

RESOLUTION NO. 2006-099

**RESOLUTION OF THE
OURAY COUNTY BOARD OF COUNTY COMMISSIONERS**

RE: Amendments to Sections 3, 15 and 24 of the Ouray County Land Use Code relating to the removal of references to “Intra-family PUD”, the addition of use “Home Businesses” and the addition of language concerning RV Parks and Campgrounds

WHEREAS, after public notice and hearing held on June 27, 2006, the Ouray County Planning Commission has returned its recommendation to the Board of County Commissioners regarding amendments to Sections 3, 15 and 24 of the Ouray County Land Use Code; and

WHEREAS, the Board of County Commissioners has received, reviewed and considered the recommendations of the Planning Commission and, upon adequate and required public notice, has held a public hearing on December 11, 2006 continuing the hearing to December 12, 2006 regarding the amendments to Sections 3, 15 and 24 of the Ouray County Land Use Code; and

WHEREAS, the Board of County Commissioners is now authorized by CRS, 30-28-116 and is prepared to act on the amendments to Sections 3, 15 and 24 of the Ouray County Land Use Code; and

WHEREAS, the Board of County Commissioners finds that the proposed amendments are consistent with the stated purposes and objectives of the Ouray County Land Use Code and the Ouray County Master Plan, and the amendments of the Code as proposed are for the benefit of the health, safety and welfare of the people of Ouray County, which findings are based upon the Code, Master Plan and the record made in the above-referenced public hearing; and

NOW, THEREFORE, BE IT RESOLVED, that Sections 3, 15 and 24 of the Ouray County Land Use Code are hereby amended to as follows: SEE ATTACHED EXHIBIT A, B, C AND D, WHICH ARE INCORPORATED HEREIN.

APPROVED AND ADOPTED THIS 18 DAY OF DECEMBER, 2006 RATIFYING ACTION TAKEN ON DECEMBER 12, 2006.

BOARD OF COUNTY COMMISSIONERS
OF OURAY COUNTY, COLORADO

Attest:

Heidi M. Albritton, Chair

Don Batchelder, Vice Chair

Michelle Nauer, Clerk and Recorder
By: Linda Munson-Haley, Deputy Clerk of the Board

Kristi R. Westfall, Member

Section 3

ZONING PROVISIONS – ZONES

3.1 ESTABLISHMENT OF ZONES

Ouray County is hereby divided into eight (8) zones as follows:

- A. Alpine
- B. Colona
- C. High Mesa
- D. North Mesa
- E. Public Lands
- F. South Mesa
- G. South Slope
- H. Valley

3.2 ZONING MAP AND BOUNDARIES

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

3.3 THE INTENT OF THE ZONES

The intent of the Ouray County zones is to achieve, on balance across the zones, the overall goal of the Ouray County Master Plan: To allow gradual, long-term population and economic growth in Ouray County in a manner that does not harm the County's irreplaceable scenic beauty, wildlife, air and water resources, and other environmental qualities and that does not unduly burden the County's residents or its governments. This overall goal includes, in alphabetical order, specific goals for agricultural lands, county/municipal relationships, economic development, housing, natural resources, rural character, tourism, transportation, utilities, visually significant areas, and wildlife and plant habitats. The specific intents of the zones that follow shall be read in conjunction with the combination of the Master Plan's overall and specific goals, and provide general guidance with regard to specific uses within each zone.

A. Alpine Zone. The intent of the Alpine Zone is to preserve the natural beauty, wildlife habitat, and recreational, historic and archeological values of high altitude areas and manage the County's natural resources in a manner that is both environmentally sound and protects private property rights, while allowing mining, agriculture, forestry, recreation, and limited low density and resort/conference center development.

Exhibit "A"

B. Colona Zone. The intent of the Colona zone is to maintain an area of high-density residential development (one unit per 6,000 square feet) and commercial activity.

C. High Mesa Zone. The intent of the High Mesa Zone is to encourage agricultural production, preserve areas for wildlife migration and habitat and scenic, historical and archaeological values, and to allow low density residential development that does not adversely impact the significant vegetative, wildlife, historic, archaeological and scenic values of the Zone.

D. North Mesa Zone. The intent of the North Mesa Zone is to preserve areas for wildlife migration and habitat and allow up to six acre residential development (medium density) that is not impacted by geologic hazards.

E. Public Lands Public Lands Zone. The intent of the Public Lands Zone is to preserve and protect private lands that are not publicly owned and managed by Federal or State entities in the Zone from future development, thereby providing visual and recreational enjoyment for the County's present and future residents as well as for visitors.

F. South Mesa Zone. The intent of the South Mesa Zone is to allow medium density and, where appropriate, high density (including commercial) development if all appropriate infrastructure is available. The purpose is to meet the overall Master Plan goal of allowing gradual, long-term population and economic growth without harming the County's irreplaceable environmental qualities and unduly burdening the County's residents or governments.

G. South Slope Zone. The intent of the South Slope Zone is to preserve areas for wildlife migration and habitat and allow up to six acre residential development (medium density) that is not impacted by geologic hazards.

H. Valley Zone. The intent of the Valley Zone is to protect and preserve visually significant and sensitive areas of Ouray County, maintain its overall rural character, and/or encourage the continued use of lands for agricultural productivity.

3.4 ZONE USES AND REQUIREMENTS

A. Alpine Zone

(1) Uses Allowed by Right:

- (a) Underground Mining subject to State and Federal permitting and conditions set forth in Section 12 of this Code.
- (b) Accessory uses and structures that are accessory to any other use by right and any permitted use.
- (c) Farming/Ranching.

Exhibit "A"

- (d) Home occupation.
- (e) Non-commercial camping.
- (f) Non-commercial logging.
- (g) Single family dwelling unit (maximum density of one unit per 35 acres) on parcels not previously approved by Ouray County as part of a Planned Unit Development.

