

AGENDA
OURAY CITY COUNCIL

March 1, 2021

VIRTUAL MEETING

Join Zoom Meeting

<https://zoom.us/j/9349389230>

Meeting ID: 934 938 9230 Passcode: 491878
Or dial: 408 638 0968 or 669 900 6833

Regular Meeting 6pm

- Changes to this agenda can be found on the bulletin board at City Hall
- Electronic copies of the Council Packet are available on the City website at www.cityofouray.com. A hard copy of the Packet is also available at the Administrative Office for interested citizens.
- Action may be taken on any agenda item
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Regular Meeting 6pm

1. CALL TO ORDER
2. ROLL CALL
3. PUBLIC HEARING – Adoption of the City of Ouray Community Plan 2021 Page 70
4. CEREMONIAL/INFORMATIONAL – Home Trust of Ouray County Presentation
5. Approval of Minutes – Jan. 4 & 19 and Feb. 1 & 16 Page 2
6. CITIZENS' COMMUNICATION
7. CITY COUNCIL REPORTS/INFORMATION
 Glenn Boyd, Ethan Funk, Peggy Lindsey, John Wood, and Greg Nelson Page 19
8. DEPARTMENT REPORTS
 - a. City Administrator Page 26
 - b. Police Chief Page 28
 - c. Public Works Director Page 29
 - d. City Resources Director Page 31
9. CONSENT AGENDA - none
10. ACTION ITEMS Page 32
 - a. Animal Control Agreement with Second Chance Page 34
 - b. Electric Vehicle Charging Station Agreement Page 39
 - c. Possible termination of the Geothermal Heating Agreement, dated April 4, 1988, between the City and the owners of 302 Oak Street Page 56
 - d. Consideration and Possible Approval of Resolution 4, Series 2021 - Adopting the City of Ouray Community Plan 2021 Page 59
 - e. Consideration and Possible Approval of the Tourism Advisory Committee (TAC) Strategic Plan Page 166
 - f. Ordinance 2, Series 2021 - Adding Default Judgement Provision to Municipal Code – First Reading Page 174
11. DISCUSSION ITEMS
 - a. Work Session Scheduling
 - b. Future Agenda Items
12. ADJOURNMENT

**OURAY CITY COUNCIL VIRTUAL MEETING
SUMMARIZED MINUTES
MONDAY, JANUARY 4, 2021, 6 PM**

Join Zoom Meeting

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1. CALL TO ORDER

Mayor Nelson called the meeting to order at 6:00 pm.

2. ROLL CALL

Mayor Greg Nelson - present
Mayor Pro Tem John Wood - present
Councilor Glenn Boyd - present
Councilor Ethan Funk - present
Councilor Peggy Lindsey - present

Also present were City Administrator Silas Clarke, Finance and Administration Director Melissa Drake, City Resources Director Rick Noll, Public Works Director Joe Coleman, Community Development Coordinator Aja Tibbs, Police Chief Jeff Wood, Administrative Accounting Clerk Julie Lancaster, and City Attorney Carol Viner.

3. CEREMONIAL/INFORMATIONAL - none

4. APPROVAL OF MINUTES – December 7th and 21st

Councilor Funk listed some revisions to the minutes:

December 7 section 10(b) – edit to show a single location for noise ordinance work session.

December 7 section 9(f) – change wording from “decision” to “topic” since a decision had not been made yet.

Councilor Funk made a motion to approve the minutes with the listed changes. Mayor Pro Tem Wood seconded the motion.

Council Member	For	Against	Abstain	Absent
Mayor Nelson	X			
Mayor Pro Tem Wood	X			
Councilor Boyd	X			
Councilor Funk	X			
Councilor Lindsey	X			

The motion passed on unanimous roll call vote.

5. CITIZENS' COMMUNICATION

Mayor Nelson opened the floor for public comment.

Since there were no comments, Mayor Nelson closed the floor.

6. CITY COUNCIL REPORTS/INFORMATION

- a. **Glenn Boyd** – A potential conflict of interest has been pointed out for economic recovery committee having Councilor Boyd represent the County as well as the City; Councilor Boyd requested another nomination from Council. Councilor Funk volunteered to attend unofficially until the Council can formally nominate him at the next meeting.

Joint policy group meeting on the 7th at 6:00 pm. No official PIO for the County currently, relying on Ms. Peterson. PPE pickup for businesses is on Wednesday from 9:00-2:00 or Thursday from 10:00-5:00, or when supplies run out. Currently in Tier 1 for vaccine distribution, 400 people on the wait list. Receiving about 100 vaccines per week. Colorado will move to Tier 2 as a whole state when all communities complete Tier 1. Mayor Pro Tem Wood asked if vaccine events could be a reality like the testing events. Councilor Boyd said it would not be drive through because of the monitoring period after receiving the vaccine, but would require adequate staff and vaccines available.

- b. **Ethan Funk** – nothing to report

- c. **Peggy Lindsey** – nothing to report

- d. **John Wood** – TAC meeting this Wednesday at 5:00 pm. IPAT meeting on Wednesday at 7:00 pm.

- e. **Greg Nelson** – DOLA/CDPHE meeting on vaccination. State working on handling vaccinations, specifically how to handle second homeowners in the vaccine distribution per community. New website launched on January 1st, still in progress. Launching digital visitor guide for 2021 with ad space for local businesses.

7. DEPARTMENT REPORTS

- a. **City Administrator**

Conversations with Waste Management about trash pickup clarifying non-Waste Management trash can pick up with citizens and Waste Management regional managers and drivers. Working on committee appointments. Working on sewer tap ordinance.

Councilor Boyd commented that current committee members should reapply for their positions if they desire to stay, giving new applicants and current members equal footing.

Mayor Pro Tem Wood asked about JVA timeline.

- b. **Police Chief**

Presented December service calls. All of 2020 service calls up about 25% from 2019. Traffic citations have increased dramatically. Working on comprehensive parking plan with Ms. Viner. Planning for Ice Park/Fest parking this winter.

- c. **Public Works Director**

JVA will hold a brief presentation on January 19th on environmental assessment.

d. City Resources Director

Nothing to add to submitted report.

8. CONSENT AGENDA – None

9. ACTION ITEMS

a. Resolution 1, Series 2021 – Designating the Official Posting Place

Councilor Funk made a motion to approve the resolution, Councilor Lindsey seconded.

Council Member	For	Against	Abstain	Absent
Mayor Nelson	X			
Mayor Pro Tem Wood	X			
Councilor Boyd	X			
Councilor Funk	X			
Councilor Lindsey	X			

The motion passed on unanimous roll call vote.

b. Ordinance 1, Series 2021 – Updates to Chapter 10 and Chapter 14 of the Ouray Municipal Code Including 2020 Model Traffic Code Adoption and Changes to Parking, Traffic, and Animal Regulations – First Reading

Ms. Viner gave a summary of the changes in Chapter 14 about parking and traffic regulations. Mayor Nelson asked if a 19 foot vehicle pulling a 19 foot trailer would be a loophole, or if combined total length was specified. Ms. Viner will review and adjust the language to close any potential loopholes.

Ms. Viner gave a summary of Chapter 10 changes. Citizen John Nixon asked what the significance of the mention of Oak Creek was in the no swimming section. Council and Ms. Viner debated the wording and decided that it does not need to be specifically mentioned in the language. Ms. Viner will remove references to Oak Creek.

Councilor Boyd made a motion to approve the ordinance with the two changes, Councilor Funk seconded.

Council Member	For	Against	Abstain	Absent
Mayor Nelson	X			
Mayor Pro Tem Wood	X			
Councilor Boyd	X			
Councilor Funk	X			
Councilor Lindsey	X			

The motion passed on unanimous roll call vote.

c. Resolution 2, Series 2021 – Adopting Ouray Municipal Court Fine Schedule

Ms. Viner reviewed the schedule with Council, showing the old and new proposed fees.

Councilor Lindsey made a motion to approve the resolution, Mayor Pro Tem Wood seconded.

Council Member	For	Against	Abstain	Absent
Mayor Nelson	X			
Mayor Pro Tem Wood	X			
Councilor Boyd	X			
Councilor Funk	X			
Councilor Lindsey	X			

The motion passed on unanimous roll call vote.

10. DISCUSSION ITEMS

a. Schedule Work Sessions

Via Ferrata expansion – January 19th at 10:00 am.

Noise ordinance meeting – February 1st at 4:00 pm at Gold Belt (pending location approval).

b. Future Agenda Items

Councilor Lindsey would like to address pool operations, whether that is contracting pool management out to a third party or an improvement to internal management of it.

11. ADJOURNMENT

Councilor Boyd made a motion to adjourn at 8:28 pm, Mayor Pro Tem Wood seconded the motion. The motion passed on unanimous vote.

ATTEST:

Greg Nelson, Mayor

Date

Melissa M. Drake, City Clerk

CERTIFICATION

I, Melissa M. Drake, do hereby certify that I am the City Clerk of the City of Ouray, Ouray County, State of Colorado, and that the above minutes are a true and correct summary of the meeting of the Ouray City Council held on January 4, 2021. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 16th day of February, 2021.

Melissa M. Drake, City Clerk

**OURAY CITY COUNCIL VIRTUAL MEETING
SUMMARIZED MINUTES
TUESDAY, JANUARY 19, 2021, 1 PM**

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1. CALL TO ORDER

Mayor Nelson called the meeting to order at 1:00 pm.

2. ROLL CALL

Mayor Greg Nelson - present
Mayor Pro Tem John Wood - present
Councilor Glenn Boyd – present
Councilor Ethan Funk - present
Councilor Peggy Lindsey - present

Also present were Finance and Administration Director Melissa Drake, Community Development Coordinator Aja Tibbs, Police Chief Jeff Wood, and City Attorney Carol Viner.

3. PUBLIC HEARINGS

a. Ordinance 1, 2021 – Updates to Chapter 10 and Chapter 14 of the Ouray Municipal Code including 2020 Model Traffic Code Adoption and Changes to Parking, Traffic, and Animal Regulations

Mayor Nelson opened the floor for public comments.

Jen Donovan asked for clarification about why the animal control changes were being made. Attorney Viner explained that the off-leash hours were only in certain locations during certain hours, and otherwise leash laws would not be changing.

Mayor Nelson closed the hearing.

b. Environmental Public Hearing Regarding the Ouray Wastewater Treatment Plant (WWTP) Project.

Cooper Best and Janet from JVA presented about the project, including approval processes, timelines and cost.

Councilor Lindsey asked about the prior plan for solids handling, since Mr. Best mentioned it was added to the original plan. Mr. Best said the original plan was to hold solids and haul offsite for treatment, but a cost analysis showed a savings to the city over the life of the addition to the treatment facility vs. hauling costs.

Mayor Pro Tem Wood asked about the improvement of discharge quality from the new facility compared to the current facility. Mr. Best said there would be a very large improvement in the water quality that would be released back into the river.

Mayor Pro Tem Wood also asked what the potential bottlenecks for the timeframe of the project so they can focus on those and stay on target. Mr. Best highlighted the milestones and sequence of events.

Mayor Nelson opened the floor for public comment.

Since there were no comments, Mayor Nelson closed the floor.

4. CEREMONIAL/INFORMATIONAL – Update on WWTP Project - JVA

Mr. Best from JVA said they are currently getting price quotes on equipment that will be a part of the treatment facility, and overall the project is going well.

5. CITIZENS' COMMUNICATION

Mayor Nelson opened the floor for public comment.

Since there were no comments, Mayor Nelson closed the floor.

6. CITY COUNCIL REPORTS/INFORMATION

- a. Glenn Boyd** – Continuing to administer vaccines, given 300 so far, 150 more scheduled this week. Policy Group Meeting will be on Thursday evening. MAC group meeting next week.
- b. Ethan Funk** – Economic recovery work group meeting, working on report format for subjects and summaries. Ice Fest starts Thursday through Sunday. Councilor Funk thanked OurayNet and Clearnetworx for the internet access to the Ice Park. Councilor Funk asked the public to watch online, not in person. The Mt Sneffels Energy Board meeting is this afternoon at the same time as the scheduled work session, so he will not be at the work session.
- c. Peggy Lindsey** – Beautification committee meeting on the 26th at 8:00 am via Zoom; committee will be discussing spring projects. Christmas decorations will start coming down this week.
- d. John Wood** – CEDC had a work session to review community plan; have recommendations coming to Council soon. TAC has recommendations they want Council to consider. IPAT meeting last week; discussion on makeup of IPAT committee and the at-large members' terms and number of members. Limited clinics happening for Ice Fest, but clinics are full. Councilor Boyd asked who makes the IPAT committee appointments. Mayor Pro Tem Wood said the core members of the committee, being a City Council member, the City Administrator, an OIPI board member and OIPI executive director, make the appointment decisions.
- e. Greg Nelson** – Attended a tourism group meeting, including City of Montrose, City of Ouray, and Town of Ridgway, to work on cross-promotional opportunities. Attended MAC meeting last week, as well as TAC meeting. Participated in State COVID Dial meeting to discuss potential changes to the dial, no conclusive feedback for State to pursue. OIPI water meeting looking at sustainability for the Park. Mayor Nelson

received a positive email from visitors about Chief Wood stopping to help a family from Washington State learn more about the area and different recreational activities and wanted to thank Chief Wood. Lastly, Mayor Nelson wanted to thank Aja Tibbs for her hard work, and wished her best of luck in her move.

7. DEPARTMENT REPORTS

a. City Administrator

Update in packet

b. Finance and Administration Director

i. Sales Tax – November Activity

Up 42% from last year, will present 2020 year end information next month.

ii. LOT – November Activity

Up 12.5% on rooms, and 41% on revenue; have sustained an upward trend since June.

iii. Pool Visitation and Revenue

Mayor Pro Tem Wood asked if council should be rethinking their pool strategies in order to not deplete reserves while we remain at restricted visitation levels. Ms. Drake felt a new strategy was not needed at this time, but should be monitored closely for the next 6 months or so.

c. Community Development Coordinator

Making improvements on code enforcement. Received submittal for Wanakah Estates housing project, will be reviewed and come before planning commission and council after that. Notice of CDPHE backflow violation will be posted and mailed to residents. Staff are working with noncompliant property owners and managers to bring all buildings into compliance.

8. CONSENT AGENDA – Liquor License Renewal – JTP Incorporated dba Ouray RV Park & Café

Mayor Pro Tem Wood made a motion to approve the consent agenda. Councilor Lindsey seconded the motion.

Council Member	For	Against	Abstain	Absent
Mayor Nelson	X			
Mayor Pro Tem Wood	X			
Councilor Boyd	X			
Councilor Funk	X			
Councilor Lindsey	X			

9. ACTION ITEMS

a. Ordinance 1, Series 2021 – Updates to Chapter 10 and Chapter 14 of the Ouray Municipal Code Including 2020 Model Traffic Code Adoption and Changes to Parking, Traffic, and Animal Regulations – Second Reading

Councilor Funk asked if there were already copies of the 2020 Model Traffic Code at City Hall. Chief Wood said there are multiple copies.

Mayor Pro Tem Wood made a motion to approve the second reading of Ordinance 1. Councilor Boyd seconded the motion.

Council Member	For	Against	Abstain	Absent
Mayor Nelson	X			
Mayor Pro Tem Wood	X			
Councilor Boyd	X			
Councilor Funk	X			
Councilor Lindsey	X			

The motion passed on unanimous roll call vote.

b. IGA – 2021 Shared Victim Advocate Services

Councilor Funk asked if the City has been receiving the monthly reports mentioned in the agreement. Chief Wood said he has not received a report, nor did Ms. Drake in her tenure as Acting City Administrator. Staff will address that with the group.

Councilor Funk made a motion to approve the agreement. Councilor Lindsey seconded the motion.

Council Member	For	Against	Abstain	Absent
Mayor Nelson	X			
Mayor Pro Tem Wood	X			
Councilor Boyd	X			
Councilor Funk	X			
Councilor Lindsey	X			

The motion passed on unanimous roll call vote.

c. Appoint Councilor Ethan Funk to the Economic Recovery Working Group

Councilor Boyd made a motion to appoint Councilor Funk. Mayor Pro Tem Wood seconded the motion.

Council Member	For	Against	Abstain	Absent
Mayor Nelson	X			
Mayor Pro Tem Wood	X			
Councilor Boyd	X			
Councilor Funk	X			
Councilor Lindsey	X			

The motion passed on unanimous roll call vote.

d. Recommendations from the Tourism Advisory Committee

Propose creation of a Media house that holds all locally-based media to promote the City, protected by password and accessible to third parties by permission. The recommendation includes an ongoing agreement with Mike Boruta for drone footage. Councilor Boyd asked if drone regulations have been explored in relation to Ouray specifically, since there are heavy regulations in Telluride, for example. Ms.

Viner reminded council that each content creator the City works will need to be a registered business since the City won't enter into contracts with Individuals. Creators will also have to understand that anything they create for the media house will be copyrighted and owned by the City and not the creator. Councilor Funk also brought up the use of copyrighted songs/audio paired with original visual content, saying anything submitted should not have an audio overlay to prevent any potential copyright infringement issues for internal or third party use.

Mayor Pro Tem Wood made a motion to adopt the recommendation to establish a Media house with Mr. Van Meter, Ms. Peterson and Mr. Boruta; and to direct them, along with legal counsel, to create policies for licensing, access and submission, and engage Mr. Boruta on an on-call basis for drone footage. Ms. Drake requested that Mayor Pro Tem Wood use Administrator Clarke instead of Ms. Peterson. Mayor Pro Tem Wood agreed, and decided using position tiles was a better alternative. Councilor Funk said he would second the motion if it is noted that those people are only initially in those roles, and could be swapped out in the future. Mayor Pro Tem Wood agreed, and so Councilor Funk seconded the amended motion. The motion does not approve any policies, it only serves to adopt TAC's recommendations. Staff will bring policies back for review and approval later.

Council Member	For	Against	Abstain	Absent
Mayor Nelson	X			
Mayor Pro Tem Wood	X			
Councilor Boyd	X			
Councilor Funk	X			
Councilor Lindsey	X			

The motion passed on unanimous roll call vote.

e. Resolution 3, Series 2021 – Closing the Lower Viewing Bridge and Surrounding Area at the Ice Park for the 2021 Ice Fest

Council discussed implementation strategies with Chief Wood.

Council Member	For	Against	Abstain	Absent
Mayor Nelson	X			
Mayor Pro Tem Wood	X			
Councilor Boyd	X			
Councilor Funk	X			
Councilor Lindsey	X			

The motion passed on unanimous roll call vote.

10. DISCUSSION ITEMS

a. Parks and Recreation Master Plan

Mayor Pro Tem Wood would like to see a Parks/Recreation-specific actionable Master Plan for the City. Council would like a list from Administrator Clarke of the next steps needed for creating this.

b. Future Agenda Items

Councilor Lindsey wants to discuss an affordable housing project. Council decided to schedule the topic as a work session.

11. ADJOURNMENT

Mayor Pro Tem Wood made a motion to adjourn at 1:40 pm, Councilor Boyd seconded the motion. The motion passed on unanimous vote.

ATTEST:

Greg Nelson, Mayor

Date

Melissa M. Drake, City Clerk

CERTIFICATION

I, Melissa M. Drake, do hereby certify that I am the City Clerk of the City of Ouray, Ouray County, State of Colorado, and that the above minutes are a true and correct summary of the meeting of the Ouray City Council held on January 19, 2021. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 8th day of February, 2021

Melissa M. Drake, City Clerk

**OURAY CITY COUNCIL VIRTUAL MEETING
SUMMARIZED MINUTES
MONDAY, FEBRUARY 1, 2020, 6 PM**

Join Zoom Meeting

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Mayor Nelson called the meeting to order at 6:00 pm.

2. ROLL CALL

Mayor Greg Nelson - present
Mayor Pro Tem John Wood - present
Councilor Glenn Boyd - present
Councilor Ethan Funk - present
Councilor Peggy Lindsey - present

Also present were City Administrator Silas Clarke, Finance and Administration Director Melissa Drake, City Resources Director Rick Noll, Public Works Director Joe Coleman, Police Chief Jeff Wood, Administrative Accounting Clerk Julie Lancaster, and City Attorney Carol Viner.

3. CEREMONIAL/INFORMATIONAL – Ice Fest Recap

Markus Van Meter presented a PowerPoint presentation about the Ice Fest. Peter O'Neill and Bayley Wood from OIPI also gave updates about plans for upcoming years.

4. CITIZENS' COMMUNICATION

Mayor Nelson opened the floor for public comment.

Since there were no comments, Mayor Nelson closed the floor.

5. CITY COUNCIL REPORTS/INFORMATION

- a. **Glenn Boyd** – Administered 560 vaccines so far. State may change the dial metrics to make it easier to open up restrictions. Joint Policy Group Meeting this Thursday at 6 pm.
- b. **Ethan Funk** – Economic Resiliency meeting was delayed, update still to come. Noise ordinance work session happened, looking forward to talking about results in future council meeting.
- c. **Peggy Lindsey** – Beautification committee met, talked about upcoming projects: River Walk Upkeep, Highway Cleanup, Tree Planting at Rotary Park, flowers arriving on June 15th.

- d. **John Wood** – TAC met last week. Digital visitor guide rolled out. TAC approved 3rd draft of plan to come before council soon. CEDC will meet Thursday morning, public hearing and approval of community plan. IPAT met and added two members to committee.
- e. **Greg Nelson** – Participated in state CML COVID call, talking about updating the dial. Most first responders have received their vaccines, as well as high risk individuals. CAST work session about affordable housing, and increased usage of state and federal open space over the last year. Western Hotel was purchased and has plans to restore the hotel.

Councilor Boyd is working on securing homeland security funds.

6. DEPARTMENT REPORTS

a. City Administrator

Administrator Clarke gave some background information on the letter that went out about the backflow prevention devices.

Working on geothermal line updates for hot springs. Noise ordinance in the works, as well as sewer taps. Community Plan will be brought to council at 1st meeting in March. Pool manager and Community Development Coordinator positions close today, going to review applicants soon.

b. Police Chief

Service calls details in report. Based on Ice Fest, Chief Wood had recommendations for how to make next year's Ice Fest go smoother for parking and pedestrians. Council discussed adding crosswalks near the horse shoe as well as the visitor center; City will need to coordinate with CDOT to add.

c. Public Works Director

Nothing to add to written report.

d. City Resources Director

LED lights for pool are delivered and ready for volunteers and staff to install. Ski tow did not run today because of a mechanical error.

7. CONSENT AGENDA – Liquor License Renewal – TABJ Company dba The Silver Eagle Saloon

Councilor Boyd made a motion to approve the consent agenda, Mayor Pro Tem Wood seconded.

Council Member	For	Against	Abstain	Absent
Mayor Nelson	X			
Mayor Pro Tem Wood	X			
Councilor Boyd	X			
Councilor Funk	X			
Councilor Lindsey	X			

The motion passed on unanimous roll call vote.

8. ACTION ITEMS

a. Heiland and Ouray Ditch Agreement

Attorney Viner gave an overview of the agreement. Mayor Pro Tem Wood made a motion to approve, Councilor Boyd seconded.

Council Member	For	Against	Abstain	Absent
Mayor Nelson	X			
Mayor Pro Tem Wood	X			
Councilor Boyd	X			
Councilor Funk	X			
Councilor Lindsey	X			

The motion passed on unanimous roll call vote.

9. DISCUSSION ITEMS

a. Future Agenda Items

Noise ordinance, geothermal Line, electric car charging station

10. ADJOURNMENT

Councilor Boyd made a motion to adjourn at 7:16 pm, Mayor Pro Tem Wood seconded the motion. The motion passed on unanimous vote.

ATTEST:

Greg Nelson, Mayor

Date

Melissa M. Drake, City Clerk

CERTIFICATION

I, Melissa M. Drake, do hereby certify that I am the City Clerk of the City of Ouray, Ouray County, State of Colorado, and that the above minutes are a true and correct summary of the meeting of the Ouray City Council held on February 1, 2021. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 16th day of February, 2021.

Melissa M. Drake, City Clerk

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SUMMARIZED MINUTES
TUESDAY, FEBRUARY 16, 2021, 1 PM**

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Councilor Ethan Funk - present
Councilor Peggy Lindsey - present

Also present were City Administrator Silas Clarke, Finance and Administration Director Melissa Drake, Public Works Director Joe Coleman, City Resources Director Rick Noll, Police Chief Jeff Wood, Administrative Accounting Clerk Julie Lancaster, and City Attorney Carol Viner.

3. CEREMONIAL/INFORMATIONAL

a. COP Update

Troy Bernberg from Northland Securities gave an update of the COP process throughout the last year with the uncertainties that the pandemic created, and now that time has passed and unknowns have been determined, 2 banks are currently considering refinancing the loan, and it should be finalized and closed by March 31st, 2021.

b. Ridgway Ouray Community Council (ROCC) Update on Dispersed Camping issues within Blue Lakes Park Trail and Ironton Park

Dee Williams from ROCC asked for City cooperation in publishing backcountry etiquette on the Visit Ouray Website, as well as other locations to reach as many people as possible. Mayor Nelson updated Ms. Williams that Visit Ouray and the Forest Service will be partnering to publish information this summer. Councilor Boyd mentioned that the Sheriff's office and other organizations have put together a new brochure on trail etiquette for distribution this summer to make ROCC of the efforts already in place so that all the groups can coordinate.

c. Waste Water Treatment Facility Building Materials (JVA)

Cooper Best and Kate Benton presented masonry vs metal building pros and cons for the City's treatment plant design. Administrator Clarke and Mr. Coleman will bring a recommendation to council for which build

4. CITIZENS' COMMUNICATION

Mayor Nelson opened the floor for public comment.

Since there were no comments, Mayor Nelson closed the floor.

5. CITY COUNCIL REPORTS/INFORMATION

- a. Glenn Boyd** – Policy group meeting on Thursday. 962 vaccines, looking to administer 400 more this week. Mayor Nelson asked for clarification on the process for people on the waiting list for a vaccine. Councilor Boyd confirmed the Public Health Office will call individuals when they are ready to schedule their vaccine appointment.
- b. Ethan Funk** – Requested Economic Recovery Group comments from other councilors ahead of meeting. No other meetings to report on.
- c. Peggy Lindsey** – Beautification committee is meeting next week. New property owner of land north of Biota building wants to develop it for mixed use including affordable housing.
- d. John Wood** – TAC meeting tomorrow. CEDC is looking at a satellite program to the Main Street Program focusing on designating and preserving historic buildings; working with Historical Society on that.
- e. Greg Nelson** – Nothing to report

6. DEPARTMENT REPORTS

a. City Administrator

Interviews for Community Development Coordinator position to happen next week. Current Building Inspector will work on Fridays until a new permanent building inspector is hired. Dan Reardon from Colorado Code Consulting will also be brought back in the meantime.

Pool Manager Position is still open for applications until February 22nd.

Water source is likely under influence of contamination from surface water, once official determination is made by the state, the City has 60 to implement a temporary solution, and 18 months to have a new treatment plant online. Administrator Clarke and Public Works Director Mr. Coleman will be working on creating plans for a treatment plant.

b. Finance and Administration Director

i. Sales Tax – Year-end Report

2020 Sales tax was up 17% over 2019 overall. Ms. Drake presented charts showing trends for different categories between the two years.

ii. LOT – Year-end Report

Lodging Occupation Tax is up 2.87% even though occupied rooms was down 3.35% for the entire year over 2019.

7. CONSENT AGENDA

a. Liquor License Renewal, Brickhouse737

b. Liquor License Renewal, Colorado Boy South, Inc. dba Colorado Boy Southwest

Councilor Lindsey made a motion to approve the consent agenda. Mayor Pro Tem Wood seconded the motion.

Council Member	For	Against	Abstain	Absent
Mayor Nelson	X			
Mayor Pro Tem Wood	X			
Councilor Boyd	X			
Councilor Funk	X			
Councilor Lindsey	X			

The motion passed on unanimous vote.

8. ACTION ITEMS - none

9. DISCUSSION ITEMS

a. Noise Ordinance Revision

Other municipal noise ordinances are included in the packet for examples, all with similar decibel levels and times of day that were determined at the work session. Council wants to err on the side of too high a decibel level that could be reduced if needed, and instructed Attorney Viner to draft an ordinance with elements from other municipalities, and other considerations such as duration of noise, zoning differentiations and fair and equitable application across all activities in the city (music, commercial trucking, construction, playground noise, etc.)

b. Future Agenda Items

Councilor Boyd would like to see Administrator Clarke's current list of council and work session topics to ensure nothing has fallen off the radar.

10. EXECUTIVE SESSION

Executive Session under C.R.S. § 24-6-402(4)(b) and (e), for a conference with the City attorney for the purpose of receiving legal advice on specific legal questions concerning City easements and contractual rights for private use of City geothermal water from the Box Canyon pipeline and Vinegar Hill Spring and for the purpose of determining positions relative to matters that may be subject to negotiations, and/or instructing negotiators, concerning agreements for private geothermal uses.

Mayor Pro Tem Wood made a motion to move into executive session after a short break at 3:35 pm. Councilor Boyd seconded the motion.

Council Member	For	Against	Abstain	Absent
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Mayor Nelson	X			
Mayor Pro Tem Wood	X			
Councilor Boyd	X			
Councilor Funk	X			
Councilor Lindsey	X			

The motion passed on unanimous vote. The executive session started at 3:44 pm.

Executive session concluded at 4:20 pm

11. ADJOURNMENT

Councilor Funk made a motion to adjourn at 4:20 pm, Councilor Lindsey seconded the motion. The motion passed on unanimous vote.

ATTEST:

Greg Nelson, Mayor

Date

Melissa M. Drake, City Clerk

CERTIFICATION

I, Melissa M. Drake, do hereby certify that I am the City Clerk of the City of Ouray, Ouray County, State of Colorado, and that the above minutes are a true and correct summary of the meeting of the Ouray City Council held on February 16, 2021. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 18th day of February, 2021.

Melissa M. Drake, City Clerk

Ouray Tourism Advisory Committee (TAC)
JANUARY 6, 2021
MINUTES

Meeting was called to order at 5:02 p.m. Committee met in person virtually via Zoom.

TAC members present: Jennifer Norvell (the arts), Jason Perkins (lodging), Mary Carkin (retail), Alex Durham (non-business resident), Logan Tyler (outdoor recreation). Others present: City Administrator Silas Clarke, Event & Communications Coordinator Jennifer Peterson, city council members John Wood and Peggy Lindsey, Mayor Greg Nelson. Members of the public present were Bruce Gulde and Gretchen MacArthur.

APPROVAL OF PREVIOUS MINUTES

Minutes from December 9 and December 23, 2021 were approved by consensus.

CITIZEN COMMUNICATION

None.

INFORMATIONAL REPORTS

Council member Wood reported he is excited about the progress that TAC is making with its strategy.

COMMITTEE REPORTS

Jason Perkins reported that the video monitor for the visitor center has arrived.

Logan Tyler reported that he is assisting Markus Van Meter with written information about outdoor recreation for the new website, and he will be reaching out to all of the recreation businesses for their input. The ice park is busy, with some typical crowding issues, and the ice is in great shape.

DISCUSSION ITEMS

Visitor Center Update

Silas reported that he is looking at a hybrid model for visitor center operations, with both paid staff and volunteers. He is considering hiring a temporary, part time coordinator as a stop gap measure until the covid-19 situation improves, and hopes to have the center back open by mid-March.

John Wood stated he hopes to rely on the video monitor with its associated web information while we are dealing with covid, and is looking forward to a robust operation plan going forward.

Peggy Lindsey mentioned the importance of the development of wayfinding throughout the city to help answer visitor questions.

Greg Nelson noted that having the website and the video monitor refer directly to the businesses' own websites, which they should be keeping up to date, should help visitors find the most current, accurate information.

Logan Tyler agreed that better wayfinding would give visitors a clear understanding of navigating Ouray, and a more authentic experience for them if they use their own eyes and look around them.

TAC Draft Strategy

Mary Carlin submitted a draft strategy for TAC with mission, vision, values, current tourism situation and trends, and strategic priorities. Jason Perkins read through the draft with the committee, gathering input as Mary made corrections and additions to it.

Committee will discuss a final draft at its next meeting, and then submit it to the city council for approval.

Other discussion

Mayor Greg Nelson asked for TAC to consider, in the future, a plan and/or policy for incorporating businesses that lie just outside the city limits into tourism marketing efforts.

ADJOURNMENT

The meeting adjourned at 6:32 p.m.

Ouray Tourism Advisory Committee (TAC)
JANUARY 27, 2021
MINUTES

Meeting was called to order at 5:03 p.m. Committee met in person virtually via Zoom.

TAC members present: Jennifer Norvell (the arts), Mary Carlin (retail), Alex Durham (non-business resident). Others present: City Administrator Silas Clarke, Event & Communications Coordinator Jennifer Peterson, city council members John Wood and Peggy Lindsey, Mayor Greg Nelson. Members of the public: Heather Greisz.

APPROVAL OF PREVIOUS MINUTES

Minutes from January 6, 2021 were approved by consensus.

CITIZEN COMMUNICATION

None.

INFORMATIONAL REPORTS

None.

COMMITTEE REPORTS

None.

ACTION ITEMS

Digital visitor guide update

Markus Van Meter presented the near-final draft of the winter 2021 Digital Visitor's Guide. He will be adding a few more business ads and business listings before launching it online next week. Markus has tallied 110 hours to date creating the guide, which he is donating to the city. This online flip book can be downloaded as a PDF, is mobile friendly, can be printed by any business for distribution, contains live links, and can be updated as needed.

Future plans include:

- 2 guides per year, a winter version and a summer/fall version. Summer issue coming May 2021.
- Addition of paid advertising from businesses and entities located outside of the City of Ouray, pending policies that TAC will produce.

Ice Fest live streaming update

Markus Van Meter and Peter O'Neil, Ouray Ice Park director, will present a report about the recent ice Fest and the live streaming results to the city council at its next meeting, February 1.

Media House call for entries

Markus shared his idea for a way to include local content producers in city marketing efforts by making Call for Entrepreneurs (CAFE) as a part of the new media house. He also reported that he is receiving 3 or 4 media inquiries per week since launching the media house section of the new website.

Google DMO Partnership program

John Wood updated the committee that Bill Hall of OCRA provided the business and non-profit data

that they had collected for this project to the city. Mary Carkin will work with Markus Van Meter to contact CTO and Miles Partnership to find out more about the program so that TAC can determine how and if it wants to proceed.

TAC Strategic Plan

Jen Norvell moved and Alex Durham seconded a motion to submit draft 3 of the TAC strategy to the city council for adoption. The motion passed unanimously.

Criteria for including businesses in city marketing

Mary Carkin presented, and the committee discussed, a very rough draft of possible criteria and questions that should be considered in making policies for including businesses and non-profits within and beyond the City of Ouray. Mary will meet with Markus to discuss the areas that will need policies for inclusion, and draw up some more detailed drafts for consideration at the next TAC meeting.

Next meeting

The next meeting of TAC will be Wednesday, February 10 at 5 p.m. via Zoom.

ADJOURNMENT

The meeting adjourned at 6:07 p.m.

OURAY BEAUTIFICATION COMMITTEE MINUTES
JANUARY 26, 2021 ZOOM MEETING 8:30—9:30

ATTENDANCE: Peggy, Robert, Lori, Cindy, Michelle, Ned, Curtis, Francie

MINUTES: Approved

AGENDA ITEMS: **NOTE: Follow-up responsibilities of OBC members are in red!**

CHRISTMAS DECORATIONS

- New bells made out of planter pots worked great! They are dirty, but waiting to clean until next year when touch up paint can be applied, new bells added, etc.
- Lighting of Gazebo - LED's did not work & need to be replaced for next year.
- Rotary Park - ice rink wasn't up & running & perhaps they turned off the power
- Town Christmas tree was donated by John Wood from his property. He cut it down & delivered it. Much easier than in the past. Would like to ask him again next year. Need to write a thank you note to John. (Lori)
- Bought more lights for the town tree which are much brighter than the old ones. Next year we will alternate old/new lights to even them out.
- **PLANS FOR NEXT YEAR**
- Purchase additional lights
- Make more bells to decorate the pool fence along Hwy. 550 - involve HS kids in assembly of bells in the spring - Ask the pool to store them and have them put them up in the future. (Lori)
- Motion to purchase materials for additional bells - passed
- Yule Night - Inform merchants that OBC will provide and decorate the town tree and put up decorations around town, but that individual merchants are responsible for their own lights & any decorations for their stores. (Michelle)

FLOWERS

- **DELIVERY DATE - JUNE 15, 2021** Need help from 10-11:30 AM to hang the flowers on Main Street - **MARK YOUR CALENDARS! (OBC Members & Lori's volunteers)**
- **JUNE 16, 2021 - (OBC Members)** - Need help at 8 AM to distribute plants from flat bed to planters to prepare for citizen volunteers arriving at 10 AM
- Peggy reported that we do not need to get bids for flowers from other vendors since we have an established business relationship with Basin Nursery.
- 6 pots are missing - 2 were broken last year & not sure what happened to others City Maintenance may have inadvertently thrown them away - we need to replace 6 of the 14" Hanging Bloomaster pots to be added to a revised order with Basin Nursery (Cindy)
- Motion carried to purchase 6 new Bloomaster pots.

- (Lori) will either send the pots to Vernal this spring via Raq Transport or deliver them herself.
- Possibly pursuing grant through Western Community Resources to replace \$1,500 previously donated by citizen's Bank. (Robert)
- Donation jars at Duckett's & around town seem to be profitable with visitors using cash & putting in their change.

GARDENER

- Discussion regarding who is responsible for paying for the "seasonal worker" in the future - OBC had a one year verbal agreement in 2020 with the City to pay for the "seasonal worker" in addition to the gardener because of Covid 19. Last year OBC paid for both. (Curtis, Robert)
- Need to know the amount that we have paid the gardener in the past for future budget planning. (Lori)
- Question whether new Parks & Rec. director will be hiring the seasonal worker.
- OBS will continue to hire the gardener & pay for City maintenance to water on when the gardener has days off.
- Discuss with Joe that the gardener's responsibilities include the flower beds outside the pool house - give him the job description (Lori)
- Gardener needs to be responsible for preparing the pool flower beds prior to the street flowers arriving. (Lori)

ROTARY PARK

- Agreement that we need to move forward on this project & complete the planting of the trees, as it has been put on hold the last 2 years.
- GOAL - to have the Rotary Park burms planted with a variety of trees this spring! (Ned) will oversee this project.
- (Ned) will get pricing & order the trees now from San Juan Gardens in order to have them in time to be planted in the spring. (The order was originally placed with San Juan Gardens last year, but the project fell through due to possible budget shortfalls due to Covid 19.)
- (Peggy) will talk to the new City Administrator to be sure that this is approved. (Ned) will schedule San Juan Gardens to plant in the spring. They give a limited warranty on their trees.

