

**Minutes of the Ouray Planning Commission
July 10, 2018**

CALL TO ORDER

Chairman Jeff Skoloda called the meeting to order at 4:00 p.m.

ROLL CALL

Planning Commissioners present for roll call were Chairman Jeff Skoloda, Vice Chair Tamara Gulde, Commissioner J. Gary Dunn, Commissioner Tom Tyler and Commissioner Ann Morgenthaler.

Present on behalf of the City of Ouray staff were City Administrator Katie Sickles, Community Development Coordinator Chris Hawkins and Deputy Clerk/Treasurer Beverly Martensen. Council member Maurer was present as Council liaison. Also present were four citizens.

APPROVAL OF MINUTES

Commissioner Gulde moved and Commissioner Tyler seconded the motion to approve the minutes of the June 12th Regular Planning Commission meeting. A vote was taken and passed unanimously.

CITIZENS COMMUNICATIONS

There were no citizens communications.

ACTION ITEMS

Bonatti Condo Map -Consideration of a minor subdivision to create a condominium community consisting of two units and associated common elements on approximately 3,550 sq. ft.; Block 10, Lot 23, City of Ouray located at 608 Main Street.

Chris Hawkins described this a fairly straightforward condominium with items to address including an encroachment agreement for the outdoor restroom for Outlaw Restaurant and an access easement.

Michael Hockersmith, representing Bonatti properties, stated conditions set forth in the Staff memo are acceptable.

Commissioner Tyler Moved and Commissioner Morgenthaler seconded the motion to approve the Minor Subdivision for the Bonatti Condominiums to create two condominium units and associated common elements on Block, Lot 23, City of Ouray with the conditions set forth in the staff memo of record. A vote was taken and passed unanimously.

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DISCUSSION ITEMS

1. Short Term Lodging Regulations

Discussion was conducted between the commissioners and members of the short-term rental advisory committee.

Chairman Skoloda stated the need to update definitions for short-term lodgings in the land use code.

Commissioner Morgenthaler discussed that there seems to be properties in the area who are generating lease documents for 30 day rentals to get around current short term rental regulations.

Hawkins stated his opinion that it would be good to have an outside contractor for enforcements.

Commissioner Dunn suggested we may not need all these new regulations. What are the problems that have occurred that we are specifically trying to solve?

Betty Maurer stated that there are many people not paying LOT. She stated the committee did not want to limit the number of short term rentals. She also wanted to see parking requirements enforced.

Commissioner Gulde feels the parking issue should be clarified in the Community Plan Update. She also stated she feels the recommendations from the committee are a little ambiguous and complicated. She does not feel R-1 regulations are restricting short term rentals.

Commissioner Dunn feels that insurance should not be required by the City.

Dolgio Nergui reminded the Commission that one of the main purposes of the committee was to address the need for long term housing.

Skoloda stated the real estate operated as a short term rental should perhaps be paying property taxes as a commercial property.

Mike Bazin believes a bed & breakfast must be operated with the same rules as a lodging. He also stated he felt the recommendations by the short-term rental committee could be simplified.

Chairman Skoloda agrees with requiring a local contact and possible safety inspections. He feels there must be some fee coming from the rental properties to provide for

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enforcement. Also believes short term rental properties should be registered with the City.

Maurer stated additional fees should cover enforcement.

Commissioner Tyler stated he does not feel City resources should be used to pay for enforcement of short term rentals.

Hawkins stated part of the answer with regard to safety inspections is to coordinate with the Fire Department.

Commissioner Gulde stated she is in favor of registration. Definitely wants to keep regulations simple.

Chairman Skoloda – do we want an outside contractor to build database? Do we want to levy a fee to cover paying for outside party?

Hawkins suggested gaining a better understanding of how these outside vendors work. Then a Staff recommendation regarding the best route.

Commissioner Morgenthaler supports having a fee for short term rentals. Also an application process of some type and an annual renewal.

Chairman Skoloda feels administrative approval would be acceptable for renewal information of short term rentals.

Commissioner Morgenthaler stated that clearly enforcement is an issue and that perhaps discussion should begin with enforcement of current regulations. She supports regulating short term rentals now, rather than focusing on the housing shortage at this time. She is not in support of grandfathering of any type.

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Commissioner Morgenthaler would like more information about maximum occupancy.

Chairman Skoloda summarized the discussion regarding short term rental –

- Fee is a good idea. Staff to recommend what, how much. A flat fee.

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- Application process for all short term rental properties, with yearly renewal to follow.
- Support the idea of inspection for parking, contact information posted, exits, safety, smoke and CO2 detectors, egress, fire extinguishers, house numbers for emergency.
- Administrative approval of applications.
- Clear and simple process for violations, enforcement
- Address maximum occupancy

Hawkins will follow up with building official regarding maximum occupancy.

2. Brown Lode Annexation

Hawkins explained applicant had submitted annexation application in 2014 but held off moving forward with a complete submittal pending analyzing costs. Hawkins feels a work session may be appropriate considering the steep topography, rock fall hazard, the lack of direct access.

The Planning Commission discussed that it does not see an advantage to the City of Ouray in approving the annexation and finds it difficult to see how this annexation would fit in City Master Plan. .

3. Community Plan – Update and Planning Commission Stakeholder Interviews

Chris Hawkins received response from the planning commissioners to the questions used in the stakeholder interview.

- What are the biggest issues facing Ouray?
Chairman Skoloda – Changing climate.
Vice Chair Gulde – traffic, parking, infrastructure, water supply, disaster plans, communication, protecting historic value, not overbuilding, broadband, affordable housing, transportation, limits on development?
Commissioner Dunn – More permanent residents – need broadband. Dark skies
Commissioner Tyler – Infrastructure, current debt load, housing, parking.
Commissioner Morgenthaler – infrastructure, negative impacts in the back country, dark skies importance of consistent priorities
- What are Ouray's strengths?
Chairman Skoloda – geothermal water, natural beauty, people who are passionate about maintaining and enjoying our surroundings, an oasis, cool temps, winter recreation without a ski area, dark skies, restaurants, shops , funky attitude, camping, hiking....

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Commission Tyler – community involvement,
Commissioner Morgenthaler – people’s desire to live here.

- What makes Ouray unique?
Commissioner Dunn – Victorian look, location.
Commissioner Morgenthaler – Main street and its vitality
Commissioner Gulde – business diversity, school, city PD, walkability
Chairman Skoloda – celebrates spirit of getting it done, we live on the edge of society where normal rules don’t apply, sense of freedom living a life most people can’t get to. Can enjoy more resources with less demand than most places in the world.
- What are Ouray’s biggest opportunities?
Chairman Skoloda – energy independence – solar, geothermal, microhydro can be developed.
Vice Chair Gulde – broadband, need younger volunteers, more skill base
Commissioner Morgenthaler – less impact, spirit of independence.
- What important elements should be included in our Community Vision?
Chairman Skoloda – nudge to cultural change regarding energy and environmental awareness.
Commissioner Tyler – longer term vision with regard to infrastructure, parking.

ADJOURNMENT

At 6:20 p.m. Commissioner Skoloda moved and Vice Chair Gulde seconded the motion to adjourn. The motion was unanimously approved.