(2) Uses Allowed by Special Use Permit:

- (a) Bed and breakfast.
- (b) Cemetery.
- (c) Church.
- (d) Commercial camping.
- (e) Commercial equestrian activity.
- (f) Commercial logging.
- (g) Commercial outdoor recreation – day use.
- (h) Governmental facility.
- (i) Guest ranch.
- (j) Livery or horse rental operation.
- (k) All mineral extraction and processing operations except those allowed pursuant to Section 3.4.A (1)(a).
- (l) Oil and gas exploration and facilities.
- (m) Public park or wildlife reserve.
- (n) Public service facility.
- (o) Public utility.
- (p) Sand and gravel operation.
- (q) School.
- (r) Temporary use.

Exhibit "A"

- (3) Planned Unit Development:
 - (a) ~~Intra Family PUD.~~
 - (b) Regular PUD (maximum density of one unit per 35-acres).
 - (c) Resort/Conference Center PUD.
- (4) Minimum Lot Size:
 - (a) All uses except as otherwise provided for in this Code - thirty-five (35) acres.
 - (b) Planned unit developments – as established by Section 6 of this Code.
 - (c) Special uses – as established by Section 5 of this Code.
- (5) Required Setbacks: All structures shall be located at least twenty-five (25) feet from any property lines unless approved otherwise in a PUD. With the exception of lots and parcels that have an area of two (2) acres or less, the minimum setbacks for structures shall be ten (10) feet from the side and back property lines and twenty-five (25) feet from the front property line. No structure may be closer than one hundred (100) feet from the centerline of U. S. Highway 550 or Colorado Highway 62, if visible from such highways.
- (6) Maximum Building or Structure Height: The maximum building or structure height shall be thirty-five (35) feet unless approved otherwise in a planned unit development.

B. Colona Zone

- (1) Uses Allowed by Right:
 - (a) Single-family dwelling units.
 - (b) Accessory Uses and Structures.
 - (c) Home occupation.
- (2) Uses Allowed by Special Use Permit:
 - (a) Church.
 - (b) Commercial use.
 - (c) Governmental facility.
 - (d) Multi-family dwelling.

Exhibit "A"

- (e) Oil and gas exploration and facilities.
- (f) Public service facility.
- (g) Public utility.
- (h) School.

(3) Planned Unit Development: Regular PUD (maximum density of 7 units per acre).

(4) Minimum Lot Size: Lot size shall not be less than fifty (50) feet by one hundred twenty (120) feet. Larger lot sizes may be required to meet requirements for adequate sewage disposal.

(5) Floor-to-Lot Ratio: For all uses, maximum floor-to-lot area ratio shall not exceed 1:1.

(6) Required Setbacks: All structures shall be at least twenty (20) feet from any street or highway right-of-way (except alleys) and at least ten (10) feet from all other property lines.

(7) Maximum Building or Structure Height. Maximum building or structure height shall not exceed thirty-five (35) feet.

C. High Mesa Zone

(1) Uses Allowed by Right:

- (a) Farming/Ranching.
- (b) Single family dwelling unit (maximum density of one unit per 35 acres) on parcels not previously approved by Ouray County as part of a Planned Unit Development.
- (c) Non-commercial logging.
- (d) Accessory uses and structures that are accessory to any other use by right and any permitted use.
- (e) Home occupation.
- (f) Non-commercial camping.

(2) Uses Allowed by Special Use Permit:

- (a) Bed and Breakfast.
- (b) Cemetery.

Exhibit "A"

- (c) Church.
 - (d) Commercial camping.
 - (e) Governmental facility.
 - (f) Guest ranch.
 - (g) Mineral operation.
 - (h) Oil and gas exploration and facilities.
 - (i) Public park or wildlife reserve.
 - (j) Public service facility.
 - (k) Public utility.
 - (l) Sand and gravel operation.
 - (m) School.
 - (n) Temporary Use.
- (3) Planned Unit Development:
- ~~(a) Intra-family PUD.~~
 - (b) Regular PUD (maximum density of one unit per thirty-five (35) acres.
- (4) Minimum Lot Size:
- (a) Single family dwellings – thirty-five (35) acres.
 - (b) Planned unit developments, as established by Section 6 of this Code.
 - (c) Special uses – as established by Section 5 of this Code.
- (5) Required Setbacks: All structures shall be located at least twenty-five (25) feet from any property lines, unless a greater setback is required within an approved PUD.
- (6) Maximum Building or Structure Height: Maximum building height shall not exceed thirty-five (35), unless a height of less than thirty-five (35) feet is required within an approved PUD.

Exhibit "A"

D. North Mesa Zone

(1) Uses Allowed by Right:

- (a) Single-family dwelling units (maximum density of 1 unit per 35-acres).
- (b) Accessory uses and structures that are accessory to any other use by right and any permitted use.
- (c) Home occupations.
- (d) Farming/Ranching.
- (e) Non-commercial camping.

(2) Uses Allowed by Special Use Permit:

- (a) Bed and breakfast.
- (b) Cemetery.
- (c) Church.
- (d) Governmental facility.
- (e) Guest ranch.
- (f) Oil and gas exploration and facilities.
- (g) Public park or wildlife reserve.
- (h) Public service facility.
- (i) Public utility.
- (j) Sand and gravel operation.
- (k) School.
- (l) Temporary use.

(3) Planned Unit Development:

- ~~(a) Intra-family PUD.~~
- (b) Limited PUD (maximum density of one unit per 13 acres).
- (c) Regular PUD (maximum density of one unit per 6 acres).

Exhibit "A"

(4) Minimum Lot Size:

- (a) Single family dwelling (outside of a planned unit development) thirty-five (35) acres.
- (b) Planned unit developments – as established by Section 6 of this Code.
- (c) Special uses – as established by Section 5 of this Code.

(5) Required Setbacks: All structures shall be located at least twenty-five (25) feet from any property lines unless a greater setback is required within an approved PUD.

(6) Maximum Building or Structure Height: Maximum building height shall not exceed thirty-five (35) feet unless a height of less than thirty-five (35) feet is required within an approved PUD.