RIVER TRAIL

- GOALS - to clean up the trees, brush & debris along the River Trail/Walk & remove it all & haul it away! - Putting wire around the trees to discourage the

beavers, possibly adding more gravel (Lori) has volunteered to chair this project & coordinate the volunteers & advertising

- OBC members started this project last year & realized that it is **HUGE**, requiring a ton of work & more volunteers are needed! This needs to be a **COMMUNITY PROJECT!** After clean up is accomplished we need a plan with volunteers to maintain it, so that it never gets this bad again!
- Suggested that we set 2 half days per week to work on the River Trail with one (OBC) person in charge each of those days to oversee volunteers & give them direction.
- Realized that this project is way too large for OBC members to accomplish.
- **VOLUNTEERS** - Need to solicit community volunteers! Advertise that volunteers are needed to help clean up the River Trail on the city website, in the newspaper or on Facebook. Recruit: High School kids, Trail Group, Woman's Club, Community Volunteers - Advertise with flyers around town - bridges of River Trail, RV Park etc.

POOL EQUIPMENT FENCING

- **GOAL** - To replace the chain link fence around the pool equipment adjacent to the skateboard area with an attractive new metal fence to hide the equipment.
- We talked about this project last year & discussed the vision. (Robert & Cindy) measured & drew up a plan. We need to complete the fencing project this year!
- Need to get 3 bids from local contractors. (Robert is heading this project.) (Cindy) will assist with meeting the contractors & describing the vision.

POOL ENTRANCE PLANTER

- **GOAL** - To clean out the weeds from this ugly eye sore, replace the soil, & plant lovely flowers in this planter as a WELCOME to visitors & locals alike at the pool entrance!
- The main valve leaks in this planter & it is futile to plant anything in it until this is repaired. Need City Maintenance to make this repair before spring so that we can plant. (Lori) will talk to Joe and/or Scott
- (Ned) will order the flowers. (Ned, Cindy, Lori) will help plant this spring after the valve is repaired.

ADJOURNED: 9:30 AM

NEXT MEETING: February 24, 2012 8:30 AM ZOOM MARK YOUR CALENDARS

Minutes respectfully submitted by Cindy McCord, OBC Secretary



City Administrator

Report for March 1, 2020 City Council

February 15 – February 26, 2021:

The Community Development Coordinator hiring committee that was made up of the Planning Commission Chair, CEDC Chair, Deputy Clerk/Treasurer, and I interviewed four candidates for the position. Our top candidate was unanimously Ms. Lily Oswald and she has accepted the position. Ms. Oswald is originally from Durango and will be finishing her Masters in Planning Degree from the University of Utah – Salt Lake City in May of 2021. She will be joining our team during the first week of May.

Dan Reardon of Colorado Code Consulting will be conducting the City's Building Inspections on Tuesdays and Fridays of each week until a new Building Inspector is hired.

Progress has been made in locating an outside contractor to assist the City with the further implementation of a Backflow Prevention program. The services on behalf of the City include electronic management, identification of backflow needs, and inspections. Testing will be an option for property owners through the contractor or through their own plumber. An agreement will be presented to me within the next week and a recommendation will be made to Council for consideration shortly thereafter.

Public Works and I are moving quickly to determine the best options for the potential reclassification of the City's drinking water system to ground water under the influence of surface water. A meeting with CDPHE is taking place next week where options will be discussed to meet both the 60 day and 18 month requirements if reclassification takes place. Mineral Farms has also been notified of possible changes and impacts to their water supply.

The Noise Ordinance, proposed Via Ferrata expansion, Waste Water Treatment Plant building materials recommendations, and Sewer Tap Ordinance will be addressed soon.

The Hot Springs Pool Manager position has closed and we will be reviewing applications in the very near future.

The Minor Subdivision for the Miner Housing Public Hearing and action will take place at the March 15th City Council meeting.

Meetings Attended:

Unified Command

DOLA Main Streets Meeting

Multi-Agency Coordination Group

City Council Agenda Setting Meeting

City Council Meeting

JVA (Waste Water Treatment Facility Bi-Weekly Project Meeting)

Waste Water Treatment Plant Vendors (Two Meetings)

Leadership Team Meeting (Weekly)

CDC Interviews (Four)

Event & Communications Coordinator Exit Meeting

Drinking Water Options (Four Meetings)

Ouray County Emergency Management Meeting

City Building Inspector Contractor Meeting

City Building Inspector Exit Meeting

BSWUA Meeting

U.S. Forest Service Meeting

City of Ouray Police Department

February 2021

For the month of February 2021 OUPD ran approximately 184 calls for service (as of noon 2/24/2021.)

These included:

- **102 Patrol checks (includes safety patrols, directed patrols and security checks)**
- **44 Parking complaints (approx.. 80% parking complaints)**
- **7 Code Violations (mostly dogs off leash and car camping)**
- **3 assist other agencies**
- **2 VIN certifications**

One of the code violations was for a group of people trespassing in the closed section of the Box Canyon who became stuck in the river and needed to be rescued. Mountain Rescue assisted with this.

On February 6th all of the full time police officers were quarantined due to an outbreak of Covid-19 at the PD. Fortunately only two officers tested positive and between the 11th through the 17th officers were cleared to come back to work. The non-symptomatic officers were able to handle telephone calls while in isolation. Many thanks to part time officer Bernie Chism who worked 12 hour days covering calls during the quarantine period. The Ouray Sheriff's Office and the Ridgway Marshal's Office kindly offered their assistance as well, so the City of Ouray did not go without law enforcement services.

Upcoming Events:

The recent changes to city ordinances regarding overnight parking are now in effect, this changed the winter overnight parking prohibition from 0230-0800 to 12 midnight-0700. The violation fee has also changed; it has been increased to \$100. The PD is working with the Ouray municipal court and with City Counsel Carol Viner on streamlining the citation process by making the payment instructions clearer and allowing the city to collect outstanding judgements more easily.

Public Works February 2021 Update

Water

- Water Usage Numbers for **January**:
 - Influent (Water from spring) – 21,390,891 Gallons
 - Effluent (Water to town) – 15,427,613Gallons
 - Ice Park – 3,163,720Gallons
 - Mineral Farms – 254,000 Gallons
- Worked with the Colorado Department of Public Health and Environment (CDPHE) in response to phone calls received about the cross control letter that was sent to customers. Public Works took chlorine residual samples throughout the distribution system to confirm that disinfection is taking place. We also took E-coli samples throughout the system and all came back absent, which indicates a microbiologically safe sample.
- Meeting with CDPHE in regards to the likely hood that the City water source will be reclassified as under the direct influence of ground water.
- Multiple meetings with Wright Watering Engineering to discuss interim steps in the likely hood that the Weehawken Spring will be reclassified as under the direct influence of ground water.
- Onsite meeting with a vendor that specializes in water treatment and filtration to discuss options at our current water treatment facility.

Sewer

- Continue to skim the lagoons of debris as needed.
- One aerator became clogged, city staff was able to unplug the aerator and put back into operation.
- Continued effort working with JVA on 30% design for the new Wastewater Treatment Facility.

Streets

- Snow plowing operations, and snow removal on City streets.
- Early morning snow removal on HWY 550 parking spots (CDOT Right of Way) four times in the month of February.
- CIRSA training videos:
 - Safety First – Work Area Traffic Control
 - Personal Protective Equipment
 - Front End Loader/Backhoe Safety and Operations
 - Work Zone Traffic Control & Flagger Safety
 - Bucket Trucks – Extending Your Safety
 - Backhoe & Front End Loader Safety

City Resources

- Continued geothermal monitoring.
- Monthly water sampling for the Hot Springs Pool.
- Removed Christmas decorations from street posts on Main St. Also took down the Christmas decorations at City Hall.
- Ski Tow – Replaced worn tire that helps guide the rope at the top of the hill. Also rebuilt the metal guide arm at the bottom of the hill that helps guide the rope. Special thanks to Tony Albright and Clark Williams for their fabrication and replacement.

City Resources Department

March 1, 2021

Two employees from the Hot Springs Pool have successfully obtained certification as Red Cross Lifeguard trainers. This will allow pool staff to train newly hired lifeguards. The Ouray Hot Springs Pool is registered as a training site with the American Red Cross.

Job interviews were conducted with lifeguard applicants. Certification training for the successful applicants will begin as soon as it can be scheduled.

Multiple staff at the Hot Springs Pool completed Reasonable Suspicion training. This training develops skills in identification of use of alcohol and controlled substances by staff and guests while at the swimming pool.

Multiple employees at the Hot Springs Pool were recently quarantined for close contact with a person who tested positive for Covid-19. None of the quarantined employees tested positive themselves and they have now returned to work. Having these employees absent created additional hours for the remaining employees. The individual who had originally tested positive is not an employee of the Hot Springs Pool.

Two Customer Service Associates have been recently hired at the Hot Springs Pool to replace vacant shifts caused when previous employees moved from the area late in 2020.

The Pool Manager position closed on Monday. Applications will be reviewed and interviews conducted soon.

LED lights have been installed in both locker rooms, lobby, and the upstairs at the bathhouse. Members of the Ridgway Ouray Community Council are recognized for providing volunteer labor to get this project completed.

The power outage on Main Street a few weeks ago caused multiple problems with the electronics at the Hot Springs Pool upon restart of electrical supply. The automatic filtration controls, electronic security system, deck lighting, and point of sale system were all affected. The facility was operated manually that day until the systems could be reprogrammed and rebooted.

Backflow prevention devices have been inspected at the Ouray Community Center, Bathhouse, and Pool Filtration Buildings.

I participated in a webinar titled Care for Colorado presented by the Colorado Municipal League on strategies and campaigns being launched to protect the natural, civic, and human resources in tourist based destinations. I also participated in a safe travel webinar presented by the Colorado Tourism Office.



ACTION ITEMS (March 1, 2021):

Animal Control Agreement with Second Chance

Action Requested – *Will City Council approve the Animal Services Agreement?*

Background – This is an annual renewal for animal services. Previous agreements have been successful. The City will only be charged according to the terms of the agreement for stray animals from within the City of Ouray or City staff initiated receipt of animals.

Recommendation – City Staff recommends that City Council approve the Second Chance Animal Services Agreement.

Electric Vehicle Charging Station Agreement with ChargePoint

Action Requested – *Will City Council approve the electric vehicle charging station agreement with ChargePoint?*

Background – ChargePoint is the vendor selected by the State of Colorado for this type of project. If approved, they will install these charging stations at no cost to the City and will maintain them in the future. The City has been working with ChargePoint on this project for many months. This agreement will memorialize all the negotiations and decisions made over the last year and allow the project to begin.

Recommendation – Staff recommends approval.

Possible Termination of the Geothermal Heating Agreement, dated April 4, 1988, between the City and the owners of 302 Oak Street

Action Requested – *Does City Council wish to terminate the Geothermal Heating Agreement, dated April 4, 1988, between the City and the owners of 302 Oak Street?*

Background – This agreement has been in effect for almost 23 years. Due to geothermal heating issues at the Hot Springs Pool, members of Council have requested that Council consider terminating this agreement to conserve all possible BTUs for the pool.

Recommendation – Council decision.

Consideration and Possible Approval of Resolution 4, Series 2021 – Adopting the City of Ouray Community Plan 2021

Action Requested – *Will City Council approve Resolution 4, Series 2021 – Adopting the City of Ouray Community Plan 2021?*

Background – See Alpine Planning Memo within packet.

Recommendation – Staff recommends approval.

Consideration and Possible Approval of the Tourism Advisory Committee (TAC) Strategic Plan

Action Requested – *Will City Council approve the TAC Strategic Plan?*

Background – TAC has worked diligently to create a Strategic Plan that reflects their mission to analyze, explore, compile, and present the manner and form in which LOT money should be administered, spent, and contracted out to provide execution on 3 main objectives: Destination Marketing, Tourism Marketing, and Enhancing the Visitor Experience. The proposed strategic plan outlines the priorities to meet the committee's mission and upon adoption gives City staff, through the City Administrator, the authority to execute the plan.

Recommendation – Staff recommends approval.

Ordinance 2, Series 2021 – Adding Default Judgement Provision to Municipal Code – First Reading

Action Requested – *Will City Council approve Ordinance 2, Series 2021 – Adding Default Judgement Provision to Municipal Code – First Reading?*

Background – This Ordinance comes at the request of the City Attorney and Ouray Police Department. Currently, per the municipal code, if a parking ticket does not get paid there is no other recourse than a bench warrant. The issuance of a bench warrant is impractical in this situation and this proposed Ordinance allows for a default judgement provision.

Recommendation – Staff recommends approval.

ANIMAL SHELTER MANAGEMENT AND SERVICE AGREEMENT 2019-2020

This Animal Shelter Management and Service Agreement (hereinafter referred to as this "Agreement"), is made this ____ day of _____, 2021 between Second Chance Humane Society, a Colorado nonprofit corporation, (hereinafter referred to as the "Humane Society") and the City of Ouray, Colorado, a home-rule municipal corporation, (hereinafter called the "City").

MATERIAL TO THIS AGREEMENT ARE THE FOLLOWING POINTS:

- A.** The Humane Society provides much needed shelter for impounded, strayed and surrendered animals in Ouray and San Miguel Counties and the City currently has no facility to care for or shelter such animals.
- B.** Pursuant to C.R.S. §31-15-401, *et seq.*, the City of Ouray is authorized to enter into agreements to provide for the impoundment or disposition of pet animals.
- C.** The Humane Society and the City desire to have a management and servicing agreement to provide for present and future impoundment, shelter and disposition services as authorized by the above referenced statutes.
- D.** This contract provides for the impoundment of animals at the Humane Society, and such agreement further provides that owners who retrieve their animal from the Humane Society will pay certain fees and charges for board, care and impoundment of pet animals.
- E.** The parties wish to set forth an agreement regarding the payment to the Humane Society for the impoundment, shelter and disposition of pet animals that may not be retrieved by their owners and that have been deposited with the Humane Society by the City of Ouray Police Department.

IN CONSIDERATION OF THE MUTUAL COVENANTS AND PROMISES, THE PARTIES AGREE AS FOLLOWS:

- 1.** "Services", as used herein, shall mean holding and caring of impounded and strayed dogs or cats from within the City of Ouray, providing necessary food, sustenance and health care including vaccinations and physical exams as may be needed; while under the jurisdiction of the City, humanely disposing of dogs or cats following final consultation with and at the direction of the City; and all the administrative work that is associated with caring for stray and impounded animals. City law enforcement officials or contracted animal control officers will have access to the shelter seven days a week, during regular business hours. For after-hours impounds, the Humane Society will ensure that an on-call staff member is available to accept the impounded animal and on-call information will be provided by the Humane Society to all appropriate dispatch centers. "Services" does not include collection, transport or seizure of animals or handling of dangerous animals.
- 2.** "Seven Day Hold," as used herein shall refer to the period of time during which the City retains ownership of and responsibility for animals provided by the City to the Humane Society for services contemplated in this Agreement. At the conclusion of the Seven Day Hold, the City's ownership of the animals in the possession and care of the Human Society shall transfer and the Human Society shall have exclusive responsibility with respect to final disposition, adoption, or termination of the animals. The Humane Society shall abide by its adopted policies and procedures at all times, and shall have sole authority of animals in its possession at expiration of the Seven Day Hold.

3. The Humane Society agrees to provide the Services, as defined above, on behalf of the City. In addition, the Humane Society agrees to join with public officials and the public in general in dissemination of information concerning the need for the proper care and treatment for all animals, and to advocate the prevention of needless birth of unwanted animals.

4. For purposes of this Agreement, for calendar years 2021 the following fees shall apply for dogs or cats that are accepted by the Humane Society from the City:

Board and care.....	\$20.00/day per animal
.....	\$25.00/day for unaltered animals
.....	\$25.00/day for aggressive/dangerous animals
Processing fee.....	\$20.00
After hours fee.....	\$25.00
On-site assistance to law enforcement.....	\$15.00/hour
Euthanasia fee for aggressive/dangerous dogs or cats (including untreatable cats) assessed as non-rehabilitative.....	\$138.00
Rabies testing when required.....	up to \$180.00
Feral cat TNR.....	\$138.00

The City shall only be responsible for charges for stray animals brought to the shelter that are picked up from within the City limits of Ouray or animals that are received through the direction of City staff and not claimed by their owners. Animals that are impounded, but claimed by their owners, will not be billed to the City as the Humane Society will collect impoundment fees from the animal owners. The City shall also not be responsible to pay fees for services rendered to animals that are voluntarily surrendered by residents or guests from within the City of Ouray.

Unclaimed stray animals brought to the shelter that are picked up from within the City limits of Ouray or animals that are received through the direction of City staff and not claimed by their owners that are retained during the Seven Day Hold, or for animals that die in care prior to the end of seven days, shall be charged to the City. Board and care shall be charged per dog or cat for up to a maximum of seven calendar days. The Humane Society will email the City Police Chief and designated code enforcement officer whenever an animal is impounded and City will be charged for unclaimed animals under the terms of this Agreement, provided invoices include the animal identification code, for example, "Stray (date)" and a detail of services rendered. The Humane Society shall provide the City on a quarterly basis a detailed invoice for such services, referencing each animal ("Stray (date)") and providing complete information about the location of where the animal was found, its disposition, and the amount being charged for each service rendered. City agrees to pay such charges to the Humane Society within thirty days of receipt of such invoice, up to a maximum amount of **\$3,000.00 for calendar year of 2021**, including any and all charges for services contemplated in this Agreement, including those referenced in this paragraph 3, as well as in paragraph 6 below. If the invoice information provided about each animal is not complete, the City may, at its discretion, refuse to pay for services for animals for which information is incomplete. In those instances in which an animal is impounded by, or at the request of, the City and placed with the Humane Society, if no owner appears to claim the animal and pay the associated fees and costs during the Seven Day Hold and after notification that the animal has been impounded, the animal shall be deemed abandoned.

5. In those instances in which an unclaimed animal impounded by or at the request of the City has been injured, the parties agree that the City is responsible for emergency medical costs required to prevent an injured animal from suffering during the Seven Day Hold period. All costs attributable to such care shall be included in the fee cap in paragraph 3 above.

6. The Humane Society agrees that all Services which may be provided hereunder shall be performed in full compliance with all applicable federal and state rules, laws or regulations. The Humane Society shall indemnify and hold City harmless from and against any and all claims, demands or actions, including all attorney fees that may be incurred by the City, which may be brought against the City as a result of the impoundment, holding or caring for dogs or cats pursuant to the terms of this Agreement and/or as a result of the action or inaction of the Humane Society with regard to any impounded or stray dog or cat once said animal is under the care and control of the Humane Society staff and provided that the animal has been received by the Humane Society staff in good health and condition. This obligation under Section 1 shall not be construed to extend to any injury, loss or damage that is caused by the act, omission or other fault of the City, its officers or its employees. To the extent provided by law, the City shall indemnify and hold the Humane Society harmless from and against any and all claims, demands or actions, including all attorney fees that may be incurred by the Humane Society with respect to this Agreement.

7. The Humane Society shall keep appropriate records, reports and documents relating to the services provided hereunder for at least three years and such records, reports and documents shall be reasonably made available to the City for review or audit.

8. The prevailing party in any action to enforce the terms and conditions of this Agreement shall collect all reasonable costs and expenses incurred in such action, including, but not limited to, reasonable attorney fees.

9. This Agreement may be terminated by either party by giving thirty days written notice to the other party.

10. The Humane Society shall not assign its rights or interest in this Agreement without the prior written consent of the City.

11. In performing the services under this Agreement, the Humane Society shall be an independent contractor and neither the Humane Society nor any of its employees shall be considered employees or agents of the City.

12. Pursuant to C.R.S. 8-17.5-101 et seq. the Humane Society certifies the following:

i. the Humane Society shall not knowingly employ or contract with an illegal alien to perform services under this Agreement.

ii. the Humane Society shall not enter into a contract with a subcontractor that fails to certify to the Humane Society that the subcontractor shall not knowingly employ or contract with an illegal alien to perform services under this Agreement.

iii. the Humane Society has confirmed the employment eligibility of all employees who are newly hired for employment to perform services under this A through participation in either

1. the E-verify Program, (the electronic employment verification program created in Public Law 104-208, as amended, and expanded in Public Law 108-156, as amended,

and jointly administered by the United States Department of Homeland Security and the Social Security Administration, or its successor program); or

2. the Department Program (the employment verification program established pursuant to C.R.S. 8-17.5-102(5)(c)).

iv. the Humane Society shall not use the E-verify Program or the Department Program to undertake pre-employment screening of job applicants while this Agreement is in effect.

v. If the Humane Society obtains actual knowledge that a subcontractor performing services under this Agreement knowingly employs or contracts with an illegal alien, the Humane Society shall:

1. notify subcontractor and City within three days that the Humane Society has actual knowledge that the subcontractor is employing or contracting with an illegal alien; and

2. terminate the subcontract with the subcontractor if within three days of receiving the notice required pursuant to this paragraph, the subcontractor does not stop employing or contracting with the illegal alien. Except that the Humane Society shall not terminate the contract with the subcontractor if during such three days the subcontractor provides information to establish that the subcontractor has not knowingly employed or contracted with an illegal alien.

vi. the Humane Society shall comply with any reasonable request by the Colorado Department of Labor and Employment made in the course of an investigation that the Colorado Department of Labor and Employment undertakes pursuant to C.R.S. 8-17.5-102(5).

vii. If the Humane Society violates these illegal alien provisions, City may terminate this Agreement for a breach of contract. If this Agreement is so terminated the Humane Society shall be liable for actual and consequential damages to City.

City shall notify the Office of the Secretary of State if the Humane Society violates these provisions and City terminates this Agreement for that reason pursuant to C.R.S. 8-17.5-102(4).

13. The Humane Society will not discriminate against any employee or applicant for employment because of race, color, religion, age, sex, sexual orientation, disability or national origin. The Humane Society will take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to their race, color, religion, age, sex, sexual orientation, disability, or national origin. Such action shall include but not be limited to the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Humane Society agrees to post in conspicuous places, available to employees and applicants for employment, notice to be provided by an agency of the federal government, setting forth the provisions of the Equal Opportunity Laws.

14. The Humane Society shall be in compliance with the applicable provisions of the American with Disabilities Act of 1990 as enacted and from time to time amended and any other applicable federal, state, or local laws and regulations. A signed, written certificate stating compliance with the Americans with Disabilities Act may be requested at any time during the life of this Agreement or any renewal thereof.

16. Any provision of this Agreement or its attachments which impose upon the City, directly or indirectly, any financial obligation whatsoever to be performed or which may be performed in any fiscal year subsequent to the year of execution of this Agreement is expressly made contingent upon and subject to funds for such financial obligation being appropriated, budgeted and otherwise made available.

SECOND CHANCE HUMANE SOCIETY
a Colorado non-profit corporation

CITY OF OURAY, COLORADO
a Home-Rule Municipal Corporation

Greg Nelson	Date
Date	
Mayor	

Melissa M. Drake
City Clerk

CHARGING STATION LICENSE AGREEMENT

This CHARGING STATION LICENSE AGREEMENT (this “*License Agreement*”), effective as of the date indicated below (the “*Effective Date*”), is between, EV BUILD, LLC, a Kansas limited liability company, with its principal office located at 13851 W. 63rd Street, Suite 301, Shawnee, Kansas 66216 (“*Licensee*”), and City of Ouray, a Home Rule municipality, with its principal place of business located at 320 6th Ave, Ouray, CO 81427 (“*Host*”). Each of Licensee and Host is a “party,” and together they are the “parties,” to this License Agreement.

BACKGROUND

A. Pursuant to the ALT Fuels Colorado Electric Vehicle Direct Current Fast-Charging Corridors Grant Program (“*Colorado Grant*”), the Colorado Energy Office (“*CEO*”) is providing grant funds to certain parties in order to increase the number of and access to electric vehicle charging stations along major Colorado transportation corridors;

B. ChargePoint, Inc. (“*CPI*”) has established a business to provide a variety of electric vehicle charging services to owners of plug-in electric vehicles (“*EVs*”) and is a recipient of certain Colorado Grant funds under applicable agreements with the CEO and subject to the terms of the Colorado Grant;

C. CPI and Licensee have executed, or will execute, an agreement by which CPI has agreed to donate certain electric vehicle charging stations (the “*Charging Stations*”) and related charging services to Licensee, using Colorado Grant funds, subject to the terms of the Colorado Grant and Licensee has agreed to accept such Charging Stations;

D. Licensee desires to license parking spaces (as more fully described below) from Host for the purpose of installing such **Charging Stations**, as donated by CPI, and providing charging services to EV Drivers and Host desires to license those spaces to Licensee; and

E. This License Agreement sets forth the parties’ agreement with respect to Host’s grant of the License to Licensee, and is subject to the terms and conditions of the Colorado Grant.

AGREEMENT

1. **Grant of License and License Term.** Host, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) paid by Licensee, and other good and valuable consideration, the sufficiency of which is acknowledged, grants to Licensee a limited, non-exclusive license (“*License*”) to use a portion of Host’s property agreed to by the Parties (each such Host location is hereby defined as a “*Host Property*”), for the purposes described in this License Agreement (each parking space identified in an Addendum is a “*Licensed Space*”). **Exhibit A** attached to this License Agreement sets forth the list of potential Host Properties on which Licensee may operate a Charging Station. The final list of Host Properties shall be subject to agreement of the Parties. Each License of a Licensed Space is for an initial term of ten (10) years (the “*License Term*”), beginning on the date on which the Charging Station servicing that Licensed Space is operational (the “*License Commencement Date*”) and ending on the date that is ten (10) years from the License Commencement Date (as extended, the “*License Expiration Date*”). After the License Expiration Date for a Licensed Space, the License Term for that Licensed Space will automatically renew for successive ten (10) year terms, unless either party gives written notice of termination of the License with respect to that Licensed Space to the other party no later than ninety (90) days before the applicable License Expiration Date (the date on which the License Term for any Licensed Space ends is the “*License Termination Date*”). Licensee shall have the exclusive right to operate one or more Charging Stations (as agreed to by the Parties) at each Host Property set forth on the final agreed upon **Exhibit A**. In no event shall Host grant any license, lease or other possessory right to any third party for the purpose of operating a Charging Station at any Host Property set forth on **Exhibit A**.

2. **Licensed Space Use.** Licensee may use each Licensed Space solely for the purposes of installing, maintaining, repairing, and operating, all in accordance with this License Agreement, one or more Charging Stations and the ancillary uses stated in this License Agreement. The number and approximate location of the Charging Stations and Licensed Spaces at any given Host Property is shown in the appropriate Addendum for that Host Property. Each License covers

only the applicable Licensed Space and the areas of Host's adjacent property (other than the areas located within any buildings or other structures located on such adjacent property) that are reasonably necessary to provide access to and from that Licensed Space and the Charging Stations, for the purposes stated in this License Agreement. The parties recognize that the License allows a right of use and does not grant an interest in real property. Except as expressly stated otherwise, all personal property placed, installed, or affixed to or otherwise located in any Licensed Space by Licensee is the sole and exclusive property of Licensee. Licensee will reimburse Host annually on a prorated basis for snow removal based upon proper documentation of reasonable costs incurred. This is estimated to cost \$150/year based on the charging spots taking up ~5% of the lot and the average annualized cost to be \$3,000. This amount shall not exceed \$300/year.

3. **Charging Models.** Licensee shall select the EV charging stations it receives in each Licensed Space. The number, design, make, model, and manufacturer of each Charging Station are subject to the terms of the agreement between Licensee and CPI Licensee, at any time and for any reason during the License Term, may elect to upgrade, revise, alter, or swap any Charging Station installed in any Licensed Space and, as appropriate. Host shall be given prior written notice of any such upgrade, revision, alteration or swap of the Charging Station; provided that standard software upgrades and defective station maintenance to the Charging Station shall not require written notice to Host. Licensee will require access to Host Property and the Licensed Space to replace or upgrade any Charging Stations during the License Term. Such replacement or upgrade will be Licensee's sole responsibility and will cause minimal disruption to the Host's operation as no additional construction, trenching, repaving, or landscaping will be required.

4. **Installation; Ownership.** Licensee is solely responsible for supervising and performing or causing the performance of the construction and installation activities, including upgrades, for all Charging Stations, subject to the terms of the agreement between Licensee and CPI. Licensee shall schedule the date and time of construction and installation activities with Host in a manner intended not to interfere with Host's business operations. Such schedule shall be binding unless a party provides at least five (5) business days' prior written notice of any need to reschedule. Except in those instances where Licensee is merely replacing or upgrading Charging Stations, Licensee shall submit detailed plans and specifications (prepared by Licensee's appropriately licensed electrical contractor) relating to the construction and installation of the Charging Station to Host for approval. Host agrees to either approve or deny the submitted plans and construction schedule promptly, but in any event within ten (10) days; provided that; Host's failure to approve or deny the submitted plans within such ten (10) day period shall be deemed an approval of such plans. No work will begin until plans have been approved (or deemed approved) by Host and all applicable permits and certifications have been obtained. Once approved, and on the parties' respective demonstration that all insurance coverages required by this License Agreement are in place, Licensee will, at its sole expense, cause the installation of all Charging Stations, including, to the extent applicable, the hiring and coordination of all vendors and contractors; the installation of electrical equipment, utility lines, hardware, and software; site preparation, trenching, repaving, and landscaping; and installation of all CPI-branded signage, if any, approved by Host in accordance with Section 11 of this License Agreement. Host recognizes that Charging Stations will require the installation of dedicated electrical service, supporting concrete pads, protective bollards and other associated equipment necessary for the safe and effective provision of charging services to EV Drivers. Licensee will, at its sole cost and expense, obtain from applicable governmental authorities all licenses, permits, or other approvals required to install the Charging Stations, and Host will reasonably cooperate (at no out-of-pocket expense to Host) on request with Licensee's efforts to do so. On completion of the installation of a Charging Station, that Charging Station is the personal property of Licensee, subject to the terms of the agreement between Licensee and CPI and the Colorado Grant, and is not considered to be a fixture or in any way the property of Host.

Host acknowledges and agrees that Licensee may retain contractors (and such contractors may retain subcontractors) (collectively, "**Contractors**") to perform some or all of Licensee's obligations under this License Agreement or an Addendum. Licensee shall not permit any mechanics' or other liens to stand against the Licensed Space or Host's adjacent property for work or material furnished Licensee. If any mechanic's or materialmen's lien or notice of lien shall at any time be filed against the Licensed Space or Host's adjacent property by reason of work, labor, services or materials performed or furnished to or on behalf of Licensee, Licensee shall promptly cause the same to be bonded or discharged of record. Except during the pendency of any proceedings instituted by Licensee to contest any such lien or notice, if Licensee shall fail to cause such lien or notice of lien to be discharged or bonded within thirty (30) days after the filing thereof, then, in addition to any other rights and remedies available to Host at law, or in equity or under this License Agreement, Host may, but shall not be obligated to, discharge or bond off the same by paying the amount claimed to be due or posting a bond, and the amounts so paid by Host and all costs and expenses, including reasonable attorneys' fees, incurred by Host in paying, bonding off or procuring the discharge of such lien, shall be due and payable by Licensee to Host within thirty (30) days of demand therefor.

5. Operation and Maintenance. Except as otherwise provided in this License Agreement, Licensee will, at its sole cost and expense, maintain, operate, and take good care of the Charging Stations, including making all necessary repairs, arrange for appropriate remote monitoring, and obtain and have installed appropriate software and hardware upgrades. In addition, Licensee agrees to keep the Charging Station in good working order and in a safe condition. Notwithstanding the foregoing, all damage or injury to the Charging Stations, whether requiring structural or nonstructural repairs, that are caused by or that result solely from the negligent conduct of Host, or its agents, contractors, employees or invitees, will be repaired by Licensee, but at Host's sole cost and expense, to the condition that existed before the damage. Host shall have no obligation as to the condition or operability of the Charging Station and Licensee hereby waives any claims or cause of action against Host in connection therewith; provided that, Host agrees that it shall permit EV Drivers access to the Licensed Spaces. Host shall ensure that the Licensed Space and the area appurtenant to the Licensed spaces is free and clear of debris. Additionally, Host shall maintain the general cleanliness and appearance of the Charging Stations. Host shall maintain adequate lighting for the Licensed Spaces. Host shall provide Licensee at least fourteen (14) days prior written notice of any schedule maintenance or repairs to the Host Property, and reasonably prompt notice of emergency event at the Host Property, that could have the effect of denying access to the Licensed Spaces.

6. Utility Availability; General Obligations of Host. Host agrees (at no out-of-pocket expense to Host) to reasonably cooperate in the facilitation of the provision of electricity and any other utilities necessary to operate Charging Stations in each Licensed Space, including by granting (for property owned by Host) or consenting to the granting of (for property leased by Host) appropriate easements to local utility providers; provided, however, that Host is not required to pay money to accomplish the provision of those utilities. Neither Host nor Licensee has any responsibility or liability for interruption, curtailment, failure, or defect in the supply or character of utilities furnished to facilities or equipment located in any Licensed Space, unless the cause of the interruption is covered by the party's indemnity provided for in this License Agreement. Host shall, at its sole cost and expense, take commercially reasonable actions to maintain each Licensed Space in a clean, safe, and orderly condition, to at least the same standard as it customarily maintains the common areas that support its business conducted at the property adjacent to any Licensed Space. Host shall promptly notify Licensee and, as appropriate, emergency response personnel regarding any malfunction or perceived dangerous condition pertaining to a Charging Station.

7. Utility Metering and Electricity Costs. Licensee shall be responsible for paying the electricity costs associated with the use of the Charging Stations.

(a) **Separately Metered Sites.** Charging stations will be separately metered and Licensee shall pay all electrical bills directly to the utility provider.

8. Casualty and Condemnation

(a) **Damage.** If any Licensed Space or any Charging Station is damaged by fire or other casualty, then Licensee, at its sole option, may elect within thirty (30) days of date of fire or other casualty either to (a) terminate the License with respect to that Licensed Space on written notice to Host, or (b) cause Host to use available insurance proceeds to repair and restore the Licensed Space and any other property damaged as a result of such fire or other casualty to its prior or better condition. If Licensee elects to terminate the License with respect to that Licensed Space, it shall remove all of Licensee's property from the affected License Space and restore the Licensed Space in accordance with Section 15 of this License Agreement. Any repair and restoration required by Licensee under this Section shall commence within sixty (60) days of date of Licensee's election and shall be completed no later than 120 days thereafter.

(b) **Condemnation/Taking.** If any Licensed Space or other nearby space is condemned or taken in any manner for a public or quasi-public use that could adversely affect the use of the Charging Stations, then the parties will use commercially reasonable efforts to find an alternate location for that Licensed Space elsewhere on Host's property. The costs of the relocation of any Charging Station shall be paid by Licensee. Licensee may file a separate claim to the condemning authority for any relocation award made as a result of that condemnation; provided, however, in no event shall such claim reduce the Host's award related to such condemnation or taking. On Licensee's sole election, Licensee may elect to terminate the License with respect to any condemned Licensed Space in lieu of relocation effective as of the date title to the Licensed Space is transferred to the condemning authority.

(c) **Suspension of Term.** During any time that any Licensed Space or any portion of it is under repair or being relocated pursuant to this Section, the License Term shall be temporarily suspended on a day-for-day basis.

9. Limitation.

In no event shall either Party be liable to the other party or any other person or entity for any special, exemplary, indirect, incidental, consequential or punitive damages of any kind or nature whatsoever (including, without limitation, lost revenues, profits, savings or business, or contribution or indemnity in respect of any claim against the party), whether in an action based on contract, warranty, strict liability, tort (including, without limitation, negligence) or otherwise, even if such party has been informed in advance of the possibility of such damages or such damages could have been reasonably foreseen by such Party.

10. Insurance.

(a) **Minimum Coverage.** Beginning on the Effective Date and continuing through the License Term, Licensee shall maintain in full force and effect, at its cost and expense, the following coverages and amounts of insurance:

(i) Workers Compensation Insurance required by applicable laws; Employers Liability Insurance with limits of not less than \$500,000 each Accident; \$500,000 each Employee – Disease; and \$500,000 Policy Limit-Disease.

(ii) Full replacement Property Insurance (written on an “all risk” basis) for personal property, machinery, equipment and trade fixtures to be insured by Licensee. Licensee shall obtain an endorsement waiving rights to subrogation in favor of Host for losses covered by such Property policy.

(iii) Commercial General Liability insurance covering bodily injury, including death, and property damage (including loss of use thereof), personal/advertising injury, and products and completed operations, with limits of liability not less than the following amounts:

- (1) \$1,000,000 Per Occurrence Limit;
- (2) \$1,000,000 Personal and Advertising Injury Limit;
- (3) \$2,000,000 General Aggregate (Other than Products-Completed Operations); and
- (4) \$1,000,000 Products-Completed Operations Aggregate Limit.

(iv) Business Auto Liability Insurance covering all owned, non-owned and hired vehicles, with limits of not less than \$1,000,000 per occurrence combined single limit for bodily injury and property damage.

(v) Umbrella coverage in the amount of \$4,000,000 per occurrence and \$4,000,000 in the aggregate.

(b) Licensee agrees that loss or damage to its owned or leased equipment, tools, or supplies used in performance of this License Agreement will be at Licensee’s own risk.

11. Signage. Licensee shall not paint, place, erect, project, nor cause or permit to be painted, placed, erected, or projected, any sign, mark, or advertising device in, on, or about the Licensed Space or elsewhere on the Host’s property without in each case first obtaining Host’s written consent (which may be granted or denied in Host’s commercially reasonable discretion). All use of CPI marks shall be subject to CPI’s Branding Guidelines, available upon request. Licensee shall, at its own cost and expense, obtain any and all permits necessary for the installation of its signs, and Licensee shall be solely responsible for all costs and expenses associated with such permitting, the erection of such sign(s), and the maintenance and operation thereof. Notwithstanding anything to the contrary contained in this License Agreement, Licensee shall be permitted to place signs indicating that the licensed parking spaces are for the use of electric vehicles only.

12. Assignment. This License Agreement is binding on and inures to the benefit of the parties and their respective heirs, successors, assigns, and personal representatives. Host recognizes that the License is not personal to Licensee.

Neither party may assign its rights and obligations in and under this License without first obtaining prior written consent of the other party, which shall not be unreasonably withheld; provided, however, that either party may assign its rights and obligations in and under the License Agreement to a wholly-owned subsidiary or successor by merger or acquisition at any time and without consent, provided further that such assignee agrees to be bound by the terms of this License Agreement; provided further that, Licensee may assign its rights and obligations in and under this License Agreement to CPI at any time and without consent.

