

**AGENDA**  
**OURAY COUNTY PLANNING COMMISSION**  
**REGULAR MEETING/WORK SESSION**

March 5, 2019 5:00 – 7:00 pm  
Meeting to be held at the Ouray County Land Use Office  
111 Mall Road, Ridgway, Colorado

*If all agenda items are not covered in this time frame they may be continued until the next regular meeting. **\*Times are approximate and subject to change\***. If an item is finished early the Planning Commission will move directly to the next agenda item. If not a Public Hearing, public comment may or may not be taken during the meeting. Action may be taken at the conclusion of public hearings.*

**A. Regular Meeting – 5:00 pm**

1. Call to Order
2. Approval of Minutes from the February 19, 2019 PC Regular Meeting
3. New Business
4. Adjourn Regular Meeting

**B. Work Session – Wildfire Mitigation**

1. Planning Commission will hold a workshop to discuss the current draft of PUD/subdivision provisions relating to Section 16 (Wildfire Mitigation) of the Ouray County Land Use Code
2. Adjourn Work Session

Copies of land use applications or workshop materials can be obtained at the Land Use Office at 111 Mall Road, Ridgway, CO; by calling 970.626.9775 or e-mailing [mcastrodale@ouraycountyco.gov](mailto:mcastrodale@ouraycountyco.gov). Comments on the agenda items may be sent to Mark Castrodale, County Planner, PO Box 28, Ridgway, CO 81432



**MINUTES**  
**OURAY COUNTY PLANNING COMMISSION**  
**REGULAR MEETING / WORKSESSION**

February 19, 2019 5:00 – 7:00 pm  
Meeting held at the  
Land Use/Road & Bridge Offices, Conference Room  
111 Mall Road Ridgway, Colorado

**Attending**

**Commissioners:** Iuppenlatz, Parker, Snowbarger, Williams

**PC Absent:** Boehnke, Miller, Wilson

**Staff:** Castrodale, Henderson

**Guests:** Gomez-WRWC, King-Plaindealer

***Note:** Minutes are “action only” format & are not intended to be a transcription of the hearing. Comments referenced may be abbreviated and/or paraphrased. If further detail is needed, you may request a recording of this meeting from the Ouray County Land Use Department.*

**A. Call to Order – Regular Meeting**

1. Call to Order at 5:04 pm
  - i. Approval of minutes from the 02/05/19 meeting
  - ii. Motion by Parker to approve the minutes
  - iii. Seconded by Williams
2. Vote: 4-0
3. Discussion of New Business
  - i. Future Wildfire Mitigation Work Session schedule in March
4. Adjourned Regular Meeting at 5:08 pm

**B. Call to Order – Work Session on Potential Revisions to Section 16 (Wildfire Mitigation) of the Ouray County Land Use Code**

1. Introduction by Williams at 5:09 pm
2. Discussion, comments, and questions from the Planning Commission/Staff/Guests
3. Adjourned Work Session at 7:05 pm

**Submitted By:**

**Approved By:**

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**Staff Member**

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**PC Chair or Alternate**



# MEMO

**TO:** Planning Commission  
**FROM:** Mark Castrodale  
**DATE:** February 27, 2019  
**SUBJ:** March 5th Work Session - Wildfire

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Attached is the latest draft of the 'point system spreadsheet' and 'code section outline', both which include all changes and revisions as discussed in our February 19<sup>th</sup> work session. Please take some time to review and let me know if I you find any errors or missing changes.

Thank you.