E. Public Lands Zone

Only lands that are not owned by Federal or State entities are subject to the following regulations.

(1) Uses Allowed by Right:

- (a) Farming/Ranching
- (b) Non-commercial camping
- (c) Underground mining

(2) Uses Allowed by Special Use Permit:

- (a) Commercial camping when administered by State and Federal Agencies.
- (b) Commercial logging.
- (c) Governmental facility.
- (d) Oil and gas exploration and facilities.
- (e) Public park and wildlife reserve.
- (f) Public service facility.
- (g) Public utility.

Exhibit "A"

- (3) Minimum Lot Size: 35 acres.
- (4) Required Setbacks: All structures shall be located at least twenty-five (25) feet from any property lines.
- (5) Maximum Building or Structure Height: Maximum building height shall not exceed thirty-five (35) feet.

F. South Mesa Zone

(1) Uses Allowed by Right:

- (a) Single-family dwelling units (maximum density of one unit per 35-acres).
- (b) Accessory uses and structures that are accessory to any other use by right and any permitted use.
- (c) Home occupations
- (d) Non-commercial camping.

(2) Uses Allowed by Special Use Permit:

- (a) Bed and breakfast.
- (b) Church.
- (c) Commercial uses (as allowed in approved planned unit developments).
- (d) Governmental facility.
- (e) Oil and gas exploration and facilities.
- (f) Public park.
- (g) Public service facility.
- (h) Public utility.
- (i) Sand and gravel operation.
- (j) School.
- (k) Temporary use.

(3) Planned Unit Development

- ~~(a) Intra-family PUD.~~

Exhibit "A"

- (b) Limited PUD – Maximum density one unit per 13 acres.
- (c) Regular PUD – Maximum density one unit per six acres.
- (4) Minimum Lot Size:
 - (a) Single family dwellings (outside a planned unit development) – thirty-five (35) acres.
 - (b) Planned unit developments – as established by Section 6 of this Code.
 - (c) Special uses – as established by Section 5 of this Code.
- (5) Required Setbacks: All structures shall be located at least twenty-five (25) feet from any property lines unless a greater setback is required within an approved PUD.
- (6) Maximum Building or Structure Height: Maximum building height shall not exceed thirty-five (35) feet unless a height of less than thirty-five (35) feet is required within an approved PUD.

G. South Slope Zone

- (1) Uses Allowed by Right:
 - (a) Single-family dwelling units (maximum density one unit per 35-acres).
 - (b) Accessory uses and structures that are accessory to any other use by right and any permitted use.
 - (c) Farming/Ranching.
 - (d) Home occupation.
 - (e) Non-commercial camping.
- (2) Uses Allowed by Special Use Permit:
 - (a) Bed and breakfast.
 - (b) Governmental facility.
 - (c) Oil and gas exploration and facilities.
 - (d) Public park and wildlife reserve.
 - (e) Public service facility.

Exhibit "A"

- (f) Public utility.
- (g) Temporary use.
- (3) Planned Unit Development
 - ~~(a) Intra-Family PUD.~~
 - (b) Limited PUD (maximum density of one unit per 13 acres).
 - (c) Regular PUD (maximum density of one unit per 6 acres).
- (4) Minimum Lot Size:
 - (a) Single family dwellings (outside a planned unit development) – thirty-five (35) acres.
 - (b) Planned unit developments – as established by Section 6 of this Code.
 - (c) Special uses – as established by Section 5 of this Code.
- (5) Required Setbacks: All structures shall be located at least twenty-five (25) feet from any property lines unless a greater setback is required within an approved PUD.
- (6) Maximum Building or Structure Height: Maximum building height shall not exceed thirty-five (35) feet unless a height of less than thirty-five (35) feet is required within an approved PUD.

H. Valley Zone

- (1) Uses Allowed by Right:
 - (a) Farming/ranching.
 - (b) Single-family dwelling units (maximum density of one unit per 35 acres).
 - (c) Accessory uses and structures that are accessory to any other use by right and permitted use.
 - (d) Home occupation.
 - (e) Non-commercial camping.
- (2) Uses Allowed by Special Use Permit:
 - (a) Bed and breakfast.

Exhibit "A"

- (b) Cemetery.
 - (c) Church.
 - (d) Commercial equestrian activity.
 - (e) Commercial outdoor recreation – day use.
 - (f) Governmental facility.
 - (g) Guest ranch.
 - (h) Livery or horse rental operation.
 - (i) Oil and gas exploration and facilities.
 - (j) Public service facility.
 - (k) Public utility.
 - (l) Sand and gravel operation.
 - (m) School.
 - (n) Temporary use.
- (3) Planned Unit Development
- ~~(a) Intra-Family PUD.~~
 - (b) Regular PUD (maximum density of one unit per 35-acres).
- (4) Minimum Lot Size:
- (a) All uses except as otherwise provided for in this Code - thirty-five (35) acres.
 - (b) Planned unit developments - as established by Section 6 of this Code.
 - (c) Special uses – as established by Section 5 of this Code.
- (5) Required Setbacks: All structures shall be located at least fifty (50) feet from any property lines unless approved otherwise in a PUD. With the exception of lots and parcels that have an area of two (2) acres or less, the minimum setbacks for structures shall be located ten (10) feet from the side and back property lines and twenty-five (25) feet from the front property line. No structure may be closer than one hundred (100) feet from the centerline of U.S. Highway 550 or Colorado Highway 62.

Exhibit "A"

(6) Maximum Building or Structure Height: Maximum building height shall not exceed thirty-five (35) feet, unless a height of less than thirty-five (35) feet is required in an approved PUD.

