

**AGENDA  
OURAY PLANNING COMMISSION**

**Tuesday, December 9, 2025 - 4:00 PM**

**Ouray Community Center, 320 6th Ave, Ouray, CO 81427**

**VIRTUAL OPTION - <https://zoom.us/j/98645657434>**

Meeting ID: 986 4565 7434 Passcode: 788405 Or dial: +1 346 248 7799

**Ouray Planning Commission Regular Meeting**

- Changes to this agenda can be found on the bulletin board at City Hall
- Electronic copies of the Planning Commission Packet are available on the City website at [www.cityofouray.com](http://www.cityofouray.com). A hard copy of the Packet is also available at the Administrative Office for interested citizens.
- Notice is hereby given that a majority or quorum of the City Council, Ouray Economic Development Committee, Beautification Committee, Tourism Advisory Committee, and/or Parks and Recreation Committee may be present at the above noticed Planning Commission meeting to discuss any or all of the matters on the agenda below for Council consideration

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. PUBLIC HEARINGS**

**4. APPROVE MINUTES**

**N/A**

**5. CITIZENS COMMUNICATIONS**

**6. ACTION ITEMS**

**N/A**

**7. DISCUSSION ITEMS**

- 1. Introduction of Headwaters Economics: Ryan Handy and Susan Riggs (Colorado Wildfire Resiliency Code)**
- 2. Introduction of Housing Services Director: Eva Henson (Home Trust of Ouray County)**
- 3. Community Development Director Updates**
  - **CWFRC Timeline and Scheduling**
  - **Planning Commission — Vacancies & Alternate**
  - **LPC Grant/Prop 123**
  - **Department Administration**
- 4. Other Business**

**8. ADJOURNMENT**



## Key Considerations for Adopting Colorado's Wildfire Resiliency Code

There are a few primary ways to adopt Colorado Wildfire Resiliency Code. Each approach has pros and cons and unique considerations, although for most communities in Colorado we recommend the third option listed below (a hybrid approach).

1. **Separate “Overlay”:** Adopt as is, by reference;
2. **Integrated:** “Copy and paste” into existing code;
3. **Hybrid:** Adopt by reference, with local additions.

	<b>Option 1: Separate Code</b>	<b>Option 2: Integrated Code</b>	<b>Option 3: Hybrid Code</b>
<b>Description</b>	An entirely separate code that is not integrated into other codes and ordinances. This would appear as a separate document in the code.	A code that has been broken down and integrated into appropriate places within the community's existing code. There would be no stand-alone code in this case.	An entirely separate code that is adopted by reference, but which has also been integrated into existing codes. (Existing codes have been edited to remove conflicts and redundancies.)
<b>Process</b>	Adopt the code by reference. The requirements in this code would supersede all other regulations that address the same aspects	All of the community's codes and ordinances must be rewritten to include new elements from code. Once rewritten, the new code must be adopted. This process must repeat every time the state's code is updated.	Adopt the code by reference, but ensure that all conflicting and/or redundant language from other codes is removed. Ensure that all ordinances cross reference the new code.