**att.**

**Version Date 2019-02-20**

**PROPOSED Ouray County Wildfire Vulnerability Rating System: NEW CONSTRUCTION**



Site Address: \_\_\_\_\_

Parcel Number: \_\_\_\_\_ Owner Name: \_\_\_\_\_

Initial Assessment Date: \_\_\_\_\_ Initial Assessment Completed by: \_\_\_\_\_

Final Assessment Date: \_\_\_\_\_ Final Assessment Completed by: \_\_\_\_\_

The rating sheet has two category sections: (A) REQUIRED ELEMENTS and (B) SCORED ELEMENTS. Within (A) REQUIRED ELEMENTS, all elements must be marked as "Pass" in order to receive a building permit or certificate of occupancy. Additionally, within (B) SCORED ELEMENTS, a maximum number of five-hundred-eighty-nine (589) will be allowed for individual dwelling units at the time of the issuance of a Building Permit as well as at the time of the issuance of a Certificate of Occupancy. This rating sheet provides categories with which to calculate the point rating specific to your structure and land. No partial points are allowed.

*This [PROPOSED] rating sheet is part of Section 16 "Wildfire Mitigation" of the Ouray Land Use Code. Please refer to the code for additional information about the entire wildfire mitigation code. The Rating System is divided into two categories: (A) REQUIRED ELEMENTS and (B) SCORED ELEMENTS. This wildfire vulnerability rating system is intended to encourage ignition resistant design, construction and landscaping practices in areas that have been identified as being susceptible to wildland fire. This wildfire vulnerability rating system does not affect Ouray County's enforcement of International Building Code (2006 edition) the International Residential Code (2006 edition), the International Mechanical Code (2006 edition) and the International Energy Conservation Code (2009 edition).*

ID	Name	Required	At Building Permit	Prior to C.O.O.
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**CATEGORY A: REQUIRED ELEMENTS**

<b>A1.0</b>	<b>Roofing</b> - A description of the roof covering and construction assembly of the roof. Roofing has been shown to have the single most significant impact on the survivability of home during a wildfire.			
A1.1	<b>Class A Roof Covering:</b> The construction of the roof utilizes a roof covering material that has been tested to be a Class A material in accordance with UL 790 (ASTM E108). Some materials may rely on additional underlying materials to improve their fire ratings. Both "by assembly" and "stand-alone" materials are considered acceptable so long as the material has been installed in accordance with their listing and the manufacturers' installation instructions and that the full assembly has been constructed to ensure the Class A rating status has been achieved.	Must Meet Standard A1.1 to Pass	PASS	PASS
A1.2	<b>Class B, C or Unrated Roof Covering:</b> Any roof covering that does not meet the Class A roof covering standards in accordance with UL 790 (ASTM E108).		FAIL	FAIL

<b>A2.0</b>	<b>Exterior Cladding &amp; Siding:</b> A description of the materials and construction assembly of the exterior cladding and siding of the home and its resistance to ignition from embers, as well as radiant and convective heat.			
A2.1	<b>Ignition Resistant Siding:</b> The building will feature exterior cladding and siding that are constructed of ignition-resistant materials. Ignition resistant materials include, but are not limited to: heavy timber log construction that is 6" in diameter or greater; fiber-cement board, 3 stage stucco, masonry, brick, manufactured stone, etc. Rating assessor will determine, using best professional judgement, degree to which a proposed material and proposed assembly is justifiably considered "ignition resistant" to meet this standard.	Must meet Standard A2.1 OR A2.2 to Pass	PASS	PASS
A2.2	<b>Combustible Siding WITH Ember Mitigation AND Defensible Space:</b> The building will feature combustible (non-ignition resistant) exterior cladding and siding, however measures have been taken to ensure that the base of exterior walls, (where the walls meet the ground, decks or any other horizontal surfaces), as well as junctures between exterior walls and rooflines (e.g. dormers, complex roof features, etc. ) and other structural projections, etc. have no less than 6 inches of a non-combustible material (e.g. metal flashing, skirting, concrete foundation, etc.) to reduce the likelihood of ignition from embers AND the property meets the standard for B1.1 (no less than 100') for defensible space to mitigate the risk of ignition from radiant and convective heat sources. If the property owner cannot meet the 100 feet of defensible space criteria they may elect to utilize "Ignition Resistant Siding" (A2.1).		PASS	PASS
A2.3	<b>Combustible (Non-Ignition Resistant) Siding:</b> The building has exterior siding or cladding that does not meet standard A2.1 or does not otherwise meet standard A2.2.		FAIL	FAIL
<b>A3.0</b>	<b>Vents:</b> A description of all vents, including but not limited to attic, soffit and gable vents. Any vent that connects the outside of the structure with the inside of the structure is covered under this element unless the vent emanates from a combustion chamber (e.g. stove, fireplace).			
A3.1	<b>Ember Resistant Screening:</b> Vents are screened with 1/8" screening, an acceptable louvered venting system (as is common for dryer vents) and/or a similar screening system that has been specifically designed to prevent the intrusion of embers.	Must meet Standard A3.1 to Pass	PASS	PASS
A3.2	<b>Non-Ember Resistant Screening / No Screening:</b> One or more location(s) on the structure, that connects the outside of the structure with the inside of the structure, either (a) does have any screening or (b) insufficient screening such that it does not meet Standard A3.1.		FAIL	FAIL
<b>A4.0</b>	<b>Chimneys and Other Heating Appliances:</b> Approved spark arresters should be installed on all wood burning appliances.			
A4.1	<b>Approved Spark Arrester Installed:</b> Approved spark arrester or cap is properly installed on the chimney.	Must meet Standard A4.1 to Pass	PASS	PASS
A4.2	<b>Lack of Approved Spark Arrester:</b> Missing, not properly installed or not meeting Standard A4.1		FAIL	FAIL