3.5 OVERLAY DISTRICTS

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

B. Definitions:

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

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

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

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

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

Exhibit "A"

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

E. District Uses and Requirements.

1. Within the Ridgway Area of Influence and the Ouray Area of Influence, the following uses are allowed:

a. All uses allowed by right shall be permitted within the underlying Zone(s), as stated under Section 3 of this Code.

b. Uses allowed by special use permit and Planned Unit Developments within the underlying Zone, as stated under Section 3 of this Code, may be permitted, upon review and approval of the Board of County Commissioners. Said uses shall follow the process as contained herein.

2. Within the Ridgway Urban Growth Management Area and the Ouray Urban Growth Management Area, the following uses are allowed:

a. All uses allowed by right shall be permitted within the underlying Zone(s), as stated under Section 3 of this Code.

b. Uses allowed by special use permit within the underlying Zone, as stated under Section 3 of this Code, except Home Businesses, may be permitted, upon review and approval of the Board of County Commissioners. Said uses shall follow the process as contained herein.

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

1. The municipalities will consider all petitions for annexation of lands within the adjoining UGMA and will not decline to annex such property except for good cause. For the purposes of this Section, good cause includes, without limitation, the following:

a. Extension of one or more municipal services to the area would place an unreasonable economic burden on the existing users of such service or upon the future residents or owners of property in the area itself.

Exhibit "A"

b. The area is not contiguous to the municipality's existing boundaries.

c. The development proposal fails to meet the criteria for inclusion and annexation in the initial growth boundary outlined within the municipality's master or comprehensive plan.

2. If the municipality declines an annexation proposal within the UGMA, the Applicant/Developer may then submit a completed application to the Ouray County Land Use Office. Depending upon the request, the application shall include all information and documentation as set forth and outlined under the various sections of this Code. In addition, the application shall also include a written denial of annexation from the respective municipality.

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

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

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

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

Exhibit "B"

Adopted by Ouray County Board of County Commissioners on November 3, 1997

Section 24

WILDFIRE MITIGATION REGULATIONS

24.1 PURPOSE

These regulations are for the purpose of reducing the threat of wildfire and the resulting damage to property as a result of fire. Ouray County has extensive forested and high desert lands that are subject to drought conditions that significantly increase the fire danger. Most of the County is a rural environment with relatively low density and with many residential dwellings located in forested or semi-forested areas. Ouray County is served by three locally based volunteer fire departments with specific district responsibilities and by the Montrose Fire District on the north end of the County. A significant amount of the County is not included in a fire district and some private properties do not have fire-fighting service available.

These regulations are intended primarily to improve the fire safety of structures and to reduce the threat of personal injury or residential loss of life and/or property resulting from fires. Implementation of accepted fire safety techniques and the availability of on-site fire fighting capability, primarily the availability of an adequate source of water, will reduce the potential for personal injury or death and/or the loss of property from fires.

24.2 APPLICABILITY

These regulations apply to:

- A. New Regular Planned Unit Developments (PUD's) receiving Preliminary Plan approval after the date these regulations are adopted.
- B. ~~Intrafamily~~ and Limited Planned Unit Developments (PUD's) are exempted from these regulations at the subdivision approval stage; however, residential structures constructed on ~~Intrafamily~~ and Limited PUD's are subject to these regulations upon application for a building permit.
- C. All new residential structures.
- D. Residential structures existing at the date these regulations are adopted, that are increased 50% or more in total square footage of living area.
- E. Accessory structures, except those that include a residential dwelling unit, are exempted from these regulations.

Exhibit "B"

F. Resort Planned Unit Developments will be required to meet Uniform Fire Code regulations and other requirements deemed necessary as part of the approval of those development plans. Some sections of these regulations may be incorporated in developing the specific fire mitigation plan for a Resort PUD.

24.3 ENFORCEMENT

A. All Planned Unit Development applications subject to these regulations must comply with the applicable provisions of this section before Preliminary Plan approval is granted by the County. Improvements and infrastructure as required by these regulations shall be completed or secured prior to Final Plat approval.

B. Residential structures subject to this code will be required to meet the applicable provisions of this code prior to receiving a Certificate of Occupancy. The applicant must demonstrate an ability to comply prior to issuance of the building permit.

C. This section of the code will be administered by the designated county agent.

D. The costs of implementing this section of the code will be recovered through fees established by the Board of County Commissioners as a part of PUD, RST and building permit fees.

24.4 FIRE SAFETY RATING

Fire Safety Ratings have been established for new Planned Unit Developments and for new residential structures subject to these regulations. Each new PUD and new residential structure, subject to these regulations, must meet the minimum points for each prior to receiving Preliminary Plan approval or a Certificate of Occupancy. The Fire Safety Rating is also intended to serve as an educational aid and for conducting voluntary evaluations of existing homes to assist in reducing potential fire danger.

24.5 REQUIREMENTS AND PROCEDURES

A. PLANNED UNIT DEVELOPMENTS

(1) General: As part of the preliminary development plan submittal, the applicant will be required to provide an assessment of the location of the proposed development and a written report to include:

(a) A statement from the serving fire district or designated County agent indicating the ability in the County to respond to a fire emergency. Such statement should include: distance from the

Exhibit "B"

nearest fire station to the entrance of the PUD, response time, available equipment, manpower, and any other factors deemed important to determine if factors other than those set out in the Fire Safety Rating for PUDs need to be addressed prior to receiving Preliminary Plan approval.

(b) An assessment of the vegetation coverage on the parcel and recommendations for reducing the wildfire hazard on the entire parcel, including the buildable areas as staked and identified on the preliminary plan plat, using Colorado State University Cooperative Extension Bulletin No. 6.302 (Creating Fire Safe Zones Around Your Forested Homesite") as the guideline. By Resolution of the Board of County Commissioners, the County may use updates of this bulletin or replace it with another standard.

(c) Recommendations by the serving fire district or the designated County agent for the location of fire hydrants

(d) A copy of the completed Ouray County Fire Safety Rating for PUD's form showing the rating number as determined by a designated County agent. The Fire Safety Rating will be signed by the applicant to acknowledge the fire rating received.

