

AGENDA
OURAY COUNTY PLANNING COMMISSION
REGULAR MEETING/WORK SESSION

May 7, 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 April 16, 2019 Meeting
3. New Business
4. Adjourn Regular Meeting

B. Work Session – Wildfire Mitigation

1. Planning Commission will hold a workshop to review Draft Wildfire Mitigation Regulations in Section 16 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. 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

April 16, 2019 5:00 – 7:00 pm
Meeting held at the
Land Use/Road & Bridge Offices, Conference Room
111 Mall Road Ridgway, Colorado

Attending

Commissioners: Boehnke, Iuppenlatz, Miller, Parker, Snowbarger, Williams, Wilson

PC Absent: None

Staff: Castrodale, Henderson

Guests: 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 5:00 pm
 - i. Approval of minutes from the 04/02/19 planning commission (PC) meeting
 - ii. Motion by Parker to approve the minutes
 - iii. Seconded by Snowbarger
 - iv. Vote: 7-0
2. Discussion of New Business
3. Future Wildfire Mitigation Work Session schedule on May 7 and 21, 2019
4. Adjourned Regular Meeting at 5:10 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 5:11 pm
2. Discussion, comments, and questions from the Planning Commission/Staff/Guests
3. Adjourned Work Session at 6:35 pm

Submitted By:

Approved By:

Staff Member

PC Chair or Alternate

MEMO

TO: Planning Commission
FROM: Mark Castrodale
DATE: April 30, 2016
SUBJ: Section 16 Draft, Worksheet Draft

Attached is the current draft of the new Section 16 – Wildfire Mitigation Regulations applicable to Structures and County Approved Subdivisions and the Vulnerability Rating System Worksheet draft. The drafts include all changes or comments sent to me in response to the previous drafts. Where there was any question or possible conflict with the change, I tried to highlight those in yellow or bold red in the spreadsheet.

Please keep in mind that these drafts are **preliminary** and not in any sort of final form. Please review these documents in preparation for our upcoming workshop on **5/7**. Also note that starting on **5/21** we will deviate from wildfire to hold 2 – workshops and 1 – public hearing on documents related to non-commercial camping.

Call or email me if you have any questions.

Thank you!

att.

Version Date 2019-04-17

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

A1.0	Roofing - 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	Class A Roof Covering: 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	Class B, C or Unrated Roof Covering: Any roof covering that does not meet the Class A roof covering standards in accordance with UL 790 (ASTM E108).		FAIL	FAIL

A2.0	Exterior Cladding & Siding: 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	Ignition Resistant Siding: 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	Combustible Siding WITH Ember Mitigation AND Defensible Space: 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	Combustible (Non-Ignition Resistant) Siding: The building has exterior siding or cladding that does not meet standard A2.1 or does not otherwise meet standard A2.2.		FAIL	FAIL
A3.0	Vents: 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	Ember Resistant Screening: 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	Non-Ember Resistant Screening / No Screening: 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
A4.0	Chimneys and Other Heating Appliances: Approved spark arresters should be installed on all wood burning appliances.			
A4.1	Approved Spark Arrester Installed: Approved spark arrester or cap is properly installed on the chimney.	Must meet Standard A4.1 to Pass	PASS	PASS
A4.2	Lack of Approved Spark Arrester: Missing, not properly installed or not meeting Standard A4.1		FAIL	FAIL

