculation for the Housing Unit. It will, however, impact the MSP based on criteria established by the HA.

7. RENTAL PROCEDURES

There are two types of Rental Procedures. One for the rental of the entire Housing Unit and one for a partial rental.

7.1 **Entire Housing Unit.**

7.1.1 Owner Occupied Units: Owners of Housing Units may, in some instances, be permitted to rent their entire Housing Unit. Households interested in renting the entire Housing Unit shall apply to and be qualified by the HA under the standards delineated in Section 3. HOUSEHOLD QUALIFICATION, ELIGIBILITY AND PRIORITY.

7.1.2 Qualified Entity Owner Units: Qualified Entity Owners are required to rent their Housing Units and all applicants interested in renting the Housing Unit shall apply to and be qualified by the HA under the standards delineated in Section 3. HOUSEHOLD QUALIFICATION, ELIGIBILITY AND PRIORITY. Qualified Entity Owners must fulfill the Minimum Household Size and not exceed the Maximum Household Size (Section 3.2.2 Chart). Qualified Entity Owners may rent to unrelated/non-Household applicants and treat each as a separate Household for purposes of qualification as described in 7.2 Room Rental, below.

7.1.3 All other rules and regulations apply to Qualified Entity Owners Housing Units.

7.2 Room Rental. For purposes of qualification for room rental in an Owner-occupied Unit, each room rental shall be considered independently, and Tenant Household's income and assets shall not be included in the Owner's Household for income and asset qualification purposes. However, rental income shall be considered Unearned Income for the Owner/Landlord.

Tenant Household requirements for room rentals:

7.2.1 At least one member of the Tenant Household, who is not part of the Immediate Family of the Owner, must be a Qualified Employee; and

7.2.2 Tenant Households shall meet the Minimum Work, Earned Income, Residency, Property Ownership and Net Assets Standards; and

7.2.3 Tenant household Income Eligibility shall be determined by the Housing Unit's Income Eligibility Tier (see Appendix A) at time of initial tenancy.

7.3 General Provisions for all Rentals. In this section, Tenant refers to Households that rent an entire Unit and Tenant Households renting a room in a Unit.

7.3.1 Tenant shall meet the Income Eligibility Criteria designated by the Housing Unit's Income Eligibility Tier (see Appendix A).

7.3.2 Maximum Rental Rate per Housing Unit is set by the HA and shall not exceed the rental rate for the same number of bedrooms designated by the Housing Unit's Income Eligibility Tier (see Appendix A).

7.3.3 Maximum Rental Rate per room is set by the HA and shall not exceed studio/one-bedroom rental rate designated by the Housing Unit's Income Eligibility Tier (see Appendix A).

7.3.4 Tenant Qualification shall be certified by HA prior to tenancy and/or the signing of a Lease.

7.3.5 Tenant Qualification shall be recertified by HA yearly at Lease renewal and any time there is a change in Household/Tenant Household.

7.3.6 Landlords must obtain proof of qualification from Tenant prior to occupancy.

7.3.7 Rental of Housing Units must be memorialized by a written Lease.

7.3.8 Leases must be for a minimum of six months with a maximum of twelve months.

7.3.9 Landlords shall provide a copy of the fully executed Lease with Tenant to HA within seven (7) days of its execution.

7.3.10 Executed copies of Leases shall be on file with HA at all times during the period in which rental of the Housing Unit is required or has been approved.

7.3.11 A sublease to a Qualified Employee is allowed upon approval of the Owner and of HA.

8. DEED RESTRICTION COVENANT

8.1 **Deed Restriction Applied with Each Transfer.** A Deed Restriction shall be applied prior to or concurrent with each Sale or Transfer of a Housing Unit. Original executed and recorded documents will be maintained by HA. Provisions herein further defining the Deed Restriction are a summary of significant policies and should not be considered the complete authority. Sellers and Buyers are advised to consult the Deed Restriction for the Housing Unit for complete specific language, which is the final authority for that Housing Unit.

8.2 **Specifications of the Deed Restriction.**

8.2.1 **The Original Purchase Price ("OPP").** Each Housing Unit Sale generates a new OPP and necessitates execution of a new Deed Restriction.

8.2.1 **The designated Income Eligibility Tier for the Housing Unit.**

8.2.3 **The method of calculation of the allowed Maximum Sale Price ("MSP").** MSP shall be the OPP specified in the Deed Restriction plus an increase in price of three

percent 3%) per year from the date of purchase to the date of Owner's Notice of Intent to Sell (compounded annually and prorated at the rate of .25 percent per each whole month of any part of a year);

PLUS, the costs of any public improvements for which assessments were imposed by a government entity since the recording date of the Deed Restriction; PLUS, the costs of Permitted Capital Improvements, not to exceed ten percent (10%) of the OPP, provided that:

8.2.3.1 Improvements are pre-approved by HA prior to commencement of any work or installation to be considered in the calculation of the MSP.

8.2.3.2 Proof of homeowner's association approval, if any, must be provided to HA prior to commencement of work.

8.2.3.3 Improvements must be properly permitted and inspected by the Town or County Building Official, if applicable.

8.2.3.4 LESS the Depreciation on Permitted Capital Improvements; PLUS, any other reasonable costs allowed by HA pursuant to Guidelines in effect on the date of Owner's Notice of Intent to Sell.

8.3 Home Occupations. The Housing Unit may be used in a Home Occupation if:

8.3.1 Home Occupation complies with applicable land use regulations;

8.3.2 HOA approval of the specific Home Occupation, if applicable;

8.3.3 The business holds a current business license, if applicable; and

8.3.4 The business holds current sales and excise tax licenses, if applicable.

8.4 No Guarantee of MSP. Neither HA nor the Beneficiaries make any guarantees of the owner's ability to sell the housing unit for its MSP or rent the housing unit for its maximum rental rate.

8.5 Violation of Deed Restriction. Violation of any of the covenants, conditions and terms of the Deed Restriction shall also be a violation of these Guidelines whether or not a corollary provision exists.

8.6 Deed Restriction Binding. The Deed Restriction shall be binding on all Owners, successors and assigns including any holder of a deed in lieu of foreclosure.

8.7 Recording of Deed Restriction. The Deed Restriction and any amendments thereto must be recorded in the property records of the County. The original executed and recorded documents must be delivered to HA.

8.8 Deed Restrictions may not be transferred off the Housing Unit.

8.9 All Deed Restrictions must be prepared by HA. No modification or amendment to the Deed Restriction shall be effective unless agreed to in writing by HA and other Parties.

9. LENDERS AND LOANS

9.1 Purpose. RH intends to meet the following goals in the facilitation of individual mortgage financing for Housing Units:

9.1.1 Protect the public investment and regulatory integrity of RH in the short and long term;

9.1.2 Minimize financial and other risks to HA and RH by prohibiting excessive debt or other obligations from being secured by Housing Units;

9.1.3 Minimize the chance that Owners will create a financial risk for HA through creation of debt or other secured obligations against their Housing Unit; and

9.1.4 Increase the potential financing opportunities for Applicants and Owners.

9.2 Lenders and Mortgages. Borrowers are restricted to either conventional or government guaranteed mortgages with a fixed rate from commercial banking and lending institutions authorized to engage in mortgage lending practices in the State of Colorado. All other mortgages will require an Exception from HA prior to purchase of a Housing Unit.

9.3 Total Debt. Prior to and continuing after closing on a Housing Unit, Owners shall not incur debt, judgments, liens, or other obligations secured by the Housing Unit and in no event shall any obligation secured by the Housing Unit exceed the total Original Purchase Price of the unit. This limitation shall apply also to any refinance of existing debt secured by the Housing Unit. Owners must notify HA prior to finalizing any refinancing of the Housing Unit. Failure to notify HA shall be subject to a penalty (see Appendix E).

