

## RIDGWAY PLANNING COMMISSION AGENDA

Tuesday, January 2<sup>nd</sup>, 2018

Planning Commission Regular Meeting: 5:30 pm

Ridgway Community Center

201 North Railroad Street, Ridgway, Colorado

### ROLL CALL

Chairperson: Doug Canright, Commissioners: John Clark, Thomas Emilson, Larry Falk, Ellen Hunter, Bill Liske, and Jennifer Nelson

### REGULAR MEETING: 5:30 pm

#### PUBLIC HEARINGS:

1. **Application:** Plat Amendment; **Location:** Cora Quad Lot Split, Lot B; **Address:** TBD N Cora St.; **Zone:** Historic Residential (HR) **Applicant:** Michelle Montague **Owner:** Michelle Montague
2. **Application:** Deviation; **Location:** Solar Ranches Filing 2A, Lot 20; **Address:** TBD Chipeta Dr.; **Zone:** Residential (R) **Applicant:** Brian Buzarde **Owner:** Cottonwood Creek LTD, c/o Raleigh Coburn
3. **Application:** Conditional Use Permit; **Location:** River Park Ridgway Business Park Filing 1, Second Lot-Split of Block 2, Lot 4; **Address:** 687 N Cora St.; **Zone:** Light Industrial 2 (I-2) **Applicant:** Daniel Richards **Owner:** Chad Baillie

#### OTHER BUSINESS:

4. Discussion: Zoning and Subdivision Workshop
5. Discussion: Upcoming master/comprehensive planning process

#### APPROVAL OF MINUTES:

6. Minutes from the meeting of December 5<sup>th</sup>, 2017

#### ADJOURN REGULAR MEETING

# NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Ridgway Planning Commission will hold a **PUBLIC HEARING** at the Town Hall Community Center, 201 N. Railroad Street, Ridgway, Colorado, on Tuesday, January 2<sup>nd</sup>, 2018 at 5:30 p.m., to receive and consider all evidence and reports relative to the application described below:

Application for:      Plat Amendment

Location:              Cora Quad Lot Split, Lot B

Address:                TBD N Cora St,

Zoned:                   Historic Residential (HR)

Applicant:              Michelle Montague

Property Owner:      Michelle Montague

**ALL INTERESTED PARTIES** are invited to attend said hearing and express opinions or submit written testimony for or against the proposal to the Town Clerk.

**FURTHER INFORMATION** on the above application may be obtained or viewed at Ridgway Town Hall, or by phoning 626-5308, Ext. 222.



DATED: December 21, 2017

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Shay Coburn, Town Planner

## PLANNING & ZONING PERMIT

Incomplete Applications will be Rejected

Receipt # \_\_\_\_\_  
Date Received 12/8/17  
By JN  
\* For Office Use Only

### ACTION REQUESTED

TEMPORARY USE PERMIT	[ ] 7-3-13c	VARIANCE	[ ] 7-3-16
CONDITIONAL USE PERMIT	[ ] 7-3-14	REZONING	[ ] 7-3-17
CHANGE IN NON-CONFORMING USE	[ ] 7-3-15	SUBDIVISION	<input checked="" type="checkbox"/> 7-4-1 thru 7-4-12
OTHER: _____	[ ] _____		

#### APPLICANT/APPLICANTS:

NAME: Michelle Montague  
MAILING ADDRESS: PO Box 732  
CITY: Telluride CO 81435  
TELEPHONE NO.: 970-708-9401  
FAX: \_\_\_\_\_

#### OWNER/OWNERS OF RECORD:

NAME: same  
MAILING ADDRESS: \_\_\_\_\_  
CITY: \_\_\_\_\_  
TELEPHONE NO: \_\_\_\_\_

ADDRESS OF PROPERTY: Lot B Cora Quad Subdivision  
ACREAGE/SQUARE FOOTAGE: 6852.5 sq ft ZONING DISTRICT: Historic Residential  
BRIEF DESCRIPTION OF REQUESTED ACTION: Reduction of overhead easement for neighboring power line from 15' to 10'

#### ATTACHMENTS REQUIRED FOR ALL ACTIONS:

1. Evidence of ownership or written notarized consent of legal owner(s).
2. Copy of all site plans drawn to scale showing location of building(s), elevations, abutting streets, and all dimensions, must be submitted on paper size of 8.5 x 11 or 11 x 17. (12 copies unless otherwise noted)
3. A filing fee payable to the Town of Ridgway.