(2) Roads: The applicant shall be required to construct roads as required in Section 23 (Road Standards) of this code to insure adequate access for emergency response vehicles, including fire fighting equipment.

(3) Water Supply: The applicant shall be required to provide at least a minimum fireflow water supply by either a water utility capable of providing service meeting the minimum fireflow water supply or by installing a water storage and distribution system capable of delivering a minimum fireflow water supply to each hydrant.

(a) When the water supply is from a public or private water utility system, a written statement from the water supplier will be required that states the ability of that supplier to provide to all fire hydrants of the PUD a minimum fireflow water supply as defined in this code.

(b) When the water supply is from a water storage and distribution system, such system shall be capable of delivering the minimum fireflow water supply to each hydrant. This system will require certification by a Colorado registered licensed engineer prior to Preliminary Plan approval.

Exhibit "B"

(c) The applicant will be required to place fire hydrants throughout the development at distances such that no point on a road (except driveways) is farther than 600 feet from a hydrant. Additional hydrants may be required at the entrance to a development, along a public roadway serving the development, and/or other appropriate locations as recommended by the serving fire district or designated County agent. Location of the hydrants will be based on the recommendation of the serving fire district or designated County agent and will be noted on the Preliminary Plat for the PUD.

(4) Fire Safety Rating: The applicant is required to meet the required minimum number of points on the Ouray County Fire Safety Rating for PUD's established by the Board of County Commissioners. The total number of points the approved PUD has earned will be noted on the final approved plat for the PUD, along with a note that indicates the minimum total number of points required by the PUD Fire Safety Rating system at the time of Preliminary Plan approval. Meeting the minimum total number of points required by the PUD Fire Safety Rating system shall be sufficient to justify County approval under this Section 24, unless the County demonstrates that additional requirements are essential to preventing a substantial risk of personal injury, death, and/or loss of property from fire due to the special circumstances of the land on which the proposed PUD is to be located.

(5) Covenants: The applicant shall create covenants that will allow individual lot owners the ability to build dwelling units that can meet the total minimum points required by the Ouray County Fire Safety Rating for Residential Structures.

B. RESIDENTIAL STRUCTURES SUBJECT TO THIS CODE

(1) Driveways will be constructed to the standards set forth in Section 23 – Road Standards.

(2) Location, design, and construction of residences will be planned and completed to meet the minimum required points for the Fire Safety Rating for Residential Structures as a condition of receiving a Certificate of Occupancy.

(3) For new residences located in PUD's without central water systems and outside of PUD's where water supply is from an approved well(s) or other source, individual property owners will be required to have a reserve water supply (cistern or other approved storage) in an amount of at least one gallon per square foot of the total square foot area of all residential structures on the parcel. The water storage tank shall have fittings for

Exhibit "B"

attachment to fire truck pumping equipment as required by the closest serving fire district and have provisions for maintaining the required reserve water supply stipulated above at least 90% capacity.

C. COMMERCIAL STRUCTURES SUBJECT TO THIS CODE:

(1) All Commercial construction shall meet the Uniform Building Code and the Uniform Fire Code provisions relating to fire mitigation as adopted by Ouray County.

Section 3

ZONING PROVISIONS – ZONES

3.1 ESTABLISHMENT OF ZONES

Ouray County is hereby divided into eight (8) zones as follows:

- A. Alpine
- B. Colona
- C. High Mesa
- D. North Mesa
- E. Public Lands
- F. South Mesa
- G. South Slope
- H. Valley

3.2 ZONING MAP AND BOUNDARIES

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

3.3 THE INTENT OF THE ZONES

The intent of the Ouray County zones is to achieve, on balance across the zones, the overall goal of the Ouray County Master Plan: To allow gradual, long-term population and economic growth in Ouray County in a manner that does not harm the County’s irreplaceable scenic beauty, wildlife, air and water resources, and other environmental qualities and that does not unduly burden the County’s residents or its governments. This overall goal includes, in alphabetical order, specific goals for agricultural lands, county/municipal relationships, economic development, housing, natural resources, rural character, tourism, transportation, utilities, visually significant areas, and wildlife and plant habitats. The specific intents of the zones that follow shall be read in conjunction with the combination of the Master Plan’s overall and specific goals, and provide general guidance with regard to specific uses within each zone.

D. Alpine Zone. The intent of the Alpine Zone is to preserve the natural beauty, wildlife habitat, and recreational, historic and archeological values of high altitude areas and manage the County’s natural resources in a manner that is both environmentally sound and protects private property rights, while allowing mining, agriculture, forestry, recreation, and limited low density and resort/conference center development.

Exhibit “C”

E. Colona Zone. The intent of the Colona zone is to maintain an area of high-density residential development (one unit per 6,000 square feet) and commercial activity.

F. High Mesa Zone. The intent of the High Mesa Zone is to encourage agricultural production, preserve areas for wildlife migration and habitat and scenic, historical and archaeological values, and to allow low density residential development that does not adversely impact the significant vegetative, wildlife, historic, archaeological and scenic values of the Zone.

I. North Mesa Zone. The intent of the North Mesa Zone is to preserve areas for wildlife migration and habitat and allow up to six acre residential development (medium density) that is not impacted by geologic hazards.

J. Public Lands Public Lands Zone. The intent of the Public Lands Zone is to preserve and protect private lands that are not publicly owned and managed by Federal or State entities in the Zone from future development, thereby providing visual and recreational enjoyment for the County’s present and future residents as well as for visitors.

K. South Mesa Zone. The intent of the South Mesa Zone is to allow medium density and, where appropriate, high density (including commercial) development if all appropriate infrastructure is available. The purpose is to meet the overall Master Plan goal of allowing gradual, long-term population and economic growth without harming the County’s irreplaceable environmental qualities and unduly burdening the County’s residents or governments.

L. South Slope Zone. The intent of the South Slope Zone is to preserve areas for wildlife migration and habitat and allow up to six acre residential development (medium density) that is not impacted by geologic hazards.