9.4 Co-Borrower or Co-Signor. Co-borrowers or Co-signors who are not part of the Qualified Household must apply and be approved through the Exception Procedure (Section 11). Approved Co-borrowers and Co-signors shall be required to sign a separate agreement to sell the Housing Unit in the event the Qualified Owner becomes an Unqualified Owner, is in default under its Deed Restriction or the Guidelines or is otherwise required to sell the Housing Unit. Such Co-signors and co-borrowers shall not occupy the Housing Unit unless qualified by HA.

10. OWNERSHIP LOTTERIES

The purpose of these Lotteries is to create a fair and orderly process for offering Units for sale to qualifying Households and give purchase priority to those identified in the Lottery Point System Criteria, Appendix C.

10.1 Ownership Lottery Procedure.

10.1.1 HA shall establish a procedure for ownership lotteries for initial sales of RH as subject to these Guidelines and may establish ownership lotteries for subsequent sales as necessary.

10.1.2 HA shall open an ownership lottery as follows:

10.1.2.1 Notice of the date, time, and location at which applications will be taken shall be published as a Legal Notice in a newspaper of general circulation in the region. Such notice shall be published at least twenty-one (21) days prior to the close of the application period, which application period shall be a minimum of fourteen (14) days.

10.1.2.2 Application and information materials shall be available at the time of publication of the Legal Notice at locations and web sites announced in the Notice.

10.1.3 Lottery Application Process and Applicant Responsibilities.

10.1.3.1 Complete lottery application.

10.1.3.2 Households interested in purchasing a Housing Unit must submit an application to the HA, or its designee. All members of a Household over eighteen years of age must submit the required information necessary to determine qualification and eligibility.

10.1.3.3 A Household must submit a letter from a mortgage lender, stating the Household's ability to pre-qualify for a mortgage.

10.1.3.4 In order to participate in a lottery, Households must sign the sworn statement described in Section 4.

10.1.3.5 If a Household cannot sign the sworn statement, or if a Household does not provide HA with information required to process the application, then it will not be eligible to be entered into the lottery.

10.1.3.6 HA shall rely on the sworn statement of the Applicant as to the completeness and accuracy of the application for the purpose of determining eligibility to participate in a lottery.

10.2 Lottery Order.

10.2.1 HA shall only accept lottery applications during the time period specified in the Legal Notice. Mailed applications shall be considered received in the proper time period if postmarked at least two (2) days prior to the last day of the application period and received within two (2) business days after the application period closes. HA shall not be responsible for delays in the delivery of mail beyond two (2) business days after the

application period closes. Incomplete applications shall not be processed for qualification.

10.2.2 The lottery shall be executed in two rounds; First Round for all Applicants who qualify without an Exception and Second Round for all Applicants who have requested and received an Exception(s).

10.2.3 All Applicants deemed Qualified Households shall automatically qualify for entry in the lottery and placed in First Round. Any household lacking one or more of the Qualification and Eligibility Criteria will be placed on a separate list for unqualified Applicants (as further explained in Section 10.3.3.6) and placed in Second Round.

10.2.2.1 Exception requests submitted pursuant to Section 9.2 (Lending) shall not preclude Applicant from classification as a Qualified Household for purposes of the Lottery.

10.2.4 Qualified Applicants shall qualify for additional entries in the lottery according to the criteria as outlined in Appendix C or according to criteria established by RH.

10.2.5 The Lottery Point System Criteria may be modified as necessary by HA.

10.3 Lotteries are subject to the following guidelines:

10.3.1 A lottery must be conducted in a duly noticed public meeting of the HA.

10.3.2 An independent County resident with no direct stake in the lottery outcome shall be invited to draw the Applicant names.

10.3.3 Once an Applicant's name is drawn, any further instances of that Applicant's name drawn are recorded but ignored in establishing the order of Applicants.

10.3.4 The results of the lottery shall be posted and certified by the resident drawing the names as soon as practically possible after the drawing.

10.3.5 The order in which Applicant names are drawn in the lottery shall determine the order in which Applicants are contacted to purchase the Housing Units offered in the lottery and for which they qualify (except for handicapped-accessible units as noted in Section 10.3.3.7).

10.3.6 These procedures will also be followed to establish the order of the unqualified Applicants. Unqualified Applicants will not be offered a Unit until all Qualified Applicants have been offered a Unit to purchase based on their preference, AMI designation and availability of Units. In addition, prior to being offered a Unit, the unqualified Applicant must have been provided an Exception per Section 11.1. These Applicants shall be placed in an "unqualified pool" for the Second Round lottery and shall be selected following the Qualified Applicants according to Sections 10.3.1- 10.3.5, above.

10.3.7 First priority for ADA handicapped accessible units shall be given to Mobility Disabled Households that submit a lottery application based on the lottery order of all Mobility Disabled Households. If there are no Mobility Disabled Households that submit a lottery application for an available handicapped accessible Unit, the Unit will be available for purchase based on the lottery order by all lottery Applicants who are Qualified Households.

10.3.8 Any material misstatement of fact or deliberate fraud by the Household in connection with any information supplied by the Household to the HA shall be cause for disqualification from lottery, fined pursuant to the Schedule of Violations and Fines and the Household will be prohibited from reapplying for any future ownership lottery for one year.

11. EXCEPTIONS, APPEALS AND GRIEVANCES.

All applications for Exceptions and Appeals and all Grievances shall be reviewed on a case-by-case basis as provided for as follows.

11.1. Request for Exception.

11.1.1 Request must be presented in writing to HA on forms available from HA, and must include a fully completed Request for Exception Form, including:

11.1.1.1 The particular ground(s) upon which the Exception is based; and

11.1.1.2 The action or remedy requested; and

11.1.1.3 The name, mailing and electronic addresses and telephone number of the exception Applicant and similar information of exception Applicant's representative, if any; and

11.1.1.4 Proof of notification of the Exception request to the Housing Unit's homeowner's association, if applicable; and,

11.1.1.5 Exception fee (see Appendix E).

11.1.2 Process. All requests for Exceptions will be reviewed by HA for completeness and handled administratively ("Administrative Exceptions") or forwarded to the HA Board for consideration at a public hearing.

11.1.2.1 Prior to consideration, HA shall prepare a written report analyzing the impact of the Exception on the Housing Program. HA shall distribute a copy of the report to the Applicant requesting the Exception and shall make the report available to the public.

11.1.3 Standards for Review of Exception Applications. Exception Applicants desiring an Exception must demonstrate, and the HA must find:

11.1.3.1 That the Exception meets the general RH policy goals; and

11.1.3.2 That the Exception meets one or more of the following review standards:

11.1.3.2.a Promotes greater affordability through decreasing the long-term operating and maintenance costs of the Housing Unit in question; enabling the Exception Applicant to take advantage of a financing opportunity that would not be available without the Exception; and/or, protecting the long-term affordability of the Housing Unit through a price control or other similar means.

11.1.3.2.b Promotes or recognizes the long-term commitment of the Exception Applicant to residency, employment, and community involvement within the County in which the Housing Unit is located or provides housing for a critical community need.

11.1.3.2.c Provides increased livability or durability in materials, finishes, fixtures or appliances or useful increased square footage (which shall not include “luxuries”).

11.1.3.2.d Creates living space for an additional member of the Household while maintaining the Income Tier for the Housing Unit

11.1.3.2.e Enables a Household to own and occupy a Housing Unit more suitable to the Household’s needs; or

11.1.3.2.f. Enables the Household to respond to life circumstances that arise beyond the reasonable control of the Household (such as need to care for an Elderly or Household member who is Individual with a Disability).

11.1.4 Exceptions shall not be granted:

11.1.4.1 To Applicants who have been issued a Notice of Violation and who remain in violation of provisions of applicable Deed Restriction or of the Guidelines.

11.1.4.2 To an Unqualified Household to purchase a Housing Unit if there is a Qualified Household that can purchase the same Housing Unit. However, if the Owner has shown a bona fide advertisement effort which shall be no less than forty-five (45) days in duration and no Qualified Household presents itself, an Exception may be considered for the Unqualified Household.