13. Taxes. Licensee is solely responsible for personal property taxes imposed on Charging Stations, and any other equipment installed by it, that are located in a Licensed Space. All other real or personal property taxes related to each Licensed Space are the sole obligation of Host. Each party is responsible for its own income, franchise, margin, and similar taxes.

14. Representations. Each of Host and Licensee hereby represents and warrants to the other that it has the authority to enter into this License Agreement that this License Agreement is not in contravention of any other License Agreement or contract or obligation of Licensee or Host.

15. Licensed Space on Termination. Host hereby grants Licensee the right and duty, upon the termination of this License Agreement, to enter upon the Licensed Space within 30 days after such termination and to remove any and all Charging Stations as well as any other ancillary property of Licensee relating thereto. Upon removal, Licensee shall ensure that all wiring is capped and left in a safe condition that is in compliance with all applicable laws. Licensee shall coordinate the removal of the Charging Stations with Host. If the Charging Stations are not removed after thirty days of termination, the Host shall remove them and the Licensee shall be responsible for the costs of removing by making payment on the bill of costs within twenty (20) days after receipt.

16. Recordation. Licensee may not record any memorandum or other documentation in the public registries that reflects Licensee's rights and its ownership of any property pursuant to this License Agreement without first obtaining Host's consent (and the consent of any lessor of Host) in each instance, which consent shall not be unreasonably withheld, conditioned or delayed.

17. Access; Construction. Subject to any restrictions and limitations on construction and access to the Licensed Space set forth in Section 5 above, Licensee may use each Licensed Space and Host's adjacent property for the construction and installation of the Charging Stations, and shall confine its operations strictly to those sites permitted by applicable law, ordinances, permits, and Host. Only those materials and equipment that are being used directly in the construction and installation of Charging Stations shall be brought to and stored on that Licensed Space and its adjacent areas. Licensee shall ensure that, subject to reasonable and unavoidable interruptions, all work is performed in a manner that affords continuous, reasonable access to Host's adjacent property.

18. Intellectual Property. As used in this License Agreement, "*Intellectual Property*" means all copyrights, patents, trademarks and service marks/names, all registrations for copyrights, patents, trademarks and service marks/names, trade secrets, know-how, and all unique concepts, information, data and knowledge that is eligible for legal protection under applicable laws as intellectual property, whether protected through confidentiality, registration or pending registration, regardless of form, whether disclosed in writing, electronically, orally or through visual means, whether learned or obtained orally, through observation, through the discharge of responsibilities under this License Agreement, or through analysis of that information, data or knowledge. The parties agree that, as between them, Licensee has and retains ownership of all copyrights, trade secrets, patents, and other intellectual property rights in Licensee's Intellectual Property, and Host has no right, and may not obtain any right, in any Licensee Intellectual Property other than the specific trademark license granted pursuant to this License Agreement.

19. Confidentiality Covenant. In connection with their discharge of duties and responsibilities under this License Agreement, each of Licensee and Host may provide to the other certain confidential or proprietary information not publicly known. Licensee and Host agree to treat any confidential or proprietary information (as defined below) in the manner required by this License Agreement or to the extent allowed under applicable law.

(a) **Confidential Information.** The term "Confidential Information" includes all information, data and knowledge concerning either party, including soft or electronic copies of data, the party's Intellectual Property or its operations, regardless of form, that is delivered or disclosed, in connection with the undertakings of the License Agreement by or on behalf of either party to the recipient in writing, electronically, orally or through visual means, or by which the recipient learns or obtains orally, through observation or through analysis of such information, data or

knowledge; provided, however, if such information is oral or visual, it must be identified as secret, confidential or proprietary prior to disclosure and is summarized in a writing marked secret, confidential or proprietary and delivered within ten (10) days following the oral or visual disclosure or must, due to its nature or the context of its disclosure, be the sort of information that the recipient should reasonably deem to be confidential. Confidential Information does not include information that (i) was or becomes generally available to the public other than as a result of a disclosure by the recipient, (ii) was or becomes available to the recipient from a source other than either party or its Affiliates, so long as that other source is not bound by a confidentiality agreement regarding that information, (iii) was within the recipient's possession before the information was furnished to the recipient by the other party, or (iv) is independently developed by the recipient, provided that the development was by or on its own behalf without the use of, or any reference to, any Confidential Information.

(b) **Respecting Confidentiality.** Each party agrees to keep Confidential Information confidential. Each party agrees that it will not provide any Confidential Information to a third party, including, without limitation, the fee owner or ground lessee of any Licensed Space or proposed Licensed Space, unless the other party to this License Agreement has approved that in writing, and the third party is advised of and agrees to be bound by the provisions of this Section 22. Within fifteen (15) days of written request following a breach by the other party of the License Agreement, or on termination of the License Agreement, the recipient shall promptly return to the disclosing party all written or other tangible manifestations of material containing Confidential Information, and will not retain any copies.

(c) **Publicity.** Neither party will use the name(s), trademark(s) or trade name(s), whether registered or not, of the other party in publicity or press releases or advertising or in any manner, including customer lists, without that party's prior written consent, which consent shall not be unreasonably withheld, conditioned or delayed.

20. Independent Contractors. The parties shall act as and be independent contractors in the performance of this License Agreement. Nothing in the License Agreement shall be deemed or construed to create a joint venture, partnership, fiduciary, or agency relationship between the parties for any purpose, and the employees of one party shall not be deemed to be the employees of the other party. Except as otherwise stated in this License Agreement, neither party has any right to act on behalf of the other, nor represent that it has such right or authority.

21. Independent Agreements. The parties acknowledge and agree that the rights and obligations under the License Agreement are separate and independent from, and shall not be conditioned on or affected by the performance or non-performance of the terms of, any other agreement between Licensee and Host.

22. Notice. Any notice provided or permitted to be given under the License Agreement must be in writing and be served either by (i) deposit in the mail, addressed to the party to be notified, postage prepaid, and registered or certified, with a return receipt requested, or (ii) deposit with an internationally-recognized overnight delivery carrier, with notice of delivery to the recipient party. Notice given by registered mail or overnight carrier shall be deemed delivered and effective on the date of delivery shown on the return receipt or proof of receipt. For purposes of notice the addresses of the parties shall be as follows:

If to Licensee:

EV Build LLC
13851 W. 63rd Street
Suite 301
Shawnee, Kansas 66216
Attn: Jim Frank

With a copy to (which shall not constitute notice):

ChargePoint, Inc.
254 East Hacienda Avenue
Campbell, CA 95008
Attn: General Counsel

If to Host:

City of Ouray

320 6th Ave
Ouray, CO 81427
Attn: City Administrator

With a copy to (which shall not constitute notice):

ChargePoint, Inc.
254 East Hacienda Avenue
Campbell, CA 95008
Attn: General Counsel

Each party may change its address for notice by giving notice thereof to the other party.

23. Waiver. The failure of a party to insist on strict performance of any provision of the License Agreement does not constitute a waiver of, or estoppel against asserting, the right to require performance in the future. A waiver or estoppel given in any one instance does not constitute a waiver or estoppel with respect to a later obligation or breach.

24. Severability. If any term of this License Agreement is held by any court of competent jurisdiction to contravene, or to be invalid under, the laws of any political body having jurisdiction over this subject matter, that contravention or invalidity shall not invalidate the entire License Agreement. Instead, this License Agreement shall be construed as reformed to the extent necessary to render valid the particular provision or provisions held to be invalid, consistent with the original intent of that provision and the rights and obligations of the parties shall be construed and enforced accordingly, and this License Agreement shall remain in full force and effect as reformed.

25. Governing Law. This License Agreement shall be governed by and interpreted in accordance with the internal laws of the State of Colorado without giving effect to conflict of law rules. The parties further agree that all actions brought under this License Agreement shall be brought in the Ouray County, Colorado.

26. Construction. The headings in this License Agreement are inserted for convenience and identification only and are not intended to describe, interpret, define, or limit the scope, extent, or intent of this License Agreement or any other provision hereof. When the context requires, the gender of all words used in this License Agreement shall include the masculine, feminine, and neuter, and the number of all words shall include the singular and the plural.

27. Counterpart Execution. This License Agreement may be executed in counterparts, which together will constitute one and the same agreement. Each party will have the right to rely on a facsimile or electronic signature on this License Agreement, and such signature shall be deemed an original signature for purposes of validity of this License Agreement. The parties agree that signatures that are transmitted electronically, including both facsimile and manual signatures, shall be binding as of the date signed and to the same extent as original signatures.

28. Successors and Assigns. Except as otherwise provided, this License Agreement shall apply to, and is binding on, the parties hereto, their respective successors and permitted assigns, and all persons claiming by, through, or under any of these persons.

29. Written Amendment. This License Agreement may not be modified except by a written agreement signed by both parties.

30. Cumulative Rights. The rights and remedies provided by this License Agreement are cumulative, and the use of any right or remedy by any party does not preclude or waive its right to use any or all other remedies. These rights and remedies are given in addition to any other rights a party may have under Applicable Law, in equity or otherwise.

31. Further Assurances. Each party agrees to execute (and acknowledge, if requested) and deliver additional documents and instruments and to perform additional acts as may be reasonably necessary or appropriate to effectuate, carry out, and perform all of the terms, provisions and conditions of this License Agreement.

32. Survival. Sections 4, 8, 9, 10, 11, 14, 16, 20, 21 and 27 shall survive the expiration, termination or cancellation of this License Agreement, regardless of reason.

33. **No Third Party Beneficiary.** This License Agreement does not confer any rights or remedies on any Person other than the parties and their respective successors and permitted assigns.

34. **Warranties.** The parties represent and warrant that each has the authority, power, and rights necessary to perform its obligations under this License Agreement, without violating the rights of any other party or applicable laws.

35. **Drafting Party.** This License Agreement expresses the mutual intent of the parties to this License Agreement. Accordingly, the rule of construction against the drafting party has no application to this License Agreement.

36. **Incorporation of Exhibits.** All documents or items attached to, or referred to in, this License Agreement are incorporated into this License Agreement as fully as if stated within the body of this License Agreement.

37. **Other Relationships.** Notwithstanding the foregoing, this License Agreement is expressly made subject to, and does not interfere with or alter, any existing relationships or contractual obligations between each party (or its Affiliates) and its partners, clients, service providers and other third parties. Neither party is prohibited from honoring any of these existing relationships or contractual obligations that otherwise may conflict with any term of this License Agreement.

38. **Force Majeure.** Neither party is responsible for any delay or failure in performance of any part of this License Agreement to the extent that delay or failure is caused by fire, flood, explosion, war, embargo, government requirement, civil or military authority, act of God, act or omission of carriers or other similar causes beyond the party's control. The License for the affected Licensed Space may be terminated without a Termination Fee or any other penalty by the party whose performance has not been affected if non-performance continues for more than thirty (30) days.

39. **Termination for Cause.** This License Agreement or the License for a particular Licensed Space may be immediately terminated for cause by either party in the event of the following:

(a) **Breaches.** The other party breaches or fails to perform any of its obligations in any material respect, and such breach or failure continues uncured for ten (10) days after receipt of written notice, except for those breaches and failures to perform which cannot be cured within ten (10) days in which case the breaching party shall have such time as is necessary, not to exceed thirty (30) days, to cure such breach or failure to perform provided that the breaching party has commenced the cure within ten (10) business days after receipt of written notice and diligently pursues such cure until completion.

(b) **Assigns.** The other party attempts to assign or otherwise transfer its rights, obligations, or duties under this License Agreement in a manner prohibited by this License Agreement.

(c) **Insolvency.** The other party becomes insolvent or proceedings are instituted by or against it under any provision of any federal or state bankruptcy or insolvency laws.

(d) **Uneconomic Purpose.** If any time after the sixth year anniversary of this Agreement, Licensee in its sole discretion determines that the Charging Stations cannot be operated at a profit, Licensee shall have the right to terminate this License by providing thirty (30) days prior written consent to Host.

Upon any purported termination for cause by Host or Licensee, the Parties shall meet and confer within ten (10) days of the notice of termination in an attempt to avoid such termination; provided that, in lieu of any termination, Licensee shall have the option to assign this License Agreement and all of Licensee's rights and obligations hereunder to CPI, in order for CPI to meet its obligations to the CEO under the Colorado Grant.

Upon any termination for cause by Host pursuant to this Section 39, Host shall execute a license agreement with CPI in order for CPI to meet its obligations to the CEO under the Colorado Grant and there shall be no termination fee or any other sum due from Host to Licensee.

Upon any termination for cause by Licensee pursuant to this Section 39, Licensee shall be relieved of any further obligations contained in this License Agreement or the applicable Addendum for the terminated Licensed Space, as applicable, except for those that by their nature survive or may require performance after termination pursuant to Section 32; provided that, Licensee has assigned all of its rights and obligations hereunder to CPI in order for CPI to meet its obligations to the CEO under the Colorado Grant.

40. Compliance with Laws. Licensee is responsible for and does represent that it will comply with all federal, State, and local laws, rules, regulations (including, without limitation, all zoning ordinances and building codes), applicable to Licensee's use of the Licensed Space, this License Agreement or to the performance thereof and as may be applicable to Licensee's operation and ownership of the Charging Station.

[Signature page(s) follow]

SIGNATURE PAGE TO CHARGING STATION LICENSE AGREEMENT

EXECUTED this _____ day of _____, 2021.

HOST

CITY OF OURAY

By:

Mayor Greg Nelson

Attest:

City Clerk, Melissa M. Drake

Licensee

EV Build, LLC

By:

Name: Jim Frank

Title: CEO

APPROVED BY CHARGEPOINT LEGAL

By:

Name:

Title:

Date:

Signature Page

Exhibit A – Licensed Spaces

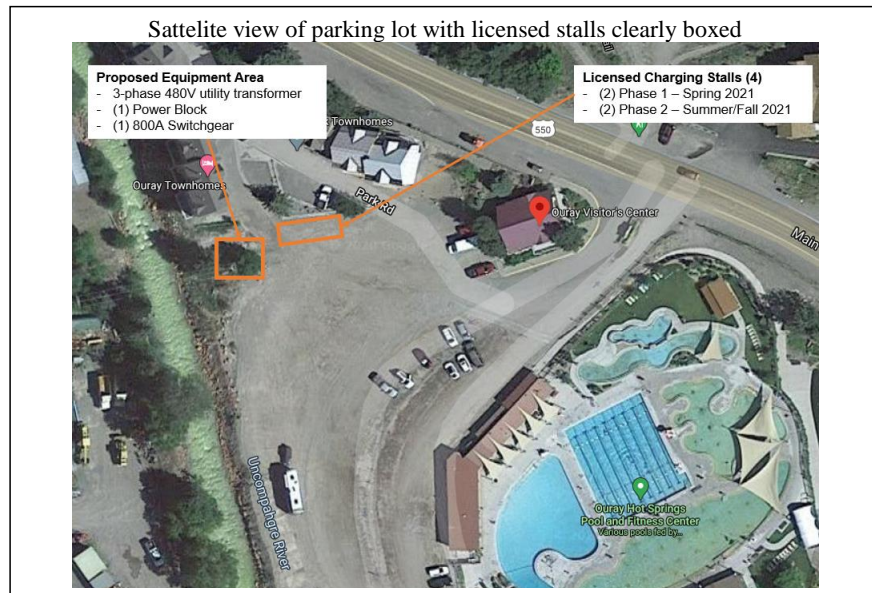


Figure A1 Parking lot site plan above shows the location context for the planned section of the Parking facility for the ChargePoint Express equipment installation.

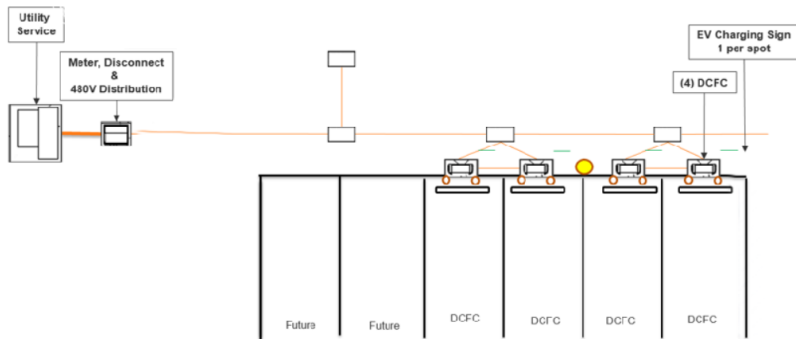


Figure A2 EVSE design above shows details for the ChargePoint electric vehicle supply equipment installation. Site specific details will be confirmed with engineered design and utility coordination.

Exhibit "B"

Installation Scope of Work TO BE COMPLETED WITH SITE SPECIFIC INFORMATION

1. Hostment [JB1] of Work

ESTIMATE SHEET

Job Name	ChargePoint - 800A	Contractor	LVI	Estimate No.		REV 2
Location	Ouray, CO	Architect		Date	09/21/20	10/6/2020
Estimator	Mike Rodriguez	Checked by		Bid Date		

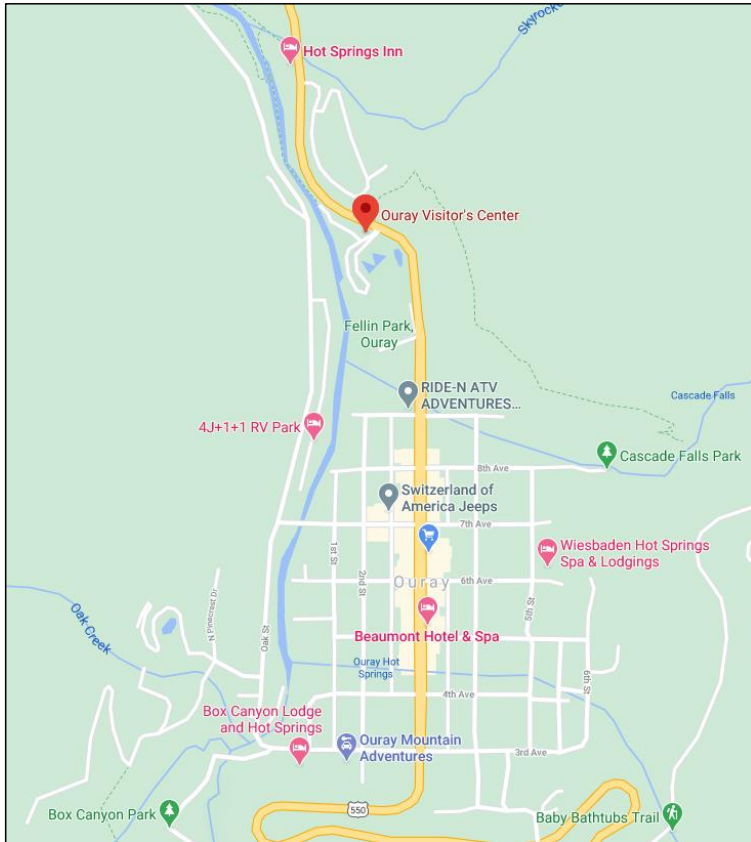
LVI provides Primary trench & conduit, CT Can & Meter can - **PRIMARY Wire, Transformer Vault/pad and Transformer by UTILITY.**
Description: This Estimate is for the 1st phase installation of EV charging equipment at the Ouray Visitor Center, Ouray, CO. Complete installation of conduit and wire for (2) CPE CPE250's, Paired, energized and activated. Phase 1 also includes conduit rough-in for (2) EXPP dispensers and (1) power block. This includes dispenser footings and PB Equipment pad. **Excludes** all wiring related to power & Communication to and from Power Block and EXPP dispensers.
Please note, CPE250 and EXPP dispensers use identical footings.

DESCRIPTION	UNIT VALUES				EXTENDED COSTS		
	QUANTITY	UNIT \$	LABOR HOURS PER UNIT	TOTAL LABOR HOURS	MATERIAL	LABOR	TOTAL
Concrete- Transformer Pad - Fiberglass Vault/Pad	-	-	-	-	\$ 60.00	\$ -	\$ -
Concrete - Distribution & Power Block Pad 4'x 4' x 6"	1.0	800.00	18.00	18.0	\$ 60.00	\$ 800.00	\$ 1,080.00
CPE 250 and EXPP EV Pedestal Concrete base	4.0	750.00	6.00	24.0	\$ 60.00	\$ 3,000.00	\$ 4,440.00
Saw Cutting	-	25.00	0.25	-	\$ 60.00	\$ -	\$ -
Trenching & Excavation	105.0	65.00	1.50	157.5	\$ 60.00	\$ 6,825.00	\$ 9,450.00
Primary Conduit for Utility (2) 4" PVC from existing transformer.	65.0	44.00	1.20	78.0	\$ 60.00	\$ 2,860.00	\$ 4,680.00
2 sets of 4 #600 #3/0 grd. in 4" PVC xfmr to MSB	20.0	128.00	1.60	32.0	\$ 60.00	\$ 2,560.00	\$ 4,480.00
UG Pull Box (for conduit into power block pad)	1.0	650.00	8.00	8.0	\$ 60.00	\$ 650.00	\$ 1,130.00
Drainage stone by yard	1.0	150.00	2.00	2.0	\$ 60.00	\$ 150.00	\$ 270.00
800A MLO Distribution without MCB & Meter	1.0	8,000.00	16.00	16.0	\$ 60.00	\$ 8,000.00	\$ 8,960.00
Grounding	2.0	300.00	8.00	16.0	\$ 60.00	\$ 600.00	\$ 1,560.00
480v (3) #2, #6grd THWN-2 in 1.5" C. to CPE 250	40.0	23.00	0.30	12.0	\$ 60.00	\$ 920.00	\$ 1,640.00
(2) 1000v DC #3/0 XHHW-2 RW90 in 2" C. Loop between Disp.	15.0	27.00	1.00	15.0	\$ 60.00	\$ 405.00	\$ 1,305.00
CAT 6 in 1" PVC. Lvl 3 controls Loop between Disp.	15.0	6.00	0.10	1.5	\$ 60.00	\$ 90.00	\$ 180.00
480v empty 3" C. for future Power Block (no wire)	10.0	18.00	0.50	5.0	\$ 60.00	\$ 180.00	\$ 480.00
4" empty to future Express Disp. (no wire)	70.0	18.00	0.50	35.0	\$ 60.00	\$ 1,260.00	\$ 3,360.00
1" empty to future Express Disp. (no wire)	70.0	6.00	0.10	7.0	\$ 60.00	\$ 420.00	\$ 840.00
4" Concrete Bollard buried w/vel cover	12.0	650.00	3.00	36.0	\$ 60.00	\$ 7,800.00	\$ 9,960.00
Pole Mnt EV Sign	4.0	450.00	3.00	12.0	\$ 60.00	\$ 1,800.00	\$ 2,520.00
On Site Supervision	-	-	-	110.0	\$ 60.00	\$ -	\$ 6,600.00
Port a Can	-	800.00	-	-	\$ 60.00	\$ -	\$ -
Traffic Barricades	2.5	1,000.00	6.00	15.0	\$ 60.00	\$ 2,500.00	\$ 3,400.00
UG Location service	1.0	800.00	4.00	4.0	\$ 60.00	\$ 800.00	\$ 1,040.00
Spills Dumpster	1.0	1,200.00	4.00	4.0	\$ 60.00	\$ 1,200.00	\$ 1,440.00
Stencil	-	450.00	8.00	-	\$ 60.00	\$ -	\$ -
TOTALS				602.0	\$ 42,820.00	\$ 36,480.00	\$ 79,300.00
MISCELLANEOUS JOB EXPENSES					AMOUNT	MATERIAL %	10.0%
					Rental Equipment	6,500.00	TOTAL
					Engineering & Plan Development	5,000.00	4,282.00
					Permits	1,500.00	8.2%
					Mobilization	1,800.00	TOTAL
EXCLUDES: Utility Provider Fees, Repair of unforeseen existing utilities.							6,853.72
EXCLUDES: MCB, Meter section, Wire To & from Power Blocks.							
TOTAL					\$ 14,800.00	TOTAL BID	\$ 105,235.72

2. Clarifications

3. Excluded Items Outside of Agreement

4. Overhead Map View



5. Focused Installation View



6. Site Design Layout



**EXHIBIT C to LICENSE AGREEMENT
CEO AND COLORADO GRANT TERMS AND CONDITIONS**

1. INSURANCE

Licensee shall obtain and maintain, and ensure that each Subcontractor shall obtain and maintain, insurance as specified in this section at all times during the term of this Agreement. All insurance policies required by this Agreement that are not provided through self-insurance shall be issued by insurance companies as approved by the Host.

A. Workers' Compensation

Workers' compensation insurance as required by state statute, and employers' liability insurance covering all Licensee employees acting within the course and scope of their employment.

B. General Liability

Commercial general liability insurance covering premises operations, fire damage, independent contractors, products and completed operations, blanket contractual liability, personal injury, and advertising liability with minimum limits as follows:

- i. \$1,000,000 each occurrence;
- ii. \$1,000,000 personal and advertising injury limit;
- iii. \$2,000,000 general aggregate; and
- iv. \$1,000,000 products and completed operations aggregate.

C. Automobile Liability

Automobile liability insurance covering any auto (including owned, hired and non-owned autos) with a minimum limit of \$1,000,000 each accident combined single limit.

D. Additional Insured

The Host shall be included as additional insured on commercial general liability policy (leases and construction contracts require additional insured coverage for completed operations) required of Licensee and Subcontractors.

E. Primacy of Coverage

General Liability and Automobile Liability shall be primary over any insurance or self-insurance program carried by Licensee or the Host.

F. Cancellation

Licensee will endeavor to provide written notice to the Host thirty (30) days prior to any cancellation with the exception of non-payment which can then be ten (10) days.

G. Subrogation Waiver

Commercial General Liability, Automobile Liability and Workers' Compensation insurance policies secured or maintained by Licensee or its Subcontractors in relation to this Agreement shall include clauses stating that each carrier shall waive rights of recovery under subrogation or otherwise against Licensee or the Host, its agencies, institutions, organizations, officers, agents, employees, and volunteers.

H. Certificates

For each commercial insurance plan provided by Licensee under this Agreement, Licensee shall provide to the Host certificates evidencing Licensee's insurance coverage required in this Agreement within 7 Business Days following the Effective Date. Licensee shall provide to the Host certificates evidencing Subcontractor insurance coverage required under this Agreement within 7 Business Days following the Effective Date, except that, if Licensee's subcontract is not in effect as of the Effective Date, Licensee shall provide to the Host certificates showing Subcontractor insurance coverage required under this Agreement within 7 Business Days following Licensee's execution of the subcontract. Within 15 following the expiration date of Licensee's or any Subcontractor's coverage, Licensee shall deliver to the Host certificates of insurance evidencing renewals of coverage. At any other time during the term of this Agreement, upon request by the Host, Licensee shall, within 7 Business Days following the request by the Host, supply to the Host evidence satisfactory to the Host of compliance with the all insurance provisions of this Agreement.

2. GOVERNMENTAL IMMUNITY

Liability for claims for injuries to persons or property arising from the negligence of the Host, its departments, boards, commissions committees, bureaus, offices, employees and officials shall be controlled and limited by the provisions of the GIA; the Federal Tort Claims Act, 28 U.S.C. Pt. VI, Ch. 171 and 28 U.S.C. 1346(b), and the Host's risk management statutes, §§24-30-1501, *et seq.*, C.R.S.

A. Colorado Open Records Act Disclosure

To the extent not prohibited by federal law, this Agreement and the performance measures and standards required under §24-106-107, C.R.S., if any, are subject to public release through the Colorado Open Records Act.

B. Indemnification

General Indemnification

Licensee shall indemnify, save, and hold harmless the Host, its employees, agents and assignees (the "Indemnified Parties"), against any and all costs, expenses, claims, damages, liabilities, court awards and other amounts (including attorneys' fees and related costs) incurred by any of the Indemnified Parties in relation to any act or omission by Licensee, or its employees, agents, Subcontractors, or assignees in connection with this Agreement.

3. GOVERNMENTAL IMMUNITY.

No term or condition of this Agreement shall be construed or interpreted as a waiver, express or implied, of any of the immunities, rights, benefits, protections, or other provisions, of the Colorado Governmental Immunity Act, §24-10-101, *et seq.*, C.R.S., or the Federal Tort Claims Act, 28 U.S.C. Pt. VI, Ch. 171 and 28 U.S.C. 1346(b).

4. INDEPENDENT CONTRACTOR

Licensee shall perform its duties hereunder as an independent contractor and not as an employee. Neither Licensee nor any agent or employee of Licensee shall be deemed to be an agent or employee of the Host. Licensee and its employees and agents are not

entitled to unemployment insurance or workers compensation benefits through the Host and the Host shall not pay for or otherwise provide such coverage for Licensee or any of its agents or employees. Unemployment insurance benefits will be available to Licensee and its employees and agents only if such coverage is made available by Licensee or a third party. Licensee shall pay when due all applicable employment taxes and income taxes and local head taxes incurred pursuant to this Agreement. Licensee shall not have authorization, express or implied, to bind the Host to any agreement, liability or understanding, except as expressly set forth herein. Licensee shall (i) provide and keep in force workers' compensation and unemployment compensation insurance in the amounts required by law, (ii) provide proof thereof when requested by the Host, and (iii) be solely responsible for its acts and those of its employees and agents.

5. COMPLIANCE WITH LAW.

Licensee shall strictly comply with all applicable federal and State laws, rules, and regulations in effect or hereafter established, including, without limitation, laws applicable to discrimination and unfair employment practices.

6. CHOICE OF LAW.

Colorado law, and rules and regulations issued pursuant thereto, shall be applied in the interpretation, execution, and enforcement of this Agreement. Any provision included or incorporated herein by reference which conflicts with said laws, rules, and regulations shall be null and void. Any provision incorporated herein by reference which purports to negate this or any other Special Provision in whole or in part shall not be valid or enforceable or available in any action at law, whether by way of complaint, defense, or otherwise. Any provision rendered null and void by the operation of this provision shall not invalidate the remainder of this Agreement, to the extent capable of execution.

GEOTHERMAL HEATING AGREEMENT

This Agreement is entered into between the City of Ouray, Colorado (City) and John F. and Nancy G. Nixon (Nixon).

For and in consideration of the mutual covenants stated herein, the parties agree as follows:

1. Nixon agrees to buy and the City agrees to sell heat on the conditions set out in this Agreement.
2. Nixon shall be allowed to install a heat exchanger in accordance with plans to be submitted to the City for review and approval prior to construction and place it in the concrete vault located on the Nixon property described on Exhibit A hereto in order to transfer heat from the City's geothermal water pipeline which crosses said Nixon property into an intermediary fluid piping system to deliver heat to the Nixon house. No modifications shall be made directly to the City pipe which would adversely affect flow in the line.
3. Nixon shall provide a BTU meter and other devices as appropriate to implement the terms of this Agreement including devices to control the flow of the intermediary fluid, and the temperature drop of the City water.
4. Nixon agrees to control the flow of the intermediary fluid to insure that none of the following limits are exceeded.
 - A. The temperature drop of the City water shall not exceed one half degree F.
 - B. Nixon shall not remove more than 0.423 percent of the heat flow in the City pipeline.
 - C. Nixon shall not draw more than 40,000 BTU's per hour into the intermediary fluid.
 - D. City may terminate this Agreement if Nixon fails to materially comply with these limits.
5. In consideration of the use of the heat Nixon shall pay the City the amount of \$0.34 per therm of heat used based upon BTU meter readings which the City shall make once per month. Nixon shall make payment to the City within fifteen days of the date of each monthly bill and upon failure to make such payment on time, such amount may be added to Nixon's City water bill and considered to be a delinquent charge to be collected in accordance with City Ordinances.
6. The term of this Agreement shall be for ten years provided however, the City shall have no obligation to continue to operate the City pipeline across the Nixon property or to maintain any particular flow or temperature of water in it.

This Agreement shall be extended for consecutive one year periods, until one party gives written notice of termination to the other party at least 30 days prior to the end of the then current period.

7. Nixon shall be responsible to maintain the heat exchanger, control devices and measuring devices and meters in good working order at Nixon's expense.
8. As further consideration for this Agreement, Nixon hereby agrees to convey to the City by special Warranty Deed, Nixon's one quarter interest in parcels F and G, City of Ouray, within thirty days of the effective date of this Agreement. City agrees to pay 1987 taxes, due in 1988.
9. Nixon shall have the right to terminate this Agreement at any time upon thirty days written notice to the City. Upon termination for any reason, Nixon shall remove the heat exchanger and appurtenances from the concrete vault and repair any damage to City pipeline or vault at Nixon's expense. If Nixon fails to do so, City shall have the right to do so and collect its costs from Nixon.
10. The City shall have the right to terminate this Agreement upon the breach of any of the terms herein by Nixon.
- Provided, however, Nixon shall get 60 days notice prior to termination.
11. Nixon may assign this Agreement only to subsequent owners of the Nixon property as described on Exhibit A. He shall give written notice of assignment and acceptance of assignment to the City.
12. Any notice required by this Agreement shall be deemed complete when mailed, certified mail, return receipt requested, with sufficient postage to the following addresses:

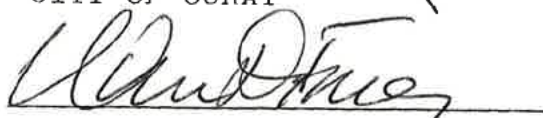
John F. and Nancy G. Nixon	City of Ouray
P. O. Box 305	P. O. Box 468
Ouray, CO 81427	Ouray, CO 81427

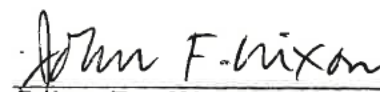
or notice may be delivered to the other party.

13. This Agreement is dated April 4th, 1988.

CITY OF OURAY

by




John F. Nixon



Nancy G. Nixon

EXHIBIT A

Legal Address: 302 Oak St., Ouray, Co.

Legal Description: Lots 2 thru 9 inclusive, Block 3, also
known as Block C, Beaumont Subdivision,
City of Ouray, Co.



MEMO

Date: February 26, 2021
To: Ouray City Council
Subject: **Ouray Community Plan Adoption**

REQUEST

Public hearing to review and consider an amendment to the City of Ouray Community Plan. Following the public hearing, Alpine Planning recommend that the Ouray City Council adopt the new Community Plan.

ATTACHMENTS

1. Resolution Adopting the Community Plan
2. Community Plan, Public Hearing Draft
3. Public Hearing Notice

BACKGROUND

The Community Plan update process was led by Chris Hawkins with Alpine Planning, LLC. (Alpine Planning). The process was kicked-off in July of 2018 and occurred in three phases.

Phase 1 – Establishing the Foundation

- Steering Committee Creation
- Stakeholder Interviews
- Community Survey
- Review of Adopted Plans
- Build-out Analysis

Phase 2 – Exploration of the Vision, Goals and Actions

- Revisit the Community Vision
- Create Vision Statements for All Themes
- Community Vision Meeting/Workshop
- Theme-By-Theme Steering Discussion to Create Draft Goals and Actions
- Parks and Recreation Open House

Phase 3 – Drafting and Adopting the Community Plan

- Steering Committee Review
- Stakeholder Re-Engagement
- Creation of Final Goals and Actions
- Planning Commission Recommendation
- CEDC Recommendation
- City Council Adoption

Over the course of the Community Plan update, a robust public engagement process occurred to ensure that the plan incorporated the goals and action items of the entire community. Although consensus on every action item cannot be achieved, the plan is drafted to harness the thoughts and perceptions of all stakeholders. Since the plan is an advisory document, the decision-making process and viability of each action item will be determined throughout implementation of the plan. Below is a list of public engagement activities that Alpine Planning, LLC and city staff performed to engage the community and generate the content within the draft plan.

Community Plan Steering Committee

The update to the Community Plan began with the establishment and development of the Community Plan Steering Committee. The City Council and Planning Commission agreed the Steering Committee should be used to draft the plan that would then be presented to the for adoption. The make-up of the Committee was intentionally formed to include representatives of the City Council, the Planning Commission, and other members serving on boards and committees of the city. Additionally, at-large member seats were advertised and appointed by the City Council to obtain a diverse group of perspectives.

Original Members: Nicholas Bobak, Glenn Boyd, Pam Larson, Susie Greco-Perry, Jenny Hart, Christina Hinkson, Greg Nelson, Dolgio Nergui, Jeff Skoloda, Josh Smith

New / Final Members: Tamara Gulde, Greg Nelson, Glenn Boyd, Pam Larson, Jenny Hart, Dolgio Nergui, Josh Smith, and Christina Hinkson

Note: due to the length of the process, some of the members on the committee shifted roles and represented different entities than at the time of the original committee formation. Membership adjustments were made to better balance the representation that was originally desired.

The Committee met 28 times to provide guidance and feedback to Alpine Planning, LLC over the course of the update process. Below is a list of meeting dates and topics that were discussed. All meetings were open to the public to attend and participate as interested.

- June 13, 2018: Initial Steering Committee Meeting for Overview of 2004 Community Plan, Discuss Community Survey, and Discuss Community Kick-off Meeting
- June 2018: Community Plan Update Webpage Establishment
- July 24, 2018: Steering Committee Community Kick-off Meeting
- August 8, 2018: Overview of Build-Out Analysis
- September 26, 2018: Community Survey Update and Community Vision Discussion
- October 17, 2018: Community Plan Update CEDC Roundtable Meeting
- October 24, 2019: Overall Community Vision and Theme Vision Statements Discussion
- November 28, 2020: Overall Vision and Theme Vision Statements Discussion
- December 5, 2018: Community Vision Forum to Shape Overall Vision and Theme Vision Statements
- January 10, 2019: Housing Discussion
- January 23, 2019: Economic Development and Tourism Draft Goals and Actions Discussion
- February 13, 2019: Parks, Recreation and Trails Open House and Discussion
- February 27, 2019: Infrastructure and Government Discussion
- March 14, 2019: Education and Community Health Discussion
- April 11, 2019: Land Use and Community Character Discussion

- April 24, 2019: Land Use and Community Character Discussion
- May 9, 2019: Land Use within 3 Miles of the City Discussion
- May 22, 2019: Land Use and Community Character Open House and Public Comment Period
- June 13, 2019: Historic Resources Discussion
- June 26, 2019: Arts and Culture Discussion
- May 2020: Steering Committee Discussion on Community Plan Framework, Outline and Path to Complete the Plan
- July 2019: Arts and Culture Meeting
- July 2019: Transportation, Energy and Natural Environment
- May 20, 2020: Draft Plan Update and General Discussion
- August 27, 2020: Themes and Draft Plan Outline Review
- September 10, 2020: Initial Draft Comment Review and Discussion
- September 24, 2020: Public Draft and Public Engagement Update
- November 19, 2020: Review of Open House Public Comments and Draft Changes

Stakeholder Interviews

Alpine Planning also conducted stakeholder interviews during the months of May, June and July in 2018. The interview groups were initially identified by Alpine Planning with input from the Steering Committee. The list expanded as new groups were identified by community members. In-person meetings were held to interview each group with a consistent set of questions through a free-flowing conversational approach. Stakeholder input was used to draft the initial Community Plan goals for the Steering Committee review. A list of each group and their participants is listed in the Acknowledgements section of the Community Plan and below for reference.