<b>A5.0</b>	<b>Building Perimeter Hardened Zone:</b> This standard is applicable to the ground level area directly adjacent the building perimeter extending out to 5 feet. The building perimeter includes any attachments, such as combustible decks, combustible fences, attached outbuildings, etc.			
A5.1	<b>5 Foot Hardened Zone:</b> Hardened zone extends out 5 feet from the building perimeter. A hardened zone is void of all combustible fuels including grasses, vegetation, landscape mulch, combustible building materials, etc. The hardened zone must be covered so as to prevent eventual growth of grasses/weeds. A weed barrier fabric and rock/gravel are recommended.	Must have 5'+ hardened zone to pass	PASS	PASS
A5.2	<b>Lack of 5 Foot Hardened Zone:</b> Area within 5 feet of the building perimeter (including attachments) does not meet the standard as defined in A5.1		FAIL	FAIL
<b>A6.0</b>	<b>Exterior Doors:</b> A description of all exterior doors. Doors represent a vulnerable point for fire intrusion.			
A6.1	<b>Ignition Resistant Doors:</b> Exterior doors are ignition resistant or solid core not less than 1 3/4-inches thick. Windows within doors, and glazed doors, are tempered safety glass or multi-layered glazed panels. Rating assessor will determine, using best professional judgement, degree to which a proposed material and proposed assembly is justifiably considered "ignition resistant" to meet this standard.	Yes or No	PASS	PASS
A6.2	<b>Non-Fire Resistant Doors:</b> One or more exterior doors do not meet Standard A6.1.		FAIL	FAIL
<b>A7.0</b>	<b>Private Road &amp; Driveway Emergency Vehicle Access:</b> Private roads and driveways should conform to Ouray County Land Use Code Section 15 "Ouray County Road Standards", and specifically, the standards outlined in Ouray Land Use Code Section 15 "Ouray County Road Standards", subsection 15.2 X "Driveways". <u>EXCEPTION: Homes, driveways, or portions of driveways, located on mining claims above 9480-feet in elevation may be exempt from the "Driveways" standard. Please refer to Section 24 "High Alpine Development Regulations" for more information and applicability.</u>			
A7.1	Driving surface at least twelve feet (12') wide.	Must meet all standards to pass	PASS / FAIL	PASS / FAIL
	Interior radii shall be at least thirty-two feet (32')*		PASS / FAIL	PASS / FAIL
	Driveway Opening at least sixteen feet (16') wide		PASS / FAIL	PASS / FAIL
	Grades do not exceed twelve percent (12%)		PASS / FAIL	PASS / FAIL
	Adequate sight distance, angle of approach, crowing/cross sloping, adequate drainage meet County standards.		PASS / FAIL	PASS / FAIL
<b>A8.0</b>	<b>Addressing:</b> The address sign shall adhere to Ouray County Land Use Code Section 8.9 and Resolution No. 2017-048 which sets the new standard for address signs in Ouray County.			