11.1.4.3 To increase the total debt against the Housing Unit in excess of the OPP.

11.1.4.4 To Households whose Net Assets exceed three times the Maximum Sales Price of the Housing Unit.

11.1.4.5 To Households whose income is in excess of 120% AMI.

11.2. Appeal Procedure.

11.2.1 Appeal Form & Process: Any Appeal must be presented in writing to HA on forms available from HA and within twenty-one (21) days of the decision or determination being appealed.

11.2.2 Appeals must include:

11.2.2.1 Verification that appellant has fully completed the application process; and

11.2.2.2 The particular ground(s) upon which the Appeal is based; and

11.2.2.3 The action or remedy requested; and

11.2.2.4 The name, address, telephone number of the appellant and similar information of appellant's representative, if any; and

11.2.2.5 Proof of notification of the Appeal request to the Housing Unit's homeowner's association, if applicable; and

11.2.2.6 Appeal fee (see Appendix E).

11.2.3 Process.

11.2.3.1 Time Deadlines: All Appeals will be reviewed by HA for completeness and forwarded to the HA Board within twenty-one (21) days from receipt of complete Appeal packet. The HA Board shall address the Appeal at the next scheduled board meeting.

11.2.3.2 Rights of Parties.

11.2.3.2.a The appellant shall be afforded a fair hearing before the HA, providing the basic safeguards of due process, including notice and an opportunity to be heard in a timely, reasonable manner.

11.2.3.2.b The HA Board may continue the hearing to a future date.

11.2.3.2.c The appellant and HA shall have the opportunity to examine all documents, records and regulations of HA that are relevant to the hearing.

11.2.3.2.d Appellant shall be responsible for all photocopying expenses.

11.2.3.2.e Any document not made available after written request may not be relied upon at the hearing. Appellant has the right to be represented by counsel.

11.2.3.2.f If the appellant fails to appear at the hearing, the HA Board may make a determination to postpone the hearing or make a determination based upon the evidence submitted.

11.2.2.3 Hearing Process.

11.2.2.3.a The hearing shall be conducted by a designated member of the HA Board, the “Hearing Officer”.

11.2.2.3.b The hearing shall be recorded.

11.2.2.3.c Oral or documentary evidence may be received without strict compliance with the Colorado Rules of Evidence.

11.2.2.3.d The right to cross-examine shall be at the discretion of the Hearing Officer and may be regulated by the Hearing Officer as it deems necessary for a fair hearing.

11.2.2.3.e Based on the hearing, the HA will provide a written decision with findings for a final determination.

11.2.2.4 Binding Determination. The final determination of the HA Board shall be binding, and HA shall take all actions necessary to carry out the decision.

11.3 Grievance Procedure.

11.3.1 Any grievance must be presented in writing to HA and include:

11.3.1.1 The particular ground(s) upon which the grievance is based;

11.3.1.2 The action or remedy requested;

11.3.1.3 The name, address, telephone number of the complainant and similar information of complainant’s representative, if any; and

11.3.1.4 Grievance fee (see Appendix E).

11.3.2 Process.

11.3.2.1 The HA Board shall address the grievance at the next scheduled board meeting.

11.3.2.2 The complainant shall be afforded a fair hearing providing the basic safeguards of due process, including notice and an opportunity to be heard in a timely, reasonable manner.

11.3.2.3 HA Board may continue the hearing to a future date.

11.3.2.4 The complainant and HA shall have the opportunity to examine all documents, records and regulations of HA that are relevant to the hearing.

11.3.2.5 Complainant shall be responsible for all photocopying expenses.

11.3.2.6 Any document not made available after written request may not be relied upon at the hearing.

11.3.2.7 Complainant has the right to be represented by counsel.

11.3.2.8 If the complainant fails to appear at the hearing, the HA Board may make a determination to postpone the hearing or make a determination based upon the evidence submitted.

11.3.3 Hearing.

11.3.3.1 The hearing shall be conducted by a designated member of the HA Board, the "Hearing Officer".

11.3.3.2 The hearing shall be recorded. Oral or documentary evidence may be received without strict compliance with the Colorado Rules of Evidence.

11.3.3.3 The right to cross-examine shall be at the discretion of the Hearing Officer and may be regulated by the Hearing Officer as it deems necessary for a fair hearing.

11.3.3.4 Based on the records of the hearing, the HA Board will provide a written decision with findings to support the final determination.

11.3.4 Binding Determination. The final determination of the HA Board shall be binding, and HA shall take all actions necessary to carry out the decision.

12. ADMINISTRATIVE PROCEDURES

12.1. Confidentiality. All personal and financial information provided to HA will be kept strictly confidential, except as follows:

12.1.1 Signed contracts between the Applicant or Household and HA or RH, including but not limited to Contracts to Purchase a Housing Unit, Deed Restrictions, any document to be recorded with the sale of the Housing Unit along with the Deed Restriction, and any document that would customarily be a matter of public record in the property records of the applicable jurisdiction;

12.1.2 The names and lottery positions of all persons who have participated in any ownership lottery held per Section 10;

12.1.3 Any other information that a court of competent jurisdiction orders must be released under the Freedom of Information Act or the Colorado Open Records Act;

12.1.4 Personal and private information necessary for an independent audit of HA records, provided such person or entity provides authorization;

12.1.5 Personal and private information to the extent HA determines the information is necessary for its deliberation of a request for an Exception or for consideration during a violation hearing;

12.1.6 HA may require third-party verification for all self-employed Applicants at initial qualification and during compliance checks; and

12.1.7 HA may employ outside accounting expertise to evaluate the reasonability of an Applicant's or Household's representations of Income and Assets. The expense for outside services shall be borne by the Applicant or Household.

12.2 **Fair Housing Standards.** HA shall administer this policy in compliance with all applicable fair housing standards, including but not limited to the Fair Housing Act. These standards prohibit discrimination in housing on the basis of age, race, color, religion, sex, or sexual identity, familial status, national origin, and handicapped or disabled status. In addition to any remedies available in the applicable law, any dispute between an Applicant and HA regarding these standards may be filed as a Grievance (see Section 11.3).

12.3 **Reasonable Accommodation.** HA shall administer this policy in compliance with all reasonable accommodation standards, including but not limited to the Americans with Disabilities Act. Persons requiring reasonable accommodation for their disability shall give HA at least 48-hours' notice of such need so that appropriate arrangements can be made (for example: providing sign language services for a hearing-impaired person).

12.4 **Assignment of Administrative Responsibilities.** HA shall have the right to contract with any qualified person or entity for the purpose of administering these Guidelines. The contract for administration shall provide for oversight by the HA, including access to applicable records and the ability to conduct an independent audit of administrative procedures.

12.5 **Administrative Exceptions.**

12.5.1 HA may grant Administrative Exceptions subject to the following conditions:

12.5.1.1 All Administrative Exception approvals shall be noticed on the Consent Calendar at the next HA regular meeting immediately following approval; and

12.5.1.2 Administrative Exceptions shall be granted in a fair and consistent manner at the discretion of the HA.

12.5.2 Administrative Exceptions are limited to the following requests:

12.5.2.1 Extension of time to meet compliance for a Household that has a medical event impacting their ability to work.

12.5.2.2 Extension of time to meet compliance for a Household that has a family emergency impacting their ability fulfill the qualification requirements.

12.5.2.3 Use of a co-borrower or Co-signor for unconventional lending after legal review of documents to be recorded.

12.5.2.4 Permission to own other Improved Residential Property, within a 150-mile radius, when the other property consists of a cabin-like structure outside of a town or municipal boundary, with limited seasonal access and limited amenities, also referred to as a “cow camp” or “hunter’s camp”.