Community Planning Assistance for Wildfire

<p><b>Advantages</b></p>	<ul style="list-style-type: none"> <li>• Clear scope: Keeps wildfire-specific standards isolated and easier for staff to interpret.</li> <li>• Modular: Updates can be made quickly when science, maps, or best practices change.</li> <li>• Technical alignment: Works well when adopting or amending the state code directly without rewriting base ordinances</li> </ul>	<ul style="list-style-type: none"> <li>• Fewer or no contradictions between new regulations and existing codes.</li> <li>• The new code can be rolled into existing planning and permitting processes across departments.</li> </ul>	<ul style="list-style-type: none"> <li>• Easy updates when codes adopted by reference change. This means minimal to little work for staff to adopt the new code.</li> <li>• A balanced approach that combines the clarity of a stand-alone code with the efficiency of integrated enforcement.</li> </ul>
<p><b>Challenges</b></p>	<ul style="list-style-type: none"> <li>• Creates a “fourth code”: Adds another compliance layer for applicants who already navigate the Building, Fire, and Land-Use Codes.</li> <li>• Potential conflicts and gaps: Stand-alone language may overlap or</li> </ul>	<ul style="list-style-type: none"> <li>• The entire code will have to be rewritten as new versions of the WUI code are released.</li> <li>• More work for staff to maintain and update.</li> <li>• Greater chance of error and confusion.</li> </ul>	<ul style="list-style-type: none"> <li>• Harder to adjust the code to local exceptions and needs.</li> <li>• Can be confusing for government staff to work into existing approval processes.</li> <li>• Can mean less buy-in from communities.</li> <li>• Administrative silos: Plan review and enforcement may fall between departments unless</li> </ul>



	<p>contradict existing provisions on site design, landscaping, or construction materials.</p> <ul style="list-style-type: none"> <li>• Administrative silos: Plan review and enforcement may fall between departments unless roles are clearly coordinated.</li> </ul>		<p>roles are clearly coordinated.</p>
<b>CPAW Recommendations</b>	<p>A separate overlay code is a good option for communities that do not intend to exceed any state measures.</p>	<p>CPAW does not recommend this approach because of the burdens it places on communities.</p>	<p>A hybrid approach is likely the best option for all communities, especially those that wish to exceed state standards.</p>

### Steps to Adopting a Hybrid Approach

CPAW recommends that communities in Colorado take a “hybrid model” approach to adopting the new WRC, which combines the clarity of a stand-alone code with the efficiency of integrated enforcement. This will likely be the best option given the timeline of adoption and implementation, but it will also likely be the easiest for smaller, lower-capacity governments to maintain over time.

#### Step 1: Decide how you are going to adopt the code

- Clarify adoption method—within Fire, Building, or Land Development Codes, or by cross-reference across all three.
- Adopt the state’s WRC by reference within the community’s Fire Code, Building Code or Land Development Code, depending on the community's capacity.
- Adopt with community-specific amendments (fuels, slopes, cultural materials).



- Provides a technical, defensible standard consistent with national models.
- Establishes the Fire Department (or building or land use) as the lead for administration, inspections, and enforcement.

### **Step 2: Decide on a mapping approach Land Use Code (LUDC) Overlay Map**

- Determine mapping approach. See the options provided.
- A community's map will dictate where the code applies.

### **Step 3: Link the WRC to other codes**

- Integrate WRC standards into site planning, landscaping, and access requirements.
- Embed wildfire-resistant construction requirements (e.g., Class A roofs, ember-resistant vents, soffit/eave protection, deck and fence adjacency) with citations back to the state WRC.
- Builders encounter WRC provisions within normal building workflows.

### **Step 4: Integrate Administrative Processes**

- Define when WUI compliance is reviewed (planning, permitting, final inspection).
- Fire Prevention Division: Administers and enforces defensible space, maintenance, and access standards.
- Planning Department: Confirms overlay applicability and subdivision/site compliance.
- Building Division: Reviews materials, assemblies, and structural details for compliance.
- Shared definitions and responsibilities prevent duplication or enforcement gaps.

### **Step 5: Coordination with Existing Plans & Neighbors**

- Align WRC with the Hazard Mitigation Plan and CWPP to enhance FEMA/state funding eligibility.



## Frequently Asked Questions about the Colorado Wildfire Resiliency Code

### Is this really mandatory?

Yes, according to 24-51237(2)(d) C.R.S., all communities in Colorado are required to adopt the new Wildfire Resiliency Code. This is intended to supplement a community's building and fire codes, if such codes have been adopted. The state code is a minimum standard. Communities are welcome to exceed the code but cannot implement measures less strict than the code. The code must be fully adopted and implemented (or in effect) by July of 2026.