A8.1	<b>Address Sign Visible &amp; Meets Standard:</b> All new address signs installed in the unincorporated portions of Ouray County shall conform to the current standard for address signs as set forth by the Board of County Commissioners.	Must meet Ouray County Address Sign Standard to Pass	PASS / FAIL	PASS / FAIL
A8.2	<b>Address Sign Not Visible OR Does Not Meet Standard:</b> The address sign does not meet the standard for address signs as set forth by the Board of County Commissioners.		FAIL	FAIL
<b>A9.0</b>	<b>Gutter System:</b> A description of the gutter system, including gutters, downspouts and gutter caps, including their materials and construction assembly. Regardless of the installed gutter system, regular maintenance of gutters, to clear them of any accumulated combustible materials, is highly recommended. To reduce maintenance, installation of a gutter cap may recommended.			
A9.1	Non-Combustible Gutter System: Gutters are made out of non-combustible material AND gutters are installed such that the leading edge of the roof is finished with a metal drip edge so that no wood sheathing is exposed. The drip edge extends in to the gutter. If no gutter system is installed, use this score.	Meets standards	PASS	PASS
A9.2	Wildfire Vulnerable Gutter System: Gutters do not meet the standard as described in A9.1.	Does not meet standards	FAIL	FAIL

## CATEGORY B: SCORED ELEMENTS

ID	Name	Points	Building Permit	Prior to Cert. of Occupancy
<b>DEFENSIBLE SPACE ELEMENTS</b>				
<b>B1.0</b>	<b>Defensible Space:</b> A description of the current and/or planned extent and quality of defensible space around the proposed structure AND emergency access roads/driveways on the property. Please refer to "Protecting Your Home from Wildfire: Creating Wildfire-Defensible Zones" (CSFS 2012-1) - OR current and relevant replacement of this document - for additional information and standards related to the creation of Defensible Space. Apply same score if current conditions do not exist but a detailed Wildfire Mitigation Defensible Plan has been submitted and demonstrates intention to develop defensible space to these standards. <u>Note that "defensible space" does not mean clearcutting or complete removal of vegetation.</u>			
<b>B1.1</b>	<b>Full Zone 1 (0-30 ft) and Full Zone 2 (30-100 ft):</b> No less than 100 feet of adequate D-Space in all directions around the home.	0		
<b>B1.2</b>	<b>Full Zone 1 (0-30 ft) But Not Full Zone 2 (30-100 ft):</b> No less than 30 feet of adequate D-Space in all directions around the home.	100		
<b>B1.3</b>	<b>Not Full Zone 1 (0-30 ft):</b> Less than 30 feet of adequate D-Space in all directions around the home.	300		
<b>BUILDING SITE ELEMENTS</b>				
<b>B2.0</b>	<b>Slope (Percent/Degrees):</b> A measurement of the slope of the property as it relates to the location of the home. The slope measurement is taken by creating a 300 foot straight-line transect with the center of the home in the middle of the transect and the two ends of the transect are at the highest and lowest elevations possible.			
<b>B2.1</b>	<b>&lt;20% / &lt;11.31°:</b> Measured slope is less than 20%	0		
<b>B2.2</b>	<b>20-45% / 11.31°-24.23°:</b> Measured slope is between 20.0 and 45%	60		
<b>B2.3</b>	<b>&gt;45% / &gt;24.33°:</b> Measured slope is greater than 45%	120		
<b>B3.0</b>	<b>Proximity to High Wildfire Risk Topographic Feature :</b> A measurement of the distance of the edge of the building (including attached decks) to the start of a topographic feature, designated as a "High Wildfire Risk Topographic Feature" (HWRTF). HWRTF's contribute to increased wildfire behavior severity. Examples of HWRTF's includes gullies, canyons, ravines and ridge tops. The rating assessor will utilize existing data and best professional judgement to determine existence and proximal location of HWRTF.			
<b>B3.1</b>	<b>&gt; 150' away:</b> Building footprint greater than 150 feet from HWRTF	0		
<b>B3.2</b>	<b>50 - 150' away:</b> Building footprint is between 50 feet and 150 feet from HWRTF.	70		
<b>B3.3</b>	<b>&lt;50' away:</b> Building footprint is less than 150' feet from HWRTF.	140		