DISCLAIMER: Beneficiaries expressly disclaim any and all warranties, express or implied, including without limitation fitness for a particular purpose with respect to the provision of Housing Units. Beneficiaries do not represent, warrant, or promise to construct, finance, or otherwise produce, in whole or in part, any Housing Units pursuant to these guidelines or under any other programs. No Applicant may rely upon any promise implied or expressed that Housing Units shall be constructed, financed, or otherwise produced, in whole or in part, by the Beneficiaries. In no event shall the Beneficiaries be liable to any Applicant for any direct, indirect, incidental, punitive, or consequential damage of any kind whatsoever, including without limitation lost profits, lost sales, lost business, lost opportunity, lost information, lost or wasted time. None of the information contained in these Guidelines constitutes an offer to sell or the solicitation of an offer to buy a Housing Unit.

Appendix A: Income Eligibility Tiers & Area Median Income and Income Limits

Area Median Income is currently determined by using the figures published by US Department of Housing and Urban Development (“HUD”) for each county in Colorado and adopted by Colorado Housing and Finance Authority (“CHFA”). They are published at: www.chfainfo.com/arh/asset/rent-income-limits

HA shall update the schedule below after CHFA adopts the most recent HUD figures.

Based on this procedure, the Area Median Incomes for County as of 2022 are:

Table 1. County Area Median Income (AMI*) Eligibility

	Household Size					
	1 person	2 persons	3 persons	4 persons	5 persons	6 persons
100% Area Median Income	\$62,100	\$70,900	\$79,800	\$88,600	\$95,700	\$102,800

*This is the AMI calculation pursuant to the Housing Guidelines.

Qualification is based on Household size, NOT unit size. The following table provides a guide for determining Household Income Eligibility. See Section 3.2.2 for Minimum Household Size requirements.

Household Size	1 Person	2 Persons	3 Persons	4 Persons
60% AMI	\$37,260	\$42,540	\$47,880	\$53,160
80% AMI	\$49,680	\$56,720	\$63,840	\$70,880
100% AMI	\$62,100	\$70,900	\$79,800	\$88,600
120% AMI	\$74,520	\$85,080	\$95,760	\$106,320

Income Eligibility Tiers

- Tier 1 Income – Household Income shall not exceed sixty percent (60%) of AMI for County.
- Tier 2 Income – Household Income shall not exceed eighty percent (80%) of AMI for County.
- Tier 3 Income – Household income shall not exceed one hundred percent (100%) of AMI for County.
- Tier 4 Income- Household income shall not exceed one hundred and twenty percent (120%) of AMI for County.
- Sale prices for units are based on Tier affordability targets for County, as adjusted for the number of bedrooms per unit, and can be found in Appendix B.

Appendix B: Initial Sale Prices and Maximum Rental Prices

[Ouray Waterview Homes should have a chart] [see Pinion Park Norwood for example]

[once the OWH Project housing details are finalized, we can populate a chart. We need to determine unit size by bedroom, unit tier designation and sales price.]

Initial Sale Price Standards

Initial Sale Prices shall be calculated by Beneficiaries to ensure affordability by the target Tier group both now and in the future.

Rental Prices

Appendix C: Lottery Point System Criteria

1. INITIAL LOTTERY ENTRY:

Completed lottery applications shall be processed for qualification of a Household. All lottery Applicants certified as Qualified Households shall be eligible for one (1) entry into the lottery.

2. ADDITIONAL LOTTERY ENTRIES:

In an effort to weight Applicants based on criteria deemed to further the intent of RH, points toward additional lottery entries are given to Households meeting the criteria outlined below.

2.1 One (1) additional entry is awarded to Households that have a member who is employed as one or more of the following types of employment, as further defined herein:

- 2.1.1 School District Personnel;
- 2.1.2 Health Care Personnel;
- 2.1.3 Government Personnel: and/or
- 2.1.4 Essential Response Personnel.

2.2 The maximum number of entries allowed is two (2).

2.3 Individual Household members may have different point rankings. The Household shall be evaluated for eligibility for this additional entry in the lottery based on the individual with the greatest number of points.

3. UNQUALIFIED APPLICANTS:

3.1 All lottery Applicants who did not qualify but have been provided an Exception per Section 11.1. or given a standard exception by the Lottery Administrator shall be eligible for one (1) entry in the Second Round lottery.

3.2 All lottery Applicants who did not qualify but have been provided an Exception per Section 11.1. and currently live in the Ouray School District R-1 shall be eligible for three (3) entries in the Second Round lottery.

3.3 All lottery Applicants who did not qualify but have been provided an Exception per Section 11.1. and currently work a minimum of twenty (20) hours per week physically in the Ouray School District R-1 boundaries shall be eligible for three (3) entries in the Second Round lottery.

3.4 All lottery Applicants who did not qualify but have been provided an Exception per Section 11.1. and currently live in the Ouray School District R-1 boundaries and work a minimum of twenty (20) hours per week physically in the Ouray School District R-1 boundaries shall be eligible for five (5) entries in the Second Round lottery.

3.5 Certified Entity Owner Applicants shall be eligible for three (3) entries in the lottery, except that all Entity Owner Applicants who did not qualify with a Local Work Force but have been provided an Exception per Section 11.1 shall be eligible for one (1) entry in the Second Round lottery.

3.6 The maximum number of entries allowed in the Second Round lottery is five (5).

Appendix D: Fee Schedule

Fees:

Application Fee	\$25.00
Appeal Fee	\$25.00
Exception Fee	\$25.00
Grievance Fee	\$50.00
Inspection Fee	\$100.00
Sales Fee	Buyer will pay HA a fee equal to 1% of the sales price. HA may instruct the title company to pay such fees out of the funds held in escrow at closing.

Appendix E: Schedule of Violations and Fines

	Violation	Fine per day	Maximum Fine
1	Failure to submit accurate and all documentation required to establish continued compliance by original deadline set by HA.	\$20.00	\$140.00
2	Failure to submit accurate and all documentation required to establish continued compliance by second deadline set by HA.	\$25.00	\$350.00
3	Failure to submit accurate and all documentation required to establish continued compliance by third deadline set by HA.	\$30.00	\$1,000.00
4	Failure to maintain eligibility (generally).	\$20.00	\$5,000.00
5	Failure to occupy unit as sole and exclusive place of residence.	\$20.00	\$5,000.00
6	Failure to work full-time as required by Deed Restriction and/or Guidelines.	\$20.00	\$2,000.00
7	Purchasing and/or owning other Improved Residential Property within a 150-mile radius and without an exception while owning a RH Housing Unit.	\$20.00	\$2,000.00
8	Rental of all or part of a unit in violation of the Deed Restriction, Guidelines, and/or the County LUC.	\$25.00	\$5,000.00
9	Non-approved use of Unit for other than residential purposes.	\$100.00	\$5,000.00
10	Non-approved use of Unit as income-producing property.	\$100.00	\$5,000.00
11	Creating an additional dwelling unit as defined in the County LUC without HA permission.	\$100.00	\$5,000.00
12	Failure to obtain approved Leave of Absence (LOA).	\$20.00	\$2,000.00
13	Submitting false/inaccurate information (per offense).	-	\$750.00
14	All other violations not specifically named.	\$20.00	\$2,000.00
	<p>*Owner shall be given 14 days from Notice of Violation by HA to cure all violations prior to the assessment of fines. *Violation and Fine Schedule will be reviewed and updated every five years or sooner as determined by HA</p>		

RURAL HOMES: FOR SALE, FOR LOCALS
DEED RESTRICTION and COVENANT
OURAY WATERVIEW HOMES

Ouray County
Affordable Housing Ownership, Occupancy and Resale

THIS DEED RESTRICTION AND COVENANT (“Covenant”) is entered into this _____ day of _____, 202__ (“Effective Date”) by [insert Name of Purchaser], (“Declarant”) for the benefit of and enforceable by Ouray Homes, LLC, a Colorado Limited Liability Company, (the Grantor), and each the City of Ouray, a municipal corporation, and Rural Homes, LLC, their successors or assigns (together, the “Beneficiaries”). The Declarant and Beneficiaries are sometimes referred to herein individually as “Party” and collectively as the “Parties.”