A5.0	Building Perimeter Hardened Zone: 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	5 Foot Hardened Zone: 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	Lack of 5 Foot Hardened Zone: Area within 5 feet of the building perimeter (including attachments) does not meet the standard as defined in A5.1		FAIL	FAIL
A6.0	Exterior Doors: A description of all exterior doors. Doors represent a vulnerable point for fire intrusion.			
A6.1	Ignition Resistant Doors: 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	Non-Ignition Resistant Doors: One or more exterior doors do not meet Standard A6.1.		FAIL	FAIL
A7.0	Private Road & Driveway Emergency Vehicle Access: 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
A8.0	Addressing: 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	Address Sign Visible & Meets Standard: 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	Address Sign Not Visible OR Does Not Meet Standard: The address sign does not meet the standard for address signs as set forth by the Board of County Commissioners.		FAIL	FAIL
A9.0	Gutter System: 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
DEFENSIBLE SPACE ELEMENTS				
B1.0	Defensible Space: 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>			
B1.1	Full Zone 1 (0-30 ft) and Full Zone 2 (30-100 ft): No less than 100 feet of adequate D-Space in all directions around the home.	0		
B1.2	Full Zone 1 (0-30 ft) But Not Full Zone 2 (30-100 ft): No less than 30 feet of adequate D-Space in all directions around the home.	100		
B1.3	Not Full Zone 1 (0-30 ft): Less than 30 feet of adequate D-Space in all directions around the home.	300		
BUILDING SITE ELEMENTS				
B2.0	Slope (Percent/Degrees): 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.			
B2.1	<20% / <11.31°: Measured slope is less than 20%	0		
B2.2	20-45% / 11.31°-24.23°: Measured slope is between 20.0 and 45%	60		
B2.3	>45% / >24.33°: Measured slope is greater than 45%	120		
B3.0	Proximity to High Wildfire Risk Topographic Feature : 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.			
B3.1	> 150' away: Building footprint greater than 150 feet from HWRTF	0		
B3.2	50 - 150' away: Building footprint is between 50 feet and 150 feet from HWRTF.	70		
B3.3	<50' away: Building footprint is less than 150' feet from HWRTF.	140		

B4.0	Forest & Fuel Density (aka "Background Fuels"): 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.
B4.1	Light: Predominately grasses and herbaceous plants. Woody fuels, if existing, are sparse and highly isolated
B4.2	Moderate: 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).
B4.3	Heavy: 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

B5.0	Decks and Fencing: A description of the construction materials, design and assembly of the fencing and decks that are attached to the residential occupancy.			
B5.1	<p>Hardened Decking & Fencing Design/Construction:</p> <p>a) decking composed of composite material; and</p> <p>b) 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</p> <p>c) gaps between decking boards are 1/4" or more (narrower gaps have been shown to increase fire spread); and</p> <p>d) joists are spaced at not less than 16 inch intervals; and</p> <p>e) the decking is not elevated above ground level or, if 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</p> <p>f) bottom of deck enclosure (if applicable), where it meets grade, meets ignition resistant standards as described in A2.1; and</p> <p>g) entire area under deck must be covered in a non-combustible material such as crushed rock or gravel; and</p> <p>h) 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.</p> <p>i) 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.</p>	0		
B5.2	Decking Constructed without Metal Caps on Joists: The proposed or built deck conforms with B5.1 in every way (subsections a-i) <u>except</u> subsection (a) related to the requirement for composite materials in deck construction.	90		
B5.3	Non-Ignition Resistant Decking & Fencing: Any attached deck or attached fencing does not completely and entirely conform with B5.1 or 5.2.	180		

B6.0	Eaves, Overhangs and Structural Projections: 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.			
B6.1	Ignition Resistant Projections: 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		
B6.2	Non-Ignition Resistant Projections: 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		

B7.0	Windows: 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.		
B7.1	Preferred Exterior Windows: (a) all exterior windows are multi-paned <u>AND</u> tempered; and (b) all exterior window frames are composed of ignition resistant or non-combustible materials.	0	
B7.2	Less Preferred Exterior Windows: (a) all exterior windows are multi-paned <u>BUT NOT</u> composed of tempered glass; (b) and all frames are composed of ignition resistant or non-combustible materials	70	
B7.3	Fire Vulnerable Exterior Windows: Windows do not conform with B7.1 or B7.2	140	

EMERGENCY ACCESS ELEMENTS

B8.0	Driveway Clearances: 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.		
Horizontal Clearance	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	
Vertical Clearance	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

B9.0	Near Home Combustibles: 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.			
		Max Points	Site Inspection	Prior to Cert. of Occupancy
Totals		589	0	0
		589 or below	Passing Score	
		590 or Above	Failing Score	

- DRAFT ONLY!!! -

SECTION 16

WILDFIRE MITIGATION REGULATIONS APPLICABLE TO STRUCTURES AND COUNTY APPROVED SUBDIVISIONS

16.1 PURPOSE AND LEGISLATIVE INTENT:

The purpose of these regulations is to ...