<b>B4.0</b>	<b>Forest &amp; Fuel Density (aka "Background Fuels"):</b> An estimate measurement of the approximate fuel density (only species that contribute as wildfire fuel) within/beyond Zone 3 (regardless of property boundary). For this purpose, Zone 3 is defined as starting 100 feet away from the structure and ending at 500 away from the structure, in all directions. Emphasis and weight should be placed on forest and fuel locations most likely to impact fire behavior approaching the house.
<b>B4.1</b>	<b>Light:</b> Predominately grasses and herbaceous plants. Woody fuels, if existing, are sparse and highly isolated
<b>B4.2</b>	<b>Moderate:</b> Well spaced and isolated trees and shrubs mixed with grasses and herbaceous plants. Isolated is defined as a greater than 10 foot (>10') average spacing between edges of crowns (outer most branches of a tree/shrub).
<b>B4.3</b>	<b>Heavy:</b> Trees and shrubs are the predominant cover type and are dense in nature. Dense is defined as less than 10 foot (<10') average spacing between edges of crowns (outer most branches of tree/shrub).

## ARCHITECTURAL DESIGN & CONSTRUCTION ELEMENTS

<b>B5.0</b>	<b>Decks and Fencing:</b> A description of the construction materials, design and assembly of the fencing and decks that are attached to the residential occupancy.			
<b>B5.1</b>	<p><b>Ignition Resistant Decking &amp; Fencing:</b></p> <ul style="list-style-type: none"> <li>• decking will be composed of a material that meets meets the standard for being non-combustible, fire-retardant treated lumber or ignition resistant as defined by Standard ASTM E84; and</li> <li>• wood that does not meet this standard, if used, is only a part of the structural support components (sub frame, joists, support posts, rails, etc.) of the deck; and</li> <li>• wood joists are covered with a metal cap or similar covering (foil-faced bitumen tape is also recommended) to reduce ember ignitions on exposed joists between deck boards; and</li> <li>• gaps between decking boards are 1/4" or more (narrower gaps have been shown to increase fire spread); and</li> <li>• joists are spaced at not less than 24 inch intervals; and</li> <li>• the decking is not elevated above ground level or, if it is elevated above ground level, it is completely enclosed such that neither convective nor radiant heat can penetrate the deck from the bottom up OR if full enclosure is not feasible the property meets the requirements of 100 feet of defensible space as defined in B1.1; and</li> <li>• bottom of deck enclosure (if applicable), where it meets grade, meets ignition resistant standards as described in A2.1; and</li> <li>• fences, (if present, attached to home are composed of a combustible material), will feature at least 5 feet of non-combustible fencing where the fence attaches to the structure to reduce the likelihood of the fence carrying fire to structure.</li> <li>• hardened zone extends out 5 feet from the deck perimeter, void of all combustible fuels including grasses, vegetation, landscape mulch, combustible building materials, etc. Hardened zone must be covered so as to prevent eventual growth of grasses/weeds. A weed barrier fabric and rock/gravel are recommended.</li> </ul>	0		
<b>B5.2</b>	<b>Decking Material Does Not Meet Standard ASTM E84:</b> The proposed or built deck conforms with B5.1 in every way (subsections b-g) <u>except</u> subsection (a) related to the decking material. In this case, the proposed or built deck does not utilize a material that meets the Standard ASTM E84.	90		
<b>B5.3</b>	<b>Non-Ignition Resistant Decking &amp; Fencing:</b> Any attached deck or attached fencing does not completely and entirely conform with B5.1 or 5.2.	180		

