

RESOLUTION NO. 2010-002

A RESOLUTION OF THE  
BOARD OF COUNTY COMMISSIONERS OF OURAY COUNTY, COLORADO  
DIRECTING THE OURAY COUNTY PLANNING COMMISSION TO REVIEW THE PROPOSED  
REVISIONS TO SECTIONS 23.1 B (1), (2) and (3) OF THE OURAY COUNTY LAND USE CODE

**WHEREAS**, the Board of County Commissioners of Ouray County ("Board") has been periodically reviewing the Ouray County Land Use Code ("Code") to address certain deficiencies and issues with various sections contained in the Code; and

**WHEREAS**, the Board has determined that certain language contained in Section 23.1 B of the Code should be clarified to allow upgrades to Ouray County roads to address safety concerns for the traveling public; and

**WHEREAS**, the Board has approved certain modifications and changes to Section 23.1 B (1), (2) and (3); and

**WHEREAS**, the Board is hereby submitting the proposed amendment to Section 23.1 B (1), (2) and (3) (as attached) to the Planning Commission for its approval, disapproval or suggestions; and

**WHEREAS**, the Board requests that the Planning Commission complete its work and advise the Board of its approval, disapproval or suggestions to the proposed changes to 23.1 B (1), (2) and (3) on or before February 22, 2010;

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

1. That the Planning Commission review the proposed Section 23.1 B (1), (2) and (3) at such meetings as the Planning Commission deems appropriate and that the Planning Commission forward to the Board its approval, disapproval or suggestions on said section on or before February 22, 2010.

APPROVED AND ADOPTED THIS 11<sup>th</sup> DAY OF JANUARY, 2010.

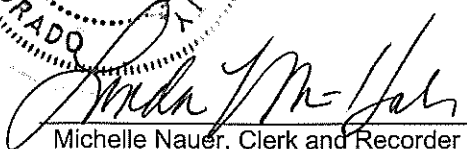
BOARD OF COUNTY COMMISSIONERS  
OF OURAY COUNTY, COLORADO

  
\_\_\_\_\_  
Lynn M. Padgett, Chair

  
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K. Keith Meinert, Vice Chair

  
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Heidi M. Albritton, Commissioner Member



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

## 23.1 POLICIES AND PROCEDURES

### A. PURPOSE

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### B. APPLICATION OF STANDARDS

(1) The requirements contained herein shall apply to all ~~new~~ construction of **new** public roads, private rights-of-way and all other work affecting rights-of-way that are planned for or subject to present or anticipated public use within the jurisdiction of Ouray County, except roads used exclusively for mining, agriculture, farming, and ranching, or roads within the boundaries of one parcel of property **that do not have connectivity to any county road**. The foregoing exceptions shall not apply to any road, right-of-way or driveway which leads to any residential structure.

(2) This section applies specifically to (a) new roads and driveways within new subdivisions, (involving lots of 35 plus acres,) and Planned Unit Developments (PUDs); (b) new roads and driveways providing access to new single family residences, c) existing County roads that provide access to new subdivisions and PUDs; and, (d) new county roads and new extensions and/or upgrades of existing county roads **resulting from an anticipated increase in traffic volume due to development or approval of a PUD or subdivision**.

**(3) Upgrades to existing county roads for purposes of improving safety and accessibility to the traveling public on such roads and that are not as a result of an anticipated increase in traffic volume from new development may be approved and completed based upon engineered designs approved by the Ouray County Engineer and the Ouray County Road Superintendent.**

(3) These requirements may be enforced by the County utilizing any legal and/or equitable remedy available under this Code, any Ouray County Code, Colorado State statute, or other Colorado law. These remedies include, but are not necessarily limited to, injunctive relief and/or suits for damages caused to County roads or rights-of-way.