

**Minutes of the Ouray Planning Commission
November 13, 2018**

CALL TO ORDER

Chairman Jeff Skoloda called the meeting to order at 4:02 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. Mayor Pro Tem Boyd 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 October 9th Regular Planning Commission meeting. A vote was taken and passed unanimously.

CITIZENS COMMUNICATIONS

There were no citizen communications.

ACTION

Consideration of an appeal of an administrative decision of the Building Official regarding the front setback for a new single-family home located on Lot 2 Ouray Vista Subdivision with an address of 109 Ouray Vista Lane.

Hawkins explained that this lot is at the intersection of Main St and Ouray Vista Lane which gives the lot two fronts. Generally, when a lot has two fronts the front setback is measured from the higher functioning street. Most homes and business on Main are considered facing main and therefore the front of the house for purposes of determining setbacks.

Building Inspector Dave Doherty supplied a map showing the proposed new home and it's orientation to Main St, Hwy 550 and Ouray Vista Lane. He also pointed out the only other two homes were clearly approved using 550 as the setback.

Tom Henderson, the applicant, discussed the lot features, which include a very steep slope not suitable for building. The applicant displayed a plat map of the subdivision and pointed out that plat requires that no house in the subdivision would be allowed direct access to Highway 550. Mr. Henderson provided copies of City code section 7-2 which discusses definitions of Street, Block Front, Frontage and Front Lot Line.

**Minutes of the Ouray Planning Commission
November 13, 2018**

Hawkins responded pointing out that front of lot is established in different ways. He reminded the Commission that the two adjoining homes were clearly approved and built with setbacks indicating front of lot facing 550.

Chairman Skoloda asked if any attending citizens had any question or comment, hearing none he turned the discussion to the Commission. Doherty pointed to map showing two adjoining homes observing a 15' setback from Highway 550.

The Commissioners discussed the unique aspects of this subdivision, and the unique aspect of the three lots on this corner of the subdivision. Commissioner Morgenthaler feels that the front of the lot is Ouray Vista Lane. Chairman Skoloda pointed out that Staff went to some length to interpret the code.

Commissioner Tyler moved to uphold a determination of the Building Official that establishes and measures the front setback for the Property from Main Street and the rear setback from Ouray Vista Lane. Commissioner Gulde seconded the motion and it passed 4-1, with Commissioner Morgenthaler dissenting.

PUBLIC HEARING

Consideration of a conditional use permit for an ATV, UTV, dirt bike rentals and tours business; Block 8, Lots 12-14, City of Ouray with an address of 834 Main Street. the front setback for a new single-family home located on Lot 2 Ouray Vista Subdivision with an address of 109 Ouray Vista Lane

Hawkins explained that the City contacted the applicant had moved from across the street, where it had previously been for 13 years. City notified the applicant that there must be an application for Conditional Use, but did not make application until August

Shane Littlefield, the applicant, presented that they had a handshake agreement with original property owner that they could use property, then found it was unavailable so moved across the street, not realizing that a new CUP would be needed. Littlefield spoke of their attempt to be good stewards and educate customers regarding back country etiquette and safety. He spoke of the difficulty of being quiet after 6 p.m. but stated his commitment to being a good neighbor

Brad Lundberg, spoke in support of the applicant, stating that he and his wife have had no complaints against the applicants operation, living across the street from this business.

Glynn Williams, 824 Main St – has no objection to use of the lot, but the noise of the compressors is disruptive. Would offer that washing operation could be moved to north side of stable.

Shane Littlefield responded that he would consider the possibilities of moving the washing operation.

**Minutes of the Ouray Planning Commission
November 13, 2018**

Chairman Skoloda is also a neighbor and spoke in favor of examining the possibility of reducing the impact of the compressor noise.

Commissioner Morgenthaler asked the applicant what type of education he provides to customers. The applicant discussed the type of awareness they promote and the rules and instructions that are communicated to the customers.

Chairman Skoloda stated his concern and support of clearly communicating good back country stewardship.

Vice Chair Gulde spoke that this is an opportunity to reinforce and raise the bar for backcountry use.

Proposed conditions added included:

- Removal of tires and enclosing bottom of truck in another manner.
- No overspray to adjoining properties.
- Amend No. 11 to allow property owner to stipulate dirt bikes coming and going on City street.
- Mitigation of noise and overspray

After discussion, the Planning Commission agreed more discussion and clarification is needed. Chairman Skoloda moved to continue this conditional use permit to the January 8th regularly scheduled Planning Commission meeting. Commissioner Dunn seconded the motion and the motion passed on unanimous vote.

DISCUSSION

1. Community Plan Update

Hawkins informed the Commission he had sent survey results to Commissioners. Vision and vision statements are current topic in steering committee meetings. Dec 5th community meeting for vision discussion.

2. Recent Rockfall Event Above Pinecrest Dr.

The Planning Commission discussed the recent rockfall event above Pinecrest Drive.

ADJOURNMENT

At 6:06 Commissioner Tyler moved and Commissioner Dunn seconded the motion to adjourn. The motion passed on unanimous vote.