<b>B6.0</b>	<b>Eaves, Overhangs and Structural Projections:</b> A description of any portion of the attached structure where projections or overhangs are part of the design element. These areas are vulnerable to heat and ember collection.			
<b>B6.1</b>	<b>Ignition Resistant Projections:</b> All eaves are soffitted and all eaves, overhangs and structural projections are composed of or enclosed by ignition resistant materials (as described in element "Exterior Cladding and Siding" - Section A.2).	0		
<b>B6.2</b>	<b>Non-Ignition Resistant Projections:</b> One or more eaves has an open-eave construction design OR one or more eaves, overhangs or structural projections does not otherwise conform with B6.1.	80		

<b>B7.0</b>	<b>Windows:</b> A description of all exterior windows. Windows are vulnerable to fire intrusion through window frame failure (primarily due to heat exposure) and glazing (glass surface) failure.			
<b>B7.1</b>	<b>Preferred Exterior Windows:</b> (a) all exterior windows are multi-paned (or double paned) <u>AND</u> tempered; and (b) all exterior window frames are composed of ignition resistant or non-combustible materials.	0		
<b>B7.2</b>	<b>Less Preferred Exterior Windows:</b> (a) all exterior windows are multi-paned (or double-paned) <u>BUT NOT</u> composed of tempered glass; (b) and all frames are composed of ignition resistant or non-combustible materials	70		
<b>B7.3</b>	<b>Fire Vulnerable Exterior Windows:</b> Windows do not conform with B7.1 or B7.2	140		

## EMERGENCY ACCESS ELEMENTS

<b>B8.0</b>	<b>Driveway Clearances:</b> In addition to Required Element A7.0 "Driveways", this is a description of the driveway's horizontal and vertical clearances which allow for unimpeded emergency response vehicular access. Typical impediments to safe horizontal and vertical access include trees, branches, shrubs, gateways, archways, etc. The horizontal clearance does not require that additional road base material be laid down, instead this is solely looking at the ability for emergency vehicles to access the site.		
<b>Horizontal Clearance</b>	Greater than 24 feet of horizontal clearance has been achieved.	0	
	Less than 24 feet of horizontal clearance as been achieved however an area along the driveway provides a "pullout" for emergency vehicles. The "pullout" provides at least 24 feet of horizontal clearance (as measured with the driveway and the pullout combined) and is at least 35 feet in length so that two emergency vehicles can pass one another along the driveway.	0	
	Less than 24 feet but greater than 20 feet of horizontal clearance	40	
	Less than 20 feet of horizontal clearance	80	
<b>Vertical Clearance</b>	Greater than 13.5 feet of vertical clearance	0	
	Less than 13.5 feet of vertical clearance	30	

## OTHER CONSIDERATIONS - NO SCORE - EDUCATIONAL PURPOSES ONLY

<b>B9.0</b>	<b>Near Home Combustibles:</b> A description of other combustible materials, vulnerable to ignition, within the Home Ignition Zone (HIZ). The emphasis for combustibles is within Zone 1, or zero to thirty feet from the structure. ANY material that is combustible should be considered. Common combustible materials include (but are not limited to): propane tanks, firewood, woody debris (dead and down sticks, branches, etc.), pine/fir needles, leaves, patio furniture, ornamental wreaths, decorative displays, etc.			
B9.1	Combustible materials are not within 30 feet of any structures.	No applicable score.		
B9.2	Combustible material are within 10-30 feet of the structure.			
B9.3	Combustible material within 10 feet of the structure.			
		<b>Max Points</b>	<b>Site Inspection</b>	<b>Prior to Cert. of Occupancy</b>
<b>Totals</b>		<b>589</b>	<b>0</b>	<b>0</b>
		589 or below	Passing Score	
		590 or Above	Failing Score	

**- DRAFT ONLY!!! -**

## **SECTION 16 WILDFIRE MITIGATION REGULATIONS**

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### **16.1 PURPOSE AND LEGISLATIVE INTENT:**

The purpose of these regulations is to ...