- Beautification Committee (Sabrina Butler, Dee Hilton, Terry Butler, Robert Stoufer)
- Historic Society (Thomas R. Hillhouse, Don Paulson, Gail Sanders, Glenda Moore)
- Mayor Pam Larson
- Community Economic Development Committee (John Wood, Pam Larson, Rick Noll, Katie Sickles, Susie Greco-Perry, Heidi Pankow, Maria Ziemba, Nate Disser)
- Parks and Recreation Committee (Diane Nelson, Greg Nelson, Tom Tyler, Amy Winterrood, Kendra Wilcox, Kim Kelly, Shawn Kitchens)
- Planning Commission (Gary Dunn, Tom Tyler, Tamara Gulde, Jeff Skoloda, Ann Morgenthaler)
- Realtors-Developers (Linda Tyler, Ryan Hein, Tim Currin, John Wood, Craig Hinkson, Mark Orgren)
- Long-Time Citizens (Rick Rivers, Norm Fedel, Jack Felin, Rick Trujillo, Louise Ficco)
- Young Citizens (Travis Cossitt, Krysta Cossitt, Andrew Humphries, Karisa Hoover, Cie Hoover, Aaron Silverman)
- Student Council (Ashley Harthan, Evelyn Wood, Alana Wister, Cooper Rondanelli)
- Emergency Services (Trevor Latta, Jennifer Miller, Glenn Boyd, Justin Perry)

Community Survey

A community survey was also performed to obtain community feedback. Alpine Planning drafted the initial survey questions which were reviewed by the Steering Committee. The survey was done via Survey Monkey and was extensively advertised via newspaper ad, social media blasts, and flyers around the city. It was also promoted by Steering Committee members. 280 community responses were received (207 of them from city residents which was over 20% of the community population). The survey covered 27 questions related to current conditions and long-term growth of Ouray. Comments

were used to create emerging themes, start drafting the overall vision and theme vision statements, and draft policies in the Community Plan.

Review of the Draft Plan

Review of the draft plan goals and action items was offered in-person and virtually through an open house and the city website. Staff advertised the draft plan review by mailed notice to all utility bill contacts for the City of Ouray. Advertisement was also completed through social media channels, a newspaper ad, multiple city newsletters and a series of five weekly videos regarding the draft plan.

The in-person open house was held on November 12, 2020 which was attended by approximately 25 people. Participants could review the general themes and goals of the plan or view the entire list of actions items within the plan. Staff received written comments and encouraged participants to highlight their top three goals for implementation. Virtual participation was also offered through the website by posting the draft plan and allowing emailed comments for over a month.

Staff received 80 public comments through in-person attendance or email. Comments were compiled and presented to the Community Plan Steering Committee. A majority of the comments were supportive or duplicative of goals and action items already within the plan. However, some changes were made to adjust the land use map and broaden action items which seemed too specific for the master plan.

Adoption and Public Hearing Drafts

Following the review of the public draft, staff compiled an Adoption Draft for the recommending and approving bodies to review and consider. The adoption draft was presented at work sessions to the CEDC, Planning Commission, and City Council. Staff received verbal comments at the work session, as well as written comments from four members of the three groups (two from Planning Commission and two from City Council). Using the direction provided in this process, staff and Alpine Planning, LLC modified the Adoption Draft to create the Public Hearing Draft that is attached for consideration. Below is a general summary of the changes between the Adoption and Public Hearing Drafts.

- Edits were made to clarify the purpose and use of the plan. Clarification was added to explain that the document is advisory, and how general conformance is used to measure discretionary land use applications.
- Clarification was added on the policies or action items that use “directive” words such as ensure, require, enforce, adopt, etc. Many of these sections were revised to soften the language, and a note was added to the plan use section in the event that any wording might have been missed.
- The perimeter trail was identified as a separate “park” under the “Parks, Recreation, and Trails” topic of the plan.
- Minor spelling, grammar, alignment, and other miscellaneous errors were corrected.
- Historic photographs and layout changes were made to the Ouray history section.
- The land use designation for the Ouray RV Park was corrected by identifying the property as commercial (not light industrial).

CRITERIA FOR DECISION

A master plan for development of the city is required by the Colorado Revised Statutes (C.R.S.). Being a home rule municipality, the City of Ouray may adopt separate regulations and requirements for the

process of amending or adopting the master plan. While the city has amended the regulations to give oversight of the process to the Community and Economic Development Committee (CEDC), it has not adopted regulations regarding the composition of master plans. Therefore, the city shall still follow the state statute requirements to establish the required content and authority of the Community Plan.

Generally, the Colorado Revised Statutes indicate that a master plan should consider and, as applicable, address the following items:

- Transportation – the general location, character, and condition of existing and future streets, roads, highways, rights-of-ways, bridges, etc.;
- Public Places and Facilities – the location of public facilities, historic buildings and sites, public parks and squares, military facilities, public lands and wildlife areas, etc.;
- Public and Private Utilities – the location and extent of public water and wastewater facilities, power and communication facilities, and water conservation measures;
- A zoning plan for the control of height, area, bulk, location, and use of buildings and premises (land);
- The general character, location, and extent of community centers and housing development (public or private);
- Commercial mineral deposit planning (pursuant to other C.R.S. sections);
- Future needs of streets, rights-of-ways, public utilities or other municipal infrastructure;
- Population analysis and growth projections; and
- Identification and evaluation of risk management from natural or manmade hazards, and the identification of community needs to reduce health and safety risks.

Note: This is an abbreviated and condensed summary of C.R.S. §31-23-206. A full copy of the statute has been attached for reference.

STAFF ANALYSIS

As outlined in this report, significant time and effort has been performed by the Alpine Planning, City staff, the Community Plan Steering Committee, the public and many other stakeholders to evaluate the existing and future needs of the community. The content within the plan covers the topics and issues identified within C.R.S. §31-23-206 as well as many other items that were found to be important and unique to the community. Therefore, Alpine Planning finds that the proposed Community Plan, Public Hearing Draft complies with the requirements as set forth in C.R.S. §31-23-206, and has drafted a Resolution of recommendation for the CEDC's consideration.

PUBLIC NOTICE

Public notice was provided not less than 15 days prior to the scheduled public hearing. Public notice was provided by posting at City Hall and publishing in the *Ourray County Plaindealer* on February 11, 2021.

PLANNING COMMISSION AND CEDC ACTIONS

The Planning Commission considered the draft plan held at a public hearing on January 12, 2021 and recommended the City Council approve the plan with the following conditions:

1. The name of the plan shall be Community Plan 2021.
2. Update the layout of the Heritage and Historic Resources section of the plan to include recently updated historic photographs (pgs. 46-48).
3. Change the two parcels of land lying west of the Hwy. 550, north of the "Biota Building" and the future Uncompahgre River crossing, and south of the Chautauqua Subdivision from Multi-family to Light Industrial.
4. Make additional minor edits and layout corrections throughout the plan.
5. Strike "historic residential" from pg. 33 of the plan, section LU-1-a-xii.

Conditions 1, 2 and 4 have been addressed in the current draft of the Community Plan.

The CEDC considered the draft plan held at a public hearing on January 14, 2021 and recommended the City Council approve the plan with the following conditions:

1. A mixed-use designation should be added to the plan to be used for the two parcels of property lying west of Hwy. 550, east of the Uncompahgre River, north of the "Biota Building" and the future Uncompahgre River crossing and, south of the Chautauqua Subdivision;
2. Under the multi-family designation, Add a bullet to the multi-family designation that allows for limited commercial/mixed-use development to serve the north corridor on the west side of the Uncompahgre River; and
3. Do not modify section LU-1-a-xii. of the draft plan as recommended by the Planning Commission Resolution 21-01.

None of the CEDC recommendation have been integrated into the Community Plan pending final direction by the City Council.

The Planning Commission recommendation on Condition No. 5 was in regard to the following policy LU-1-a-xii:

"Consider allowing duplexes, triplexes and four-plexes in the Historic Residential, Residential and Residential/Commercial areas either as a permitted or conditional use."

Gary Dunn led the effort to strike Historic Residential from this policy due to his concerns on neighborhood character and property values. Alpine Planning would note that this policy was extensively discussed by the Steering Committee and put into the plan to allow for the City to consider a future amendment to the Ouray Land Use Code that allows higher density in the Historic Residential area in appropriate locations, such as to the north of the Ouray Community Center on the west side of Fourth Street where higher density already exists. It would also allow for converting larger houses into multiple dwelling units that would not change the look of the neighborhood and would add housing and activity. The CEDC agreed with the Steering Committee and included a condition that Historic Residential not be removed from the above policy.

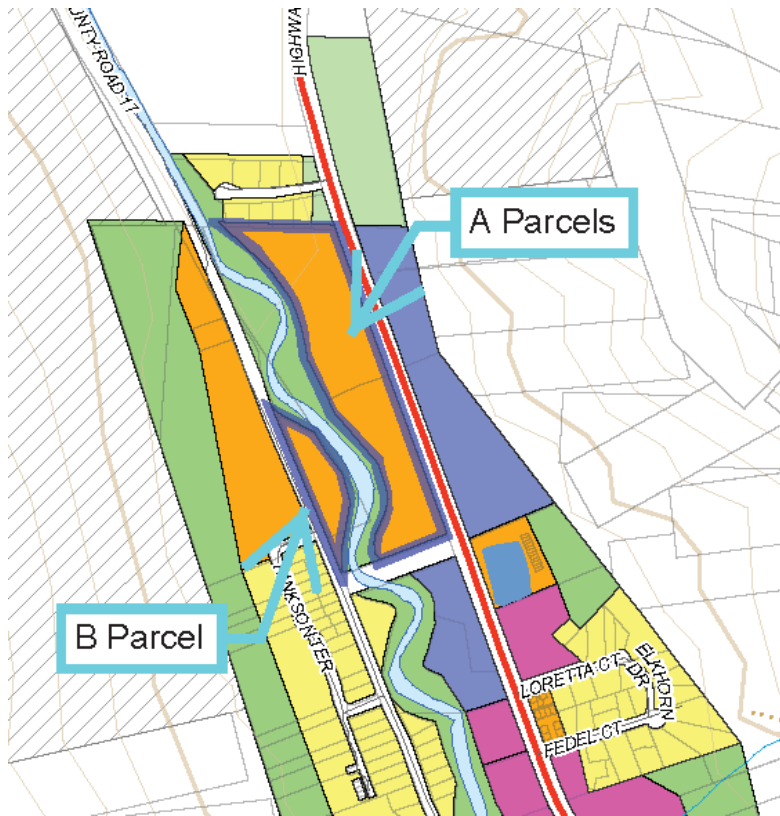


Figure 1

Both the Planning Commission and CEDC discussed the properties that are shown in Figure 1, with the Planning Commission recommending the “A Parcels” be changed to Light Industrial, while the CEDC recommended the creation of a new mixed-use designation. The CEDC also recommended the “B Parcel” be allowed to have commercial use.

The Steering Committee recommended the A Parcels be designated in the Multi-family category because they are the last great place in the city to get a substantial amount of housing in the community which is the foundation to a sustainable community. Shifting these to light industrial uses, as recommended by the Planning Commission, would effectively encourage such uses. The CEDC is instead recommending the creation of a new mixed-use category per Condition No. 1 above. The new Mixed-Use classification example follows:

MIXED LAND USE

Multi-family dwellings with commercial uses and limited service commercial uses.

Description/Character

- Provide incentives to maximize housing units, such as height increases via PUD, increases in density, scale and mass, and site coverage, and reduced parking.
- Consider requiring a certain percentage of deed restricted housing units in exchange for incentives to ensure long-term affordability.
- Allow commercial and service commercial uses provided significant housing is provided.
- Enhance and embrace River Park corridor and overall trail connectivity.

Alpine Planning would note that the Future Land Use Map shows the Biota Building site and land on the east side of the highway in the Light Industrial classification so there is ample room for these types of uses in the city. The Commercial land use could also allow for light industrial/service commercial land uses in appropriate locations via the conditional use permit process.

RECOMMENDATION

Alpine Planning recommends the City Council pass the following motion approving the City of Ouray Community Plan:

“I move to approve the Resolution Adopting the City of Ouray Community Plan 2021.”; or

“I move to approve the Resolution Adopting the City of Ouray Community Plan 2021 with the following changes _____ “

The Council may also continue the hearing to another meeting date if needed.

RESOLUTION NO. 4 (SERIES 2021)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OURAY, COLORADO ADOPTING THE OURAY COMMUNITY PLAN 2021 AS THE MASTER PLAN FOR THE CITY.

WHEREAS, the City of Ouray, a home rule municipality, is required to adopt a Master Plan to address the long-term growth and development of the city pursuant to C.R.S. §31-23-206;

WHEREAS, the Ouray Municipal Code defines a Master Plan as the Ouray Community Plan;

WHEREAS, the Ouray Community Plan was last updated in 2004 and community master plans are used to reflect the shifting priorities, economics, population, or other trends that might have an impact on the goals and policies within the plan;

WHEREAS, the City Council identified the need to update the Community Plan by amending Ouray Municipal Code, Section 2-14 through Ordinance 3, (Series 2018) which redefined the Community Economic and Development Committee (CEDC), tasking it with creating and developing the Community Plan on June 9, 2018;

WHEREAS, the development of the Ouray Community Plan 2021 began in July of 2018;

WHEREAS, a Community Plan Steering Committee appointed by Council which included CEDC and Planning Commission members, and city staff have worked over the last several years to educate and engage the public and all other community stakeholders to develop the Ouray Community Plan 2021 (“Exhibit A”);

WHEREAS, the Planning Commission of the City of Ouray held a public hearing on January 12, 2021, with public notice posted at City Hall and published in the *Ouray County Plaindealer* not less than fifteen (15) days prior to the public hearing;

WHEREAS, the Planning Commission passed a motion recommending the City Council adopt the Community Plan with conditions; and

WHEREAS, the Community Economic Development Committee (“CEDC”) of the City of Ouray held a public hearing on January 14, 2021, with public notice posted at City Hall and published in the *Ouray County Plaindealer* not less than fifteen (15) days prior to the public hearing;

WHEREAS, the CEDC passed a motion recommending the City Council adopt the Community Plan with conditions;

WHEREAS, CEDC and Planning Commission are advisory committees to City Council when adopting the Community Plan.

WHEREAS, the City of Ouray City Council held a public hearing, reviewed the draft plan, and finds that the Ouray Community Plan 2021 meets the requirements of the C.R.S. § 31-23-206 and that implementation of the plan will improve the health, safety and welfare of the citizens who reside in the City of Ouray.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Ouray hereby adopts the Ouray Community Plan 2021 as set forth in Exhibit A subject to the following conditions:

1. The Ouray Community Plan 2021 attached as Exhibit A hereto is hereby adopted with the following amendments.
2. The Ouray Community Plan 2021 shall be amended to include a new Mixed Land Use classification as follows:

MIXED LAND USE

Multi-family dwellings with limited commercial uses, to be determined.

Description/Character

- Provide incentives to maximize housing units, such as height increases via PUD, increases in density, scale and mass, and site coverage, and reduced parking.
 - Consider requiring a certain percentage of deed restricted housing units in exchange for incentives to ensure long-term affordability.
 - Allow limited and service commercial uses provided significant housing is provided.
 - Enhance and embrace River Park corridor and overall trail connectivity.
3. The Future Land Use Map will change the “A Parcels”, as identified in the memo, to the new Mixed Land Use classification with an appropriate color.
 4. A new bullet will be added to the Multi-family classification in the Future Land Use section as follows:
 - Provide incentives to maximize housing units, such as height increases via Allow for limited commercial uses in appropriate locations that are primarily intended to serve the on-site development.

5. Add a bullet to the Commercial Land Use classification that allows for service commercial and light industrial uses in appropriate locations.
6. The above changes will be reviewed by the City Administrator or its designee prior to finalizing and publishing the Community Plan.

ADOPTED by the City Council of the City of Ouray at its regular meeting on March __, 2021 by the following vote:

Yes ____

No ____

CITY OF OURAY:

Greg Nelson, Mayor

ATTEST:

Melissa M. Drake, City Clerk

EXHIBIT A

Community Plan 2021
(attached on following page)

Ouray

THE CITY OF OURAY COMMUNITY PLAN 2021



A SUSTAINABLE CITY WITHIN A PARK

PUBLIC HEARING DRAFT



City of Ouray

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ACKNOWLEDGMENTS

The Community Plan could not have been created or adopted without the input and volunteer efforts of numerous individuals and organizations. The City of Ouray gratefully thanks the following people and organizations that were integral to the success of the Community Plan:

City Council

Greg Nelson - Mayor

K. John Wood - Mayor Pro Tem

Glenn Boyd

Ethan Funk

Peggy Lindsey

Community Economic Development Committee

Thomas Fedel - Chair

Lou Hart - Secretary

Travis Cossitt

Steven Gurzenski

William Hall

Heather Smith

K. John Wood

Planning Commission

Jeff Skoloda - Chair

Tamara Gulde - Vice Chair

J. Gary Dunn

Ryan Hein

Josh Smith

Steering Committee

Tamara Gulde - Chair

Jeff Skoloda - Vice Chair

Greg Nelson - Mayor

Pam Larson - Past Mayor

Glenn Boyd

Jenny Hart

Christina Hinkson

Dolgio Nergui

Susie Greco-Perry

Josh Smith

City Staff

Aja Tibbs, Community

Development Coordinator

Consulting Team

Alpine Planning, LLC

Chris Hawkins, AICP

Pangea Geospatial - Mapping

Gretadesign, LLC - Graphic Design:

Gretchen McArthur

The Community Plan was created over a two year period where some of the participants may have served for part of the time during the Plan creation. Some individual's titles may have changed over time.

Stakeholder Interviews

Beautification Committee

Sabrina Butler
Terry Butler
Dee Hilton
Robert Stoufer

Development Community/Realtors

Tim Currin
Ryan Hein
Craig Hinkson
Mark Orgren
Linda Tyler
K. John Wood

Emergency Services

Glenn Boyd - Ouray County Emergency Manager
Trevor Latta - Fire Department Chief
Jennifer Peterson - Event & Communications Coordinator.
Public Information Officer
Justin Perry - Ouray County Sheriff

Long Time Residents

Norm Fedel
Jack Fellin
Louise Ficco
Rick Rivers
Rick Trujillo

Ouray Chamber Resort Association

Patricia Biolchini
Krista Cossitt
William Hall
Christina Hinkson
Mark Iuppenlatz
Heidi Pankow
Katharina Papenbrock
Kara Rhodes

Ouray County Historic Society

Thomas R. Hillhouse
Glenda Moore
Don Paulson
Gail Saunders

Ouray School Student Council

Ashley Harthen
Cooper Rondinelli
Alannah Wister
Evelyn Wood

Parks and Recreation Committee

Kim Kelly
Shawn Kitchens
Diane Nelson
Greg Nelson
Tom Tyler
Kendra Wilcox
Amy Winterrowd


Planning Commission

Gary Dunn
Tamara Gulde
Ann Morgenthaler
Jeff Skoloda
Tom Tyler

Young Citizens

Krista Cossitt
Travis Cossitt
Cie Hoover
Karisa Hoover
Andrew Humphries
Aaron Silverman





**SPECIAL THANKS TO CITY OF OURAY
COMMUNITY MEMBERS WHO PARTICIPATED
IN THE COMMUNITY SURVEY, ATTENDED EVENTS,
AND HELPED SHAPE THE PLAN THROUGH
THE COMMUNITY PLAN UPDATE PROCESS**

THE CITY OF OURAY COMMUNITY PLAN 2021

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THERE'S NO PLACE LIKE

Ouray

Photo: AdobeStock: Nick

There is no place like the City of Ouray. It is an extraordinary place where the people are passionate, friendly and outdoor recreation-oriented with a strong sense of pride, community, culture and history. Residents strive to support one another and the community through extensive volunteerism and community support.

The city is also a visually stunning, high alpine community at 7,800 feet in elevation set in geographic bowl formed by rugged and steep mountainsides that lead up to jagged 12,000 to 13,000-foot-high peaks with several creeks cascading down through valleys and canyons into the city. The Uncompahgre River cuts through the city forming dramatic canyons for

enjoying nature, climbing, and hiking also creating the recreational backbone of the city.

Outdoor recreation and nature are located outside each front door. Residents and visitors have immediate access to an extensive trail network around the city; backcountry roads for jeeping, biking and mountain access; and world class parks that provide year round access for climbing, hiking, swimming, downhill skiing, hot springs soaking, and other recreation opportunities.

Ouray may not have been realized if the natural geothermal hot springs were not present. The Ute Indians, including the city's namesake Chief Ouray, were attracted to the sacred and ancient hot springs long



before conquistadores and miners traveled through the area. Ouray Hot Springs, The Box Cañon Springs, Uncompahgre Gorge Springs and other springs emerge from deep faults in the earth to provide natural hot springs that have been used by generations of residents and visitors.

Ouray is truly a “City within a Park” surrounded by National Forest and rugged mountainsides and world class parks throughout the city that attract people from all over the world. Box Cañon Park is a geologic and natural wonder with unique rock formations, wildlife and water carved canyons. The Ouray Ice Park is nestled into the Uncompahgre River Gorge with waterfalls and via ferrata climbers in summer and frozen ice with renowned ice climbing in the winter. Located near the

heart of town, Fellin Park is the cultural center and soul of the community with lively cultural events and the Ouray Hot Springs Pool. The River Park forms the recreational and natural spine of the community while Lee’s Ski Hill provides for rope tow skiing in the winter and passive uses in the summer. Cascade Falls Park and Rotary Park round out the park gems of the community.

Ouray takes great pride in its historic school that was founded in 1883 and continues to provide excellent service to the community. This excellence was recognized by the State when the Ouray District received the Accredited with Distinction acknowledgment which is a comprehensive review and measure of the district. The academic community is focused on student performance and academic achievement and over all well – being.

The city’s history and culture are integral to the community and a source of great pride. Incorporated in 1876, Ouray served as an important supply center for the surrounding mining region from 1886 to 1915 due to its central location. The Ouray Historic District, framed by Main Street, was established in 1983 recognizing the historical significance of the townsite. The Ouray Historic District encompasses almost the entire historic townsite, and unlike many other mining towns, Ouray never experienced large fires within the city, thus many of the historically significant buildings remain. The historic structures throughout the city are the primary foundation to the city’s character and feel, with residents and visitors drawn to the city for its historic character and charm. The historic area of the city is also a vibrant and active commercial area with extensive shopping, dining and lodging opportunities.

Ouray is a unique year-round recreation mountain town that has successfully maintained its small-town character amongst the pressures of tourism, vacation homes, and development. Today, a visitor will find real people, including climbers, hikers, miners, business owners, employees, and property owners coexisting without pretension. The city has an informal, laid-back and safe small-town atmosphere where residents desire to create a more sustainable community. Residents, business owners and employees have a shared vision for the future of the city that is based on achieving the overall vision statement on page 8.

OVERALL VISION

Ouray maintains a rugged, independent and passionate community spirit that is friendly and accepting. Children and adults thrive in a creative, vibrant and resilient city with exceptional quality of life, recreation opportunities and education. The community proudly maintains and improves its remarkable family oriented, innovative small-town feel while retaining its historic, high alpine identity set in the stunning beauty and nature of the San Juan Mountains.



The City of Ouray Community Plan (“Community Plan” or “Plan”) establishes 14 themes to realize the Overall Vision under the following four main sections.

VIBRANT, THRIVING AND HEALTHY COMMUNITY

MINDFUL GROWTH TO MAINTAIN COMMUNITY CHARACTER

RECREATION CAPITAL OF COLORADO, A SUSTAINABLE CITY WITHIN A PARK

EXCEPTIONAL GOVERNANCE WITH MODERN AND MAINTAINED INFRASTRUCTURE

Sustainability Framework

City residents, business owners, Planning Commission members, Steering Committee members and City Council members expressed a desire for a more sustainable city throughout the creation of the Community Plan. What is sustainability? The UN World Commission on Environment and Development defines sustainable development as:

“...development that meets the needs of the present without compromising the ability of future generations to meet their own needs.”

In essence it means living in balance with the earth’s ecosystem so that future generations will be able to equitably live on our planet. It means striving to create a community where society and the economy are in balance with the environment.

For Ouray residents, a sustainable community means:

- A community with a variety of attainable housing options for the lifeblood of the city, providing the homes for volunteer efforts, local nonprofits, local boards and a solid employee base for city businesses.
- An energy independent community that strives to use the extensive geothermal resources, existing hydropower resources and new hydropower for energy production.
- A physically and mentally healthy community for all segments of the population with safe streets and desired pedestrian and mass transit connectivity.
- A community that balances tourism where the number of visitors do not overwhelm city and regional tourism infrastructure, capacity and a desired level of service is maintained.

- City residents, business owners and property owners desire exploring composting, urban agriculture, and local food production.
- Economic resiliency is desired to generate diverse business and economic activity, so the community is not so tourism dependent.
- Sustainability means improving and upgrading city infrastructure to meet current standards, with adequate capacity to meet existing and future demands.
- Sustainability means reducing the city’s carbon footprint where possible, and maintaining and improving the natural environment in the city and area.

Sustainability is woven throughout the Community Plan in the Overall Vision, Theme Vision Statements and the goals and actions.

Resiliency Framework

The City of Ouray has been subject to booms and busts, depressions and recessions, forest fires and flooding, rockfall, debris flows, and pandemics. One common theme is the city has rebounded back time after time.

What makes a resilient community? The Rural Economic Resiliency in Colorado, Study of Factors Impacting Resiliency indicated the following factors provide for better community resiliency in the face of disaster:

- Quality of Life
- Industry Diversity
- Community Leadership
- Education and Healthcare
- Transportation Access

Factors that hinder resiliency include:

- **Housing Availability and Supply**
- **Labor Market**
- **Youth and Family Retention**
- **Fear of Growth**

Clearly resiliency and sustainability have a lot in common with shared goals and actions. Ouray can become a more resilient and sustainable community through economic diversity; improving post high school education; access to local healthcare; improved transportation and access; providing substantial attainable housing to improve the labor market; youth and family retention; and by improving the city's development regulations for smart growth.

The city already has a truly exceptional quality of life with numerous amenities and recreational opportunities, thus any improvement to the current quality of life will be reinforcing this positive state and continue to help improve resiliency.

It is vital to sustain and improve strong community leadership in the City Council, businesses, non-profits, and County government. Community resiliency will

improve with shared goals, collaboration and fostering leaders in the community.

Ouray is in a great position with an excellent and award-winning Ouray School. Pre-school and post K-12 education will help improve the city's resiliency with training geared towards local and regional business needs and desires.

Ouray clearly needs economic diversity as provided for in the Community Plan, which will help with creating a resilient community. The recent Covid-19 Pandemic is a good example of where the city should not solely rely on the tourism industry, with economic diversity helping to lessen the impacts of any natural disaster.

The City of Ouray has very fragile highway connectivity with Red Mountain Pass closures due to avalanche, rockfall or accidents frequently cutting off highway access to the south. This leaves just two ways out of the city in an emergent situation, with CR 17 a narrow road that is also susceptible to rockfall and debris flows. It is therefore vitally important to support CDOT efforts to improve Highway 550 to the north to ensure it cannot be blocked off due to natural hazards, while also supporting CDOT efforts to improve highway access over Red Mountain Pass and CR 17.



The main resiliency and sustainability issue facing the city is the lack of attainable housing for the workforce and the large percentage of vacation homes that for much of the year are vacant unoccupied homes. The city urgently needs to encourage attainable housing that not a vacant unoccupied home. Early stress signs that families are either unable to stay or are choosing to raise their families elsewhere is seen in the significant drop in Ouray School student enrollment numbers. Housing provides for the soul of the community in people, employees, volunteers and character. Local residents also create a vibrant feel and form a key part of the local character – with vacant homes threatening this critical community element. Attainable housing will also improve the labor market and support the city’s economic development, while also keeping youth and families in the community.

Community resiliency is embodied in the Overall Vision, Theme Vision Statements, and the goals and actions of this Plan.

CITY OF OURAY QUICK PROFILE FACTS

CITY OF OURAY PROFILE

7,800 feet in elevation

.86 square miles

Population Change Over Time

1980	684
1990	644
2000	820
2010	1,003
2018	1,024

Housing Units 2018

Total Housing Units	824
Occupied Housing Units	468 (57%)
Vacant Housing Units	356 (43%)
Average Persons Per Household	2.19

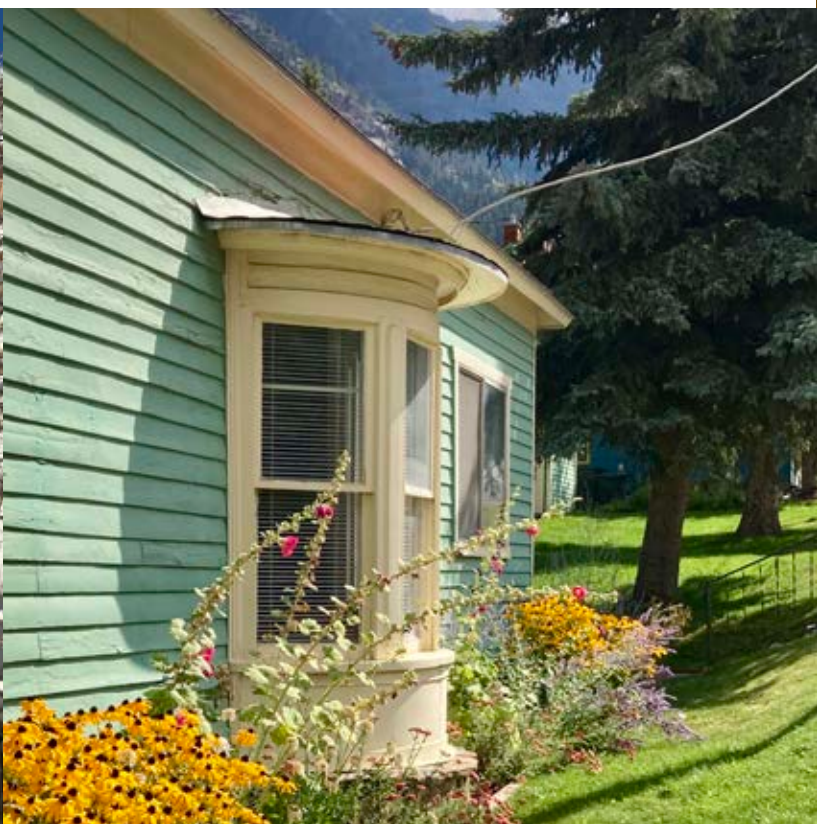
Median Household Income

\$62,303

Race

Hispanic	4.3%
White	93.2%
Black	0%
Native American/Alaska Native	1.1%
Asian	0.4%
Native Hawaiian/Pacific Islander	0.1%
Other	0%
Two-Races	1%

Source: State Demography Office





Photos: Chris Hawkins

Community Plan Update

The Community Plan was originally adopted in September of 1993 and the first update was in March of 2004, with both the City of Ouray Planning Commission and City Council adopting the Community Plan. Community master plans are typically revisited and adopted every five to ten years to address issues and opportunities; revisit the community's vision, goals and actions; and stay ahead of trends conditions and changes in the community.

The 2021 Community Plan Update consisted of the following phases:

Phase 1 – Establishing the Foundation

- Steering Committee Creation
- Stakeholder Interviews
- Community Survey
- Review of Adopted Plans
- Build-out Analysis

Phase 2 – Exploration of the Vision, Goals and Actions

- Revisit the Community Vision
- Create Vision Statements for All Themes
- Community Vision Meeting/Workshop
- Theme-By-Theme Steering Discussion to Create Draft Goals and Actions
- Parks and Recreation Open House

Phase 3 – Drafting and Adopting the Community Plan

- Steering Committee Review
- Stakeholder Re-Engagement
- Creation of Final Goals and Recommendations
- Planning Commission Recommendation
- Community Economic Development Committee Recommendation
- City Council Adoption

Community Plan Use

The Community Plan is the vision of the entire community and is an advisory document used to guide the City Council, Planning Commission, other boards and commissions of the city, and city staff. The document assists these groups in prioritizing city decisions on long-range work programs, capital improvement plans, policy considerations and budgetary decisions shall look to the goals and policies of the Plan for direction and alignment with community preferences. Additionally, general conformance with the plan is required for major land use decisions such as zoning, PUD applications and conditional use permits.

The Community Plan should be used by city staff, elected officials, appointed board members, committee members, city non-profits and businesses to guide the future direction for the city. The Community Plan will only succeed at reaching the Overall Vision, Theme Vision Statements and goals and actions if the government, private businesses and non-profits all cooperate to implement the Community Plan. The plan should be evaluated and updated, as necessary, every 5-10 years in order to stay relevant and consistent with potential shifts in population, culture, technology, development, economic, and environmental needs which influence and effect the contents of the plan.



THE COMMUNITY PLAN IS AN ADVISORY DOCUMENT THAT GUIDES FUTURE GROWTH AND DEVELOPMENT FOR THE COMMUNITY OF OURAY AS REQUIRED BY THE STATE OF COLORADO.

The State of Colorado statute C.R.S.31-23-206 (1) states

“...The master plan of a municipality is an advisory document to guide land development decisions; however, the plan or any part thereof may be made binding by inclusion in the municipality’s adopted subdivision, zoning, platting, planned unit development, or other similar land development regulations after satisfying notice, due process, and hearing requirements for legislative or quasi-judicial processes as appropriate...”

City Council, Planning Commission, appointed committee and staff actions and deliberations should be evaluated against the Community Plan to ensure decisions are made that support the Community Plan. Plan, Overall Vision Statement and theme vision statements. Where appropriate, the Land Use Code should be amended to uphold the policies, actions, and goals outlined in the Community Plan.

Word Use in the Plan. The Community Plan has lots of action words such as “require”, “ensure”, “adopt” and “implement”. Such action words are only advisory and do not tie the hands of City County or Planning Commission with discretion on whether a goal or action are implemented. Any implementation of the plan requires the City to formally adopt new rules and regulations, plans or policies that will be created through the City’s community engagement process. The only exception to this is that the Land Use Code currently requires certain land use applications to generally conform to the Community Plan which is a subjective, discretionary finding of both the Planning Commission and City Council.

VIBRANT, THRIVING AND HEALTHY COMMUNITY



Photo: Adobe Stock

City residents, property owners and business owners all value the need for a vibrant, thriving and healthy community. They also value the sense of the community where city residents are connected and have a feeling of belonging where all community members matter and share a commitment to well-being, and to achieve common goals that sustain the community.

The city has lost primary resident population over time due to rising housing costs, lack of well-paying jobs and the growth of vacant unoccupied homes. This has resulted in a hollowing out of the community and stressed traditional community support systems. The Community highly values community members living and working in the city to provide the foundation, heart and soul of the community, with attainable housing vital to ensuring the long-term sustainability and success of the city. Lifelong learning opportunities built around the high achieving Ouray School further community vibrancy and well-being through

community pride, tradition, education and employee attraction and retention. Sustainable tourism and economic development provide the financial engine for the community and help fund the desired growth, infrastructure improvements and vitality envisioned in the Community Plan. Arts and culture can enrich, illuminate and activate the community and its citizens and guests while also improving their education and well-being. Community health initiatives ensure the mental and physical well-being of the community.



Photo: Steve Cusard, courtesy of OCRA

The shared value of a vibrant, thriving and healthy community is expressed in the following Theme Vision Statements, goals and actions:

Housing. Ouray seeks to provides attainable and quality housing opportunities to maintain a strong and diverse year-round community with a viable and healthy local workforce.

Lifelong Learning. Ouray proudly supports a high achieving educational community where citizens of all ages have access to various and high-quality learning opportunities from traditional, vocational, professional and adventure-based learning.

Arts and Culture. Ouray encourages and supports the arts and culture as essential components of a vibrant, enlightened and creative community.

Community Health. Ouray embraces healthy community planning and infrastructure improvements for the health and safety of its residents and visitors.



Housing



Lifelong Learning



Arts and Culture



Community Health



HOUSING

Goal H-1:

Support, encourage and require adequate, diverse and permanent attainable housing integrated throughout the community for local residents and employees.

Actions:

Create an environment and culture that encourages and facilitates quality attainable housing development.

- A. Assure that attainable housing is permanently affordable utilizing deed restrictions.
- B. Consider amending the LUC and the city adopted building regulations to provide robust incentives for the development of attainable housing in the community such as:
 - i. Density bonuses for projects that provide for a set percentage of attainable housing units.
 - ii. PUD incentives for attainable housing through building height, setback, floor area, density and other variations to the zoning regulations.
 - iii. Waivers or reductions of building permit fees, tap fees and other city fees provided such fees are offset by another funding source.
 - iv. Reduction of the minimum lot size from 7,100 sq. ft. to 3,500 sq. ft.; reduction in the lot frontage from 50 feet to 25 feet; and reductions in the side setbacks if an attainable housing unit is provided.



- v. Improve and promote the incentives for accessory dwelling units considering changes such as increasing the allowed size of units, and not requiring owner occupancy. Encourage unpermitted accessory dwelling units to be brought into compliance with LUC and building code requirements and enforce regulations if non-compliant.
- vi. Allowing for homes with a high density on one or more lots, including reduced lots sizes, frontages and setbacks to facilitate small home development.
- vii. Reduction of the on-site parking requirements and also consider off-site parking along public streets where it is shown adequate and safe parking will be provided.
- viii. Amendments to the Building Regulations to provide attainable housing incentives, such as reduced building setbacks, elimination of fire suppression systems for certain types of development; and energy code exemptions as long as life-safety issues are addressed.
- ix. Creating streamlined and efficient development review procedures for projects that include attainable housing.
- C. Consider, encourage and engage second home owners to rent their housing units on a long-term basis of three months or greater through creative incentives and programs, such as a focused survey to determine rental incentives or impairments, and the creation of a non-profit entity to manage rentals and guarantee the repair of any damage that is not covered by a security deposit.