Property Subject to Deed Restriction. The following real property (the “Housing Unit”) is hereby made subject to these Covenants:

(insert lot legal here)
County of Ouray
State of Colorado.

Commonly known as **(insert street address here)**
This Housing Unit has a maximum AMI of _____%.
This Housing Unit has _____# bedrooms and _____# bathrooms.
The Original Purchase Price: _____.

RECITALS

WHEREAS, the Declarant is the Owner of the Housing Unit; and

WHEREAS, the Declarant on behalf of itself, its heirs, executors, administrators, representatives, successors, and assigns, desires to comply with the Deed Restriction and Covenant and **the Rural Homes: For Sale, For Locals Project – OURAY WATERVIEW HOMES AFFORDABLE HOUSING REGULATIONS AND GUIDELINES (“Guidelines”)** by restricting the use of the Housing Unit as **hereinafter described; and**

WHEREAS, under this Covenant the Declarant and Beneficiaries intend, declare, and agree that the regulatory and restrictive covenants set forth herein governing the use of the Housing Unit described and provided for herein shall be and are hereby covenants running with the land and are intended to be and shall be binding upon the Declarant and Beneficiaries; and

WHEREAS, this Covenant is intended to provide housing and help keep it affordable for residents who make a living primarily from physically working in the Ouray School District R-1 boundary and their families who chose to be part of the greater Ouray community; and

WHEREAS, Declarant understands that this property has been subsidized by the government and charitable organizations and acknowledges that it has received adequate and valuable consideration in exchange for the imposition of this Covenant upon the Housing Unit.

COVENANT

NOW, THEREFORE, in consideration of the foregoing Recitals, which are hereby incorporated in this Covenant as substantive provisions, the mutual covenants, restrictions, and equitable servitudes stated herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby represent and agree as follows:

1. **Covenant Runs with the Land.** This Covenant shall constitute covenants running with title to the Housing Unit, for benefit of, and enforceable by, each of the Beneficiaries, and their successors and assigns, and this Covenant shall bind the Beneficiaries and all subsequent Owners and Occupants of the Housing Unit. Each Owner and Occupant, upon acceptance of a deed or lease to the Housing Unit, shall be personally obligated hereunder for the full and complete performance and observance of all covenants, conditions, and restrictions contained herein during the Declarant's period of ownership or Occupant's tenancy, as may be appropriate. Each and every Transfer or lease of the Housing Unit, for all purposes, shall be deemed to include and incorporate by this reference, the covenants contained in this Covenant, even without reference to this Covenant in any document of conveyance. The Beneficiaries shall hold their interest as tenants in common, except that no Beneficiary may sell, transfer or assign their interest in the Covenant without the express written permission of the other(s), and no Beneficiary shall agree to relieve any Owner or Qualified Occupant of their obligations under the Covenant without the express written consent of the other(s). If one of the Beneficiaries ceases to exist, that Beneficiary's interest in the Covenant shall be deemed to be assigned to the remaining Beneficiary(s).

1.1 Term. The "Term" of this Covenant shall commence on the Effective Date and shall continue until _____ ("Expiration Date"). Said term of one hundred (100) years shall reset upon each and every Transfer.

1.2 Administration and Enforcement. This Covenant shall be administered by the City of Ouray or its duly authorized Designee acting as the housing authority administrator ("HA"). This Covenant shall be enforceable by the HA, its duly authorized Designee, or the Beneficiaries, by any appropriate legal or equitable action, including but not limited to specific performance, injunction, abatement or eviction of non-complying Housing Unit Owner(s) or Occupant(s), or such other remedies and penalties as may be specified in this Covenant, including but not limited to the Schedule of Violations and Fines found in the Guidelines.

1.3 Replacement of Prior Agreement. If applicable, this Covenant shall supersede and replace in its entirety that certain Deed Restriction and Covenant recorded in the official records of the _____ County Clerk and Recorder ("Official Records") on [RECORDING DATE] at Reception No. [RECORDING #].

2. **Definitions.** The Parties acknowledge and agree to the definitions in the **Rural Homes: For Sale, For Locals Project – OURAY WATERVIEW HOMES AFFORDABLE HOUSING REGULATIONS AND GUIDELINES** ("Guidelines") and further agree that each definition: (a) forms a portion of the basis of this Covenant; and (b) is incorporated in this Covenant. As used in this Covenant, Guidelines shall mean the most current Guidelines in effect at the time of closing on a sale or transfer of the Housing Unit or at the commencement date of a lease or other occupation agreement, as same may be amended from time to time, or its successor document.

3. Ownership, Use, Occupancy, Rentals, and Qualification.

3.1 Ownership. The ownership of the Housing Unit is hereby, and shall henceforth be, limited exclusively to Qualified Owner(s) as defined in the Guidelines. In the event that the Housing Unit is owned without compliance with this Covenant, the HA shall have the remedies set forth herein, including but not limited to the rights under Section 11.

3.2 Use and Occupancy. The use and occupancy of Housing Unit is hereby, and shall henceforth be, limited exclusively to Qualified Owners or Qualified Occupant(s), and their Immediate Families.

3.2.1 Home Occupation. The Housing Unit may be used in conjunction with a Home Occupation by the Qualified Household or Qualified Occupants residing in the Housing Unit subject to the provisions of the Guidelines and local land use restrictions.

3.2.2 Guests are exempt from qualification requirements.

3.3 Initial Qualification.

3.3.0 Qualified Entity Owners: Land Contributors, Business Owners, Local Governments, and Special Districts are exempt from the Initial Qualifications in 3.3.1 but shall comply with all Occupancy Qualification and Rental Standards required by the Covenant and Guidelines.

3.3.1 Qualified Owner: To be eligible to purchase the Housing Unit, at least one member of the Household who is an Owner must be a Qualified Employee and meet Section 3.3.1.a, below, and all Household members must meet Section 3.3.1 b- f., below, and as further defined in the Guidelines:

3.3.1.a Meet the Minimum Work Standard physically in the Ouray School District R-1 boundary for the twelve (12) months prior to purchase or provide evidence to the HA that Applicant will meet the Minimum Work Standard physically in the Ouray School District R-1, boundary for the twelve (12) months following the purchase; and

3.3.1.b Must meet the Earned Income Standard or has provided evidence to the HA that Applicant will meet the Earned Income Standard within the next twelve (12) months following the purchase; and

3.3.1.c Must not own any interest in other Improved Residential Property(s) located within a one-hundred and fifty (150) mile radius from the Housing Unit.

3.3.1.d Must not have a Net Worth that exceeds three (3) times the Initial Sales Price of the Housing Unit; and

3.3.1.e Must meet the income restrictions applicable to the Housing Unit based on the Area Median Income (AMI) percentage limit and the Housing Unit designation in the legal description, and as set forth in the Guidelines to be recorded at time of sale; and

3.3.1.f Shall occupy the Housing Unit as their sole and exclusive primary residence.

3.3.1.g Qualified Entity Owners may own no more than three (2) Housing Units at one time, unless negotiated otherwise in the original development

agreement, and make them available via sale or long-term rental to Qualified Occupants pursuant to this Covenant without the Qualified Entity Owner itself meeting the above-listed requirements. Qualified Entity Owner shall not occupy or use the Unit for such Owner's own use or leave the Housing Unit vacant for more than three months in any twelve (12) month period. Any occupancy of a Unit pursuant to Section 3.4. shall meet all Household Size requirements.

3.3.1.h Businesses who are in the business of residential property management, residential property rentals, mobile home park ownership or rental and/or residential property ownership may not be certified as a Business Owner.

3.3.1.i A reasonable accommodation and exception may be requested from HA for any of these qualifications.

3.3.2 Qualified Occupant: To be eligible to rent the entire Housing Unit or a room in a Housing Unit, the Qualified Occupant:

3.3.2.a Shall meet the above-listed requirements of Section 3.3.1a-f.

3.3.2.b A reasonable accommodation and exception may be requested from the HA for any of these qualifications.