### **16.2 APPLICABILITY:**

These regulations apply to:

- A. All new residential construction.
- B. All additions and exterior remodels requiring a building permit.
- C. New *Limited, Regular, and Resort/Conference Center* Planned Unit Developments (PUD's) initiated after the date these regulations are adopted.
- D. All accessory dwelling units and accessory structures. ?
- E. Applications for subdivision under the Vested Property Rights section of this Code. ?

### **16.3 DEFINITIONS**

Wildland Urban Interface (*WUI*)...

Hardened Zone ...

Defensible Space ...

Ignition Resistant ...

### **16.4 ENFORCEMENT:**

- A. This section of the code will be administered by the Land Use Department.
- B. 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.

### **16.5 REGULATIONS AND REQUIREMENTS:**

#### **A. NEW RESIDENTIAL CONSTRUCTION**

- (1) Direction...



(a) Direction...

## B. EXTERIOR REMODELS AND ADDITIONS

(1) Direction...

(a) Direction...

## C. PLANNED UNIT DEVELOPMENTS

(1) All new Planned Unit Developments, Limited, Regular, and Resort/Conference center shall include the following elements regarding wildfire mitigation:

(a) Either a secondary egress method, or, an internal access road built to accommodate access for emergency response vehicles. (ie. *road width and adjacent clearing allows adequate clearance for 2 typical size emergency vehicles to pass*) ?

(b) Prior to submittal of a Sketch Plan, the application for PUD shall be referred to the Colorado State Forest Service (CSFS) or Western Region Wildfire Council (WRWC) for review and recommendations regarding vegetation management outside of the building envelope areas.

1. Applicant shall incorporate recommendations from the CSFS or WRWC in development of the Sketch Plan.

2. The Board of County Commissioners may require some or all recommendations from CSFS or WRWC be implemented in the development plan.

(c) In addition to the site layout and design provisions stated in the 'Planned Unit Development' section of this Code, applicants for new PUD's shall be required to:

1. Confirm that no houses may be constructed with less than a 30-foot separation as measured from each home's exterior edge.

2. Design and layout for all residential lots allows for the implementation of a minimum of 100-feet of defensible space around all residential dwelling units and all accessory dwelling units. ?

3. All residential lots shall be arranged to avoid high wildfire risk topography.

4. Open space, or alternatively, non-building area, shall be arranged to allow for design and implementation of a fuel break, as recommended by CSFS or WRWC. (**Note:** *Typically best achieved by providing for a strip of land area on the perimeter of the PUD that is at least 30-50 feet wide per the 2013 NFPA guidelines.*)

**D. SUBDIVISIONS – VESTED PROPERTY RIGHTS**

(1) Direction

(a) Direction

**E. ACCESSORY STRUCTURES**

(1) Direction

(a) Direction

**F. COMMERCIAL STRUCTURES SUBJECT TO THIS CODE:**

All Commercial construction shall meet the Uniform Building Code and the Uniform Fire Code provisions relating to fire mitigation as adopted by Ouray County.

**16.6 PROCEDURES**

**16.7 EXCEPTIONS/VARIANCES/APPEALS**

**16.8 FEES**

**16.9 CONFLICT WITH OTHER LAWS**

If the County codes or regulations are in conflict with Federal law or regulations, Federal law or regulations shall control.

**16.10 SEVERABILITY**

- A.** In the event any article, section, sentence, clause or phrase of this Section shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the other articles, sections, sentences, clauses or phrases of this Section, which shall remain in full force and effect, as if the article, section, sentence, clause, or phrase so declared or adjudged invalid or unconstitutional were not originally a part thereof.
- B.** The BOCC hereby declares that it would have adopted the remaining parts of this Section if it had known that such part or parts thereof would be declared or adjudged invalid or unconstitutional.