- Regulation is science-based...
- One regulation for the entire county, not multiple 'risk' zones...
- Based on advice from wildfire experts and review of scientific studies...
- Note that embers may travel as far as 13 miles, do not respect 'zones'...
- PC worked to balance protection of life and property with individual property rights...

16.2 APPLICABILITY:

A. These regulations apply to:

- (1) All new residential construction requiring a building permit.
- (2) All additions and exterior remodels requiring a building permit.
- (3) All accessory dwelling units and accessory structures requiring a building permit.
- (4) New *Limited, Regular, Resort/Conference Center, and Vested Property Rights* County-Approved Subdivisions/Planned Unit Developments (PUD's) initiated after the date these regulations are adopted.

B. These regulations do not apply to:

- (1) Statutory 35-acre parcels / subdivisions. ***I don't think this is what we mean???**
- (2) Commercial structures. (*All Commercial construction shall meet the Uniform Building Code and the Uniform Fire Code provisions relating to fire mitigation as adopted by Ouray County.*)

16.3 NON-CONFORMING STRUCTURES

- A. **Land Use Code Sections 4.2 - Expansion or Enlargement and 4.4 – Restoration or Replacement addressing non-conforming structures shall not trigger the requirement for compliance with this entire Code Section.**

B. If the proposed restoration or replacement of the structure is more than 50%, then the entire structure must comply with the *Mandatory Elements* as listed in the *Wildfire Vulnerability Rating System Worksheet*.

C. If the proposed restoration or replacement of the structure is less than 50%, then the entire structure must comply with the *Scored Elements* as listed in the *Wildfire Vulnerability Rating System Worksheet*.

16.4 DEFINITIONS

Wildland Urban Interface (WUI). Areas where homes are built near or among lands prone to wildland fires.

Defensible Space. In the context of fire control, a natural and/or landscaped area around a structure that has been designed and/or maintained to reduce wildfire danger.

Ignition Resistant (*materials*). Those products that meet or exceed the standard for being non-combustible/fire-retardant as defined by **ASTM E-84 standards???**

16.5 REGULATIONS AND REQUIREMENTS:

A. RESIDENTIAL CONSTRUCTION

- (1) All building permit applications for new residential construction shall include a completed and staff-approved - Ouray County Wildfire Vulnerability Rating System Worksheet. (*Applicants should be aware that the worksheet contains both scored as well as mandatory elements.*) No building permit will be issued without a staff-approved worksheet.
- (2) Mandatory elements for all new residential structures addressed in the rating worksheet include:
 - (a) Class A Roof Covering
 - (b) Ignition Resistant Siding OR Non-Ignition Resistant Siding with Ember Mitigation and Defensible Space
 - (c) Ember-Resistant Screening
 - (d) Five-Foot Hardened Zone
 - (e) Ignition-Resistant Doors
 - (f) Emergency Vehicle Compatible Driveway
 1. Driveway Width
 2. Interior Radii

3. Driveway Opening
 4. Grade
 5. Adequate Site-Distance
- (g) Non-Combustible Gutter System
- (h) Proper Address Signage
- (3) Scored Elements Include:
- (a) Defensible Space
 - (b) Building Site Elements
 - (c) Forest & Fuel Density
 - (d) Ignition-Resistant Decking/Fencing
 - (e) Eaves, Overhangs, Structural Projections
 - (f) Windows
 - (g) Driveway Clearance
 - (h) Near-Home Combustibles
- (4) Requirements for Defensible Space
- (a) Building permit applications shall include a detailed site plan showing the location of all proposed structures as well as the location of significant adjacent vegetation. Aerial photographs are highly encouraged.
 - (b) A proposed Defensible Space plan must be prepared by a qualified representative from the Colorado State Forest Service, the Western Region Wildfire Council, or other person/entity approved by the Land Use Department. *(Applicants are strongly encouraged to make contact with one of these agencies as early on in the application process as possible!)*
 - (c) Proposed defensible space shall be required as provided for in Sections **B1.1, 1.2 and 1.3** of the Ouray County Wildfire Vulnerability Rating System Worksheet, or to the property boundary, **whichever is greater/lesser???**
 - (d) All trees/vegetation intended for removal must be clearly marked.