- D. Consider creating and adopting an attainable housing mitigation program that may include requirements for mandatory attainable housing units via inclusionary zoning and/or a housing linkage program with required mitigation.
- E. Support and encourage attainable rental and for-sale housing throughout the community in a variety of unit types and densities in all the city zoning districts, including accessory dwelling units, live-work units, small homes, multi-family developments, mixed-use developments, dormitory or “POD” style units, and other unit types that provide for attainable housing.
- F. Consider creating the City of Ouray Housing Authority with City Council acting as this authority to manage funds from a city attainable housing fund; create and adopt city-specific housing guidelines and implement the goals and actions of the Community Plan.
- G. Explore public-private partnerships to provide attainable housing, including the use of city owned lands that are provided at low to no cost via lease or sale to developers that provide for attainable housing.
- H. Implement strategies and policies for resident-occupied housing such as a short-term rental cap.
- I. Support, encourage and require new development to provide a variety of bedroom mixes, unit sizes, dwelling types, rental and ownership structures, and attainability limits that are based on an updated community housing needs assessment.
- J. Encourage and plan for senior housing, co-housing and assisted living facilities to allow residents the opportunity to age in place.
- K. Encourage seasonal employee housing such as dormitories, POD style housing, camps and similar housing that provides low cost housing.
- L. Encourage and promote a variety of housing options to accommodate a diverse community of residents through housing policies.
- M. Identify and land bank sites appropriate for future housing projects.

WHAT IS “ATTAINABLE HOUSING”?

The industry definition of attainable, for-sale housing is unsubsidized, profitable housing developments that meet the needs of those with incomes between 80% and 120% of the Area Median Income. For Ouray, that means housing for a family of three with annual incomes of \$56,640 to \$84,960 with a maximum monthly rent or mortgages of \$1,416 to \$2,124 including utilities, mortgage insurance and any association dues. The tables on page 18 illustrate AMI for Ouray County.



- N. Provide incentives and programs for employers to address housing needs.
- O. Consider funding for down payment assistance and mortgage assistance programs to assist buyers earning up to 120 percent of the AMI.
- P. Review requirements for commercial and residential development to see if opportunities for attainable housing exist.
- Q. Strive to provide attainable housing for 50% of the local workforce in the city.
- R. Evaluate if annexations and PUDs to provide attainable housing.
- S. Inventory city, County, and other public or special district owned property that may be suitable for housing development.
- T. Consider creating attainable housing fund to further city attainable housing initiatives.
 - i. Consider a citywide tax initiative to provide funding for an attainable housing fund.
 - ii. Consider allocating a set percentage of the city Sales Tax to the attainable housing fund.

Goal H-2:
Cooperate and work with the Town of Ridgway, Ouray County, DOLA, the development community, and other entities to plan and develop attainable housing.

Actions:

- A. Work with Ouray County and the Town of Ridgway to support the implementation of the Ouray County Housing Advisory Committee 5 Year Strategic Plan.
- B. Strive to create a Regional Housing Authority to implement the Ouray County Housing Advisory Committee 5 Year Strategic Plan.
- C. Consider providing financial resources for housing such as new taxes, or Council authorized fees in collaboration with the County.
- D. Encourage and support the development of Low-Income Housing Tax Credit rental projects with fee waivers, land dedication, infrastructure costs and strong community support.
- E. Consider funding a periodic update to the community housing needs assessment with all three jurisdictions to ensure housing programs and developments are designed to meet local housing needs.

Ouray Average Median Income

FY 2018 Income Limit Category	Persons in Family				
	1	2	3	4	5
Extremely Low (40%)	\$ 22,040	\$ 25,160	\$ 28,320	\$ 31,440	\$ 33,960
Very Low (50%)	\$ 27,550	\$ 31,450	\$ 35,400	\$ 39,300	\$ 42,450
Low (80%)	\$ 44,080	\$ 50,320	\$ 56,640	\$ 62,880	\$ 67,920
Median (100%)	\$ 55,100	\$ 62,900	\$ 70,800	\$ 78,600	\$ 84,900
110% AMI	\$ 60,610	\$ 69,190	\$ 77,880	\$ 86,460	\$ 93,390
120% AMI	\$ 66,120	\$ 75,480	\$ 84,960	\$ 94,320	\$ 101,880

Ouray Maximum Rent Based on Average Median Income

2018 Maximum Mortgage or Rent + Utilities	Persons in Family				
	\$ 1	\$ 2	\$ 3	\$ 4	\$ 5
Extremely Low (<50%)	\$ 551	\$ 629	\$ 708	\$ 786	\$ 849
Very Low (50%)	\$ 689	\$ 786	\$ 885	\$ 983	\$ 1,061
Low (80%)	\$ 1,102	\$ 1,258	\$ 1,416	\$ 1,572	\$ 1,698
Median (100%)	\$ 1,378	\$ 1,573	\$ 1,770	\$ 1,965	\$ 2,123
110% AMI	\$ 1,515	\$ 1,730	\$ 1,947	\$ 2,162	\$ 2,335
120% AMI	\$ 1,653	\$ 1,887	\$ 2,124	\$ 2,358	\$ 2,547

2018 Two Bedroom Utility Allowance	\$160
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Source: CHFA

Goal H-3:

Promote high quality housing with good design practices that fit within the character of the city.

Actions:

- A. Ensure housing developments are safe, attractive and functional.
- B. Encourage the design of new housing to fit the personality and character of the City of Ouray with appropriate scale, context to surrounding properties, harmony with the natural environment, and use of sustainable building practices and materials.
- C. Consider housing developments that are designed with exterior materials that are low maintenance and long lasting to assure affordability over time.
- D. Promote energy efficient and “green building” techniques to reduce household energy consumption, utility bills, and help maintain long-term affordability in new housing.
- E. Assess appropriate locations for attainable housing throughout the city and surrounding area to avoid isolating low income housing.
- F. Strive to provide housing located in close proximity to existing or planned infrastructure, services, intermodal transit connections, sidewalks, trails and employment.
- G. Re-evaluate the existing mobile home park zoning and mobile home regulations in the city and consider additional mobile home parks for attainable housing.
- H. Encourage the creation of additional mixed income multi-family rental housing in the community.

Goal H-4:

Encourage quality and energy efficient housing to reduce the operating costs of households and reduce environmental impacts.

Actions:

- A. Work with Ouray County, government agencies and non-profits to promote energy efficient upgrades of existing housing stock through existing and new programs.
- B. Consider the adoption and enforcement of the International Property Maintenance Code to ensure that housing structures are maintained and energy efficient.
- C. Adopt updates and local amendments to the city’s building regulations to ensure safe and energy efficient housing.





Photo: Grit & Ian McArthur, courtesy of OCRA

LIFE LONG LEARNING

Goal LL-1:

Continue to support and encourage excellent education in the Ouray School District.

Actions:

- | | |
|--|---|
| <ul style="list-style-type: none"> A. Support expansion, remodeling and improvement to the School District facilities that may include vacating surrounding rights-of-ways to improve facilities. B. Promote the Ouray School and the Accredited with Distinction to attract new residents, students and encourage economic development and growth in the city, such as linking the District and City website in promotion of economic development. C. Encourage volunteers to support the school in its efforts. D. Support funding for the school district to be successful. E. Support economic partnerships and other partnerships, such as community garden, grow dome, and other healthy community initiatives. F. Work with the school on safety and security initiatives to build relationships with the District and students. G. Encourage businesses to support local internships with the School District. H. Implement the housing vision goals and actions to ensure the success of the School District. | <ul style="list-style-type: none"> I. Partner with the School District to provide housing solutions for teachers in the city. J. Encourage and support the School District to continue to provide needed preschool facilities. K. Support the student Council representative attend Council meetings to further student interest and participation in government. L. Continue communication and cooperation between the School District and the city for special events, safety, etc. |
|--|---|

Goal LL-2 Expand early learning opportunities in the city.

Actions:

- A. Encourage and support local efforts that promote youth learning, health and growth, such as youth serving organizations and mentoring programs.
 - i. Continue to work with youth programs such as Voyager and expand the program in the city.



- ii. Strive to expand and improve the Partners mentoring program.
- B. Utilize other meeting spaces in the community for childhood education, development and growth.
- C. Develop programs and opportunities with Federal, State and local agencies and the School District for land community service, stewardship or rites of passage programs or projects to build youth experience character and volunteerism.

Goal LL-3. Provide for needed daycare facilities in the city.

Actions:

- A. Support incentives or programs to provide affordable daycare facilities throughout the city, such as land donations, fee and tap waivers, streamlined review processes, zoning allowances, or the formation or expansion of non-profits that provide childcare.
- B. Support efforts to monitor the availability of preschools considering the demographics and local workforce income levels.
- C. Partner and support capital funding opportunities for early childhood education through Department of Local Affairs (DOLA), USDA loans and grants, and local fundraising.
- D. Inventory city, County, and other public or special district owned property that may be suitable for daycare facilities, and consider providing land at no to low cost through long term leases or other mechanisms to qualified early childhood education providers.
- E. Amend the LUC to make it easier to provide daycare and early learning in all appropriate zone districts.



Goal LL-4. Support and encourage the creation of a vocational technical program and/or bring a regional college to the community.

Actions:

- A. Support the efforts to attract and secure a campus, or similar high-quality low-cost secondary education college program/campus to the city.
- B. Utilize the school district's facilities in the evening, on weekends, and in the summer when not in use for school classes for vocational training and/or college classes in concert with a regional college.
- C. Collaborate with local businesses on needed vocational and community college programs that will assist to help accommodate future local business growth and development.
- D. Collaborate with the Ouray School District, the Ridgway School District and County to advance vo-tech and secondary education.

Goal LL-5. Support and encourage lifelong learning opportunities.

Actions:

- A. Encourage local organizations to promote and provide lifelong learning opportunities for all ages, such as Weehawken Arts program.
- B. Ensure community colleges or vocational technical programs are catering to community lifelong learning needs.
- C. Work with the Ouray School District, Ouray Ice Park, Inc., local guide businesses; and other entities to expand and improve opportunities for adventure-based learning.
- D. Encourage the Wright Opera House to develop program and presentations for the arts, education, etc.



ARTS AND CULTURE

Goal AC-1:

Celebrate the city's culture and heritage through support of integrated and diverse arts and cultural facilities, events, venues, galleries and public spaces in the community.

Actions:

- A. Support the use and maintenance of existing arts and cultural facilities, including the Ouray Library, Ouray County Museum, Wright Opera House, the Ouray School theater, local churches and other public or private facilities or galleries.
- B. Develop an inventory of existing and possible arts venues and their appropriate uses.
- C. Provide incentives to rehabilitate and upgrade existing venues or to develop live/work spaces or studios (i.e., Space to Create).
- D. Provide incentives and encourage collaboration among businesses and private organizations to use existing facilities for events and education.
- E. Maximize the use of Fellin Park and Rotary Park venues for performing and other arts while respecting their neighbors, and open space and recreational values.
 - i. Encourage and facilitate the construction of a permanent performing arts stage in Fellin Park.
 - ii. Balance live music and special events with maintaining a good quality of life.
- F. Support annual cultural events, such as the Mountain Air Music Series, Octoberfest, the Fourth of July Parade, the Ice Climbing Festival and the Imogene Run.
- G. Support the display of art in public places that fits with the community and reinforces the city's culture and history and geography.
- H. Support city staff time to coordinate with arts and cultural organizations to bring art to public places.
- I. Develop a public art program to work with local artists to place and showcase local art in public spaces throughout the community.
- J. Work with the Ouray School District and area arts organizations to expand children's art programming to integrate children into the arts community, and to create an artist intern program for area high school students to pursue a path in the arts.
- K. Where possible, provide public art in municipal public works projects (i.e., buildings, furnishings, and landscapes) that reflects the community.
 - i. Create an artist intern program for area high school students to pursue a path in the arts.
- L. Look for opportunities for art in the downtown area such as murals on the sides of buildings and streetscape elements that can be purposed as functional art (benches, bike racks, street signs).
- M. Consider the creation of an arts market area or repurpose an existing public or private space for vendors to display and sell their art.



Goal AC-2:
Support and encourage the arts through events, fairs, festivals, markets, studio tours, public spaces, and advisory committees that celebrate our artists, heritage and diversity.

Actions:

- A. Explore obtaining Colorado Creative District Certification from Colorado Creative Industries (CCI) for an area of the city, and support and maintain such district once it is established.
- B. Encourage and support financial assistance program applications to private, federal and state agencies such as CCI and its Space to Create, Public Art, Poetry Out Loud, Colorado Music and Arts Education programs.
- C. Work with businesses and organizations in the community to continue to support festivals, maker expos, fairs, studio tours, and events and promote local events beyond the region.
- D. Work with Mountain Air Music Series, the Wright Opera House, Ouray Performing Arts Guild, Weehawken Arts, the Ouray County Historical Society and other arts and culture entities to promote the arts, culture, and heritage of the community.
- E. Create incentives and public-private partnerships to assist local artists and grow the arts community.



Zina Lahr's creativity in the arts was eclectic, animated, and unique. Zina truly was a local Ouray gift to the arts in her animations and creations where she would take normal everyday objects and turn them into unique creative arts objects and animations.

Zina self-diagnosed herself with "Creative Compulsive Disorder where I have to make stuff all the time with whatever I have around me. So if its trash or junk or things that people would normally throw away I try to find ways to refabricate into something useful and beautiful. I like taking stuff and doing the unexpected with it". Examples of this include a lighted parasol with hundreds of LEDS; making robots; creations utilizing kinetics or puppetry; or making a crane out of watercolor paper with feathers stitched onto the paper for an animation project.

Zina Lahr stated, "And it's been my passion and my art to bring life to something and animate. I just see every day as a new opportunity to bring art to people, and if I can do that by what I wear I am going to do that anyway possible." "I like integrating art into anything I do, including what I wear. So everyday I put on a different outfit and I like to make myself my own canvas."

Zina Lahr tragically died at the young age of 23 due to a hiking fall in Ouray at the Cascade Falls flume. This story is shared with the community to inspire creativity and the arts in the Ouray community. Her story can be viewed on [YouTube video](#).

- F. Promote music, history, arts and culture during the off-season to expand arts in the community and further economic development initiatives.
- G. Develop and support a Community Arts and Culture Plan that celebrates creativity, community identity, economic development, traditions and the lifestyle of the community in literature, art, music, dance, theater or other cultural elements or artistic expressions.
 - i. Establish an Arts Advisory Committee to foster the arts in the community and to develop and implement the Community Arts and Culture Plan in collaboration with the local arts organizations, all age and demographic groups, Ute Indians, and key stakeholders.
 - ii. Seek grant funding and donations to prepare the Community Arts Plan.

Goal AC-3:
Support, encourage and instill volunteerism as core tradition and component of a healthy community.

Actions:

- A. Create and maintain a database of volunteers and volunteer opportunities in the community, including but not limited to non-profit and governmental entities.
- B. Work with the Ouray School District to create and encourage students to volunteer in the community to teach the importance of donating their time to help others, provide inspiration, and show how they can make a difference in the world.



The Benefits of a Creative District

A division of the Colorado Office of Economic Development, Colorado Creative Industries (CCI) administers the Colorado Creative District Program. This program allows a specific geographic area to be defined as a creative hub which can attract artists and creative entrepreneurs to the geographic area or community. This program offers selected communities' access to financial and technical support, networking and training.

According to the CCI, the creation of these districts provides the following benefits:

- **"Attracts artists and creative entrepreneurs to a community, infusing new energy and innovation, which in turn enhances the economic and civic capital of the community;**
- **Create hubs of economic activity, thereby enhancing the area as an appealing place to live, visit and conduct business, as well as create new economic activity;**
- **Attract visitors;**
- **Revitalize and beautify communities;**
- **Provide a focal point for celebrating and strengthening a community's unique identity;**
- **Showcase cultural and artistic organizations, events and amenities;**
- **Contribute to the development of healthy communities; and**
- **Improve the quality of life of Colorado's residents."**

The CCI's mission: "CCI believes that creativity, imagination and innovation are critical for economic growth, community vitality, and education success. We understand that, given the scale of Colorado's creative assets, the nonprofit and commercial creative sectors combined can make the best case for the creative industry's impact on the economy. Our programs and partnerships are dedicated to delivering high quality arts programming with a commitment to inclusion, access, and equity."

IMPORTANCE OF VOLUNTEERS TO THE COMMUNITY

Volunteers are a crucial part of the community fabric and culture in Ouray. Volunteers ensure government functions and programs with the City Council, Planning Commission, Beautification Committee, Parks and Recreation Committee and its recreation programs, Tourism Advisory Committee, and the Community Economic Development Committee all composed of volunteers. The Ouray Fire Department and Ouray Mountain Rescue ensure protection of public safety through volunteers that come rushing into harm's way at the sounding of the alarm. City non-profits would not exist without volunteers with the Ouray County Historical Society, Ouray Chamber Resort Association, Friends of the Wright Opera House, Ouray Ice Park, Inc., Friends of the Via Ferrata, Women's Club of Ouray County, Ouray Trail Group, Ouray Library, and the Ouray Performing Arts Guild. Fraternal organizations and numerous churches round out this huge volunteer base with the Womens Club of Ouray County, Ouray Elks Lodge, Masons and Rebekah's. The city celebrates its volunteers and organizations that make it a great community!





Photo: Pinpoint-Imagery, courtesy of OCRA

COMMUNITY HEALTH

Goal CH-1:

Strive to be designated as a Healthy Eating and Active Living Community (HEAL) working with LiveWell Colorado and support access to healthy and affordable food.

Actions:

- A. Join the LiveWell program, identifying the highest HEAL priority; pass a resolution for HEAL.
- B. Support efforts to provide access to healthy food, active living and a healthy workplace.
- C. Promote, develop, improve and maintain city recreational assets for active living, such as hiking at Box Cañon Park, walking the Uncompahgre River Walk Trail, hiking on the Perimeter Trail or swimming, water aerobics and the gym at the Hot Springs Pool.
- D. Support efforts to expand active living and health programs such as yoga programs and health fairs.
- E. Encourage and support Community Supported Agriculture operations in the area, and backyard community gardens to provide access to healthy food.
- F. Amend the LUC to ensure community gardens, farmers' markets, and produce stands are a permitted use in all zone districts.
- G. Support efforts for food and nutrition education utilizing public health resources.
- H. Partner with state's public and private institutions towards building a sustainable, equitable, and health-promoting food environment.
- I. Re-establish the Ouray Farmer's Market by facilitating the creation of a volunteer group and/or non-profit to plan the market, seek vendors, and manage the market.
 - i. Create or find a non-profit entity to run the market working with the city on its management and operation.
 - ii. Determine appropriate location for the market that ensures its success and compliments events and activities in the city.
- J. Encourage and support community-based agriculture through amendments to the LUC to allow for appropriate animal and bee keeping in the city.

Goal CH-2:

Encourage, support and promote good mental health in the community to allow citizens the ability to realize their potential, cope with normal stresses in life, work productively and contribute to their families and communities.

Actions:

- A. Increase collaborative efforts across the region to build capacity for behavioral health.
- B. Support and encourage efforts improve the behavioral health system in the state, region, county and city.
- C. Support programs offering direct services such as substance use treatment, crisis services and child and mental health issues.
- D. Encourage health leaders to build the behavioral health workforce by integrating providers into primary care environments, supporting investments in community-based care, and telehealth and other technologies.
- E. Encourage funding efforts to improve behavioral health services.
- F. Reduce the stigma associated with mental health through education and awareness.

Goal CH-3:

Encourage, promote and require healthy housing in the city.

Actions:

- A. Encourage and support efforts that assure healthy housing in the community that are free from radon, lead, asbestos, and other hazardous materials.
- B. Encourage and support efforts to provide great water quality to every house in the city with lead free and sanitary plumbing.
- C. Improve access to healthy housing through city adopted policies, such as building codes, enforcing housing codes and incentivizing mitigation of known hazards.
- D. Improve community knowledge of healthy housing practices, such as paint lead testing, water testing, radon testing and asbestos testing.
- E. Ensure new housing is safe and healthy as required by city building and planning regulations.



Goal CH-4:
Support and encourage local and regional efforts that all city residents and guests have an equitable opportunity to be as healthy as possible.

Actions:

- A. Collaborate with regional stakeholders to identify, understand, seek and implement solutions to diminish and where possible eliminate health disparities.
- B. Support efforts to strengthen and expand leadership for addressing health disparities.
- C. Improve the well-being and vibrancy of the community through programs and policies that support equitable access to life enhancing resources such as quality food supply, housing, economic and social relationships (jobs), transportation, education, and health care to improve the length and quality of life for all residents in the city.
- D. Focus efforts on the priority populations of early childhood and youth, elderly, immigrants, low income residents, LGBTQ and isolated residents.
- E. Encourage and support behavioral, medical, senior services and dental offices in the city.
- F. Maintain and support improvements to the Ouray County Public Health Department office in the city.

Goal CH-5:
Strive to improve air quality in the city.

Actions:

- A. Prohibit smoking and vaping in all city parks and along the River Trail.
- B. Prohibit smoking and vaping along Main Street.
- C. Consider purchasing a street sweeper to provide for regular cleaning of Main Street.
- D. Continue to use dust control treatments on the city's streets, and pave heavily used streets to minimize dust.
- E. Consider becoming a smoke and vape free city.
- F. Work with the Ouray County Public Health Department to provide community education on the adverse health impacts caused by smoking and vaping.
- G. Revisit the city regulations regarding dog poop to ensure healthier air quality.



Photo: Steve Cushman, courtesy of OCRA



Photo: Gretchen McArthur, courtesy of OCRA

MINDFUL GROWTH TO MAINTAIN COMMUNITY CHARACTER

All residents, property owners, business owners, employees and guests strongly value Ouray’s community character. They also understand that the community will have to change to achieve the Overall Vision and the Theme Vision statements. Ouray’s city limits cannot expand any more due to topographic and geographic constraints that limit development, with a conservation easement limiting any growth to the north of the city. The city must therefore grow through infill development and redevelopment. This means that density within the city must be increased through rezoning and LUC amendments. The city can also encourage the conversion of certain tourist-oriented land to community-based land that provides for meaningful attainable housing.

The majority agrees on the need to preserve the city’s rich historical resources. The Ouray Historic District is designated on the National and State Register due to the large number of historic buildings that are located in the original townsite. These historic buildings and storefronts are a key component of the community character and must be preserved in order to maintain Ouray’s unique community character.



Photo: Gretchen McArthur, courtesy of OCRA

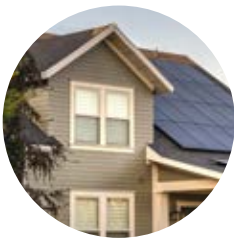
Ouray must also create a more resilient and sustainable economy that is not just based on tourism, with the desire to significantly expand small businesses and appropriate industries in the community. It is also vitally important for Ouray to focus on sustainable tourism where marketing is kept in balance with tourism infrastructure and community capacity to where residents do not feel overwhelmed by the number of tourists visiting the community. The community has established the following Theme Vision Statements, goals and action to ensure mindful growth that maintains the community character:

Land Use. Ouray maintains its small town and unique high alpine, historic character while allowing for growth as envisioned by the city, and as a growth center of Ouray County with a balanced mix of land uses.

Heritage and Historic Resources. Ouray retains, celebrates, and preserves its outstanding historic resources and traditions as a cornerstone of community character and pride.

Economic Development. Ouray is an economically relevant and resilient economy that is connected to the southwest region and represents the best practices in local entrepreneurship, tourism, outdoor recreation and public-private partnerships.

Tourism. Ouray is a world-class, sustainable mountain destination, where visitors enhance the year-round economic vitality of Ouray by engaging in authentic experiences that reflect our community values, history and environment.



Land Use



Heritage and Historic Resources



Economic Development



Tourism



LAND USE

Goal LU-1: The City of Ouray promotes the Future Land Use Plan to provide for a sustainable and vital community and achieve the Overall Vision.

Actions:

- A. Amend the City of Ouray LUC to implement the Future Land Use Plan and other Community Plan goals and actions.
 - i. Require rezonings, PUDs, conditional use permits, subdivisions and other discretionary development applications to be in general conformance with the Community Plan.
 - ii. Consider a city initiated zoning amendment to rezone all property in the city in general conformance with the Future Land Use Plan.
 - iii. Create new zone districts and zoning requirements based on the land use categories in the Future Land Use Plan.
 - iv. Consider reducing the minimum lot size to match the historic platted lot within the City of Ouray Townsite Plat.
 - a. Consider reducing the minimum lot frontage to 25 feet consistent with the Townsite Plat.
 - b. Consider allowing for the reduced lot size only if a primary dwelling unit or an accessory dwelling unit is provided that is deed restricted to provide housing to employees working within the geographic boundary of Ouray County.
 - c. Evaluate reducing building setbacks in certain zones to allow for more dwelling space constrained lots.
- v. Consider increasing the density allowed in every zone district in the city consistent with the Future Land Use Plan.
 - a. Ensure housing is allowed and encouraged in all zone districts in the city except the open space zones.
- vi. Consider revising the maximum floor area; site coverage; and other dimensional standards to promote housing and appropriate mass, scale and density in the community.



- vii. Consider increasing the maximum height allowed in the Main Street area (Current C1 Zone District) from 35 feet to 40 feet or higher compatible with historic buildings heights.
- viii. Revise the city Zoning Regulations to provide for the desired level of infill development and new development with increased density for desired housing, commercial uses, light industrial uses and civic uses to achieve the Overall Vision.
- ix. Consider allowing for up to four single-family dwelling units on two historic city lots through new cottage cluster design standards and a subdivision process to allow for ownership.
 - a. Require at least two of the homes to be deed restricted attainable housing.
- x. Establish zoning regulations that encourage small house and small dwellings with a greater density in the community that are compliant with the city adopted Building Regulations with local amendments as needed.
- xi. Revise the city's Parking Regulations to provide incentives for desired land uses.
 - a. Allow for deed restricted attainable housing parking to be provided on-street if available.
 - b. Allow for commercial use parking in the Downtown Core to be provided on-street.
- xii. Consider allowing duplexes, triplexes and four-plexes in the Historic Residential, Residential and Residential/Commercial areas either as a permitted or conditional use.
- xiii. Revisit all the land uses allowed in every zone district to ensure that the Overall Vision, goals and actions of the Community Plan are met.
 - a. Eliminate land uses that do not provide any community housing or other desired land uses in the city such as a prohibition on new RV parks, storage uses, and other uses that do not generate housing, economic development or jobs.
 - b. Encourage mixed-use development with supporting non-residential uses in the Residential/Commercial, Main Street; Commercial and Light Industrial areas to assure community sustainability and vitality.

ROLE OF THE FUTURE LAND USE PLAN

The Future Land Use Map is intended to show the locations of desired uses in the City to achieve the Overall Vision. Land use applications should generally conform to the Future Land Use Map as provided for in the Town's Land Use Code. The Future Land Use Map is NOT a zoning map, and any changes in current City zoning will require a public hearing process in association with a zoning change.

- xiv. Explore requiring new infill development to reach a minimum density for housing, activity and vitality to ensure that the limited land resources are not wasted on low density projects.
- xv. Encourage attainable housing to be provided in existing RV parks, light industrial, commercial and other properties through LUC and other incentives.
- xvi. Place a cap on short-term rentals due to a high percentage of vacant unoccupied housing rate, and surrounding communities have placed caps on the number of short-term rentals that further pressures the conversion of existing and new housing stock in the city.
- xvii. Revisit the city's nonconforming use, lot and building regulations as an incentive to desired infill development and redevelopment.
- xviii. Conduct an audit of the LUC and Municipal Code to determine amendments that will help Ouray become a more sustainable community. Provisions should be in the LUC to allow for all renewable energy systems, appropriate urban agriculture, and water and energy conservation.
- xix. Encourage infill development and redevelopment with land uses as envisioned on the Future Land Use Plan.

- xx. Utilize a robust communication and engagement process with property owners, business owners, residents and other stakeholders when amending the LUC through the city's adopted process.
- xxi. Consider prohibiting lot line vacations that create a bigger lot that eliminate potential homesites (and eliminate density (no net loss of density) and create larger homes.
- B. Provide a balanced mix of uses to accommodate residents and visitors.
- C. Encourage compact developments that create true neighborhoods, reduce the amount of land for residential use, minimize resources consumed, and are located next to existing infrastructure.
- D. Explore the use of public-private partnerships to further the goals of the plan, such as the use of city land, County land or School District land for attainable housing.
- E. Create, adopt, implement and maintain subarea plans for key areas of the city, such as the Hotel District, and the Downtown Core.
- F. Consider a prohibition on new chain stores in the city.



Goal LU-2: Encourage and promote development in the Downtown Core.

Actions:

- A. Encourage and support efforts for infill development and redevelopment with appropriate density, mixed-use and with housing that creates an active, vital and sustainable Downtown Core.
- B. Create, adopt, implement and maintain a Downtown Core Placemaking Plan.
 - i. Engage the Colorado Department of Transportation to create a plan that uses the CDOT Highway 550 Right-of-Way to create a great place with potentially wider sidewalks for outdoor dining; reduced highway pavement; public amenity spaces; landscaping; improved crosswalks; and other improvements that are desired by the city citizens, business owners and property owners.
 - ii. Create and adopt a Downtown Core Master Plan.
- C. Consider creating a Downtown Development Authority, Urban Renewal Authority or similar entity for promoting and developing the Downtown Core.
- D. Explore financing mechanisms to improve the Downtown Core, such as Local Improvement District or a Tax Increment Financing special district.
- E. Pursue and embrace the Colorado Main Street Program and/or Downtown Colorado, Inc. to help improve the Downtown Core.

PLACEMAKING

Placemaking is a multi-dimensional bottom up approach to planning for a space with the intention of transforming for the betterment of the community without displacing existing users. This method focuses on observing the existing conditions and assets of a place, engaging the local community in order to create a plan that best understand the needs and goals of the users that is not a one size fits all plan. The intention is to study the existing conditions and enhance them to promote people's health, happiness and well-being without taking away from the natural character. It can be government driven or a grass roots community driven process. When done well, this type of planning instills pride in the existing community and invites new users, while enhancing underutilized and overlooked spaces in a community such as alleys, sidewalks, vacant parking spaces or lots.



Photo: Gretchen McArthur, courtesy of OCRA



Goal LU-3:
Maintain, improve and protect Ouray’s historic small-town character while allowing for development to achieve the Overall Vision.

Actions:

- A. Consider creating and adopting design and historic preservation regulations in the LUC that protect the community’s historic, small town and alpine character.
- B. Revisit the city’s Sign Regulations to ensure the community character is protected and businesses are allowed reasonable and effective signage.
- C. Revise the city Lighting Regulations to require new and existing lighting to be dark sky compliant.

Goal LU-4:
Promote and encourage sustainable land use development.

Actions:

- A. Promote a compact, sustainable land use pattern that prioritizes infill and redevelopment of existing developed land and is well-connected to existing and planned street, trail and sidewalk systems.
- B. Plan for and provide infrastructure for development as envisioned by the Community Plan.
- C. Conduct an audit of the LUC and Municipal Code to determine amendments that will help Ouray become a more sustainable community. Provisions should be in the LUC to allow for all renewable energy systems; urban agriculture; and water and energy conservation.
- D. Consider requiring new development to provide for livable and sustainable design such as the provision of green spaces; green building practices; amenities for residents; and pedestrian and bike connectivity.

Goal LU-5:
Guide development to be located within the city to protect the surrounding mountainsides and rural County lands from development while looking at opportunities to provide attainable housing.

Actions:

- A. Engage Ouray County and key stakeholders to create and adopt a Three Mile Plan for the city; and to revisit the Intergovernmental Agreement with Ouray County.
 - i. Create programs and regulations that ensure mining claims surrounding the city will not be developed in order to protect the scenic backdrop of the city. Such programs include a County and city Transfer of Development Rights program, and open space program purchase of claims.
 - ii. Plan, encourage and support the preservation and development of recreation assets on the mountainsides surrounding the city provided the scenic high alpine backdrop is maintained.
- B. Amend the Intergovernmental Agreement with Ouray County to implement the Three Mile Plan and recognize any sites in the City of Ouray Area of Influence that were identified for attainable housing.

Goal LU-6:
Plan and implement attractive and inviting gateways, corridors, civic centers and public spaces throughout the city.

Actions:

- A. Engage stakeholders and the community to revisit the city brand and logo.
- B. Update and improve the two city gateways.
- C. Create, adopt, implement and maintain a Streetscape and Alleyway Plan that provides the desired landscaping and improvements for all the streets and avenues in the city.

- D. Improve and maintain the city parks areas as envisioned in the parks and recreation master plans.
- E. Support and encourage public right-of-way clean up, maintenance and beautification programs.

**Goal LU-7:
Avoid locating land use development in natural hazard areas unless mitigation is provided.**

Actions:

- A. Work with FEMA, DOLA and other agencies to obtain funding for the creation and adoption of a rockfall hazard study for the city that includes recommended regulatory policies.
- B. Amend the LUC to require development in an identified alluvial fan to be constructed above the base flood elevation as determined by an engineer.
- C. Amend the Floodplain Regulations to meet FEMA requirements.
- D. Ensure the LUC is amended to appropriately address development in other natural hazard areas such as steep slope areas that are 30% or greater.
- E. Conduct a Hazard Identification and Risk Assessment (HIRA) Process as outlined in Colorado's Planning for Hazards Guide and integrate recommendations into the LUC, building regulations and Municipal Code.

**Goal LU-8:
Consider annexations to the city as appropriate to implement the Community Plan.**

Actions:

- A. Amend the LUC to establish local policies and procedures for annexations.
- B. Only consider annexations that provide for a community benefit consistent with the Community Plan. All annexations shall generally conform to the Community Plan.
- C. Only consider annexations that provide a positive fiscal impact or positive benefit to the city, and reject annexations that create a negative fiscal impact or are contrary to the Community Plan or public interest. Annexations will pay their own way and not cause cost increases to existing city property owners or businesses.
- D. Evaluate annexation proposals to understand the impacts to demands for services, water resources, sewer resources and other infrastructure.
- E. Consider annexing the Ouray Ice Park properties to the city for ease of governance and management.

Photo: Gretchen McArthur, courtesy of OCRA





Future Land Use Plan

The Future Land Use Plan is a guide for making decisions on land use within the city. It will be used on a daily basis by city staff, developers, appointed boards, business owners and property owners to guide decisions on land use type, location and intensity. The Future Land Use Map also is the foundation to the desired future zoning in the city and serves as a way to implement the community's Overall Vision, Theme Vision Statements and the goals and actions set forth in the Community Plan. The Future Land Use Map is NOT a zoning map, and any changes in current City zoning will require a public hearing process in association with a zoning change.

The Future Land Use Map designates all city territory with a general classification of use. Each classification corresponds with a land use description in the plan descriptions below. This designation helps provide guidance for City staff, the Planning Commission and the City Council in making decisions on certain land use applications, including rezonings, PUDs, conditional use permits, and subdivisions. It should also be used to guide infrastructure planning and inform LUC zone district revisions.



Photo: Mary Viola



Photo: Gretchen McArthur, courtesy of OCRA

The Future Land Use Plan consists of the maps in Figures 1 and 2: on pages 42 & 43 and the following associated land use categories and descriptions:

HISTORIC RESIDENTIAL LAND USE

Single-family homes, duplexes, smaller multi-family residential uses, and related accessory uses.

Description/Character

- Located within the historic townsite with numerous historical structures located throughout the area.
- Maintenance of historical character, scale and mass.
- Preservation and rehabilitation of historic structures.
- Restoration of historic structures so they can once again contribute to the historic district.
- Front yards, rear yards and detached accessory buildings to match historic development pattern.
- Maintenance of city grid in lot configuration.
- Historic proportions in building design, shape and window-to-wall ratios.
- Height compatible with surrounding development.
- Historically compatible and sensitive development with appropriate additions and new residential development on vacant lots.

RESIDENTIAL LAND USE

Single-family homes, duplexes, smaller multi-family residential uses, and related accessory uses.

Description/Character

- Typically located outside the historic townsite with newer subdivisions.
- Some historic structures in the historic townsite merit special considerations for preservation, restoration and rehabilitation.
- Appropriate scale, mass and design to maintain community character.
- Height compatible with surrounding development.



Photo: Gretchen McArthur, courtesy of OCRA

MULTI-FAMILY LAND USE

Multi-family residential uses, and related accessory uses.

Description/Character

- High density multi-family housing.
- Maximum height of three to four stories as may be approved by the city.
- Require attainable housing in exchange for variations to the dimensional limitations via PUD or other city process.
- Landscape buffering to rights-of-ways and surrounding uses.

RESIDENTIAL-COMMERCIAL LAND USE

Duplex and multi-family residential uses; commercial uses; and related accessory uses.

Description/Character

- Maximum height based on surrounding development pattern, with higher heights allowed along Main Street and 2nd Street based on site context.
- Mixed-Use Development.
- Retail or restaurant on first floor adjacent to Main Street, 6th Avenue and 2nd Street to encourage activity and vitality.
- Mixed-use development with multi-family residences on upper floors with some attainable housing.
- Maintenance of historical character, scale and mass.
- Preservation and rehabilitation of historic structures.
- Restoration of historic structures so they can once again contribute to the historic district.

MAIN STREET LAND USE

Commercial uses, restaurants, mixed-uses, office uses and related accessory uses.

Description/Character

- On east side of Main Street, maximum height of three stories with third story setback from primary façade.
- On west side of Main street, maximum height of four stories with alley basement level and three upper floors, with fourth story setback from primary façade.
- Maintenance of historical character, scale and mass.
- Preservation and rehabilitation of historic structures.
- Restoration of historic structures so they can once again contribute to the historic district.
- Retail or restaurant on first floor adjacent to Main Street for activity and vitality.
- Historically compatible and sensitive development with appropriate additions and new development on vacant lots.