3.4 Rental of Property. Short-term rental of the Housing Unit is prohibited. Long-term rentals may be approved as follows:

3.4.1 Qualified Entity Owner Units: Long-term rental is allowed subject to the provisions of the Guidelines and the terms and provisions of this Covenant. Units, owned by the Qualified Entity Owner may be rented to Qualified Occupants for a term of no less than six (6) months. All rentals must comply with the current Guidelines.

3.4.2 All other Housing Units: Owner may not, except with prior written approval of the HA, and subject to the HA's conditions of approval, rent an entire Housing Unit for any period of time. If approved, a rental shall be for no less than one (1) month. All rentals must comply with the current Guidelines.

3.4.3 Roommates: The Qualified Owner may share occupancy of a Housing Unit with non-owners on a rental basis provided Qualified Owner continues to occupy Housing Unit as his/her sole and primary residence and meets the obligations contained in this Covenant. A roommate must be certified as a Qualified Tenant Household. Short-term rentals of any kind are strictly prohibited.

3.4.4 Copy of Lease: The Housing Unit Owner shall provide to the HA a fully executed copy of the Lease or other occupancy agreement no later than seven (7) days after it is fully executed.

3.4.5 No Indemnification or Waiver of Immunity: Nothing herein shall be construed to require any of the Beneficiaries to protect or indemnify the Owner against any losses attributable to a rental including, but not limited to, non-payment of rent or damages to a Housing Unit; nor to require any of the Beneficiaries to obtain a Qualified Occupant for the Owner in the event that none is found by the Owner. In addition, nothing herein shall be construed as a waiver by any of the Beneficiaries'

governmental immunity, if applicable, provided by the Colorado Governmental Immunity Act or other applicable law.

3.5 Continued Qualification Compliance. All Qualified Owners and Qualified Occupants, including multiple owners, must maintain compliance with all applicable requirements and shall maintain Qualified Household status on an on-going basis. Failure of any Owner or Occupant to do so shall constitute a violation. Any Owner or Occupant of a Housing Unit is required to comply with annual or biennial deed restriction monitoring certifying to the HA that they are in compliance with the requirements of this Covenant.

3.5.1 Continuing Compliance Standards to maintain Qualified Household status:

3.5.1.a At least one member of the Household must be a Qualified Employee who meets the Minimum Work Standards physically within the Ouray School District R-1 boundary.

3.5.1.b The Qualified Household shall meet the Earned Income Standard.

3.5.1.c The Qualified Household shall occupy the Housing Unit as their Primary Residence at all times during the ownership or rental of a Housing Unit and for at least eight (8) of every twelve (12) months on a rolling twelve (12) month basis.

3.5.1.d Household Net Worth shall not exceed three (3) times the Initial Sales Price of the Housing Unit:

3.5.1.e Household Net Income shall no longer be considered for continuing qualification for Owners.

3.5.1.f Tenant Household's Net Income will be considered for Tenant's continuing qualification and Tenant must continue to meet the AMI tier standard for the Housing Unit.

3.5.1.g Household is prohibited from ownership of other Improved Residential Property located within a one-hundred fifty (150) mile radius from the Housing Unit, see Section 5, and as further described in the Guidelines.

4. Restriction on Debt. Declarant shall not incur any debt or promissory note secured by a deed of trust or other security instrument that encumbers the Housing Unit in excess of the Original Purchase Price.

5. Ownership Interest in Other Residential Property. At the time of application, a Household may own other improved or unimproved residential or commercial property, however, all Improved Residential Property located within a one-hundred and fifty (150) mile radius from the Housing Unit must be listed immediately for sale and sold for fair market value within one year of taking title to the Housing Unit. In the event said other Improved Residential Property has not been sold by the Owner within twelve (12) months of its listing as required hereunder, then the Owner shall immediately list the Housing Unit for sale, pursuant to Section 7.1. a Qualified Entity Owner, qualified under Section 3.3.1 g-i, is exempt from this restriction.

6. Income and Household Size Restrictions. The applicable Income Eligibility Tier, which defines household income and household size restrictions, in compliance with this Covenant and as set forth in the Guidelines, Appendix A, will apply to Declarant, Qualified Occupants and future purchasers. If Declarant's Household size falls below the minimum required, Declarant shall rent a room to a Qualified Tenant pursuant to §3.4, above.

7. Transfer of Property: Transfers of the Housing Unit are subject to this section unless excepted under Section 7.2, below.

- 7.1 Requirements.** Declarant may sell the Housing Unit to a Qualified Owner, pursuant to the Guidelines, to the terms and provisions of this Covenant, and to the following:
- 7.1.1 Notice of Intent to Sell: Declarant or Owner must deliver a written notice of its intent to sell the Housing Unit (“Notice of Intent to Sell”) to the Beneficiaries prior to offering the Housing Unit for sale.
 - 7.1.2 Right of First Refusal: The Right of First Refusal to purchase shall first be provided to Beneficiaries pursuant to the Guidelines and Section 7.4, below.
 - 7.1.3 Qualification of Prospective Buyer: In order to proceed to the closing of the sale of the Housing Unit (“Closing”), HA must have first certified in writing that the prospective buyer is a Qualified Owner pursuant to the Guidelines and to the terms and provisions of this Covenant.
 - 7.1.4 Void Transfer: In the event the Housing Unit is sold and/or transferred without compliance with this Covenant, such sale and/or transfer shall be wholly null and void and shall confer no title whatsoever upon the purported buyer.
 - 7.1.5 Date of Notice: For purposes of this Covenant, “date of Owner's Notice of Intent to Sell” shall be the date on which written Notice of Intent to Sell is delivered to the HA.
 - 7.1.6 Administration Fees: At the time of purchase, Declarant must pay any Covenant administration fees due according to the Guidelines. Such fees shall be paid by Declarant to the HA out of Declarant's proceeds of the sale of the Housing Unit and may not be added to the price of the Housing Unit.
 - 7.1.7 HA Made Whole: No transfer of a Housing Unit shall occur unless and until each and every encumbrance, debt or liability owed by the Owner to any of the Beneficiaries is fully satisfied, such as fees and violation fines.
- 7.2 Transfer Exception.** If reviewed and approved in writing by the HA prior to transfer, the following occurrences are exceptions to the definition of Transfer, provided that the new Owner, other than an estate, shall use the Housing Unit as their principal residence:
- 7.2.1 A transfer resulting from the death of a Qualified Owner where the transfer is to the spouse or domestic partner or co-owner, who is also a Qualified Owner.
 - 7.2.2 A transfer resulting from the death of an Owner through a bequest or by intestate succession to a child of Qualified Owner who is certified as a Qualified Owner.
 - 7.2.3 A transfer resulting from a decree of dissolution of marriage or legal separation or from a settlement incidental to such a decree by which a transfer is made to a spouse who is also a Qualified Owner.
- 7.3 Maximum Sale Price.** The Original Purchase Price (“OPP”) of the Housing Unit shall be the basis for calculating the Maximum Sale Price (“MSP”) in accordance with this Covenant and the Guidelines in effect at the time of listing the Housing Unit for re-sale.

7.3.1 The Housing Unit shall meet the Minimum Resale Standards, defined in Section 7.3.4, below, to sell at MSP.

7.3.2 The MSP of a Housing Unit shall be limited to be no more than the following calculation:

The MSP may not exceed the sum of: (i) the OPP paid by the Owner for the Housing Unit, plus: (ii) an increase of three percent (3%) of such OPP per year compounded annually (prorated at the rate of 0.25 percent for each whole month, but not compounded annually) from the date of the Owner's purchase of the Housing Unit to the date of the Owner's Notice of Intent to Sell the Housing Unit; plus (iii) an amount equal to any special improvement district assessments, if applicable and not transferable, paid by the Seller during the Seller's ownership of the Housing Unit; (iv) the cost of Permitted Capital Improvements made to the Housing Unit by the Owner as set forth in Section 7.3.3, less the amount required to bring the Housing Unit up to the Minimum Resale Standards, if any.