- (e) If Defensible Space is proposed as part of an approved Wildfire Vulnerability Rating System Worksheet, all work must be completed prior to final inspection and issuance of a 'Certificate of Occupancy'.

B. EXTERIOR ADDITIONS AND REMODELS

(1) ADDITIONS:

- (a) Section **16.5(A)** of this Section shall apply to any proposed addition to a residential structure. (ie. the proposed new portion of the structure only)
- (b) For the purposes of this Section, any garage or deck attached to the residential dwelling is considered an *addition*.
- (c) Any building permit application for an addition to an existing residential structure shall trigger the requirement for an *'audit'* of the entire structure and surrounding land area by the Colorado State Forest Service, Western Region Wildfire Council, or other qualified agency. The purpose of the audit is to identify and communicate to the homeowner, areas of concern and possible opportunities to implement changes or upgrades to reduce the structures ignition vulnerability due to wildfire. Audits conducted by a qualified/accepted agency shall be good for a period of 5-years.
- (d) Any proposed addition to a residential dwelling unit, equal to or greater than 50% in size of the existing structure, shall require the entire existing structure to meet the 'Required Elements' of the *Wildfire Vulnerability Rating System Worksheet*.

(2) REPAIRS AND REMODELS REQUIRING A BUILDING PERMIT:

- (a) The replacement of existing roofing material shall require an approved building permit as well as the following:
 1. Newly installed roofing material must be 'Class-A' fire resistant.
 2. Replacement of all vent screens with 1/8" screening or screening otherwise specifically designed to prevent the intrusion of fire embers. (*if not already installed*)
 3. Installation of an approved spark arrestor. (*if not already installed*)

4. Installation of non-combustible gutter system.

C. ACCESSORY DWELLING UNITS (requiring a building permit)

- (1) Building permit applications for *accessory dwelling units* shall be required to comply with Section 16.5(A) of this Code Section.

D. ACCESSORY STRUCTURES (requiring a building permit)

- (1) Building permit applications for *accessory structures* shall be required to comply with the mandatory (ie. non-scored) elements of the Wildfire Vulnerability Rating System Worksheet. **This requirement includes building permits issued subject to the county's High Alpine regulations.**

E. PLANNED UNIT DEVELOPMENTS

- (1) All new Planned Unit Developments proposals including *Limited, Regular, Resort/Conference Center, and Vested Property Rights Subdivisions* shall include the following elements regarding wildfire mitigation:

- (a) A secondary egress method (*if feasible*) **including road width and adjacent cleared areas**, or an internal access road built to accommodate access for emergency response vehicles, including both horizontal and vertical clearance. (*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.
 3. 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:** *Fuel breaks are 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.*)
 4. PUD covenants shall include a provision that require, and provides for, on-going perpetual maintenance of the area designated as a *fuel break*.

- (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 overall PUD design, and layout of lots and building envelopes, is done in such a manner where no houses may be constructed with less than a 30-foot separation as measured from each home’s exterior edge.
 2. confirm that design and layout for all residential lots shall allow for the implementation of a minimum of 100-feet of defensible space (*or to the edge of the property*) around all residential dwelling units and all accessory dwelling units.
 3. confirm that all residential lots are located with the specific intention to avoid high wildfire risk topography.

16.6 PROCEDURES

- A. All building permit applications shall be submitted to the Ouray County Land Use Department.
- B. Building permit applications and related reviews regarding wildfire mitigation will be conducted by the Ouray County Land Use Department.
- C. Applications requiring assistance by the Western Region Wildfire, Colorado State Forest Service, should be copied to those agencies as early on in the process as possible to avoid any potential delays.

16.7 EXCEPTIONS/VARIANCES/APPEALS

Any request for an exception, variance, or appeal related to the provisions of this Code Section shall be addressed as provided for in the *Exceptions, Special Exceptions, Exemptions, and Variances* section of this Code.

16.8 ENFORCEMENT/FEES:

This section of the code will be administered by the Land Use Department and the costs of implementation will be recovered through fees established by the Board of County Commissioners as a part of PUD, RST and building permit 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.