

## Section 13

### WILDLIFE HABITAT REGULATIONS

#### 13.1 GENERAL PROVISIONS

##### A. Purpose and Intent

- (1) To protect those areas essential for wildlife habitat.
- (2) To establish procedures and requirements for development or activity within significant wildlife habitats which will allow man to function in harmony with, rather than be destructive to, significant wildlife habitat.
- (3) To regulate development and activities within areas of significant wildlife habitat in a manner that will minimize damage to this resource for future use.

##### B. Applicability

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

#### 13.2 NON-CONFORMING USES

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

#### 13.3 WILDLIFE HABITAT DELINEATIONS

The wildlife habitat areas shall include all the areas delineated on the Supplementary Zoning Regulations maps as signed by the County of Ouray and on file in the office of the Ouray County Clerk and Recorder.

[13.4]

13.4 USES PERMITTED

Any use allowable in the underlying zoning district, provided the use is approved in accordance with Section 13.5 herein.

13.5 ADDITIONAL CONDITIONS

Any proposed use, temporary or permanent, in Wildlife Habitat, designated areas shall adhere to the additional conditions as follows:

A. Applicants seeking a permit to engage in development in a wildlife habitat area shall furnish at least three copies of the following:

(1) A plot plan of all existing structures roads, topographic conditions, where applicable, vegetation and/or forestation existing on the proposed development and any other condition which may affect existing wildlife habitats.

(2) A plan showing any proposed development affecting any or all of the above.

B. The Ouray County Planning Commission and/or Board of County Commissioners may require that, the application be submitted in accordance with section 6, "Special Uses by Permit Only - Planned Unit Developments", and the regulations therein.

C. The Ouray County Planning Commission and/or Board of County Commissioners may require that the application be subject to Section 5.4, "Public Notice and Hearing", prior to approval or denial of said application and permit.

D. In all cases, no permit for development or subdivision shall be approved unless and until the detrimental effects to wildlife habitat are considered.