

**A RESOLUTION OF THE
BOARD OF COUNTY COMMISSIONERS OF OURAY COUNTY, COLORADO
ADDING “ INDOOR COMMERCIAL RECREATION” AS A NEW USE
TO THE OURAY COUNTY LAND USE CODE**

WHEREAS, Section 2.4 of the Ouray County Land Use Code (“Code”) provides that:

“Upon application, or on its own initiative, the Board of County Commissioners may, by resolution, add to the uses listed for a zoning district any other similar use which conforms to the conditions set forth in the following special findings:

- a. Such use is appropriate to the physiographic and general environmental character of the zone to which the use is added.
- b. Such use does not create any more hazard to or alteration of the zone than the minimum amount normally resulting from the other uses permitted in the zone to which the use is added.
- c. Such use does not create any more offensive noise, vibration, dust, heat, smoke, odor, glare, or other objectionable influences or more traffic hazards than the minimum amount normally resulting from the other uses permitted in the zone to which the use is added.
- d. Such use is compatible with the uses existing and permitted in the zone to which the use is added.”

WHEREAS, an application to add “Indoor Commercial Recreation” as a use, pursuant to Section 2.4 of the Code was received from Hockey Barn, LLC; and

WHEREAS, the Board of County Commissioners of Ouray County, Colorado (“Board”) conducted public hearings on the application to add “Commercial Indoor Recreation” as a use to the Code; and

WHEREAS, at a public hearing on June 4, 2007, the Board reviewed the application, staff report and other supporting materials and heard public comment on the application, the Board determined that the conditions set forth in Section 2.4 of the Code to add the use of “Indoor Commercial Recreation” were supported by the evidence before the Board.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF OURAY COUNTY, COLORADO, AS FOLLOWS:

1. “Indoor Commercial Recreation” shall be added as a use at Sections 3.4(A)(2)(s) [Alpine Zone] and 3.4(H)(2)(o) [Valley Zone].
2. No application for “Indoor Commercial Recreation” shall be accepted by the Ouray County Land Use Department until concurrent additions and changes to Sections 5 and 22 of the Code are made and approved by the Planning Commission and the Board to further define and adopt appropriate conditions for Indoor Commercial Recreation uses.

APPROVED AND ADOPTED THIS **18th** DAY OF **JUNE**, 2007 RATIFYING ACTION TAKEN ON JUNE 4, 2007.

BOARD OF COUNTY COMMISSIONERS
OF OURAY COUNTY, COLORADO

Attest:

Don Batchelder, Chair

Heidi M. Albritton, Vice Chair

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

K. Keith Meinert, Member