

(Amended December 12, 2006, by Board of County Commissioners)

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. Limited Planned Unit Developments (PUD's) are exempted from these regulations at the subdivision approval stage; however, residential structures constructed on 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.

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 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.

(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 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.