M. Valley Zone. The intent of the Valley Zone is to protect and preserve visually significant and sensitive areas of Ouray County, maintain its overall rural character, and/or encourage the continued use of lands for agricultural productivity.

3.5 ZONE USES AND REQUIREMENTS

I. Alpine Zone

(1) Uses Allowed by Right:

- (a) Underground Mining subject to State and Federal permitting and conditions set forth in Section 12 of this Code.
- (b) Accessory uses and structures that are accessory to any other use by right and any permitted use.
- (c) Farming/Ranching.

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- (d) Home occupation.
- (e) Non-commercial camping.
- (f) Non-commercial logging.
- (g) Single family dwelling unit (maximum density of one unit per 35 acres) on parcels not previously approved by Ouray County as part of a Planned Unit Development.

(2) Uses Allowed by Special Use Permit:

- (a) Bed and breakfast.
- (b) Cemetery.
- (c) Church.
- (d) Commercial camping.
- (e) Commercial equestrian activity.
- (f) Commercial logging.
- (g) Commercial outdoor recreation – day use.
- (h) Governmental facility.
- (i) Guest ranch.
- (j) **Home Business**
- (k) Livery or horse rental operation.
- (l) All mineral extraction and processing operations except those allowed pursuant to Section 3.4.A (1)(a).
- (m) Oil and gas exploration and facilities.
- (n) Public park or wildlife reserve.
- (o) Public service facility.
- (p) Public utility.
- (q) Sand and gravel operation.
- (r) School.
- (s) Temporary use.

Exhibit "C"

- (3) Planned Unit Development:
 - (a) Intra-Family PUD.
 - (b) Regular PUD (maximum density of one unit per 35-acres).
 - (c) Resort/Conference Center PUD.
- (4) Minimum Lot Size:
 - (a) All uses except as otherwise provided for in this Code - thirty-five (35) acres.
 - (b) Planned unit developments – as established by Section 6 of this Code.
 - (c) Special uses – as established by Section 5 of this Code.
- (5) Required Setbacks: All structures shall be located at least twenty-five (25) feet from any property lines unless approved otherwise in a PUD. With the exception of lots and parcels that have an area of two (2) acres or less, the minimum setbacks for structures shall be ten (10) feet from the side and back property lines and twenty-five (25) feet from the front property line. No structure may be closer than one hundred (100) feet from the centerline of U. S. Highway 550 or Colorado Highway 62, if visible from such highways.
- (6) Maximum Building or Structure Height: The maximum building or structure height shall be thirty-five (35) feet unless approved otherwise in a planned unit development.

J. Colona Zone

- (1) Uses Allowed by Right:
 - (a) Single-family dwelling units.
 - (b) Accessory Uses and Structures.
 - (c) Home occupation.
- (2) Uses Allowed by Special Use Permit:
 - (a) Church.
 - (b) Commercial use.
 - (c) Governmental facility.
 - (d) **Home Business**

Exhibit "C"

- (e) Multi-family dwelling.
- (f) Oil and gas exploration and facilities.
- (g) Public service facility.
- (h) Public utility.
- (i) School.

(3) Planned Unit Development: Regular PUD (maximum density of 7 units per acre).

(4) Minimum Lot Size: Lot size shall not be less than fifty (50) feet by one hundred twenty (120) feet. Larger lot sizes may be required to meet requirements for adequate sewage disposal.

(5) Floor-to-Lot Ratio: For all uses, maximum floor-to-lot area ratio shall not exceed 1:1.

(6) Required Setbacks: All structures shall be at least twenty (20) feet from any street or highway right-of-way (except alleys) and at least ten (10) feet from all other property lines.

(7) Maximum Building or Structure Height. Maximum building or structure height shall not exceed thirty-five (35) feet.

K. High Mesa Zone

(1) Uses Allowed by Right:

- (a) Farming/Ranching.
- (b) Single family dwelling unit (maximum density of one unit per 35 acres) on parcels not previously approved by Ouray County as part of a Planned Unit Development.
- (c) Non-commercial logging.
- (d) Accessory uses and structures that are accessory to any other use by right and any permitted use.
- (e) Home occupation.
- (f) Non-commercial camping.

(2) Uses Allowed by Special Use Permit:

- (a) Bed and Breakfast.

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- (b) Cemetery.
 - (c) Church.
 - (d) Commercial camping.
 - (e) Governmental facility.
 - (f) Guest ranch.
 - (g) **Home Business**
 - (h) Mineral operation.
 - (i) Oil and gas exploration and facilities.
 - (j) Public park or wildlife reserve.
 - (k) Public service facility.
 - (l) Public utility.
 - (m) Sand and gravel operation.
 - (n) School.
 - (o) Temporary Use.
- (3) Planned Unit Development:
- (a) Intra-family PUD.
 - (b) Regular PUD (maximum density of one unit per thirty-five (35) acres.
- (4) Minimum Lot Size:
- (a) Single family dwellings – thirty-five (35) acres.
 - (b) Planned unit developments, as established by Section 6 of this Code.
 - (c) Special uses – as established by Section 5 of this Code.
- (5) Required Setbacks: All structures shall be located at least twenty-five (25) feet from any property lines, unless a greater setback is required within an approved PUD.

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(6) Maximum Building or Structure Height: Maximum building height shall not exceed thirty-five (35), unless a height of less than thirty-five (35) feet is required within an approved PUD.

L. North Mesa Zone

(1) Uses Allowed by Right:

- (a) Single-family dwelling units (maximum density of 1 unit per 35-acres).
- (b) Accessory uses and structures that are accessory to any other use by right and any permitted use.
- (c) Home occupations.
- (d) Farming/Ranching.
- (e) Non-commercial camping.

(2) Uses Allowed by Special Use Permit:

- (a) Bed and breakfast.
- (b) Cemetery.
- (c) Church.
- (d) Governmental facility.
- (e) Guest ranch.
- (f) **Home Business**
- (g) Oil and gas exploration and facilities.
- (h) Public park or wildlife reserve.
- (i) Public service facility.
- (j) Public utility.
- (k) Sand and gravel operation.
- (l) School.
- (m) Temporary use.