The code, however, only applies to areas that have mapped wildfire risk (of low, moderate or high intensity) on the Colorado risk map.

### What are the differences between the 4/26/26 “adopt” deadline and the 7/26 “comply” deadline?

Communities will need to formally adopt the code by April 26, 2026, however, the code does not need to be in effect until July 2026. This means that any new development that is permitted between April and July will not have to comply with the new code's regulations.

### Who has to implement the code? Who has to enforce it?

According to 24-103(4.5)(a)(c) C.R.S. the Regulatory Analysis of the Draft Rules 8 CCR 1507 concerning the adoption of the 2025 Colorado Wildfire Resiliency Code, governing bodies include:

*“(I) The City Council, Town Council, Board of Trustees, or other Governing Body of a city, town, or city and county; (II) The Board of Directors of a Fire Protection District organized pursuant to part 1 of article 1 of Title 32; (III) The Governing Body of an improvement district that provides fire protection services organized pursuant to part 5 of article 20 of Title 30; or (IV) The Board of County Commissioners with respect to the area within a county that is outside the corporate limits of a city or town and outside the boundaries of Fire Protection District.”*

Governing bodies with land use regulatory authority must adopt and implement the code. This means municipal or county governments and their planning, building and fire departments. Not all fire districts implement building or fire codes, but those that have regulatory authority to do so will also be responsible for implementing and enforcing the new state code.



In addition, Part 2, Section 103 of the code requires the chief appointing authority of the jurisdiction" to appoint a specific department to be officially in charge of implementation, administration and enforcement. This department can then delegate responsibilities. This will look different for each community, and we can develop enforcement programs during your work with CPAW.

### **Will we have to amend other parts of our existing code(s)?**

Very likely, yes. Communities should make sure that their existing ordinances and land use codes such as a landscaping or subdivision code/ordinance do not conflict with the state WRC. The CPAW program will be helping your communities identify potential conflicts.

Amending parts of codes that conflict with the new state WRC will have broad benefits for communities, including for the general public, for developers and for the staff responsible for administration and enforcement.

### **Can our community choose to be less strict than the CWRC?**

No, the Colorado WRC sets the minimum standards. While a community can apply to adopt a local map which impacts the corresponding regulations, a community cannot adopt regulations that are less strict than the Colorado WRC. It is important to note that the state code does allow for some flexibility for alternative materials, design and methods as long as the specific equivalency criteria are outlined and approved.

### **Can our community choose to be more strict than the CWRC?**

Yes. A community is free to expand the map to include undesignated areas or to change designated areas from Class 1 to the more restrictive Class 2. In terms of the actual text of the WRC, a community may also choose to be more restrictive. Note that additional public engagement is recommended if a community would like to take one or both of these approaches.



## What are the options for mapping?

The state map identifies three fire intensity classifications: low, moderate, or high. In many communities (but not all) urban areas are not included on the state map. Parcels designated as low intensity follow Class 1 requirements while parcels designated as having moderate or high follow Class 2 requirements.

One option is to adopt the state map as is. Another option is to adopt a more strict version of the state map than includes urban areas and/or classifies areas that are more restrictive. A third option is to adopt a local map that includes "ground truthing" of the state map. If this option is pursued, technical documentation is required by a qualified wildfire professional to be submitted to the state for approval. More information about mapping options is provided in a separate document.

The CPAW program cannot generate new maps, but we can connect your community to resources (data layers, etc) to help you pursue a new map. We can also think through the pros and cons of generating a new map, based on the data you decide to use.

Keep in mind that generating a different map from the state's may actually increase, or not materially decrease, your community's wildfire risk. Communities should think about generating an independent and new map. Some things to consider might include your access to data and funding for these maps. If you are required to update your map, will you be able to afford that in the future?

## Is the map going to change, or be updated?

The state map will be updated every three years, and any maps that communities produce themselves must be updated on the same timeline.