COMMERCIAL LAND USE

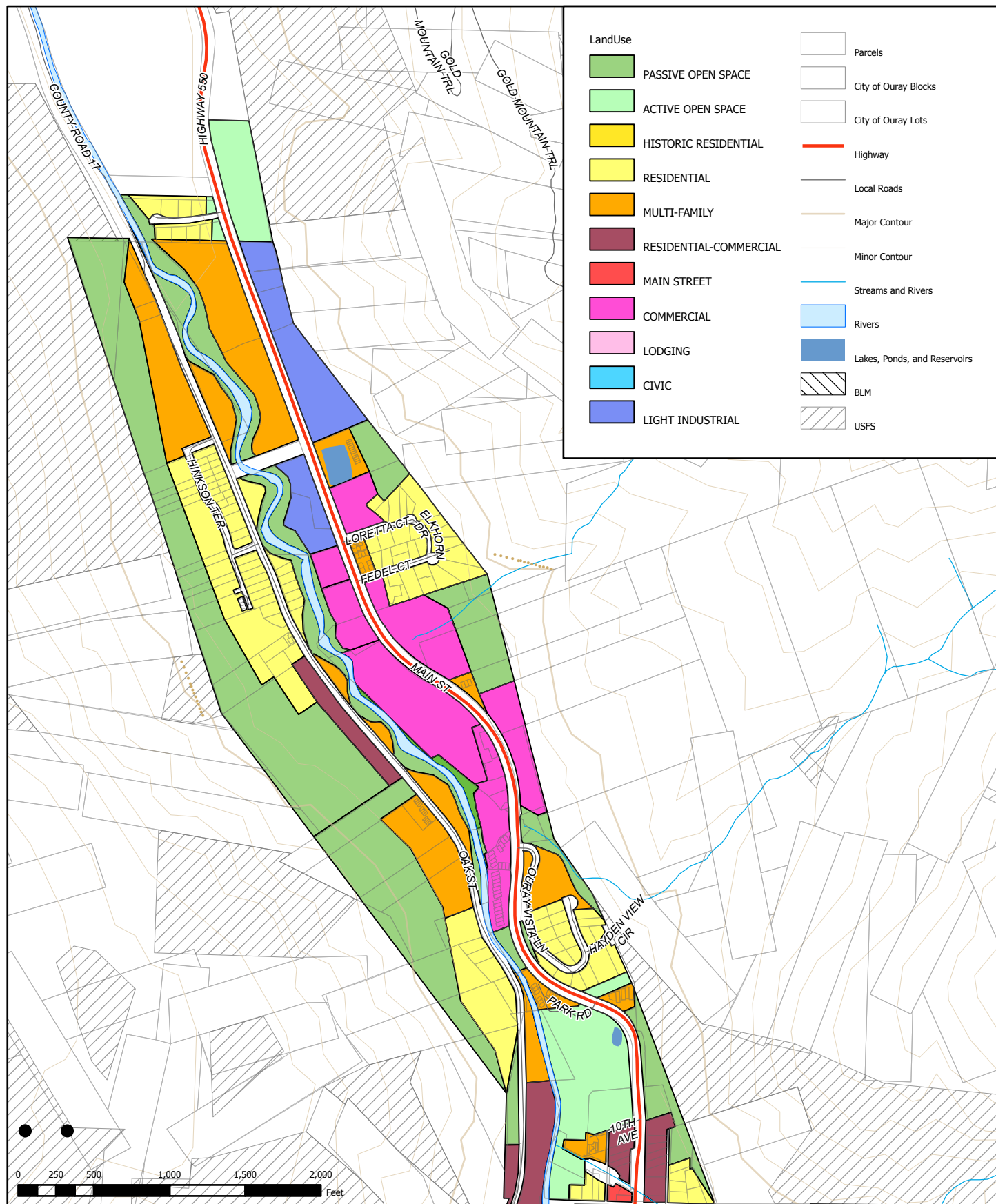
Retail, restaurant, office, commercial uses, multi-family and mixed-use.

Description/Character

- Maximum height of three stories, with third story setback from facade.
- Within the historic district, maintenance of historical character, scale and mass; preservation and rehabilitation of historic structures; and restoration of historic structures so they can once again contribute to the historic district.
- Retail, restaurant or entertainment uses on first floor façade along 7th Avenue.
- Landscape buffering of uses along the North Corridor.



CITY OF OURAY - NORTH PLAT | FIGURE 1 FUTURE LAND USE





CIVIC LAND USE

Governmental buildings and community facilities; schools, attainable housing, and related accessory uses.

Description/Character

- Maximum height of three stories, with third story setback from facade.
- Within the historic district, maintenance of historical character, scale and mass; preservation and rehabilitation of historic structures; and restoration of historic structures so they can once again contribute to the historic district.

LIGHT INDUSTRIAL LAND USE

Light industrial land uses, mixed-use development with light industrial uses and attainable housing on upper floors with proper mitigation of any adverse light industrial impacts.

Description/Character

- Maximum height of two stories.
- Mitigation of impacts (dust, noise, odor, vibrations, etc.).
- Landscape buffering of uses along the North Corridor.

LODGING LAND USE

Hotels, motels and lodging uses, and related accessory uses.

Description/Character

- Maximum height of three stories above grade unless otherwise approved by the city.
- Encourage basement garage parking to reduce visual impact and do not count as above grade story.
- Landscape buffering of uses along the North Corridor.



PASSIVE OPEN SPACE LAND USE

Passive open space land use such as hiking, biking, nature viewing and picnicking, with no buildings or structures unless associated with a permitted passive use.

Description/Character

- Maintained and improved in natural state.
- Habitat improvement.
- Invasive disease and species mitigation.
- Wildlife protection and mitigation.
- Trails and improvements designed within natural context.

ACTIVE OPEN SPACE LAND USE

Active open space uses with organized events and constructed facilities, such as soccer, baseball, swimming, organized climbing, basketball, skiing, volleyball and similar park uses.

Description/Character

- Maintained and improved in accordance with city-adopted master plans.
- Habitat improvements where possible.
- Invasive disease and species mitigation.
- Wildlife protection and mitigation.
- Allowance for passive open space uses.



Photo: Gretchen McArthur, courtesy of OCRA



4th of July 1917. Photo courtesy of Ouray County Historical Society Collection

HERITAGE AND HISTORIC RESOURCES

Goal HH-1:
Preserve historic resources and the historic character of the City of Ouray.

Actions:

- A. Create and adopt historic preservation regulations for development within and adjacent to the National Landmark District to protect the historic character of the city; protect and preserve historic buildings and resources; allow for alterations and additions that do not diminish a buildings historic rating; require appropriate infill development; and provide for a process to allow for demolitions when a building cannot be reasonably rehabilitated.
 - i. The new regulations need to be reasonable, simple to understand, and fit the culture of the city.
 - ii. Provide annual training or education for the development community, architects and property owners on the adopted historic preservation regulations.
 - iii. Update the historic preservation regulations as needed to account for new trends or address new issues or considerations that arise.
- B. Update the historic building survey when the city adopts new historic preservation regulations. Update the historic survey every five years.
 - i. Pursue grant funding in conjunction with the Ouray County Historical Society to leverage city funds for historic survey updates.
- C. Encourage and support the rehabilitation of historic buildings through State Historical Fund grants, historic preservation tax credits, and other tax credits and other financial incentives.
 - i. Assist, support and sponsor property owner grant and fund applications, and consider administering grants and other fund sources when needed.

- D. Maintain the integrity of the Ouray Historic District to prevent its removal from the National Register of Historic Places by the National Park Service.
- E. Evaluate the adoption of the International Property Maintenance Code to ensure historic buildings are maintained.
- F. Create policies and programs to maintain the historic context and fabric of city resources, such as the Box Cañon Park, Ouray Hot Springs and Lee's Ski Hill.

Goal HH-2:

Provide incentives and education programs that promote historic preservation efforts.

Actions:

- A. Restart, update and expand the historic preservation awards program working with the Ouray County Historic Society to recognize outstanding rehabilitations, additions, alterations and infill development.
 - i. Provide updated and consistent historical plaques and interpretive panels throughout the city to promote historic preservation.
 - ii. Maintain historic plaques and panels throughout the city.
- B. Promote state and federal tax credits, grant programs and loans for historic preservation, building maintenance, and building improvements.
- C. Promote the economic and cultural benefits of historic preservation, and the city's rich history, culture and historic resources in cooperation with the Ouray County Historical Society and local tourism and marketing entities.
- D. Develop technical assistance and educational programs to encourage private property owners to designate eligible properties and structures as Local Historic Landmarks.
- E. Update and promote the city's historic walking tour.

- F. Educate and promote the city's Ute Indian heritage and culture working with the Southern Ute Indian Tribe and other Ute Indian groups.
- G. Encourage education and promotion of the high concentration of Mesker Storefronts in the city.
- H. Celebrate and recognize the city's rich history through new events, displays, educational platforms and media that attract and engage children and adults.

Goal HH-3:

Support and promote historic preservation organizations, programs and events.

Actions:

- A. Foster great working relationship with the Ouray County Historical Society.
- B. Support the Ouray County Museum and the research center and library annex in the city.
- C. Educate the community on the importance of historic preservation in the city and the retention of the National Historic District.
- D. Create an outdoor history and cultural area in the city for historic presentations, education and events.



Ouray Band. Photo courtesy of Ouray County Historical Society Collection



Chief Ouray and Wife Chipeta

By Mathew Brady - Library of Congress Prints and Photographs Division. Brady-Handy Photograph Collection.

History of the City of Ouray

Millions of years ago – The mountains surrounding Ouray formed when volcanic eruptions resulted in deep lava formed craters.

Within last two million years – Ice formed, and glacial activity created the rugged San Juan Mountains and the Ouray Valley leading down towards Ridgway. These geological events created an ideal environment for the deposit of ore.

Centuries before white settlers – For centuries, the Tabeguache Ute, a nomadic band, used these valleys in the summer to hunt and gather and soak in the “sacred miracle waters”.



Ouray Valley. Photo courtesy of Ouray County Historical Society Collection

1700s - The Utes served as guides for the expeditions seeking to pass through the Rockies. These Spanish explorers named this area the San Juan Mountains. The Spaniards saw the environment as too hostile to settle and did not stay. It wasn't until the miners flooded the region that it was settled by white explorers.

1800s - In the late 1800's the miners arrived in search of silver and gold. While some of the roads and towns that were developed remain, many have become relics of the past such as old ghost towns Sneffels, Red Mountain Town, Animas Forks, and Mineral Point.

1873 - Chief Ouray worked tirelessly to peacefully make treaties with the white settlers to protect his people and the Valley where they lived. However, by 1873 Ouray reluctantly signed a treaty releasing the San Juan territory to encroaching settlers.

1875 - Prospectors arrived in the area chasing silver and gold. With the rich deposits found in the land, Ouray quickly grew into a booming western mining town.

1876 (October 2) - Ouray was incorporated and named after Chief Ouray two months after Colorado become a state. According to papers filed there were over 400 residents of Ouray at this time.

1877 - City population had grown to over 1,000 and was named the county seat of Ouray County on March 8, 1877.



Ute Indians 1911. Photo courtesy of Ouray County Historical Society Collection



Ouray. Photo courtesy of Ouray County Historical Society Collection



Whinnerah Cousins. Photo courtesy of Ouray County Historical Society Collection

1880 – Over 2,600 people lived in Ouray. Ouray became a shipping point and logistics center for the mining region.

1887 – The Denver & Rio Grande Railway (D&RGW) arrived in Ouray on December 21st, 1887. The railroad would continue running until the automobile and trucks caused a decline in ridership on the railroad.

1930 – Increased competition from the automobile and a desire on the part of D&RGW management to abandon narrow gauge operations led to an application by the railroad to discontinue regular passenger service. The line was abandoned on March 21, 1953.



Hot Springs Pool. Photo courtesy of Ouray County Historical Society Collection




Ouray Hospital. Photo courtesy of Ouray County Historical Society Collection

1980's – Mining slowly declined as the economy shifted away from mining to the tourism economy it is today. Residents and champions of the town helped shift the economy to a successful tourism industry that values the past relics while exploring the beauty of the landscape through recreation and soaking in the healing waters.

Present – While Ouray still boasts relics of its mining past, it has become a popular tourist destination where visitors flock to see the amazing landscapes and recreate in the beauty by foot, hand or motorized vehicles.



4th of July in Ouray. Photo courtesy of Scotty Kenton

A photograph of the Ouray County Historical Museum, a two-story stone building with a prominent entrance. The entrance features a red double door with arched windows and a small pediment above it. A sign above the door reads "MUSEUM". To the left of the door is a bronze statue of a person on a pedestal. To the right is a display case with various items. The sky is blue with scattered clouds.

**DISCOVER MORE ABOUT OURAY'S RICH AND
COLORFUL PAST, VISIT THE OURAY COUNTY
HISTORICAL MUSEUM TODAY WHICH THE
SMITHSONIAN INSTITUTE CALLED**
"ONE OF THE BEST SMALL MUSEUMS IN THE WEST".



Photo: Gretchen McArthur, courtesy of OCRA

ECONOMIC DEVELOPMENT

Goal ED-1: Improve and support existing businesses in the city.

Actions:

- A. Support existing businesses in the community through a business-friendly culture, regulatory changes, incentives, and other programs.
- B. Promote and support home occupations and remote workers that help drive the economy through regulatory changes and other incentives.
- C. Ensure business diversity and choices are maintained in the city.
- D. Encourage destination visitors to stay longer.
- E. Diversify community investment in the north corridor.
- F. Amend the city procurement policy to include a local business preference policy.
- G. Work with CDOT to ensure Red Mountain Pass is kept open through the winter to ensure backcountry recreation access.

Goal ED-2: Diversify and innovate the economy to improve resiliency, spread out economic activity throughout the year and create a more relevant, active and vital community.

Actions:

- A. Attract more year-round businesses and “cottage industries” that provide year-round employment, business diversity and complement existing business and community assets.
- B. Attract anchor destination businesses that drive traffic into Ouray while improving business diversity.



- C. Provide government and other incentives to retain, expand or attract new businesses.
- D. Improve and enhance the creative and performing arts in the community to expand the economy and improve community culture.
- E. Create and support a business startup/venture accelerator in the community with mentorships and education.
- F. Consider establishing or supporting an organization to promote businesses, business attraction and economic development.
- G. Encourage, support and market for film/media production in the area.
- H. Encourage and support more festivals in the community to improve the culture and economy.
- I. Support and encourage mining activities in the area and mining-related businesses.
- J. Encourage businesses that support local residents, such as doctors, dentists, senior services, laundry/dry cleaning, and coffee shops.
- K. Provide infrastructure to support existing and development as envisioned by this Community Plan.
- L. Encourage and incentivize the provision of attainable housing; childcare; desired community amenities, connectivity and a high quality of life to drive economic resiliency.
- M. Protect, support and improve the following key economic assets within the community to ensure economic resiliency: natural amenities; hot springs and geothermal resources; Historic District and historic buildings; cultural heritage; Ouray School; vibrant Downtown Core; outstanding parks, trails and other recreational assets; and Carrier Neutral Locations.
- N. Establish a strong base workforce and foster collaborative leaders to lay the foundation for public and private projects that benefit the broader community.

- O. Work with the Town of Ridgway, Ouray County and local foundation to develop a local leadership program to educate and foster community and business leaders who develop and foster a culture of commitment, seizing opportunities and continually building businesses and the assets of a community.
- P. Support development as envisioned by this Plan and in accordance with the LUC to further the economic development vision, goals and actions.
- Q. Encourage more office space for professional business.
- R. Promote economic development initiatives in the city through a dedicated webpage, city and business promotion of initiatives and programs; marketing; and forum or resource center for economic development.
- S. Consider adopting a business license ordinance to monitor business activity in the city, understand business trends and fund economic development in the city.

Goal ED-3: Improve the Downtown Core.

Actions:

- A. Support the Business Core by the creation and adoption of a Downtown Master Plan; joining the Colorado Main Street Program; Downtown Colorado, Inc. programs; and consideration of the creation of a Business Improvement District; Downtown Development Authority and/or Urban Renewal Authority.
- B. Expand the Business Core along Main Street and along avenues as envisioned by the Future Land Use Map.
- C. Provide convenient short-term and long-term parking in the downtown core, and evaluate creative options for providing parking, such as satellite parking.

- D. Encourage more outdoor dining and drinking areas in the Business Core to increase activity and vitality by revisiting and revising regulations, and to streamline permitting.
- E. Consider the creation of a “shop local” program working with area businesses.
- F. Strive to plan, design and create a vibrant downtown through zoning and special projects with mixed-use development with commercial on the main and street levels and long-term residential development on the upper levels; multi-use experiences; public spaces; appropriate landscaping; public art; outdoor dining; public restrooms; uniform wayfinding; safe sidewalks; community event areas; and similar improvements.
- Gs. Amend the city’s right-of-way encroachment policies to encourage and incentivize desired uses, and to include appropriate processes and fees.

Goal ED-4:
Expand and promote broadband within the community as a pillar of economic development.

Actions:

- A. Encourage and support high speed internet to encourage telecommuters with broadband provided to every property in the city.
- B. Market the fiber internet to key markets to attract desired businesses and individuals in the internet economy.
- C. Require open access for broadband infrastructure to ensure provider diversity and competition.
- D. Support and maintain existing and new Carrier Neutral Locations in the city, and associated anchor institutions and businesses.

Goal ED-5:
Support and promote education as the backbone of a strong local economy.

Actions:

- A. Support the Ouray School as an economic driver for the community.
- B. Encourage adventure-based learning and services for kids to adults.
- C. Determine if the current school facilities can be used or improved for vocational/manual arts training in the evenings, weekends or summers.
- D. Develop partnerships with area colleges on educational programs in the city.
- E. Encourage a small community college to locate in the city or Ridgway to support and improve existing and new businesses and help drive the local economy as envisioned by the Plan.
- F. Promote the city’s natural environment assets for professional training, such as emergency response, alpine rescue, ecology, geology, and sustainability.
- G. Encourage arts and holistic health education.

Goal ED-6:
Reinforce the City of Ouray as the County Seat.

Actions:

- A. Strive to maintain the City of Ouray as the County Seat and for the provision of needed community facilities and services.
- B. Continue to support the County with its Courthouse and Annex Building rehabilitation and improvement efforts.
- C. Encourage the County to relocate the Social Services, Land Use and Planning, and other County departments to the city in close proximity to the Courthouse.
- D. Support the County Health Department offices to be maintained and improved in the city.



**Goal ED-7:
Collaborate and leverage resources with
Region 10 Economic Development Initiatives.**

Actions:

- A. Develop stronger relationships with Region 10, USDA, OEDIT, DOLA, Main Streets Program and other entities by meeting with the Executive Director on a regular basis and participating in key events and meetings.
- B. Promote economic development in the city by advertising the available Enterprise Zone benefits, such as the investment tax credit; new employee credits; vacant building rehabilitation tax credit; and job training tax credit.
- C. Evaluate local government tax incentives as may be allowed in an Enterprise Zone.
- D. Cooperate with Region 10 on implementing the Comprehensive Economic Development Strategy or any succeeding document.

SUSTAINABLE TOURISM

Sustainable tourism meets the needs of present tourists and host regions while protecting and enhancing opportunity for the future. Rather than being a type of product, it is an ethos that underpins all tourism activities. As such, it is integral to all aspects of tourism development and management rather than being an add-on component. The objective of sustainable tourism is to retain the economic and social advantages of tourism development while reducing or mitigating any undesirable impacts on the natural, historic, cultural or social environment. This is achieved by balancing the needs of tourists with those of the destination.

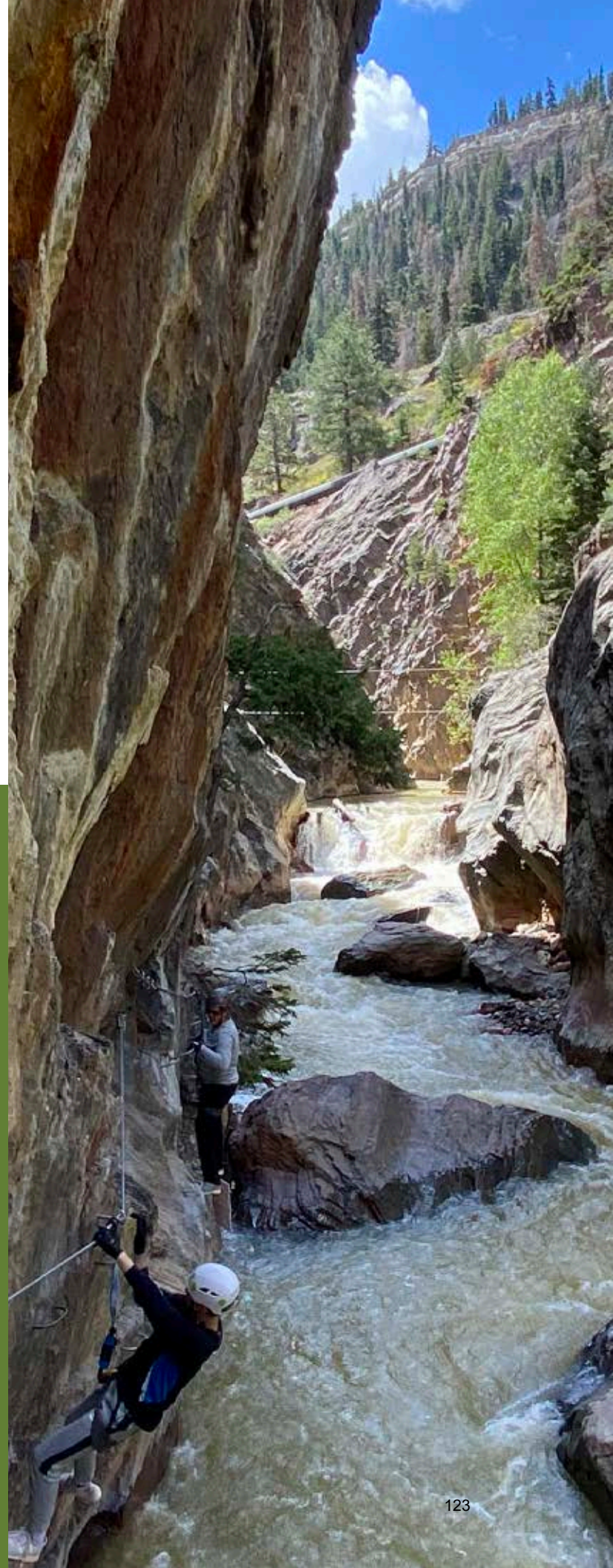




Photo: Courtesy of Ouray Via Ferrata

TOURISM

Goal TO-1:

Encourage, promote and require sustainable tourism to retain the economic and social advantages of tourism development while reducing or mitigating any undesirable impacts on the natural, historic, cultural or social environment.

Actions:

- A. Evaluate and update visitor capacity data on an annual basis and communicate through community meetings.
- B. Balance the needs of tourists with those of the community by aligning marketing strategies in symmetry with visitor capacity data and adjust as needed.
- C. Disperse visitors in the city and area to reduce impacts to congested areas and at-risk resources or assets.
- D. Promote lesser known or used area travel experiences except for those that are sacred.
- E. Encourage and expand new travel experiences and outdoor based adventure activities away from core tourism attractions that spread out tourism impacts and fit within the community culture such as new climbing attractions, guided trail tours, zip lines, new and expanded via ferrata, and a new recreational path in between Ouray and Ridgway.
- F. Collaborate with non-profit entities, Ouray County, BLM, CDOT, the Town of Ridgway, the USFS, Colorado Parks and Wildlife Department and other governmental agencies to identify at risk assets; promote the dispersion of travel experiences and recreation opportunities throughout the area; and provide for sustainable tourism.
- G. Develop and encourage coordinated opportunities for volunteers to address the maintenance of visitor resources in the city and on Federal and State land in order to maintain and improve user capacity and protect natural resources.

- H. Encourage and support tourism marketing, visitor services, and funding in line with the Community Plan policies.
- I. Coordinate marketing with regional destinations, agencies and non-profits to further the city's sustainable tourism efforts, pool resources and build capacity by working regionally.
- J. Educate and promote leave no trace backcountry ethics.
- K. Ensure that tourism marketing and assets are agile and adjusted due to changing preferences in tourism drivers.

**Goal TO-2:
Encourage and support tourism businesses that diversify the economy, maintain the pillars of Ouray tourism, and spread out tourism throughout the year.**

Actions:

- A. Encourage and promote Ouray as renewed health and wellness center around the hot springs with spas, integrated medicine facilities, holistic experiences, mindful development, mediation/yoga studios, apothecaries and similar activities and uses.
- B. Expand winter tourism opportunities, such as cross-country skiing, backcountry skiing, snowmobiling, and backcountry chalets.
- C. Encourage and support a conference center or conference center meeting infrastructure in the city.
 - i. Consider improvements to the Community Center's Massard Room and San Juan Room to provide better meeting space; needed technology; creating break out rooms; and improved facilities.
 - ii. Promote conference marketing to groups based on conferencing capacity.
 - iii. Develop a coordinated plan where conferencing resources are collaboratively marketed and utilized.
- D. Explore improving regional tourism private transit shuttles, and mass transit for non-motorized travelers flying into the Montrose Regional Airport.
- E. Promote and expand heritage tourism by providing infrastructure and marketing with a focus on its Native American, mining, and spa origins.
- F. Foster and support the San Juan Skyway and Grand Circle as tourism travel routes that are vital to the city.
- G. Support and maintain the Alpine Loop as premiere off road experience and attraction.
- H. Encourage and promote Ouray as a culinary destination.
- I. Encourage, support and promote the resurrection of the Ouray Food Festival.
- J. Support regional efforts to expand recreation businesses.



Photo: Beth Bridges, courtesy of OCRA

Goal TO-3:
Maintain and improve the positive tourism experience.

Actions:

- A. Fund the preparation, adoption and implementation of an overall wayfinding plan for the city.
 - i. Engage stakeholders and the community to create the wayfinding program.
 - ii. Provide a better connection and wayfinding between Main Street and the Ouray County Museum to increase visitation.
 - iii. Include the overall parks and recreation system in the wayfinding program.
 - iv. Improve access to public lands by more clearly defining existing trailheads and creating new trailheads where needed.
- B. Support additional family-oriented travel experiences such as expansions to the via ferrata, backcountry tours, and improving and maintaining city parks.
- C. Define and maintain the unique Ouray hospitality and friendliness through regular service industry training; attraction and retention of excellent chefs; education on the city's brand and tourism assets; and striving for excellent customer service and friendliness.
- D. Support efforts and initiatives that improve tourism assets and infrastructure.
- E. Collaborate with surrounding jurisdictions on tourism initiatives.
- F. Improve the quality of life for local residents as a strong marketing influence since happy and psyched residents will draw high quality visitors to the city.



Photo: Gretchen McArthur, courtesy of OCRA



Photo: Pinpoint-Imagery

Photo: Courtesy of Ouray Via Ferrata

RECREATION CAPITAL OF COLORADO, A SUSTAINABLE CITY WITHIN A PARK

Ouray is the Recreation Capital of Colorado with numerous amenities and facilities located right outside of every door. The River Park forms the recreational spine of the community connecting Rotary Park on the north side of the city to Box Cañon Park and the Ouray Ice Park and Ouray via ferrata on the south. Fellin Park with numerous active and passive open space uses lies along the envisioned River Park corridor with the Perimeter Trail encircling the city and tying other key recreational amenities together, including Cascade Falls Park and Lee's Ski Hill.

It is possible to go downhill skiing, ice climbing, rock climbing, hiking, biking, canyoneering, cross country skiing, swimming, and soaking without even leaving the city.

The City of Ouray is also the “City Within a Park” surrounded by USFS land, city land, private land that will most likely stay undeveloped due to significant development constraints. Parks within and around the city reinforce the City Within a Park and the natural backdrop, with community members desiring

to maintain and improve existing parks and the surrounding areas to improve the National Park-like character and vibe.

City residents also strongly value the natural environment surrounding and within the city. Nature is also just outside every door and window with dramatic and stunning views, common and rare wildlife, wetlands, rivers and creeks. It is therefore extremely important to

Ouray citizens to maintain and improve the natural environment where possible.



The Ouray Hydroelectric Power Plant is one of the four oldest operating power plants in the world. The city is also sitting on a vast underutilized geothermal energy source. city residents agree that the city should become more energy independent and sustainable by encouraging the use of all renewable energy sources. The community has established the following Theme Vision Statements, goals and action to ensure the City of Ouray remains the Recreation Capital of Colorado and a Sustainable City Within a Park.

Parks, Recreation and Trails. Ouray is the Outdoor Recreation Capital of Colorado with diverse and exciting recreational opportunities within walking distance of every door.

Natural Environment. Ouray protects the beauty and improves health of the natural environment through stewardship, education and conservation.

Energy Vision Statement. Ouray utilizes and encourages the use of renewable energy sources and energy efficiency with significant advances in the use of geothermal, solar, hydropower and other alternative energy resources.



Parks, Recreation and Trails



Natural Environment



Energy Vision Statement





Ouray Ice Park



Photo: Courtesy of Ouray Via Ferrata

Ouray Via Ferrata

BILL WHITT AND GARY WILD CONCEIVED OF THE OURAY ICE PARK IN THE EARLY 1990s TO BOOST WINTER TOURISM IN THE CITY.

Prior to the ice park, Ouray was very quiet in the winter months with very little tourism activity that was solely focused on the hot springs development in the city. Ice farmers and man-made ice features were not even a concept before these two started running water down the sides of the Uncompahgre Gorge to create climbing features.

Ouray Ice Park, Inc. was formed in 1997 to organize the Ouray Ice Park. The Ouray Ice Park currently has over one mile of vertical terrain and over 100 ice and mixed climbs stretching along the Uncompahgre Gorge. The Ice Park attracts upwards of 15,000 people each winter season, with the premiere event the Ouray Ice Festival that attracts world renown climbers, and spectators.

The Ouray Via Ferrata opened in the summer of 2020 in the same gorge used by the ice park in the winter, with the main goal to expand recreational and climbing opportunities in close proximity to the city. The Friends of the Ouray Via Ferrata was formed in 2019 to plan, construct, manage, improve and maintain the via ferrata.

Both the Ouray Ice Park and Ouray Via Ferrata are very important to the local community because they generate significant economic development by attracting climbers and recreationists to the city that spend money on local lodging, dining and shopping. They also expand an already broad recreational base to help Ouray maintain its role as the Recreation Capital of Colorado, while also helping Ouray maintain a robust and unique climbing culture and community.



Photo: Adobe Stock: Vert

PARKS, RECREATION AND TRAILS

Goal PRT 1:
Improve, maintain and develop existing and new city parks as significant community assets with world class recreational improvements and programs.

Actions:

- A. Update the 2010 Parks, Recreation and Trails Master Plan to develop detailed goals and actions for each park; reflect desired maintenance and improvements; and to provide a graphic park plan for each park.
 - i. Planning for any specific park should be comprehensive and include landscaping, circulation, lighting, facilities, trail connectivity, improvements, and all other projected needs and uses.
 - ii. Ensure all park planning is comprehensive, long-range and integrated with other plans to provide for broad recreation planning for all segments of the community.
 - iii. Ensure buildings are designed to fit into the historic character of the community with consistent design in all parks as warranted.
 - iv. Implement green building and development standards where possible for city parks and recreation facilities.
- B. Partner with regional and local recreation providers to develop, improve and create and implement an overall maintenance program and adaptable program for all parks, grounds, vegetation/habitat improvements, buildings and facilities.

- i. Create a forestry management plan for all city parks that addresses planting of new trees, treating diseased trees and removal of hazard trees.
- ii. Develop park design guidelines to ensure all park furniture, bear-proof trash and recycling, fencing, signage, fixtures, equipment and other improvements are consistent in all parks.
- iii. Require natural, aesthetically pleasing fencing of the same design in all parks and prohibit chain link fencing unless such is needed for security or safety.
- iv. Continue to cooperate with the Colorado State Forest Service and the United States Forest Service to treat diseased trees on city property and surrounding federal land.
- v. Develop and implement weed management programs working with the County on all city owned park areas.
- vi. Partner with the Ouray School District to share the costs and responsibilities for improving and maintaining the school playground and park facilities that are used by the students and making school grounds available to residents during non-school hours.
- vii. Provide ADA access where possible to all city parks, with viewing platforms provided in the Ouray Ice Park for ice climbing and the via ferrata.
- C. Provide small pocket parks and community amenity spaces connected to sidewalk and trail systems where possible.
- D. Review and update the park dedication requirements in the LUC to reflect the current cost of providing parks and recreational facilities.



Box Cañon Park

Photo: Angela Dion Brown, courtesy of OCRA



Ouray Ice Park



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 Fellin Park

- E. Consider the following 2021 suggested improvements for city parks when updating the 2010 Parks and Recreation Master Plan:

I. PERIMETER TRAIL PARK:

- a. Recognize the importance of the Perimeter Trail Park to Ouray being a City Within a Park and community that links all of the city parks together.
- b. Engage with the community, stakeholders and property owners to determine if the Perimeter Trail should be maintained and improved by the City of Ouray.
- c. Explore if the City should hold easements, permits, licenses or other Perimeter Trail entitlements.
- d. Determine appropriate Perimeter Trail Park improvements or changes as a part of an overall City park master plan process.

II. BOX CAÑON PARK:

- a. Explore year-round community use of the Box Cañon Park by keeping the visitors center open; and with new or improved buildings and facilities that provide for more community programming and activities.
- b. Provide ADA access where possible, with a focus on upgrading the main trail to the waterfall.
- c. Plant additional trees and vegetation as needed to enhance the environment and the park.
- d. Maintain and improve all trails to ensure public safety and a great visitor experience.
- e. Enhance the nature trail with new interpretive signs or features.

- f. Update and maintain the gazebos.
- g. Preserve the one-way road and pedestrian access along such road.
- h. City geologic interpretation areas.

III. OURAY ICE PARK:

- a. Continue to support the new Ouray Ice Park Water Initiative to provide more reliable water for ice farming.
- b. Provide permanent bathroom facilities and bear-proof trash/recycling for both summer and winter use with a location on the Perimeter Trail.
- c. Support the Ouray Via Ferrata and expansion as desired by the community.
- d. Provide designated viewing areas for the Ouray Via Ferrata.
- e. Encourage improvements to the ice park water system efficiency and aesthetics to stop water leaking and by undergrounding or painting ice park water lines.
- f. Provide more temporary seating for ice climbers and viewers.
- g. Provide more nature interpretive and ice parks signs.
- h. Consider Nordic skiing co-use in the park.
- i. Provide safety and other improvements for the ice park trails.



IV. LEE'S SKI HILL:

- a. Provide seating areas at the base to change boots, rest and allow for parents or others to watch the skiing.
- b. Provide a ski/board rack, bear-proof trash/recycling and permanent bathroom facilities.
- c. Continue to provide a fire pit by the seating area as an amenity.
- d. Revegetate the hill with native wildflower mix.
- e. Consider summer passive and active uses for the ski hill, such as trails, BMX trail, or a zip line.

V. FELLIN PARK:

- a. Improve geothermal resources.
- b. Finish replacing the Hot Springs Pool geothermal water line with insulated water line and other associated system improvements to increase geothermal resources at the pool.
- c. Convert the geothermal well OS-X2 to a heat exchanging system that operates without any shutoff utilizing water from the Biota water line to provide additional geothermal resources to the pool.

- d. Consider removing the Public Works building and the showers from geothermal heat to provide more geothermal resources.
- e. Provide a new Hot Springs Pool bathhouse and gym that includes desired community facilities and programming, such as a new multi-purpose room that can be used for yoga or other classes.
- f. Provide new bathroom facilities to accommodate larger events and improve the current facilities.
- g. Consider expanding pool hours and recreation programming.
- h. Provide a permanent stage for events and the arts.
- i. Expand and improve the current skate park.
- j. Plan and construct the River Park and trail through Fellin Park.
- k. Remove and relocate the pool storage area and Maintenance Building to use these areas for park uses.
- l. Provide better path lighting through the park.
- m. Complete the walking track between the fishpond and the current track.
- n. Provide paving and lighting for the parking lot, with temporary gravel.
- o. Provide additional bear-proof/recycling in the parking lot.
- p. Promote youth sports.



Rotary Park



River Park



Cascade Falls

VI. ROTARY PARK:

- a. Ensure the park is planned and designed as the key gateway recreational park for the city.
- b. Provide for a shade structure or pavilion for the ice rink that also functions for summer recreational activities.
- c. Provide for Zamboni garage and storage with new pavilion facility.
- d. Provide better water control valve for ice rink creation and maintenance.
- e. Maintain the current ice rink until a new pavilion facility is constructed.
- f. Acquire land, an easement or permission to expand this park to include the cliff face to the east and provide and/or encourage new climbing features.
- g. Consider constructing a new bouldering structure.
- h. Provide permanent bathroom and bear-proof trash/recycling.
- i. Consider adding a BMX one-wheel track and out of the ice rink.

VII. RIVER PARK:

- a. Expand the River Park to the south around River Park Townhomes and through Fellin Park all the way to the Box Cañon Park through property and easement acquisition and trail construction.
- b. Provide trail and sidewalk connectivity between the River Park Trail and all city parks and major sidewalks and other trails, such as a trail/sidewalk and Highway 550 crosswalk connection to Rotary Park via the Chautauqua Road Right-of-Way.

- c. Improve the existing feeder trail and buffer to the River Park Trail from the Visitors Center until the River Park trail is constructed through Fellin Park.
- d. Continue to provide or encourage major riparian plantings and maintenance of existing plantings.
- e. Ensure the Colorado West Land Trust is consulted for any activities on land covered by its conservation easement(s).
- f. Provide trailhead signage and year-round permanent bathrooms, bear-proof trash/recycling and trailhead parking and access.
- g. Improve the current River Park Trail.
 - (1) Consider increasing the width and safety of the River Park Trail for better user access and experience.
 - (2) Consider paving or other surfacing consistent with community desires.
 - (3) Provide limited bench areas, bear-proof trash/recycling and additional dog poop bag stations.

VIII. CASCADE FALLS PARK:

- a. Provide permanent bathroom facility with bear-proof trash/recycling.
- b. Evaluate where erosion control and slope stability measures are needed in this park and on the Perimeter Trail leading to the park.
- c. Provide better signage and more passive open space uses, such as picnic tables or a small pavilion.

IX. DOG PARK:

- a. Bench seating.
- b. Gravel or other durable surface to remove mud.
- c. Improve the grading and drainage to remove pooling water.
- d. Additional shade trees.
- e. Regulation dog agility course.
- f. City dog poop bag station.
- g. Area for really small dogs.



X. WOMEN'S CLUB PARK:

- a. Provide permanent bathroom facility with bear-proof trash/recycling.
- b. Provide for more benches and seating areas.
- c. Partner with the Women's Club and school to determine what park improvements are needed.

XI. SCOUT PARK:

- a. Through a community process determine what developments, amenities, or programming are best suited to improve the park.
- b. Consider this park for public art installations opportunities.

Goal PRT-2:

Preserve and enhance the natural character of Ouray's more natural parks, including Box Cannon Park, River Park, the Ice Park and Cascade Falls Park.