7.3.3 Permitted Capital Improvements: The amount of Permitted Capital Improvements allowed to be added to the MSP shall not exceed ten per cent (10%) of the original purchase price provided that:

7.3.3.a Improvements are pre-approved by HA prior to commencement of any work or installation; and

7.3.3.a.1 Proof of homeowners' association, if any, approval is provided to HA prior to commencement of work.

7.3.3.a.2 Improvements are properly permitted and inspected by the local Building Official, if applicable.

7.3.3.b Improvements are documented by Declarant and submitted to HA within three months of completion.

7.3.3.c The depreciation of Permitted Capital Improvements calculated from the schedule in the Marshall Swift Residential Handbook or any other approved handbook in effect at the time of calculation of MSP, shall be subtracted from the cost of the improvement; and

7.3.3.d Any other reasonable costs allowed by HA pursuant to the Guidelines in effect on the date of Owner's Notice of Intent to Sell may be added to the MSP.

7.3.3.e The 10% limitation on Permitted Capital Improvements shall reset every ten (10) years of continued ownership of the Housing Unit.

7.3.4 Minimum Resale Standards: Pursuant to the Guidelines, Section 6.8.2, each Owner shall be responsible for ensuring that at the Transfer of his or her Housing Unit, the same is clean, the appliances are in working order, and that there are no health or safety violations regarding the Housing Unit. Seller's Property Disclosure form and Seller's Listing Checklist shall be completed and submitted prior to listing a unit for sale.

7.3.4.a If a Housing Unit does not meet Minimum Resale Standards, HA may, at its discretion, require that the cost of necessary repairs be deducted from the closing sale price, or that Seller place into escrow the funds

necessary to ensure satisfactory repairs. Any escrow balance remaining after necessary repairs are satisfactorily made shall be returned to Seller.

7.3.5 Assumption of Costs: No Declarant shall permit any prospective purchaser to assume any or all of the Declarant's closing costs. No Declarant shall accept anything of value from a prospective purchaser except for the MSP before, during or after closing of the transfer of the Housing Unit.

7.3.6 Caveat: Nothing in this Covenant represents or guarantees that the Housing Unit will be re-sold at an amount equal to the MSP. Depending upon conditions affecting the real estate market, the Housing Unit may be re-sold for less than the MSP.

7.4 Beneficiaries Right to Acquire Ownership. The initial Owner and each subsequent Owner shall not transfer any Housing Unit without first offering the same to each of the Beneficiaries for purchase. Each of the Beneficiaries shall have a right to purchase the Housing Unit as follows:

7.4.1 Upon Owner's Notice of Intent to Sell as set forth in Section 7.1.1, or upon exercise of Notice of Election to Require Sale as defined in Section 10.3, or if an Owner receives any offer to purchase or tenders any offer of sale for the Housing Unit, either of the Beneficiaries, or their successors, shall have the Right of First Refusal to purchase ("ROFR") the Housing Unit for the offered sales price or MSP. This ROFR shall be triggered at each submittal of a Notice of Intent to Sell.

7.4.2 Each of the Beneficiaries shall exercise its ROFR by executing a written and binding commitment to purchase ("Notice of Purchase") the Housing Unit to Owner and the other Beneficiaries within thirty (30) days after each of the Beneficiaries receives written Notice of Intent to Sell by Owner. A Party exercising the ROFR shall deposit a non-refundable deposit of 5% of the MSP in escrow for the benefit of the Seller contemporaneously with the exercise of said right. The commitment to buy shall set a closing date within sixty (60) days of delivery of Notice of Purchase.

7.4.3 Each of the Beneficiaries shall have the right to inspect the Housing Unit prior to exercising its ROFR.

7.4.4 In the event more than one Beneficiary wishes to exercise the ROFR, the priority shall first go to the Land Contributor, then to the HA, and then to the Rural Homes, LLC or their successors in interest, if applicable.

7.4.5 In the event the Beneficiaries do not execute a written and binding commitment to purchase the Unit within said thirty (30) day period, this ROFR shall expire.

7.4.6 The ROFR shall be in full force and effect from the date of initial sale in perpetuity. Any sale or attempted transfer of the Housing Unit effected without first giving each of the Beneficiaries the right of first refusal described above shall be wholly null and void and shall confer no title whatsoever upon the purported buyer.

8. No Creation of Additional Unit. In no event shall Declarant create an additional "Dwelling Unit" as defined in the applicable Land Use Code, in or as part of the Housing Unit unless authorized by the HA in writing and allowed by the zone district and subject to all local building and planning codes and permissions.

9. **No Alteration of Housing Unit.** The Housing Unit shall not be altered, demolished, partially demolished, released from these covenants, or relocated, unless and except in compliance with the Guidelines and the applicable Land Use Code provisions in effect at the time of the application for alteration, demolition, release, or relocation.

10. **Foreclosure**

10.1 **Default.** It shall be a breach of this Covenant for Declarant to default in the payments or other obligations due or to be performed under a promissory note secured by deed of trust encumbering a Housing Unit. The Declarant hereby agrees to notify the Beneficiaries, in writing, of any notification Declarant receives from a lender, or its assigns, of past due payments or default in payment or other obligations due or to be performed under a promissory note secured by a deed of trust, as described herein, within five (5) calendar days of Declarant's notification from lender, or its assigns, of said default or past due payments.

10.2 **Right to Cure Default.**

10.2.1 Upon receipt of notice as provided herein, each of the Beneficiaries shall have the right, in its sole discretion, to cure the default or any portion thereof ("Curing Party"). In such event, the Declarant shall be personally liable to the Curing Party for past due payments made by the Curing Party, together with interest thereon at the rate specified in the promissory note secured by the deed of trust, plus one (1) percent, and all actual expenses the Curing Party incurred in curing the default.

10.2.2 In the event the Declarant does not repay the Curing Party within sixty (60) days of notice that the Curing Party has cured the Declarant's default, the Declarant agrees that the Curing Party shall be entitled to a lien against the Housing Unit to secure payment of such amounts. Such a lien may be evidenced by a notice of lien setting the amounts due and rate of interest accruing thereon, and such notice of lien may be recorded in the real property records of Town, until such lien is paid and discharged. The Curing Party shall have the additional right to bring an action to foreclose on the Housing Unit for the payment of the lien set forth in Section 12.6.

10.3 **Right to Require Sale.**

10.3.1 Upon default of Declarant, each of the Beneficiaries shall have the right to require Declarant to sell the Housing Unit to avoid the commencement of any adverse proceedings against the Housing Unit by providing Declarant written notice of HA's decision to exercise such right ("Notice of Election to Require Sale").

10.3.2 Upon receipt of a Notice of Election to Require Sale by any Qualified Holders, as defined in C.R.S. § 38-38-100.3(20), or mortgage brokers licensed by the Colorado Division of Real Estate pursuant to C.R.S. § 12-61-901 et. seq., Declarant shall immediately offer the Housing Unit for sale according to the provisions of Section 7.

10.4 **Non-Qualified Owner in Event of Foreclosure.** In the event of a foreclosure on a promissory note secured by a first deed of trust on the Housing Unit or the acceptance by the holder of such note and deed of trust ("Holder") is issued a public trustee's deed for the Housing Unit or records a deed in lieu of foreclosure for the Housing Unit, this Covenant shall remain in full force and effect and Holder shall be considered a non-Qualified Owner.

11. **Obligation to Maintain Homeowner's Insurance.** Deed-restricted housing with public and private subsidies means that the cost to build homes is greater than the sales price. Owners shall obtain full replacement cost coverage through an insurance provider licensed with and compliant with the Colorado Department of Regulatory Agencies which will repair or replace the home in the event of damage or destruction.

11.1 Request for Insurance Coverage Certificate. Owner may be required to verify compliance with § 11, above at any time and is required to respond within seven (7) days.

