

## Section 12

### GEOLOGIC HAZARD AREA REGULATIONS

#### 12.1 GENERAL PROVISIONS

##### A. Purpose and Intent

- (1) To minimize significant hazards to public health and safety or to property in a designated geologic hazard area.
- (2) To promote safe use in geologic hazard areas.
- (3) Reduce the impact of geologic hazards on life and property by:
  - (a) Prohibiting certain land uses which are dangerous to life or property in geologic hazard areas.
  - (b) Restricting the land uses which would be hazardous to the public health and safety or property in geologic hazard areas.
  - (c) Restricting the land uses which are particularly vulnerable to geologic hazards so as to alleviate hardship and reduce the demands for public expenditures for relief and protection.
  - (d) Requiring land uses permitted in geologic hazard areas, including public facilities which serve such uses, to be protected from geologic hazards by providing for geologic hazard investigation and the avoidance of or mitigation of such hazard impacts at the time of initial construction.

##### B. Applicability

- (1) These regulations apply to applications for permits to engage in development in all designated or regulated geologic hazard areas within this jurisdiction.
- (2) Any person seeking to engage in development in any designated or regulated geologic hazard area in this jurisdiction shall obtain a permit pursuant to these regulations before seeking any other permit, rezoning or other action by the jurisdiction.

[12.2]

## 12.2 NON-CONFORMING USES

The requirements of Section 4, "Zoning Provisions - Non-Conforming Uses and Structures", shall apply.

## 12.3 HAZARD AREA DELINEATIONS

The Hazard Areas shall include all the area delineated on the Supplemental Zoning Regulations maps as signed by the County of Ouray and on file in the office of the Ouray County Clerk and Recorder. Where deemed to be in the public interest by the County of Ouray and, to promote wise and safe use of the Hazard Areas, the Hazard Areas shall include and may be divided into Avalanche Areas, Landslide Areas, Rockfall Areas, Mudflow Areas, Unstable Slope Areas and/or Ground Subsidence Areas.

## 12.4 USES PERMITTED

The following uses shall be permitted within the Hazard Areas to the extent they are not prohibited in any particular area by any underlying zoning district and provided that no structure is built which could endanger human life be either temporary or permanent occupancy. Any use not listed to specifically prohibited, including, but not limited to, any structure.

### A. Uses Allowed by Right

Agricultural uses, such as general farming, pasture, truck farming and sod farming, and underground mining.

### B. Special Uses Allowed by Permit Only

- (1) Public and private utilities.
- (2) Other open uses, such as parking areas, airport landing strips, etc., but not junkyards or solid waste disposal facilities.
- (3) Public and private recreational uses, such as parks, swimming areas, golf courses, driving ranges, picnic grounds, wildlife and natural preserves, fish hatcheries and hunting, fishing and hiking areas and, if such uses do not cause concentrations of people in areas during periods of high hazard probability.
- (4) Open pit mining for removal of top soil, sand and gravel.
- (5) Private and public roads and driveway structures.

[12.4 B (6)]

- (6) Public and private utilities.
- (7) Any use not listed above is specifically prohibited, including, but not limited to, any structure unless approved in accordance with the provisions of Section 5, "Special Uses Allowed by Permit Only".
- (8) Surface Mining.
- (9) Milling, Leaching or other mineral extraction.

#### 12.5 ADDITIONAL CONDITIONS

Any proposed use, temporary or permanent in a Geologic Hazard Area, shall adhere to the following additional conditions. Applicants seeking to engage in development in a geologic hazard area shall submit to the County, as a minimum, three copies of the following information, maps, reports or data:

- A. An index map showing the general location of the permit area and its relationship to surrounding topographic and cultural features.
- B. A topographic map or maps showing location, nature and density of the proposed development or land use changes.
- C. A geologic report explaining the above maps and cross sections, with particular emphasis of evaluating and predicting the impact of such geologic or hazardous conditions on the proposed land use changes and developments.
- D. Location of proposed buildings.
- E. Aerial extent of all run out zones.
- F. Slope gradient.
- G. Grading and/or drainage plan.