Actions:

- A. Preserve the natural character of Cascade Falls Park; Box Cañon Park and other city parks that have more passive park uses and natural habitat.
- B. Enhance habitat in these parks and address tree disease or infestation as needed with proactive methods and reforestation as needed.
- C. Promote native vegetation and remove invasive species and noxious weeds.

Goal PRT-3:

Develop, maintain and enhance the city's trail system.

Actions:

- A. Implement and maintain the trail system shown in Figures 3 and 4 on pages 68 & 69.
 - i. Encourage or acquire all necessary easements for the development of the proposed trails or trail segments prior to construction.
 - ii. Ensure trail segments are constructed within easements.
- B. Prioritize the maintenance and completion of the Perimeter Trail improvements, such as the Main Street crossing by the Hot Springs Pool.
 - i. Work with CDOT on providing this crosswalk as a priority task.
- C. Improve pedestrian and other non-motorized circulation between the parks by connecting existing trail segments and constructing new segments.
- D. Provide and maintain public restrooms trash/recycling at key trailheads and trail locations.

- E. Expand the River Park Trail through the city along the Uncompahgre River as the main trail artery for the city's trail network.
- F. Create new easier-to-moderate trails where possible.
- G. Update and implement the city's sidewalk plan.
- H. Partner with and support efforts of the Ouray Trail Group to provide new trails and maintain trails around the city.

Goal PRT-4:
Provide parks and recreation facilities and programs that meet a variety of needs of Ouray's multi-generational residents and visitors.

Actions:

- A. Support the Parks and Recreation Committee in the development and operation of programs, which provide a variety of activities for the city's diverse population and visitors.
- B. Continue to encourage and solicit the participation of volunteers who are vital to the successful operation of many recreation facilities and programs.
- C. Create more recreation opportunities for youth.
- D. Create more passive outdoor recreation opportunities, particularly for older residents.
- E. Work with the Town of Ridgway and Ouray County to explore the creation of a recreational district to improve recreational programs and facilities.
- F. Develop more indoor recreational facilities year-round.

Goal PRT-5:
Develop the concept of "a City Within a Park" by creating a unified visual theme among the parks and the trail system that is congruent with the city's architecture, history, and natural surroundings.

Actions:

- A. Showcase city and Federal recreational assets with the city surrounded by United States Forest Service Land and open space, and interconnected parks and recreation integrated within the city.

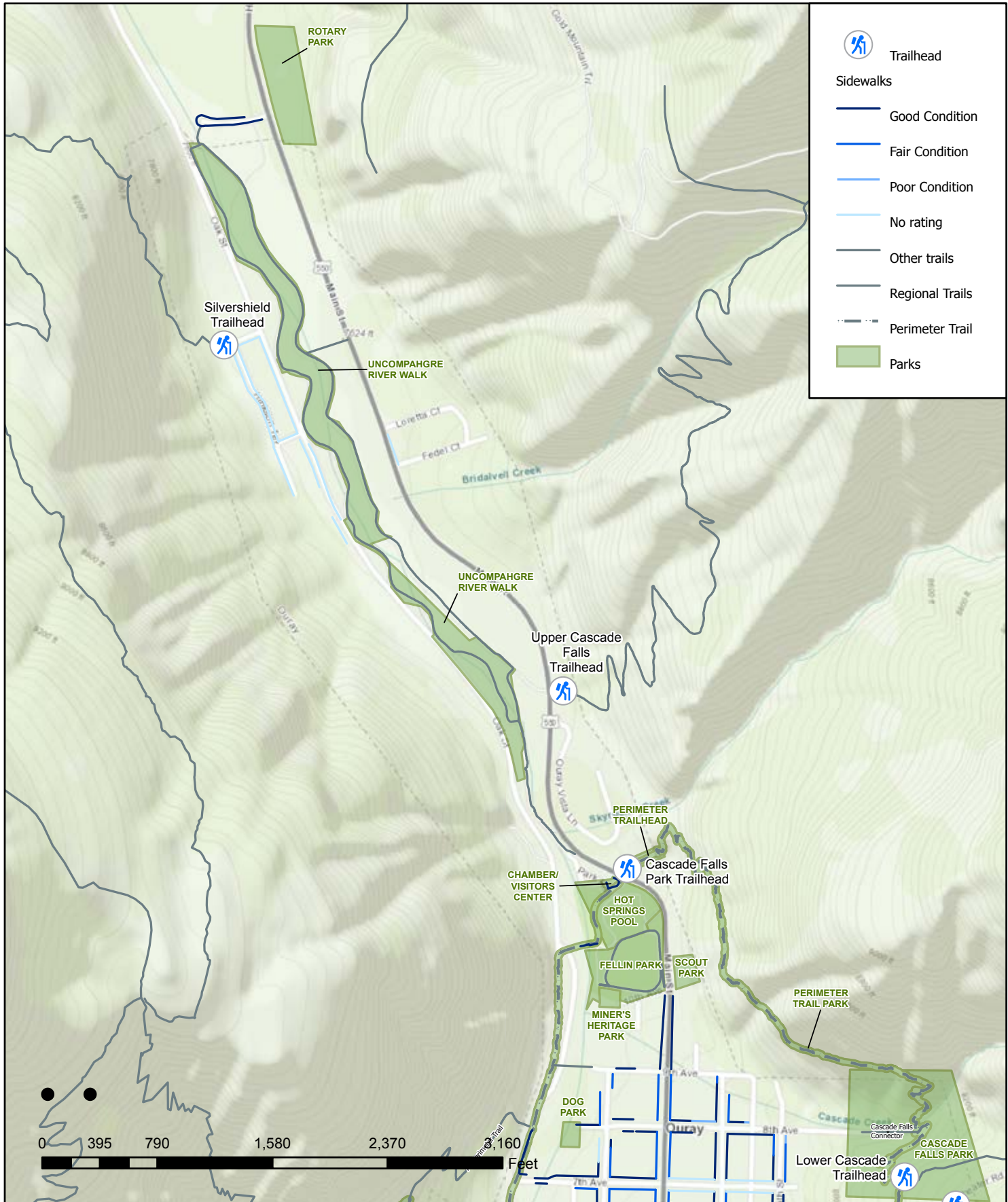
Goal PRT-6:
Address negative impacts caused by recreation/tourism around the town.

Actions:

- A. Partner with and support efforts of the Ouray Trail Group to maintain and improve trails around the city.
- B. Support County, local, state, and federal programs and efforts to maintain trails and reduce environmental and other impacts caused by UHV, OHV and other backcountry vehicles.
- C. Develop better trailhead parking, trailer parking, in town trailer parking.
- D. Develop the horseshoe parking lot on the south side of the city along Highway 550 for more efficient parking and bathrooms.
- E. Consider providing a shuttle to the Alpine Loop parking area to bring in OHV users into the city.
- F. Provide adequately sized bathrooms, trails and other necessary infrastructure to reduce impacts of high trafficked visitor areas. Support existing outdoor recreation businesses and the outdoor recreation culture in the community.
- G. Improve and expand the scope of the Ouray Ice Festival.
- H. Support and encourage climbing and guide services in the city.
- I. Work with CDOT to ensure Red Mountain Pass is kept open through the winter to ensure backcountry recreation access.
- J. Create special event regulations for events in appropriate section plans. With coordination on affected agencies.

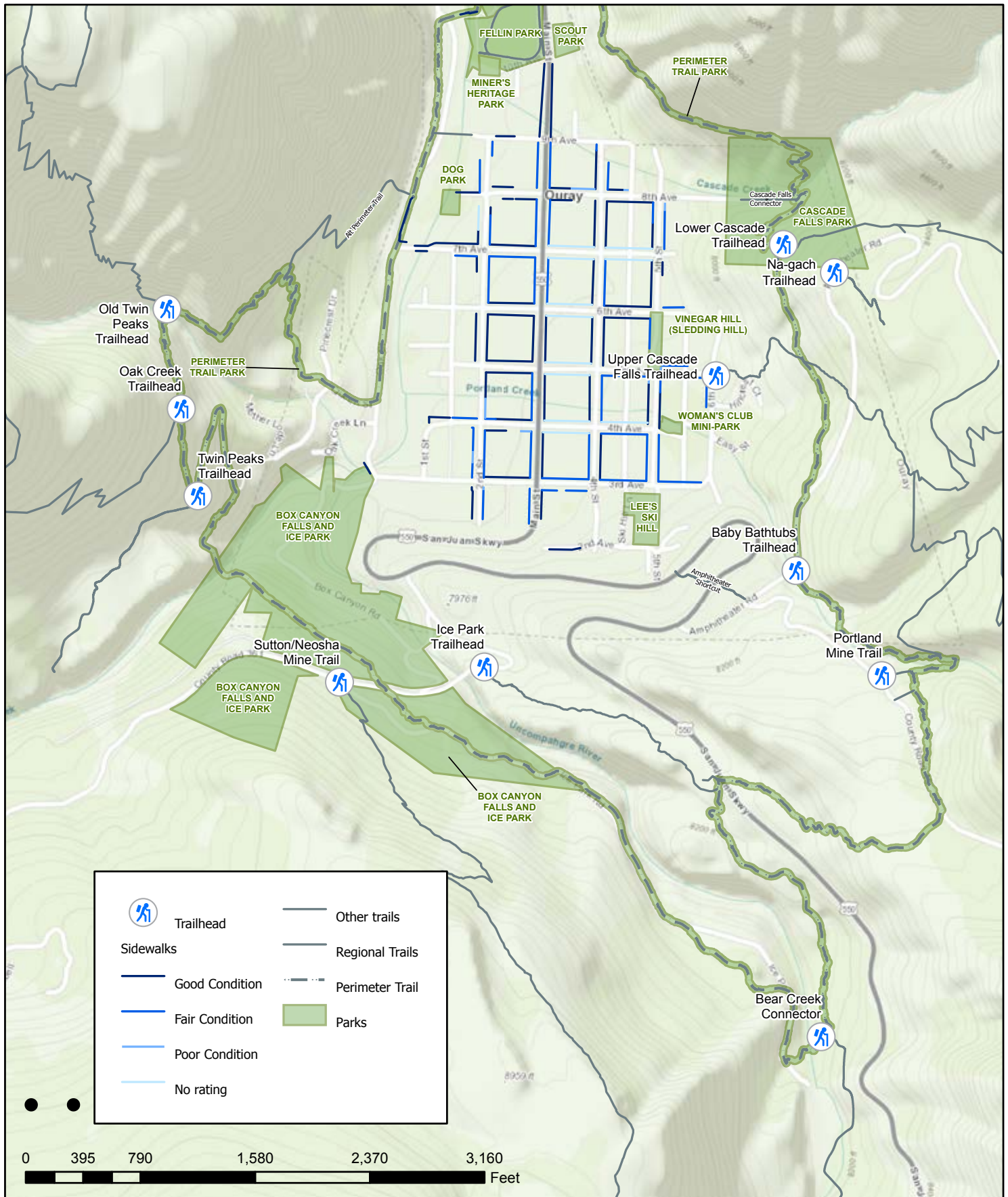


CITY OF OURAY | NORTH CORRIDOR PARKS AND TRAILS | FIGURE 3



Bureau of Land Management, Esri, HERE, Garmin, INCREMENT P, Intermap, USGS, METI/NASA, EPA, USDA

CITY OF OURAY | SOUTH CORRIDOR PARKS AND TRAILS | FIGURE 4



Bureau of Land Management, Esri, HERE, Garmin, INCREMENT P, Intermap, USGS, METI/NASA, EPA, USDA



Photo: Gretchen McArthur, courtesy of OCRA

NATURAL ENVIRONMENT

Goal NE-1: Maintain and improve the Uncompahgre River.

Actions:

- A. Support and encourage efforts to clean up mine pollution in the river basin and improve water quality.
- B. Where possible, improve the river and riparian habitat through restoration plans, removing debris, planting native vegetation, constructing wetlands, removing non-native vegetation, and similar measures.
- C. Consider improving stormwater regulations that better protect water quality.
- D. Create an overall stormwater master plan that provides natural detention and retention where possible and prevents direct discharges into the river or associated tributaries.
- E. Consider creating a river setback to improve riparian habitat.

Goal NE-2: Improve the health of forests within and surrounding the city while also providing wildfire mitigation.

Actions:

- A. Continue to work with the United States Forest Service and Colorado State Forest Service on programs and efforts to improve forest health and wildlife habitat; mitigate impacts from pests or disease; provide for wildfire mitigation; enhance watershed protection; and improve scenic views.
- B. Create an active forest management and improvement program for all city owned property to ensure good stewardship, wildlife habitat, wildfire mitigation, and overall forest health.

- C. Revisit city regulations to ensure that diseased or dead trees are removed or treated as appropriate.
- D. Consider adopting wildfire hazard mitigation regulations in the city to reduce wildfire hazard.

Goal NE-3:
Ensure areas with development constraints are safe for development.

Actions:

- A. Work with state and federal agencies to prepare and adopt a geohazard study for the city that addresses all geohazards, including rockfall, debris flows, unstable slopes, and steep slopes.
 - i. Consider amending the Ouray LUC to create rockfall hazard regulations for rockfall hazard areas.
 - ii. Consider amending the floodplain regulations to address areas of shallow flooding from alluvial fans.
- B. Avoid development within floodplains, where possible.
- C. Consider amending the floodplain regulations to ensure flumes and streams are maintained and/or improved during development to avoid potential flooding during high water runoff event due to clogs caused by debris or other man made alterations and disturbances.

Goal NE-4:
The City of Ouray sustains and improves the beauty and health of the natural environment.

Actions:

- A. New development and infill development should complement the natural environment and should not impact environmentally constrained areas, such as steep slopes; floodways and floodplains; alluvial fans; riparian areas and wetland areas.

- B. Reduce the city's carbon footprint by setting measurable reduction goals.
- C. Ensure that the existing and future water supplies for the city meet or exceed health standards.
- D. Work with the USFS to create and implement a Source Water Quality Protection Program to ensure the city's water quality is protected.
- E. Support efforts that ensure air quality in the Region meets minimum State and Federal standards.
- F. Consider creating wetland regulations to protect these important environmental resources.
- G. Ensure city regulations address the prevention and removal of noxious weeds.
- H. Create a climate action plan to reduce greenhouse gas emissions from the city.

Goal NE-5:
Promote sustainable regulations and policies that reduce environmental impacts.

Actions:

- A. Consider adopting the International Energy Conservation Code to reduce energy use and create greener buildings.
- B. Consider adopting stricter water conservation standards to protect the environment and maximize the city's water capacity for development as envisioned by the Community Plan.
- C. Promote and encourage the use of state and federal energy savings incentives for new and remodeled buildings, such as the Colorado C-Pace Program.
- D. Encourage the use of renewable energy systems in the city.
- E. Support efforts and programs that reduce the amount of solid waste from the city, such as recycling and composting programs.

- F. Encourage existing and new businesses to adopt an ecotourism ethos and practices such as: Green and non-toxic building practices utilizing local materials where possible; energy efficiency; renewable energy; utilizing organic and locally grown food; recycling and composting; gray water reuse; and green operations.

ENERGY

Goal RE-1:

Explore expanding the use of geothermal energy resources in the city consistent with the 2009 Geothermal Energy Report and the Geothermal Resource, Engineering and Economic Evaluation for the city.

Actions:

- A. Create a geothermal action plan for the city.
 - i. Work with major geothermal water rights holders to develop an exploratory drilling program and associated legal agreement to evaluate the feasibility of pumping additional hot water or using heat pumps and exchange systems for more geothermal energy use in the city.
 - ii. Consider the creation of heating district in the city. Analyze if there is enough geothermal capacity to create a geothermal heating district in the city.
 - iii. Prepare a study that evaluates the costs and benefits of a geothermal energy district
- B. Consider consolidating in vaults or using individual discharge of used geothermal water to capture unused geothermal energy through heat pumps or heat exchangers.
 - i. Explore installing a vault to capture the Vinegar Hill and Wiesbaden Motel outflows for heat exchangers or heat pumps that can be used in the city Hall, the Community Center, the Fire Station, the County Courthouse, Historic Museum and Ouray School depending upon the amount of energy captured.
 - ii. Explore installing vaults at the Hot Springs Pool to capture the fishpond outflow for heating city buildings and surrounding properties if there is any remaining excess energy.
 - iii. Explore the use of other unutilized geothermal energy resources throughout the city, with priority for utilizing geothermal energy on city owned resources and facilities.
- C. Explore geothermal energy conservation at the Hot Springs Pool to maximize geothermal resource use through the outfall energy capture.



Goal RE-2:
Maintain city geothermal infrastructure to ensure maximum energy use.

Actions:

- A. Complete the critical Hot Springs Pool geothermal line upgrade and replacement project with the installation of new insulated line, which will increase geothermal energy flow.
- B. Replace the geothermal snowmelt system in the sidewalk around city Hall and the Community Center with new heat pump or heat exchanging system.
- C. Repair, replace and maintain all geothermal infrastructure as needed based on an overall program and capital improvements plan.
- D. Consider the creation of an incentive program to upgrade and maintain geothermal energy systems.
- E. Research potential Department of Energy grants to assist with Geothermal District infrastructure upgrades and expansions.

Goal RE-3:
Support and promote geothermal resources for recreation and energy production.

Actions:

- A. Promote geothermal resources as the centerpiece of economic development in the city.
- B. Support and promote local geothermal initiatives and businesses.
- C. Encourage and support research and projects that expand geothermal energy to new applications, improve energy efficiency and create new geothermal technology.
- D. Support the improvement of existing facilities and the creation of new facilities that utilize geothermal waters for recreation, amenity and health.

Goal RE-4:
Encourage and support new and existing hydropower plant operations in the city.

Actions:

- A. Continue to cooperate and work with the owner of the Ouray Hydroelectric Plant to provide current and expanded electricity production.
- B. Provide additional small-scale hydroelectric plants where possible in the city, the surrounding county area, or the city's water system.
- C. Ensure city and County zoning allows for existing and future small-scale hydroelectric plants and associated infrastructure.

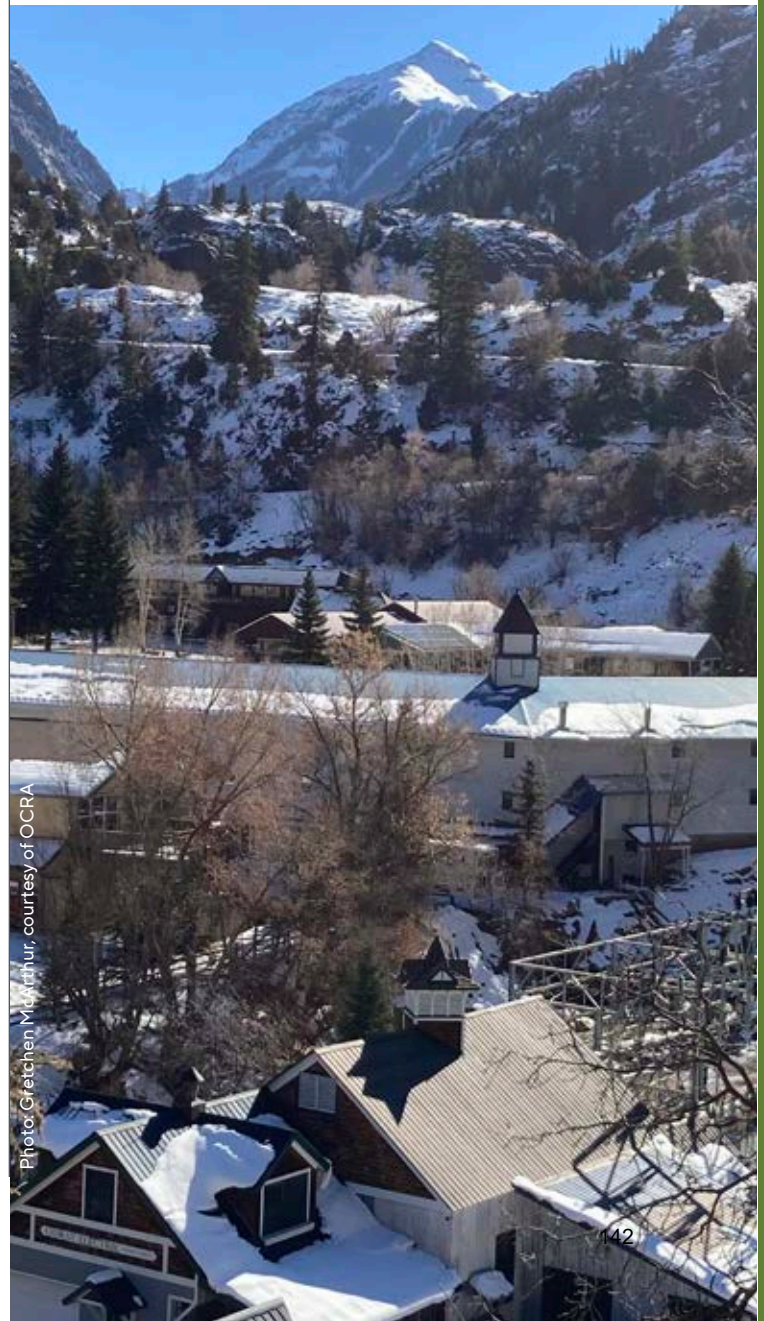


Photo: Gretchen McArthur, courtesy of OCRA

Goal RE-6:
Encourage and support other alternative energy uses in the city, including solar, wind, ground source heat pumps and biomass energy production.

Actions:

- A. Amend the LUC and Municipal Code to provide incentives for solar energy systems, such as maximum height increases, allowance in certain setbacks, and fee reductions or waivers for any required Community Development permits.
- B. Consider amending the LUC to allow for appropriately scaled and designed wind turbines with height increases considered to facilitate wind power.
- C. Provide incentives and allow for ground source heat pumps in all developments.
- D. Evaluate if a biomass energy facility is appropriate in the city given the proximity to abundant wood fuels.
- E. Convert city energy usage to alternative power sources as finances allow.

Goal RE-7:
Encourage energy efficiency improvements throughout the community.

Actions:

- A. Support non-profit and government energy efficiency efforts in the community.
- B. Educate community members and property owners on the importance of improving the energy efficiency of existing buildings, and available programs that incentivize improvements.
- C. Consider conducting an energy efficiency audit of all city facilities and initiating recommended capital improvements as a leading model for property owners to follow.





Photo: Gretchen McArthur

EXCEPTIONAL GOVERNANCE WITH MODERN AND MAINTAINED INFRASTRUCTURE

Photo: Gretchen McArthur

City residents demand exceptional governance with open transparency, excellent communication, and robust engagement. The city has done a great job over the years with elected Council members, appointed board members, staff and the community desiring higher levels of government performance with results on community voting measures and initiatives.

Ouray citizens, property owners, business owners and the State of Colorado are requiring modern and maintained infrastructure that is designed and planned for current and future demand. First on the list is an improved sewer treatment system that meets State of Colorado standards, minimizes adverse impacts and provides adequate capacity for new and anticipated development. Water infrastructure is next with the need to update the city's water plan to ensure current

development and development as envisioned by the Community Plan will have adequate water resource. The historic water source of Weehawken Spring has been the lifeblood of the city, yet it may be influenced by surface waters and need a treatment system. It is also important to ensure more than one water source to have a backup in case some events impact the ability of Weehawken Spring to provide water. Other major infrastructure needs include replacing sidewalks, paving highly used avenues and streets, providing new sidewalks, and maintaining the flumes to prevent shallow flooding. The community has established the following Theme Vision Statements, goals and action to provide exceptional governance, modern and maintained infrastructure and an improved transportation system.

Responsive Governance. The City of Ouray provides responsive, transparent and accountable governance with capital planning to ensure modern infrastructure and improvements; commitment to customer service; and sound fiscal policies where spending is in line with anticipated revenues.

Infrastructure. Ouray commits to and delivers safe, innovative and realistic solutions for infrastructure including water, sewer, streets, and technology to meet the community's desired level of improvement.

Transportation. Ouray strives to provide safe and convenient connected mass transit, pedestrian, bicycle, and vehicular transportation systems in the city, the county and the region.



Responsive Governance



Infrastructure



Transportation



Photo: City of Ouray

RESPONSIVE GOVERNANCE

Goal RG-1:
The City Council, Planning Commission, appointed committees and employees serve the public interest and the overall community.

Actions:

- A. Establish and foster a civil service culture and practice based on exceptional customer service.
- B. Celebrate the value of community service and the impact to community preservation, enhancement and development.
- C. Strive to run city government with transparency, accountability, fiscal responsibility and follow through that will continue to instill citizens trust in the government.
- D. Implement the Community Plan as the best expression of the public interest.
- E. Educate the general public regarding state mandates, restrictions, and long term implications of tax measures and voter initiatives, so they can be well informed when they vote on such initiatives.
- F. Ensure city government acts in line with voter initiatives.
- G. Revise Municipal Code regulations and city processes and procedures to provide efficient and streamlined services.



Goal RG-2:
The Ouray City Council, Planning Commission, city committees and employees are responsive, responsible, accountable and accessible to all citizens, businesses and guests in the city.

Actions:

- A. Ensure accessibility via telecommunications and in person during normal business hours for all departments, with 24-7 availability for police, fire and public works services that protect the public health and safety.
- B. Strive to respond to all communication within one business day.
- C. Improve governmental operations and procedures where possible to maximize taxpayer funds while also ensuring the protection of the public interest.
- D. Improve the development review procedures for more efficient and streamlined processes that do not compromise public input and desired outcomes.
- E. Reduce the debt load of the city where possible to ensure there are no adverse impacts.

Goal RG-3:
Improve communication, engagement and outreach on city services, city projects, community issues and other city matters.

Actions:

- A. Continue to improve and expand central messaging from the city.
 - i. Update, modernize and improve the city website to provide a central location for public information and messaging.
 - ii. Utilize key social media platforms for messaging across all demographic groups in the community, with links on the city website.
 - iii. Ensure the city is the first source of factual information to the community.

- iv. Livestream all Council and Planning Commission meetings and provide citizens the ability to participate remotely wherever possible.
 - v. Utilize video messaging to reach more citizens and provide direct communication.
 - vi. Continue to provide a monthly newsletter on city matters.
 - vii. Initiate an electronic sign up process through the city website that allows citizens to receive important communications.
 - viii. Educate property owners and residents on important City code requirements to assist in consistent code enforcement and improve community communication.
- B. Create and adopt a detailed community engagement policy that must be followed by all city staff to ensure key stakeholders and community members are engaged and participate in all decision-making processes and city projects.
- C. Create and maintain a reporting and response system for all citizen inquiries and complaints to ensure great communication and response.

Goal RG-4:

Ensure all City Council members, Planning Commission members, appointed committee members, employees and contract businesses act with honesty, integrity, respect and professionalism.

Actions:

- A. Review and update city adopted ethical standards for elected officials, appointed boards and staff, and consider if violations should have consequences.
- B. Require respect and professionalism in the conduct of all government service.
- C. Provide annual training for all elected officials, appointed board members and city staff on the required ethics and professionalism standards.



Photo: City of Ouray





Goal RG-5:
The City of Ouray provides for transparent, open and accountable governance.

Actions:

- A. Ensure all city committee, Planning Commission, and City Council meetings are noticed as required by State law and city codes.
- B. Strive to engage the community in all official city meetings, going above and beyond basic noticing with notification to affected stakeholder groups, property owners and citizens.
- C. Provide all City Council, Planning Commission, and city committee agendas, reports, and packets on the city website and share via social media or website sign up requests.
- D. Strive to provide all city files online where allowed by law.
- E. Provide information to the public on the city website about city operations and decision-making processes, and how to participate in such processes; key financial documents and financial processes; and other key documents and process from all city departments.

Goal RG- 6:
The Ouray City Council creates, adopts and implements long-range capital improvement plans to ensure city facilities, vehicles and equipment are maintained; and adequate and desired infrastructure and improvements are provided and maintained.

Actions:

- A. Include Community Plan improvements and projects in the capital improvements plan to ensure implementation.
- B. Require Parks and Recreation Committee, Beautification Committee and Community Economic Development Committee capital projects to be included into the capital improvements plan, along with the costs to maintain desired improvements over time.
- C. Ensure adequate reserve funds for all city-owned and maintained infrastructure.
- D. Provide for long-range city fleet and maintenance vehicle planning.
- E. Create and annually update detailed infrastructure replacement and maintenance plans for all city buildings, all city facilities, the sewer system lines, water system; sidewalks, streets, lights and other city owned and maintained infrastructure for inclusion into the capital improvement plan.

Goal RG-7:
Ensure the city has adequate staffing, facilities, equipment, resources and funds to provide good customer service, maintain existing facilities and equipment, and to implement existing and proposed regulations and laws.

Actions:

- A. Compare the City of Ouray staffing levels to similar mountain communities.
- B. Periodically survey department heads and employees to determine where there may be deficiencies.

- C. Consider establishing more detailed time accounting system to understand employee tasks and associated time.
- D. Consider hiring additional personnel where fiscal resources allow and a clear need is shown.

Goal RG-8:

The City of Ouray develops partnerships with the Town of Ridgway, Ouray County, Ouray School District, City of Montrose, CDOT and other regional governmental and non-profit entities to create and promote cooperative planning and implement the goals and actions of the Community Plan.

Actions:

- A. Work with the Town of Ridgway on transportation planning issues, such as mass transit option, forming or joining a regional transportation authority or creating a recreational path between the communities.
- B. Retain and where possible expand existing facilities and services that serve Ouray County residents as a whole, such as the Courthouse and County Health services.
- C. Explore the feasibility of the Ouray Police Department and the Fire Department on sharing a facility in the city that could free up space for other city offices or city functions.
- D. Work with the County to explore shared services and facilities for taxpayer and government efficiencies and collaboration.
- E. Support interjurisdictional efforts for law enforcement, community health, mountain rescue, ambulance, and other areas.
- F. Maintain and update the current GIS system for the city in cooperation with Ouray County.
- G. Coordinate with the Ouray School District on maintaining a great school system and implementing the Community Plan, such as: partnering on school improvements; providing attainable housing; or providing

desired community services.

- H. Work with Ouray County to create and adopt a Three Mile Plan within the Ouray Area of Influence and amend the Intergovernmental Agreement to implement the Three Mile Plan.
- I. Periodically update the Countywide Hazard Mitigation Plan as required by state or federal agencies.
- J. Foster a great working relationship with the CDOT to realize the vision, goals and actions of the Community Plan, including but not limited to working with CDOT to:
 - a. Determine if Rotary Park can be a rest stop along the scenic byway.
 - b. Lower the speed limit until after Rotary Park.
 - c. Ensure Red Mountain Pass is kept open through the winter to ensure backcountry recreation access.
 - d. Create a wayfinding plan for the city.
 - e. Create a placemaking plan for the Downtown Core.

Goal RG-9:

Ensure the city hires and retains capable and qualified employees.

Actions:

- A. Retain capable and qualified city employees where possible to ensure good public service, efficiency, employee morale, and retention of institutional knowledge through an employee retention plan.
- B. Ensure the city recruitment process and practices hire the best and most qualified employees.
- C. Encourage external advertising for all city positions to ensure the best candidates.

INFRASTRUCTURE

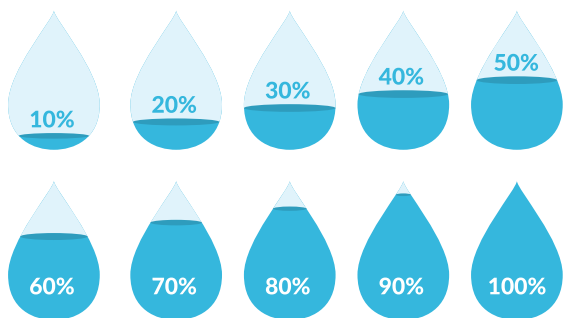
Goal I-1:
Ensure adequate water infrastructure to serve existing, zoned and planned development.

Actions:

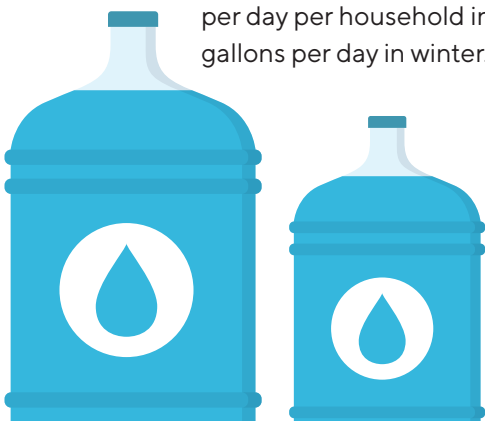
- A. Update and expand the city Water Master Plan that addresses the existing water system distribution system; the water supply requirements based on existing built density, density envisioned by the Community Plan and population projections; the raw water supply and water rights; a water system analysis including if a treatment plant is needed; and improvements needed for inclusion into the overall city Capital Improvements Plan.
 - i. Plan for and provide any needed additional water rights or water infrastructure to meet the growth contemplated in the Future Land Use Plan.
 - ii. Reconstruct the Weehawken Spring collection system, vault and 2.5 miles of transmission lines to the water tanks and build redundancy.
 - iii. Add storage tanks to the water system as needed to ensure adequate water storage for existing, zoned and planned development.
 - iv. Consider reconstruction of the Oak Creek supply line, reservoir, and diversion to diversify water sources and have a backup water source to Weehawken Springs.



- v. Plan for, design and finance the installation of a water treatment system as required by the State.
 - vi. Prepare engineering plans and budget for the construction of the raw water pipeline to provide water to the Ice Park; the hydropower plant and the Hot Springs pool per one of the alternatives in the 2017 Raw Water Pipeline Report.
- B. Develop and implement an educational program on the city water system to ensure efficient operation and use, such as education on water conservation, information on the city’s water source, and data on city water use.
- C. Regularly update and implement the City of Ouray Water Efficiency Plan.
 - i. Implement the installation of the Water Measurement Plan to inventory existing measurement capabilities, and to prioritize desired improvements for measuring and accounting for the city’s water use.
 - ii. Install a meter at the Weehawken Spring vault outlet to better monitor spring production, water use and identify any water loss prior to the water tanks.
 - iii. Develop a plan to improve monitoring of the main components of system infrastructure in order to document water uses and non-revenue water. Add measurement devices to the system in locations that will allow for tracking overall water delivery and identify data discrepancies that may be due to leaks or non-revenue uses.



- iv. Estimate the incremental cost for treating and delivering water based on the system measurement devices; system operational costs; capacity data; and water rights considerations. This will allow the city to quantify the cost-savings of efficiency measures on a broad scale, which is an important factor in planning for city infrastructure growth and maintenance.
 - v. Implement measures to help detect, track and repair water system losses, such as leak detection, winterization of homes and the water system to reduce water use in winter, implementation of the city water meter installation program, and other efficiency measures.
 - vi. Educate the community on the importance of water use and water conservation through education, outreach and leading by example.
 - vii. Work with Mineral Farms to significantly reduce the amount of water used in the subdivision.
- D. Complete the installation of water meters for all water taps throughout the city and in unincorporated subdivisions served by the city.
- i. Implement a new water fee structure based on a water study that is completed after meters are installed in the city and community input.
 - ii. Bury water lines that are not deep enough to save water use because owners are forced to leave faucets dripping to prevent freezing.
 - iii. Strive to get water usage to 350 gallons per day per household in summer and 270 gallons per day in winter.



- E. Continue to repair and replace water lines in the city through the Water Line Replacement Program and set the desired percentage of total water line length that will be repaired and replaced on an annual basis.
 - i. Upgrade water lines to meet NFPA standards concurrent with line upgrade.
- F. Create, update and implement a source water protection plan.
 - i. Identify the city's Source Water Protection Area.
 - ii. Work with Ouray County and the USFS to regulate land use and activities within the Source Water Protection Area to protect water quality and reduce the risk of contamination.





**Goal I-2:
Ensure adequate sewer infrastructure to serve existing, zoned and planned development.**

Actions:

- A. Continue to repair and replace sewer lines in the city through the Sewer Line Replacement Program and set the desired percentage of total sewer line length that will be repaired and replaced on an annual basis.
- i. Upgrade water lines to meet NFPA standards concurrent with line upgrade.
- B. Finance and implement the construction of a new wastewater treatment plant pursuant to the 2018 Wastewater Treatment Plan Master Plan/ Capacity Study.
- C. Continue to implement an annual program to inspect, repair and/or replace city main sewer lines using camera inspection technologies.
- D. Implement and update as needed the city's regulations concerning grease traps installation and maintenance.
- E. Develop and implement an educational program on the city sewer system to ensure efficient operation and use, such as education on Fat, Oils and Grease (FOG), and materials or chemicals that should not be flushed down the toilet.

**Goal I-3:
Provide excellent broadband service to all properties within the city.**

Actions:

- A. Continue to support all State, County and local efforts to provide broadband service to the city.
- B. Maintain the Carrier Neutral Location ("CNL") and provide additional CNL locations as needed.
- C. Consider how to facilitate equitable cost sharing between broadband providers.
- D. Consider providing broadband as a city utility if the private sector does not meet the community's broadband goals and actions.
- E. Work with area broadband providers to create a plan to ensure all properties in the city are connected.
- F. Consider requiring conduit and surveying of such for future use when any entity is trenching in a city right-of-way.

**Goal I-4:
Improve all roads and bridges in the city.**

Actions:

- A. Consider paving and right-of-way improvements for heavily used avenues and streets in the city.
 - i. Ensure improvements are completed in the right order to repair and install infrastructure in the streets prior to paving.
 - ii. Repair or provide sidewalks, drainage, curbs and gutters consistent with the city's design standards when streets are to be paved.
 - iii. Ensure community placemaking is addressed with each phase of design and paving with community input on desired public and pedestrian uses and spaces in the rights-of-way.

- B. Commission an engineering study of all the city bridges to determine structural integrity, lifespan, and an overall replacement plan.
- C. Annually maintain the drainage along and across all dirt streets in the city to prevent erosion, ponding and other adverse impacts.
- D. Provide grading, gravel, dust control and street maintenance as needed.
- E. Construct a bridge across the Uncompahgre River at Uncompahgre Street.
- F. Update and maintain a snow removal and management plan.
- G. Enforce and adjust speed limits in the city as warranted to ensure public safety.

Goal I-5:
Repair and replace existing sidewalks as needed and provide new sidewalks along streets and avenues to improve pedestrian connectivity.

Actions:

- A. Conduct a detailed sidewalk inventory on a block and lot basis that documents where sidewalks need to be repaired or replaced along with financing strategies.
- B. Consider providing annual funding for repairing sidewalk areas while also requiring property owners to repair sidewalk areas as required by the Municipal Code.
- C. Prepare a Sidewalk Plan, and updated as needed, that shows existing sidewalks and where new sidewalks are needed to provide for pedestrian connectivity and community health.
- D. Develop annual funding assistance program for new and repaired sidewalks.
- E. Consider creating an improvement district or other funding mechanisms to upgrade sidewalks in geographic areas of the city.