11.2 Failure to maintain adequate Homeowner's Insurance shall be considered a material breach of this Covenant.

12. **Default/Breach**

12.1 **Right to Inspect.** In the event the HA has or the Beneficiaries have reasonable cause to believe a Declarant is violating the provisions of this Covenant, that entity, through its authorized representatives, may inspect the Housing Unit between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday, after providing the Declarant with no less than twenty-four (24) hours written notice; Declarant has the right to be present.

12.2 **Notice of Violation.** The HA shall send a Notice of Violation ("NOV") to the Declarant detailing the nature of the violation and allowing the Declarant fourteen (14) days to determine the merits of the allegations, or to correct the violation. The NOV shall advise the alleged violator of the fines associated with each alleged violation as required by the Schedule of Violations and Fines, Appendix E of the Guidelines, and any additional opportunity to cure before the fines or consequences escalate. In the event the Declarant disagrees with the allegation of violation of the Covenant or the Guidelines, the Declarant may request, in writing, a hearing before the HA or its designated hearing officer, who shall have absolute discretion to determine the appropriate action to be taken to either remedy the violation or to require Declarant to sell the Housing Unit. If the Declarant does not request a hearing and the violation is not cured within the fourteen-day period, the Declarant and/or Occupant shall be considered in violation of this Covenant, and fines shall continue to accrue until the violation is cured or the maximum fine has been reached. Failure to request a hearing shall constitute the failure to exhaust administrative remedies for the purpose of judicial review.

12.3 **Hearing Before the HA.** Whenever this Covenant provides for a hearing before the HA, such hearing shall be scheduled by the HA within fourteen (14) days of the date of receipt of a written request for a hearing. At any such hearing, the Declarant or other aggrieved party may be represented by counsel and may present evidence on the issues to be determined at the hearing. An electronic record of the hearing shall be made, and the decision of the HA shall be a final decision, subject to judicial review.

12.4 **Reservation of Remedies.** There is hereby reserved to the parties hereto any and all remedies provided by law for breach of this Covenant or any of its terms. In the event the Parties resort to litigation with respect to any or all provisions of this Covenant, the prevailing party shall be awarded its damages, expenses, and costs, including reasonable attorney's fees.

12.5 **Sale Without Compliance.** In the event the Housing Unit is sold and/or conveyed without compliance with the terms of this Covenant, such sale and/or conveyance shall be wholly null and void and shall confer no title whatsoever upon the purported buyer. Each and every

conveyance of the Housing Unit, for all purposes, shall be deemed to include and incorporate by this reference the covenants herein contained, even without reference therein to this Covenant.

12.6 Failure to Cure. In the event a Declarant fails to cure any breach of this Covenant, each of the Beneficiaries may resort to any and all available legal or equitable actions, including but not limited to specific performance of this Covenant, a mandatory injunction requiring the sale of the Housing Unit by Declarant, and/or an injunction against future sale(s) in violation of this Covenant.

12.7 Violation Fixes Resale Price. In the event of a breach of any of the terms or conditions contained herein by Declarant, his or her heirs, successors or assigns, the Declarant's MSP of the Property shall, upon the date of such breach as determined by the HA, automatically cease to increase as set out in Section 7.3 and shall remain fixed until the date of cure of said breach.

13. General Provisions

13.1 Enforcement of Covenant. This Covenant shall constitute covenants running with the land and Housing Unit as a burden thereon, for the benefit of each of the Beneficiaries and/or its respective successors and assigns, as applicable, and who may enforce the covenants and compel compliance therewith. Enforcement by any appropriate legal action may include, but is not limited to specific performance injunction, reversion, damages, or eviction of noncomplying Declarants and/or Occupants.

13.2 Equal Housing Opportunity. Pursuant to the Fair Housing Act and public policy, the HA shall not discriminate on the basis of race, creed, color, sex, national origin, familial status, disability, sexual orientation, or gender identity in the lease, sale, use or occupancy of the Housing Unit.

13.3 Waiver of Exemptions. Every Declarant, by taking title to a Housing Unit, shall be deemed to have subordinated to this Covenant any and all right of homestead and any other exemption in, or with respect to, such Housing Unit under state or federal law presently existing or hereafter enacted.

13.4 Notices. Any notice, consent, approval, or request which is required to be given by any party hereunder shall be given by personal delivery, by mailing the same, certified mail, return receipt requested, properly addressed and with postage fully prepaid, to the address provided herein or to the address of the Declarant. The Declarant shall advise the Housing Agency of any change in address, in writing. Mailing requirements may be waived by consent of the Parties and acknowledgment of delivery by email or regular mail.

To Beneficiaries: Mayor
City of Ouray
320 6th Avenue
PO Box 468
Ouray, CO 81427
Telephone: 970-325-7078

Rural Homes, LLC
PO Box 4222
Telluride, CO 81435
Telephone: 970-728-8717

To Declarant: _____

12.5 Severability. Whenever possible, each provision of this Covenant and any other related document shall be interpreted in such manner as to be valid under applicable law; but if any provision of this Covenant shall be invalid or prohibited under said applicable law, such provisions shall be ineffective to the extent of such invalidity or prohibition, without invalidating the remaining provisions of this Covenant.

12.6 Choice of Law. This Covenant and each and every related document is to be governed and construed in accordance with the laws of the State of Colorado.

12.7 Successors. Except as otherwise provided herein, the provisions and covenants contained herein shall inure to and be binding upon the heirs, successors, and assigns of the parties.

12.8 Further Actions. Declarants and subsequent owners agree that they shall be personally liable for their participation in any of the transactions contemplated herein and that they will execute such further documents and take such further actions as may be reasonably required to carry out the provisions and intent of this Covenant or any agreement or document relating hereto or entered into in connection herewith.

12.9 Gender and Number. Whenever the context so requires herein, the neuter gender shall include any or all genders and vice versa and the use of the singular shall include the plural and vice versa.

12.10 Modifications. Any modifications of this Covenant shall be effective only when made by a duly executed instrument by the HA and Declarant, with the written consent of each of the Beneficiaries, and recorded with the Clerk and Recorder of County.

12.11 Attorney Fees. In the event any of the Parties resorts to litigation with respect to any of the provisions of this Covenant, the prevailing Party shall be entitled to recover damages and costs, including reasonable attorney fees.

CITY OF OURAY

By: _____ EXECUTED, this ____ day of _____, 20__.
[name], Mayor

State of Colorado)
) ss.
County of _____)

The foregoing Rural Homes: For Sale, For Locals Deed Restriction and Covenant, Ouray Waterview Homes has been acknowledged before me this _____ day of _____, 20__, by [name], Mayor, City of Ouray

Witness my hand and official seal.
My commission expires:

_____ Notary
Public

_____ **HOUSING AUTHORITY**

By: _____ EXECUTED, this ____ day of _____, 20__.
[name], CEO

State of Colorado)
) ss.
County of _____)

The foregoing _____ Rural Homes: For Sale, For Locals Deed Restriction and Covenant, Ouray Waterview Homes has been acknowledged before me this _____ day of _____, 20__, by [name], Chair of the Housing Authority

Witness my hand and official seal.
My commission expires:

_____ Notary
Public

RURAL HOMES, LLC

By: _____ EXECUTED, this ____ day of _____, 20__.
[name], Member

State of Colorado)
) ss.
County of _____)

The foregoing Rural Homes: For Sale, For Locals Deed Restriction and Covenant, Ouray Waterview Homes has been acknowledged before me this _____ day of _____, 20__, by _____ [name], Member of RURAL HOMES, LLC.

Witness my hand and official seal.
My commission expires:

Notary Public

DECLARANT

_____ EXECUTED, this ____ day of _____, 20__.
[name]

State of Colorado)
) ss.
County of _____)

The foregoing Rural Homes: For Sale, For Locals Deed Restriction and Covenant, Ouray Waterview Homes has been acknowledged before me this _____ day of _____, 20__, by _____ [name].

Witness my hand and official seal.
My commission expires:

Notary Public