(3) Planned Unit Development:

- (a) Intra-family PUD.

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- (b) Limited PUD (maximum density of one unit per 13 acres).
- (c) Regular PUD (maximum density of one unit per 6 acres).
- (4) Minimum Lot Size:
 - (a) Single family dwelling (outside of a planned unit development) thirty-five (35) acres.
 - (b) Planned unit developments – as established by Section 6 of this Code.
 - (c) Special uses – as established by Section 5 of this Code.
- (5) Required Setbacks: All structures shall be located at least twenty-five (25) feet from any property lines unless a greater setback is required within an approved PUD.
- (6) Maximum Building or Structure Height: Maximum building height shall not exceed thirty-five (35) feet unless a height of less than thirty-five (35) feet is required within an approved PUD.

M. Public Lands Zone

Only lands that are not owned by Federal or State entities are subject to the following regulations.

- (1) Uses Allowed by Right:
 - (a) Farming/Ranching
 - (b) Non-commercial camping
 - (c) Underground mining
- (2) Uses Allowed by Special Use Permit:
 - (a) Commercial camping when administered by State and Federal Agencies.
 - (b) Commercial logging.
 - (c) Governmental facility.
 - (d) Oil and gas exploration and facilities.
 - (e) Public park and wildlife reserve.
 - (f) Public service facility.

Exhibit "C"

(g) Public utility.

(3) Minimum Lot Size: 35 acres.

(4) Required Setbacks: All structures shall be located at least twenty-five (25) feet from any property lines.

(5) Maximum Building or Structure Height: Maximum building height shall not exceed thirty-five (35) feet.

N. South Mesa Zone

(1) Uses Allowed by Right:

(a) Single-family dwelling units (maximum density of one unit per 35-acres).

(b) Accessory uses and structures that are accessory to any other use by right and any permitted use.

(c) Home occupations

(d) Non-commercial camping.

(2) Uses Allowed by Special Use Permit:

(a) Bed and breakfast.

(b) Church.

(c) Commercial uses (as allowed in approved planned unit developments).

(d) Governmental facility.

(e) **Home Business**

(f) Oil and gas exploration and facilities.

(g) Public park.

(h) Public service facility.

(i) Public utility.

(j) Sand and gravel operation.

(k) School.

(l) Temporary use.

Exhibit "C"

- (3) Planned Unit Development
 - (a) Intra-family PUD.
 - (b) Limited PUD – Maximum density one unit per 13 acres.
 - (c) Regular PUD – Maximum density one unit per six acres.
- (4) Minimum Lot Size:
 - (a) Single family dwellings (outside a planned unit development) – thirty-five (35) acres.
 - (b) Planned unit developments – as established by Section 6 of this Code.
 - (c) Special uses – as established by Section 5 of this Code.
- (5) Required Setbacks: All structures shall be located at least twenty-five (25) feet from any property lines unless a greater setback is required within an approved PUD.
- (6) Maximum Building or Structure Height: Maximum building height shall not exceed thirty-five (35) feet unless a height of less than thirty-five (35) feet is required within an approved PUD.

O. South Slope Zone

- (1) Uses Allowed by Right:
 - (a) Single-family dwelling units (maximum density one unit per 35-acres).
 - (b) Accessory uses and structures that are accessory to any other use by right and any permitted use.
 - (c) Farming/Ranching.
 - (d) Home occupation.
 - (e) Non-commercial camping.
- (2) Uses Allowed by Special Use Permit:
 - (a) Bed and breakfast.
 - (b) Governmental facility.
 - (c) **Home Business**

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- (d) Oil and gas exploration and facilities.
- (e) Public park and wildlife reserve.
- (f) Public service facility.
- (g) Public utility.
- (h) Temporary use.

(3) Planned Unit Development

- (a) Intra-Family PUD.
- (b) Limited PUD (maximum density of one unit per 13 acres).
- (c) Regular PUD (maximum density of one unit per 6 acres).

(4) Minimum Lot Size:

- (a) Single family dwellings (outside a planned unit development) – thirty-five (35) acres.
- (b) Planned unit developments – as established by Section 6 of this Code.
- (c) Special uses – as established by Section 5 of this Code.

(5) Required Setbacks: All structures shall be located at least twenty-five (25) feet from any property lines unless a greater setback is required within an approved PUD.

(6) Maximum Building or Structure Height: Maximum building height shall not exceed thirty-five (35) feet unless a height of less than thirty-five (35) feet is required within an approved PUD.

P. Valley Zone

(1) Uses Allowed by Right:

- (a) Farming/ranching.
- (b) Single-family dwelling units (maximum density of one unit per 35 acres).
- (c) Accessory uses and structures that are accessory to any other use by right and permitted use.
- (d) Home occupation.

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- (e) Non-commercial camping.
- (2) Uses Allowed by Special Use Permit:
- (a) Bed and breakfast.
 - (b) Cemetery.
 - (c) Church.
 - (d) Commercial equestrian activity.
 - (e) Commercial outdoor recreation – day use.
 - (f) Governmental facility.
 - (g) Guest ranch.
 - (h) **Home Business**
 - (i) Livery or horse rental operation.
 - (j) Oil and gas exploration and facilities.
 - (k) Public service facility.
 - (l) Public utility.
 - (m) Sand and gravel operation.
 - (n) School.
 - (o) Temporary use.
- (3) Planned Unit Development
- (a) Intra-Family PUD.
 - (b) Regular PUD (maximum density of one unit per 35-acres).
- (4) Minimum Lot Size:
- (a) All uses except as otherwise provided for in this Code - thirty-five (35) acres.
 - (b) Planned unit developments - as established by Section 6 of this Code.
 - (c) Special uses – as established by Section 5 of this Code.