**Goal I-6:
Repair and maintain the city flumes and drainage to mitigate debris flows and shallow flooding in the city.**

Actions:

- A. Inventory flumes, identify problem areas, and initiate repairs; conduct an engineering evaluation of problem areas as needed; and renew and provide required funding for flume repair, maintenance and replacement.

**Goal I-7:
Provide needed personnel and equipment to monitor, maintain and improve city infrastructure.**

Actions:

- A. Ensure the Public Works Department has the personnel and capacity to monitor, maintain and improve city infrastructure within desired level of services.

**Goal I-8:
Provide needed parking infrastructure to support business and tourism.**

Actions:

- A. Ensure new development has parking provided on-site unless the City Council approves off-premise parking to facilitate a desired use, such as workforce housing, or to meet an allowance of the LUC.



- B. Consider strategies to reduce parking demand, such as a mass transit circulator; the addition of parking meters to limit demand; the creation of interceptor parking lots, and the creation of a more pedestrian-oriented city.
- C. Encourage the conversion of vacant lots within the downtown area to be converted to temporary parking areas.
- D. Explore opportunities to provide additional parking in city rights-of-way.
- E. Encourage underground parking to maximize parking in the city and reduce the visual impacts of parking.

**Goal I-9:
Maintain and improve geothermal infrastructure.**

Actions:

- A. Repair and replace geothermal lines as needed with insulated pipes to maximize geothermal resources.

**Goal I-10:
Ensure the provision of trash, recycling and composting infrastructure.**

Actions:

- A. Continue to require animal resistant trash cans and dumpsters.
- B. Support and require recycling in the city for both residential and commercial uses.
- C. Ensure that recycling providers are actually recycling materials and not hauling to the landfill.



- D. Educate citizens and visitors on the importance of proper trash handling and recycling.
- E. Analyze the feasibility of creating a composting program in the city.
- F. Provide recycling containers and services on Main Street.

Goal I-11:
Update the city’s specifications for roads, sidewalks, utilities and infrastructure, and create a Stormwater Master Plan.

Actions:

- A. Budget for consulting firm to assist staff on updating the city’s infrastructure specifications.
- B. Budget for consulting firm to assist city staff on creating and adopting a Stormwater Master Plan.

Goal I-12:
Work with CDOT to ensure Main Street is improved and maintained, and that highway access is maintained through and to the city at all times.

Actions:

- A. Work with CDOT, businesses owners, and other applicable stakeholders to create a corridor plan for Main Street that is friendly to both pedestrians as well as cars creating a pedestrian friendly experience as well as an environment that businesses will thrive in.

Photo: Pinpoint-Imagery

TRANSPORTATION

Goal TR-1:

Consider providing or supporting in-town, inter-town and regional mass transit solutions to reduce the number of vehicles on the road; reduce parking demand at key city destinations; and to create a more sustainable community.

Actions:

- A. Explore the creation of a shuttle program that connects key destinations in the city during the peak season.
- B. Explore the creation of an inter-town bus service between the City of Ouray and the Town of Ridgway during peak hours.
- C. Explore the feasibility of mass transit connections or alliance with the San Miguel Authority for Regional Transportation or other regional transit authority with connections between Montrose and the Telluride Region.
- D. Support and encourage private transit services to the city from Montrose as an effective way to limit vehicles entering the city.

Goal TR-2:

In order to prevent adverse economic impacts as well as public safety concerns, work with elected officials, Silverton, Durango, Ouray County, San Juan County and La Plata County to keep Highway 550 and other State routes open year round, with unavoidable closures as short as possible.

Actions:

- A. Initiate robust lobbying efforts with affected communities as needed to prevent CDOT or the State of Colorado from closing Red Mountain Pass or other passes for the winter. Creating ideas for mitigating geohazards and associated closures and keeping the highway open year-round.

- B. Work with CDOT and other affected jurisdictions to develop solutions to ensure Red Mountain Pass and other passes stays open in the winter.
- C. Works with CDOT to limit long closures of Highway 550 due to maintenance.

Goal TR-3:

Encourage, maintain and develop transportation systems to serve existing and future residents and visitors.

Actions:

- A. Plan for the improvement and development of transportation facilities based on growth projections, need and budgetary constraints.
- B. Create a transportation and parking study.
 - i. Consider the development of an intercept parking lot or parking structure as a park and ride facility for both visitors and employees.
- C. Evaluate the parking requirements for all land uses to ensure adequate parking and efficient use of land.
 - i. Consider reducing the parking requirements for desired land uses.
 - ii. Consider the adoption of a parking payment in-lieu process in the LUC to allow for payment into a parking fund when parking cannot be provided on-site.
- D. Implement traffic calming measures and crosswalk improvements to slow down vehicles and provide for public safety.
- E. Strive to provide pedestrian, mass transit, and bike systems so residents or visitors do not need to use an automobile in the city.
- F. Encourage winter pedestrianization by removal of snow, maintaining routes, etc.
- G. Create a bike friendly community by adding bike lanes, trails, bike racks, signage, share the road, bike share program and other measures.

- H. Provide enough parking to meet the demand of visitors, residents and employees.
 - i. Consider conducting or initiating a parking study to summarize the parking supply, estimate demand and provide strategies for providing any parking deficiencies.
 - ii. Consider conducting a parking study for RV parking, trailers parking, and where such parking can be provided.
 - iii. Encourage business owners and their employees in the Downtown Core to use alternative modes of transit and to park on side streets.
 - iv. Consider the creation of a parking permit and/or pay to park system or limiting parking times to control parking demand and manage parking in the city.
 - v. Consider allowing the use of vacant lots for temporary surface parking lots in more commercial or industrial areas of the city.
 - vi. Encourage underground parking in commercial development in the Downtown Core to maximize on-street parking for business patrons and visitors.
- I. Evaluate and, where possible, improve commercial deliveries to the Downtown Core with an emphasis on public safety and business efficiency.
- J. Support efforts to create a recreational path and bike lanes along the highway between the Town of Ridgway and the City of Ouray.



COMPLETE STREETS

Complete Streets are designed and operate to enable safe access for all users including pedestrians, bicyclists, motorists and transit riders of all ages and abilities. Historically streets have been designed for the automobile first, however a complete streets design encourages cities, planners and engineers to build streets, especially in urban areas, that consider all applicable users. Complete Streets help create livable communities by planning for a variety of users and abilities.

Complete Streets have a number of benefits including but not limited to:

- 1. Improves safety by reducing vehicle related collisions and pedestrian risk;**
- 2. Provides equitable access to transportation options;**
- 3. Promotes bicycling and walking (reduces infrastructure and transportation cost);**
- 4. Encourages physical activity;**
- 5. Improves the users experience while reducing transportation costs; and**
- 6. Creates a more livable community and boosts the economy.**

The look, feel and function of a complete street is unique to the site context. A rural complete street will look different than an urban complete street, however both are designed to balance the safety and convenience of all users. Complete streets may include wide sidewalks; bike lanes (or wide paved shoulders); special bus lanes for public transportation; pedestrian safety features; traffic calming features; handicap/adaptable features; and other features for all users.

Goal TR-4:
Provide for the design, maintenance and aesthetics of all right-of-way improvements in a holistic and efficient manner.

Actions:

- A. Consider creating a streetscape plan that shows the desired right-of-way improvements and landscaping for different areas of the city.
- B. Develop a plan for undergrounding of overhead utilities working with utility agencies and companies. No new above grade utilities will be created.
- C. Require all utility agencies to be notified when an underground utility project is proposed to ensure coordination and provision of future conduit as appropriate, and require new utility line installers to provide survey of GPS data to the city to update the GIS mapping.
- D. Parking, landscaping, furnishings and other improvements should be designed to accommodate snowfall and snow storage.
- E. Ensure right-of-way improvements are holistically designed to provide for public spaces and in concert with placemaking plans and other community plans.
- F. Provide for the same furniture, fixtures and other improvements consistent with the city's brand and historic character with continuity between benches, trash/recycling cans, light poles, fences and other improvements.
- G. Ensure that all new city improvements will be provided, maintained and replaced as needed through the city's Capital Improvement Plan.
- H. Work with CDOT to ensure no traffic signals are required in the city with roundabouts used if possible.
- I. Ensure all street signage is consistent with the city's overall wayfinding program.

- J. Ensure the LUC requires developers to provide appropriate pedestrian, streetscape and other transportation improvements in the right-of-way immediately adjacent to the project site.
- K. Update the City of Ouray Specifications and Design Standards for Infrastructure.

Goal T-5:
Endeavor to incorporate Complete Streets community into the LUC with safe and convenient automobile, pedestrian and bike transit equally provided to meet the needs of multiple users.

Actions:

- A. Increase walking and biking through pedestrian and bike-friendly street design standards.
- B. Strive to provide improvements that meet the needs of multiple users in all transportation projects.
- C. Strive to provide bicycle routes and pedestrian sidewalks throughout the community.
- D. Integrate vehicular, pedestrian and bicycle transit modes into everyday transportation planning and design.
- E. Ensure planning and design takes into account the needs, safety and convenience of all users of the transportation system.
- F. If a Complete Street approach is not feasible due to topography, disproportionate cost, unsafe conditions would be created, or a documented absence of current and future need, the city should work to determine what Complete Street components (if any) are needed for the proposed project and adapt the project accordingly.
- G. Forming partnerships with other agencies are important to creating a truly multimodal network within the city and between surrounding communities.
- H. Design transit systems to be sensitive to reflect the context and character of the

surrounding built and natural environments and enhance the appearance of the environment.

- I. Address pedestrian and bicycle safety at crossings, along traffic corridors, on routes between residential areas and schools and in other public transportation projects.
- J. Improve access for all residents to existing public buildings, commercial businesses and recreational or open space areas.
- K. Provide capital investments on walking, biking, public transit, and access to recreation and natural areas.
- L. Implement Safe Routes to School improvements within the city.

Goal T-6: Encourage and support the use of electric vehicles and other alternative

transportation options.

Actions:

- A. Encourage new and existing development, and all city facilities, to provide electric vehicle charging stations.
- B. Encourage the use of Neighborhood Electric Vehicles in the city.
- C. Analyze adding electric vehicles to the city's fleet.
- D. Explore the use of electric bikes on city and surrounding trails.
- E. Support the use of one wheels, ebikes, and other alternative transportation modes.



COMMUNITY PLAN IMPLEMENTATION

The Community Plan will be implemented in several ways. First and foremost, it will be used to guide development as provided for in the Ouray Land Use Code. The Community Plan should also be implemented through long-range capital improvement plans and annual budgeting through city staff and City Council review of plan goals, actions and policies. The City of Ouray staff, Planning Commission, Community Economic Development Committee, Parks and Recreation Committee, Beautification Committee, Tourism Advisory Committee and Ouray City Council should annually review and implement the Community Plan to ensure the city remains on track to achieve the Overall Vision and theme vision statements.

This annual review should:

1. Evaluate annual progress on the Community Plan;
2. Align community goals with the annual budget, the city capital improvement plan, and work projects intended by staff and other applicable committees or commissions of the city;
3. Provide community education and outreach regarding the Community Plan; and
4. Prepare and identify needed updates to the Community Plan if the goals or vision of the community changes.

Photo: Mark Johnson



The Community Plan should also be used by all volunteer non-profit boards in the city since these groups are very important to move the city forward as a community and are an integral to the community fabric and culture. The Community Plan should also be used by the business and development community to inform direction on new projects and initiatives. The City should also consider creating new committees or task forces as needed to implement the Community Plan, such as the creation of a City Arts Committee.

The following are the top Community Plan implementation measures that the city should move forward on as priority action items to realize the Overall Vision and theme vision statements, with projects already in progress shown with a blue color:

1. Critical Infrastructure

1.1. Sewer system – Sewage treatment \$\$\$\$

1.2. Water system – Treatment \$\$\$\$ Water Meter + Water Line Redundancy for Supply and Emergency (Ouray Ice Park Project) \$\$\$\$

1.3. Upgrade Ouray Hot Springs Geothermal Lines \$\$

1.4. Flume repair \$

2. New Wayfinding Program and Implementation. CDOT. \$

3. Affordable Housing Initiatives – Create city Housing Authority; reduce minimum lot size; Land Use Code Amendments to Implement the Land Use Plan \$

4. Install Bathrooms at Key Recreation Venues \$

5. Repair and Replace Sidewalks and install New Sidewalks in Key Areas \$

6. Diversify the Economy Through Broadband Initiatives and Efforts \$

7. Encourage New Daycare or Preschool Centers in the Community \$

8. Create a New Parks and Recreation Master Plan that Incorporates all Existing Plans Into One Plan \$

Community input also prioritized implementing the natural environment and parks and recreation goals and actions due to the prominence of both in and adjacent to the city. Community members are also focused on economic development of the city and ensuring the history and heritage of the city are maintained and celebrated.

Price Key:

\$ = <\$100,000 | \$\$ = \$100,000 to \$500,000 | \$\$\$ = \$500,000 to \$1,000,000 | \$\$\$\$ = \$1,000,000

Community Plan Update

The Community Plan should be updated every five years to revisit the Overall Vision, theme vision statements, goals and actions and ensure the plan reflects the current public interest. Already met goals and actions should be removed while adding new goals and actions. Annual review of the Community Plan will also provide areas where the plan should be amended or updated.

GLOSSARY OF TERMS

- **Attainable housing** - The industry definition of attainable, for-sale housing is unsubsidized, profitable housing developments that meet the needs of those with incomes between 80% and 120% of the Area Median Income (AMI). The price points for attainable housing varies depending on the geographic area and AMI.
- **Colorado Main Street Program** - a non-profit program that offers support for community-led downtown revitalization. Goal is to help communities thrive by providing a customizable framework to focus efforts, energy, and resources to create a more vibrant community.
- **Economic resiliency** - The US Economic Development Administration defines economic resiliency as a regions ability to recover quickly from a shock, the ability to withstand a shock and the ability to avoid the shock altogether. The shocks may be caused by significant events in the national or international economy, downturns in particular industries that constitute a critical component of the region's economic activity; and/or other external shocks (a natural or man-made disaster, exit of a major employer, the impacts of climate change, etc.).
- **Green building** - means design, methods and materials to reduce the carbon footprint of a building with improved energy efficiency, reduced costs, and to reduce hazardous chemicals used in building construction and maintenance.
- **Inclusionary zoning** - a planning policy that requires that most new (and some renovated) residential developments include a requirement to provide a set percentage or number of affordable homes or units.
- **LiveWell Colorado Program** - increases access to healthy eating and active living by removing barriers that inequitably and disproportionately affect low-income communities and people of color.
- **Mesker Storefronts** - Based out of St. Louis, MO, the Mesker Brothers Iron Works were designers of ornamental sheet-metal facades and cast iron storefront components. This was a popular storefront for a cheaper pre-made storefront that could be delivered assembled. Ouray has 14 storefronts who still boast the Mesker storefront.
- **Nonprofits Organization** - an organization that has been granted tax-exempt status by the Internal Revenue Service because it furthers a social cause a provides a public benefit.
- **Region 10** - A 501 © 3 non-profit that leverages resources to help build strong communities by providing senior services, small business services, and regional development support to Delta, Montrose, Hinsdale, Gunnison, Ouray, and San Miguel counties.
- **Resilient / resiliency** - The ability of communities to rebound, positively adapt to, or thrive amidst changing conditions or challenges - including human-caused and natural disasters, and to maintain quality of life, healthy growth, durable systems, economic vitality and conservation of resources for present and future generations.
- **Sustainability** - The UN World Commission on Environment and Development defines sustainable development as: "...development that meets the needs of the present without compromising the ability of future generations to meet their own needs."
- **Sustainable tourism** - Tourism that meets the needs of present tourists and host regions while protecting and enhancing opportunities for the future tourists and regions.
- **Tax Increment Financing (TIF)** - is a public financing method that is used as a subsidy for redevelopment, infrastructure, and other community improvement projects. It is often used to stimulate private development in a blighted area that has been determined in need of economic revitalization.
- **Three Mile Plan** - a long range plan that outlines where municipalities intend to annex property and describes how they will ensure providing services to newly annex areas as well as the remainder of the existing municipality.

- **Uncompahgre River** – The Uncompahgre River is a tributary of the Gunnison River and approximately 75 miles long. The name is a Ute word which loosely translates to “dirty water”, “red lake”, or “red water spring” and is likely a reference to the many hot springs in the vicinity of Ouray.
- **Via Ferrata** - A via ferrata is a climbing route that employs steel cables, rungs or ladders, fixed to the rock to which the climbers affix a harness, offering the climber a safer and more protected climbing route.
- **Voyager Youth Program** – A local program whose mission is “Voyager Youth Program seeks to inspire Ouray County’s youth to achieve healthy lives through prevention education programs and enrichment activities with a purpose”.
- **Weehawken Arts program** – A local non profit whose mission is to “provide high quality arts education and person growth programs within our community year round”.

Acronyms

- **ADU** - accessory dwelling units
- **ADA** – Americans with Disabilities Act
- **AMI** – Average Median Income
- **BLM** – Bureau of Land Management
- **CDOT** – Colorado Department of Transportation
- **CNL** - Carrier Neutral Location
- **CIP** – Capital Improvement Plan
- **DOLA** – Department of Local Affairs
- **FEMA** – Federal Emergency Management Agency
- **HEAL** -Colorado Healthy Eating and Active Living program
- **HIRA** – Hazard Identification and Risk Assessment
- **LID** – Local Improvement District
- **LUC** – Land Use Code
- **NFPA** – National Fire Protection Association
- **OCRA** – Ouray Chamber Resort Association
- **OEDIT** – Colorado Office Economic Development and International Trade
- **PUD** – Planned Unit Development
- **TDR** – Transfer of Development Rights
- **TIF** – Tax Increment Financing
- **USDA** – United States Department of Agriculture
- **USFS** – United States Forest Service

OURAY

A SUSTAINABLE CITY WITHIN A PARK



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DRAFT DRAFT DRAFT
City of Ouray
Tourism Advisory Committee (TAC) Strategy
January 2021

The strategy is the why behind the work, and the plan is the when and the what that describes the work.

TAC MISSION – What are we?

The Ouray Tourism Advisory Committee (TAC) represents a cross section of the small businesses, non-profits, and residents of Ouray. We educate ourselves about best practices in the tourism industry, tourism marketing, and the visitor experience. We gather input, plan, prioritize, measure, and advise the City of Ouray on the best actions to take related to the tourism industry in our community. Some of these actions are funded by the Ouray Lodging and Occupancy Tax (LOT) Tourism Fund, as directed by city ordinance, “which exists solely for the purposes of destination marketing, management and development to attract visitors to and enhance the visitor experience within the City of Ouray, Colorado.” Other actions may be funded by other sources as appropriate, including, but not limited to, the city general fund, grants, licensing or advertising fees, product or ticket sales, or special taxing districts.

TAC VISION – What do we wish to become?

Acting as a destination management entity, TAC will propel Ouray to be a place that energizes the minds and bodies of visitors and residents alike, including workers, small business owners, children, and retirees. This plan will be implemented by the City of Ouray by its staff and professional services as deemed appropriate by the City Manager.

TAC VALUES – what are our guiding principles?

Service

The tourism industry of Ouray will serve the people of Ouray.

Balance

We will mitigate the negative effects of tourism, and enhance the positive effects of tourism.

Local-driven

Home-grown, local efforts, by and for our people, are the most worthy efforts.

Learning

It is important to know what we don't know, and to remedy that with ongoing education and training, for ourselves and for our community.

Fiscal Responsibility

We measure what we spend, and spend on things that can be measured-- on budget.

Results-driven Planning

Strategy and goals come before actions. Actions will be measured, and will be designed to convert dreamers into visitors, and visitors into customers, for all tourism related businesses and non-profits in Ouray.

Cooperation

Inclusion and collaboration are some of the most powerful tools we have. Rising tides lift all boats.

STRATEGIC CONTEXT

Ouray's Tourism Assets a.k.a Our Golden Geese

Ouray's density of physical attributes set it apart from other small mountain towns. The walkable, compact commercial core is bracketed by six very unique, publicly-owned features:

- Ouray Hot Springs Pool
- Box Cañon Falls
- Cascade Falls
- Ouray Ice Park
- Ouray Via Ferrata
- Ouray Perimeter Trail

Ouray is a service hub that sits adjacent to thousands of acres of public lands, with nearby access to:

- Sneffels Wilderness
- Uncompahgre Wilderness
- Waterfalls and high mountain lakes
- City parks and city trails
- City ski hill and ice skating rink
- Two Nordic skiing and snowshoeing trails
- Two National Byways: San Juan Skyway (a portion of which is the renowned Million Dollar Highway) and Alpine Loop National Back Country Byway
- High country 4x4 roads: Black Bear Pass, Ophir Pass, Last Dollar Road, and Owl Creek Pass
- Four corners area National Parks: Black Canyon of the Gunnison, Colorado National Monument, Mesa Verde, Arches, Canyonlands
- Ridgway State Park

Ouray's built environment is a National Historic District with numerous, traditional narrow storefronts directly accessed by concrete sidewalks. A number of buildings are notable examples of Mesker storefronts. Other features of note:

- Main Street is state highway 550
- Free, on street parking
- High commercial occupancy rate and few available vacancies
- Small, independently owned businesses
- Significant number of self-employed businesses

With a long history of tourism, the infrastructure and businesses to serve tourists are well developed in Ouray.

- Year round visitor center building on Main Street

- Seasonal visitor center at Box Cañon Falls
- 30+ Lodging businesses with a capacity of approximately 500 rooms
- RV parks & camping cabins with a capacity of approximately 150 spaces
- 100+ short term rental units with an unknown capacity
- 36+ retail establishments
- 20+ dining and beverage establishments
- 12 outdoor recreation equipment and guide businesses
- Numerous creatives and makers, including those in the visual arts, performing arts, and culinary and liquid arts
- 8 personal care and health related businesses
- Destination wedding industry supported by local venues, planners, photographers, lodging, dining/catering, flowers, transportation
- Numerous local non-profit organizations that relate to tourism, and that host events in Ouray
- New fiber optic service (winter/spring 2021)

Second home and vacation home ownership is a significant offshoot of the tourism economy, with service and professional businesses such as:

- Real estate & property management
- Attorneys
- Bookkeepers, CPAs, computer consultants
- Repair, maintenance and cleaning businesses

Ouray's climate has positive impacts on our tourism economy, drawing visitors and heat refugees from other US regions, and allowing many of our natural and man-made attractions to exist.

- Four distinct seasons with no extreme temperatures
- Ice park, groomed snow trails
- Wildflower blooming, mushrooms, unique wildlife, and summer outdoor recreation
- Nesting habitat inside Box Cañon for a rare migratory bird, the black swift

Trends & Challenges

The following trends and challenges include both positive effects and areas of concern that come from outside the City of Ouray. These factors should be anticipated in future tourism related efforts, including marketing and communications plans.

Pandemic refugees and cabin fever

Pandemic travel to our region in 2020 resulted in Ouray's sales tax revenues increasing for another record year, as visitors fled to Ouray for its perceived safety. As more people are vaccinated into 2021, we expect a significant increase in visitor numbers when people who curtailed their travel in 2020 begin to travel again, with gusto.

Small business and maker renaissance

Long term consumer behavior continues to shift away from the homogenous mainstream national chain shopping and dining, toward hyper-local consumption. This was accelerated by the pandemic, as many people sought to support small businesses via online ordering. Nationally, there is a small-business revival happening in hundreds of traditional and historic downtowns, including in Ouray.

Overtourism and the Instagram Effect

Public lands in general, and in southwest Colorado in particular, continue to have increased visitor numbers year over year. Visitors who behave badly are increasing in number as well.

Spurred by years of social media exposure, and the subsequent pandemic, record numbers of visitors to public lands are causing destruction of fragile environments, including rampant human waste, trash, and human caused wildfire. One of the most popular area trails, Ice Lakes Trail, will be restricted to permit holders only, which will likely displace hikers to other fragile trails near Ouray.

Dispersed campers on federal, state, and private lands are also causing similar impacts. Larger and larger numbers of motorized recreationalists are eroding existing roads, destroying fragile tundra, having more accidents with injuries that burden emergency services, and even getting into physical altercations with each other. Law enforcement in the back country is sparse or non-existent.

In the city limits, parking for OHV trailers is not well marked, and in some places like the first switchback parking just south of town, these trailers are displacing people who use the Via Ferrata and Ice Park.

With a lack of wayfinding to public restrooms, and with more illegal overnight camping in Ouray, people are defecating along city streets, sometimes even during daylight hours.

Summer-creep, and winter expansion

As social media continues to drive huge numbers of summer visitors, other visitors are pushing their trips further out in the calendar to September and October. This has resulted in significant increases in local sales tax revenues during those months.

In the past, like other non-ski area towns, Ouray's tourism economy was almost entirely restricted to the summer season. With the development of the Ouray Ice Park, winter has become an important supplement, resulting in a majority of lodging, dining, retail, recreation, and wedding related businesses being able to be open year round, though not yet producing revenues that match summer or fall.

The year round operation of the Ouray Hot Springs Pool also attracts winter visitors, although data related to this is anecdotal due to lack of tracking.

Winter visitors tend to gravitate to the weekends much more than summer and fall visitors. The majority of these travelers come from closer regional areas such as the front range, western slope, and New Mexico locations. Lower-spending day trippers make up a large portion of these visitors, and include curious people from the ski areas of Telluride and Purgatory. Ice park visitors tend to be both in-state and out of state in origination, with higher education levels and higher household incomes.

Interest in back country skiing has been increasing and could be an economic driver in the future.

Mother Nature

One of the greatest risks to Ouray tourism is continued climate change, impacting everyday life and parts of the tourism economy here.

- Warmer and/or shorter winters negatively affect all winter outdoor recreation.
- Less snowpack, snowpack dust, and early snow melt affect all outdoor recreation year round.
- Less snowpack and short or non-existent monsoonal rains result in extreme or exceptional drought conditions, resulting in high fire danger, wildfires, and poor air quality across the west, affecting all outdoor recreation and quality of life for all visitors and residents.

Mountain weather extremes are a natural occurrence in our area.

- Road closures are expected for avalanche mitigation or rockfall removal.
- Mud slides or rock slides are expected along Highway 550 and on high country 4x4 roads.
- Preventative maintenance to Highway 550 results in occasional construction delays and/or closures.
- Lightning, especially above tree line, is always a danger to back country travelers.
- As more people use the back country during the winter, human/avalanche conflicts increase.

5 STRATEGIC OBJECTIVES – How are we going to achieve our vision and measure success?

1. Tourism Marketing Strategy & Plan Implementation

When: 2021 to 2023, with annual measurements and plan adjustments

Who: Tourism marketing director, in coordination with the Main Street manager, city staff and professional services as deemed appropriate by the City Manager.

Develop and implement a results-driven content marketing communications strategy for tourism, as follows:

- Make separate plans for each major Ouray attraction.
- Make plans for each major tourism business sector: lodging, dining, retail, recreation, weddings.
- All plans should be tailored to each season and/or holiday as appropriate.
- Plans should identify those assets that are overused or endangered, shift attention away from them, and redirect or disperse visitors to other, more resilient assets. Focus on target markets that are stewards of Ouray's assets (ecotourists, volun-tourists, higher education and income levels, cultural heritage tourists, non-motorized visitors, learning visitors).
- Establish Ouray-centric goals based on numerical benchmarks. These primary goals should include: total gross revenues and sales tax revenues, gross and sales tax revenues by sector, visitor numbers, admission fees, job numbers, and earned income.
- Secondary goals should be related to “reach,” including website visitation, digital downloads, request for print or digital files, phone or email inquiries, social media interactions, or advertising reach.
- Establish quality of life goals with resident input, and measure with surveys, interviews, or other benchmarks as appropriate.
- Compile and maintain a comprehensive directory of all tourism related businesses within the City of Ouray and incorporate this into the marketing plans as appropriate.
- Build and maintain an online events calendar and implement a policy for posting tourism-related Ouray events.

- Conduct a content inventory and a content gap analysis. Conduct research, fact check, and fill the gaps.
- Implement, and constantly maintain, a visitor-targeted communication plan for emergencies, highway closures or other road conditions, recreation conditions including hiking and 4x4 trails, parks, campgrounds, weather or fire conditions, information about airports or private transportation services.
- Build a media library and implement protocols, ethical standards, and licensing policies for media inquiries. Create licensing policies for city-owned brands as appropriate.
- Implement policies for incorporating businesses and events that occur outside of the City of Ouray into our digital or print marketing efforts, without diluting or diminishing Ouray's messaging and without deviating from the Ouray-centric goals of the overall marketing strategy.
- Conduct a lodging survey to determine complete industry details, including capacity, occupancy, and opportunities.

2. Visitor Center Operations

When: 2021 to 2023, with annual measurements and plan adjustments

Who: Visitor Center manager, trained volunteers, coordination with Main Street manager, city staff and professional services as deemed appropriate by the City Manager.

Develop and implement a results-driven strategy to include:

- Include both the Main Street visitor center and Box Cañon Falls visitor center in a cohesive plan, and utilize both facilities for this strategy.
- Write concierge protocols. Train staff and recruit and manage volunteers to follow them.
- Increase the length of stay for visitors, if lodging capacity allows, by providing visitors with itineraries and information about activities that will fill their time in meaningful ways, and that match their interests. Do this in advance of their visits, and for drop-in visitors.
- Match visitor inquiries with Ouray activities and Ouray businesses as much as possible.
- Make in-person visits to local businesses and create an inventory of their offerings in order to make visitor referrals to lodging, dining, shopping, recreation, events, and other businesses.
- Refer visitor inquiries directly to information on the official website, and to official digital media as much as possible. Distribute print as a last resort.
- Inventory and maintain the information and content needed by visitors to make their plans, to extend their stays, to increase their spending in Ouray businesses.
- Track and measure all inquiries. Track conversions if possible.
- Gather visitor contact information, particularly their email addresses and other demographic information.
- Acquire the Ouray, Colorado Facebook group (currently 27k members as of January 2020), manage it, answer visitor inquiries on it, and support visitor inquiries with links back to the official visitor website. Purge the trolls and incorrect information. An alternative would be to start a new group for official visitor information.
- Use the visitor centers as venues for education and stewardship, working in partnership with the tourism marketing director and other personnel as described in “Education & Enforcement” strategy below.
- Offer water, coffee, and clean restrooms for visitors.
- Provide public office space for the Main Street manager as described in strategy #4.

3. Education & Enforcement

When: 2021 to 2023, with annual measurements and plan adjustments

Who: tourism marketing director, visitor center manager, city police, federal officials including USDA Forest Service and/or Bureau of Land Management personnel, State of Colorado Parks and Wildlife, neighboring towns and counties, city staff and professional services as deemed appropriate by the City Manager.

Develop and implement a results-driven educational strategy as follows:

Goals should include the reduction of both back country and in-town deterioration of assets, including reducing human defecation, trash, vandalism, trail and road erosion, rescues and emergency calls for accidents and injuries, and altercations.

Partner with appropriate existing national education and stewardship programs such as Leave No Trace, with federal, state, and local entities to create an interpretive and educational communications plan, implemented in all marketing channels and wayfinding materials, and to include direct interface with the public.

Join and expand the existing Alpine Loop Ranger program to include additional rangers and more coverage of the back country. Educate, and enforce infractions with warnings, fines, or confiscation as appropriate.

4. Main Street Program

When: 2021 to 2023, with annual measurements and plan adjustments

Who: Main Street manager, city advisory committees, tourism marketing director, city staff and professional services as deemed appropriate by the City Manager.

Bring the following existing city committees under the city's Main Street umbrella, to match the Main Street four-points approach, and create work plans for each committee:

Promotion = Tourism Advisory Committee (TAC)

Design = Ouray Beautification Committee (OBC)

Economic Development = Community Economic Development Committee (CEDC)

Organization = Manager and volunteers

In partnership with the tourism marketing director, network with Ouray businesses and the four committees to create work plans and content that includes:

- Shop Local branding and campaign
- Ouray Made branding and campaign
- Holiday promotions and gift guides
- Dining guides
- Lodging guides
- Recreation guides
- Events guides
- Events to ring cash registers, fill bellies, and put heads in beds
- Seasonal festive décor
- Welcome packages to new businesses and new residents
- Volunteer recognition and thank yous

- Business development needs analysis and technical assistance to business owners
- Database inventory of businesses located in Ouray, an email list and PO box mailing list, a regular business owner newsletter, and a website to facilitate communications between business, non-profit, and municipal entities
- Wayfinding and pedestrian capital improvements
- Other project priorities as identified by the Main Street manager
- Public office hours at the visitor center

5. Wayfinding & Pedestrian Experience

When: 2021 to 2023, with annual measurements and plan adjustments

Who: wayfinding technical consultant, tourism marketing director, Main Street manager, city advisory committees, Colorado Department of Transportation, Colorado State Forest, Arbor Day Foundation, city staff and professional services as deemed appropriate by the City Manager.

Develop and implement a wayfinding plan and an improved pedestrian experience plan that prioritizes pedestrian safety over vehicles, and that provides for the following:

- Visually-cohesive directions to essential services, attractions, and businesses, using digital and print media, people-scale signage, kiosks
- Improved foot traffic to side-street businesses
- Completion of sections of sidewalks that currently dead-end and lead nowhere, plus “trail mix” to form temporary walkable pathways
- Traffic-calming features, improved crosswalk visibility, bump outs
- Bump outs and painted city crosswalks where side streets meet Main Street, and high traffic side streets such as 7th Avenue
- Alternatives to angle-in parking on Main Street that currently requires backing into state highway traffic
- Safety features to prevent vehicles from crashing onto the sidewalks or into buildings (this might be addressed by finding alternatives to the angle-in parking)
- Better and more ADA accessible parking spots
- Exploration of the pros and cons to parking meters as a funding source for improvements
- Repair of deteriorated sidewalks
- Improved pedestrian lighting for safer night time footing
- Clearing of icy sidewalks and intersections for pedestrians in winter
- Clearing of highway gravel from sidewalks and crosswalks
- Discouragement of wheeled transport on sidewalks (bicycles, scooters, electric stuff)
- Bicycle racks and bike lanes
- Shade/weather shelters
- Tree planting and maintenance program in partnership with the Colorado State Forest Service and implement the Arbor Day Foundation's Tree City USA program

**CITY OF OURAY
ORDINANCE 2021-02**

AN ORDINANCE OF THE CITY OF OURAY REPEALING AND REPLACING SECTION 5-8 OF CHAPTER 5 OF THE OURAY MUNICIPAL CODE CONCERNING ENFORCMENT OF FINES TO PROVIDE AUTHORITY FOR THE COURT TO ENTER A CIVIL JUDGMENT IN FAVOR OF THE CITY OF OURAY FOR FAILURE TO PAY ANY FINES, FEES, OR COSTS AND ASSIGN SUCH CIVIL JUDGMENT TO A PRIVATE COLLECTION AGENCY FOR COLLECTION ALONG WITH ALL INTEREST, COSTS, AND REASONABLE COLLECTION FEES ALLOWED BY LAW.

WHEREAS, the City of Ouray is a home rule city which established a municipal court under Article V11 of the City of Ouray Home Rule Charter, adopted on May 5, 2009;

WHEREAS, local authorities may enact and enforce traffic regulations on roads and streets within its jurisdiction and municipal courts have jurisdiction over violations of traffic regulations enacted or adopted by municipalities pursuant to C.R.S. § 42-4-110;

WHEREAS, the City has no mechanism for reducing the fines, fees, and costs owed to the City of Ouray from a defendant to a civil judgment and allowing for the assignment of such judgement to a private collection agency; and

WHEREAS, the City finds it necessary to repeal and replace Section 5-8 concerning enforcement of fines to allow the Municipal Judge to enter a civil judgment in favor of the City of Ouray for all fines, fees, or costs and to allow for such civil judgments be assigned to a private collection agency, along with turning a delinquent ticket over to the state.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OURAY, COLORADO that:

SECTION 1.

Section 5-8 of the Chapter 5 of the Ouray Municipal Code is repealed and replaced as follow:

5-8 Enforcement of Fines, Fees, and Costs

- A. If a defendant fails to appear at a mandatory court appearance date, the Court may enter a civil judgment in favor of the City of Ouray and against the defendant upon request of the City for any outstanding fines, costs, or fees which the defendant has failed to pay. The civil judgment may be assigned to a private collection agency for the collection, together with all interest, costs, and reasonable collection fees allowed by law. Interest on such civil judgment shall be at the rate of eight percent per annum, compounded annually.
- B. If a defendant fails to appear at a mandatory court appearance date and the violation can be reported to the State of Colorado as an outstanding judgement warrant (OJW) on the

defendant's record, so that that it must be resolved or the defendant's license to drive may be canceled or denied, the Court may issue the OJW, upon request by the City.

- C. Incarceration for failure to pay is prohibited absent the Court following the procedural protections set forth under C.R.S. § 18-1.3-702, as amended.

SECTION 2: EFFECTIVE DATE.

The provisions of this Ordinance shall become effective pursuant to City of Ouray Home Rule Charter, 3.5 which is thirty days after publishing following the second reading.

SECTION 3: SEVERABILITY

Each section of this Ordinance is an independent section and a holding of any section or part thereof to be unconstitutional, void, or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other section or part thereof.

SECTION 4: SAFETY CLAUSE

The City Council hereby finds, determines, and declares that this Ordinance is promulgated pursuant to the City's home rule authority and under the general police power of the City of Ouray and that it is promulgated for the protection of the health, safety, and welfare of the citizens of the City of Ouray. The City Council further determines that this Ordinance bears a rational relationship to the legislation proposed hereof.

SECTION 5: PRIOR PENALTY

The amendment of various provisions of the Ouray Municipal Code by this ordinance shall not affect any offense or act committed, any penalty incurred, any contract, right or duty established or accruing before the effective date of this ordinance.

INTRODUCED, READ, APPROVED AS INTRODUCED, AND A TITLE AND SUMMARY ORDERED PUBLISHED on first reading by _____ vote of the Ouray City Council, this 1st day of March 2021.

CITY OF OURAY, COLORADO

Greg Nelson, Mayor

ATTEST:

Melissa M. Drake, City Clerk

INTRODUCED, READ, ADOPTED AND TITLE AND SUMMARY ORDERED PUBLISHED on second reading by ____ vote of the Ouray City Council, this __ day of March 2021.

CITY OF OURAY, COLORADO

Greg Nelson, Mayor

ATTEST:

Melissa M. Drake, City Clerk

DRAFT