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(5) Required Setbacks: All structures shall be located at least fifty (50) feet from any property lines unless approved otherwise in a PUD. With the exception of lots and parcels that have an area of two (2) acres or less, the minimum setbacks for structures shall be located ten (10) feet from the side and back property lines and twenty-five (25) feet from the front property line. No structure may be closer than one hundred (100) feet from the centerline of U.S. Highway 550 or Colorado Highway 62.

(6) Maximum Building or Structure Height: Maximum building height shall not exceed thirty-five (35) feet, unless a height of less than thirty-five (35) feet is required in an approved PUD.

3.5 OVERLAY DISTRICTS

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

J. Definitions:

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

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

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

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

1. The Ridgway Urban Growth Management Area.

Exhibit “C”

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

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

M. District Uses and Requirements.

1. Within the Ridgway Area of Influence and the Ouray Area of Influence, the following uses are allowed:

a. All uses allowed by right shall be permitted within the underlying Zone(s), as stated under Section 3 of this Code.

b. Uses allowed by special use permit and Planned Unit Developments within the underlying Zone, as stated under Section 3 of this Code, may be permitted, upon review and approval of the Board of County Commissioners. Said uses shall follow the process as contained herein.

2. Within the Ridgway Urban Growth Management Area and the Ouray Urban Growth Management Area, the following uses are allowed:

a. All uses allowed by right shall be permitted within the underlying Zone(s), as stated under Section 3 of this Code.

b. Uses allowed by special use permit within the underlying Zone, as stated under Section 3 of this Code, except Home Businesses, may be permitted, upon review and approval of the Board of County Commissioners. Said uses shall follow the process as contained herein.

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

1. The municipalities will consider all petitions for annexation of lands within the adjoining UGMA and will not decline to annex such property except for good cause. For the purposes of this Section, good cause includes, without limitation, the following:

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- a. Extension of one or more municipal services to the area would place an unreasonable economic burden on the existing users of such service or upon the future residents or owners of property in the area itself.
- b. The area is not contiguous to the municipality’s existing boundaries.
- c. The development proposal fails to meet the criteria for inclusion and annexation in the initial growth boundary outlined within the municipality’s master or comprehensive plan.

2. If the municipality declines an annexation proposal within the UGMA, the Applicant/Developer may then submit a completed application to the Ouray County Land Use Office. Depending upon the request, the application shall include all information and documentation as set forth and outlined under the various sections of this Code. In addition, the application shall also include a written denial of annexation from the respective municipality.

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

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

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

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

Exhibit "D"

(Amended September 25, 1995, by Board of County Commissioners)

Section 15

**MOBILE HOMES, MOBILE HOME PARKS, CAMPGROUNDS AND RV
PARKS**

15.1 MOBILE HOMES - GENERAL

All mobile homes first brought into Ouray County on or after July 14, 1986, shall be in full compliance with Federal Mobile Home Construction and Safety Standards as set forth in Title 6 of the Housing and Commerce Action of 1974.

15.2 MOBILE HOME PARKS

Mobile Home parks existing prior to September 25, 1995 shall be allowed to continue to the extent they now exist, provided they meet the requirements established in this Section 15 and other applicable regulations adopted by Ouray County. **Existing Mobile Home parks shall be allowed to upgrade, maintain and/or replace any structure or facility that was in existence prior to September 25, 1995.** No new mobile home parks shall be established after this date.

Existing Mobile home parks shall be allowed ~~within a Planned Unit Development in the Foothills Zone, under Section 6 of these Regulations,~~ subject to the following conditions:

A. ~~Mobile home park PUD (or portion of PUD devoted to the mobile home park) must be located on at least 5 acres.~~

B. A mobile home park must comply with the Colorado Department of Health Consumer Protection Regulations relating to mobile home parks, found at 6 C.C.R. 1010-12.

C. The following limitations shall apply to all mobile home parks:

(1) Each mobile home space or lot shall be at least 50 feet wide and 100 feet long.

(2) The maximum allowed density shall be 6.4 spaces or lots per acre, the acreage to include space devoted to usable open space, roads and common buildings.

(3) The mobile home park shall provide 0.4 acres of useable open space for every 32 (or portion thereof) mobile home spaces or lots. For example, a mobile home park containing 20 spaces or lots shall have 0.4

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[15.2 C 3]

acres of useable open space. A park containing 33 spaces or lots shall have 0.8 acres of useable open space.

15.3 MOBILE HOMES OUTSIDE OF MOBILE HOME PARKS

Mobile homes located outside mobile home parks shall be permitted in the unincorporated portions of Ouray County only if they comply with the following requirements:

- A. Must be placed on the ad valorem tax rolls as real property improvements;
- B. Must comply with the allowed density of the zone;
- C. Must comply with those provisions of the Ouray County Uniform Building Code relating to mobile homes.

15.4 CAMPGROUNDS AND RV PARKS

Campgrounds and RV parks existing prior to September 25, 1995, shall be allowed to continue to the extent they now exist, provided they meet the requirements established in this Section 15 and other applicable regulations adopted by Ouray County. **Existing Campground or RV parks shall be allowed to upgrade, maintain and/or replace any structure or facility that was in existence prior to September 25, 1995.** ~~No campgrounds or RV home parks shall be established after this date.~~

~~New Campgrounds and RV parks shall only be allowed as defined in Section 22 of this Code. within a Planned Unit Development in the Foothills and Alpine Zones, under Section 6 of these Regulations, subject to the following conditions:~~

- ~~A. The campground or RV park PUD (or portion of PUD devoted to a campground or RV park) must be located on at least five (5) acres.~~
- ~~B. The campground or RV park must comply with Colorado Department of Health Consumer Protection Regulations relating to campgrounds and recreation areas found at 6 C.C.R. 1010-9.~~
- ~~C. Campgrounds and RV parks in the Alpine Zone shall be permitted only in conjunction with a multi-season resort and each site which will accommodate tent camping or RV camping shall be considered a commercial housing unit.~~