#### FILING FEE SCHEDULE:

Temporary Use	\$ 100.00	Subdivisions	
Conditional Use	100.00	a. Sketch Plan	200.00
Change in Nonconforming Use	100.00	(plus \$10.00 per lot or unit)	
Variances & Appeals	150.00	b. Preliminary Plat	400.00
Rezoning	200.00	(plus \$20.00 per lot or unit)	
Reviews Pursuant to 7-3-18	100.00	c. Final Plat	300.00
Variance from Flood Plain Reg's	100.00	d. Minor Subdivision	200.00
Deviations from Single Family		e. Lot Split	100.00
Design Standards	100.00	f. Replat/amended plats	100.00
		g. Planned Unit Development	(a. b. & c.)

#### ADDITIONAL COSTS:

Applicant and owner shall be jointly and severally responsible for legal, engineering, planning, administrative and miscellaneous fees, including recording costs, if incurred. (R.M.C. 7-3-20(B) and 7-4-12(B)). Water and sewer tap fees and development excise taxes are due at approval of final plats.

**SPECIFIC ATTACHMENTS REQUIRED FOR EACH ACTION:****CONDITIONAL USE PERMITS:**

1. The site plan shall show off-street parking requirements, landscaping and architectural features.
2. Information showing compliance with applicable criteria.
3. Notice of hearing shall be posted at Town Hall 10 days before the hearing.
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**CHANGES IN NON-CONFORMING USE:**

1. Description of existing non-conformity.
2. Information showing compliance with applicable criteria.
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4. Property shall be posted at least 10 days prior to the hearing.

**VARIANCE:**

1. Site plan showing details of the variance request and existing uses within 100 ft. of property.
2. Information showing compliance and/or non-compliance with applicable criteria.
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**REZONING:**

1. Legal description, present zoning and requested zoning of property.
2. Notice of hearing shall be posted 10 days before the date of the hearing.
3. Property shall be posted at least 10 days prior to the hearing.

**SUBDIVISION:**

1. All requirements established by Municipal Code Sections 7-4-1 through 7-4-12.
2. Affidavit of notice sent to all surface and mineral owners and lessees of mineral rights.  
(Proof of proper notice must be submitted prior to the hearing.)
3. The Preliminary Plat shall be submitted 21 days prior to the hearing.
4. The Final Plat shall be submitted 20 days prior to the next scheduled Planning & Zoning meeting.
5. Sketch plan required in subdivisions consisting of more than 5 proposed lots or units.

**Applicant and owner shall be jointly and severally responsible for legal, engineering, planning, administrative and miscellaneous fees, including recording costs, if incurred. (R.M.C. 7-3-20(B) and 7-4-12(B)). Water and sewer tap fees and development excise taxes are due at approval of final plats.**

M. Montague  
Signature of Applicant/Applicants

11.16.17  
Date

M. Montague  
Signature of Owner/Owners

11.16.17  
Date

Michelle Montague

TBD N. Cora

Ridgway CO 81432

Location:

Cora Quad Lot Split, Lot B (former Lots 9 and 10) Block 32 Town of Ridgway

Request:

Proposed Plat Amendment

Reduction of Overhead Utility Easement on NE corner of lot (begins at alley)

Overhead electrical line

I am requesting a reduction from 15' to 10' for the overhead easement on the NE corner of my lot (Easement Exhibit). This is an overhead power line on my neighbor's property.

Background:

This is a utility easement for an overhead power line on neighboring property. There is also a 12' utility easement along the alley on the east side of the lot. This easement is for Lot 8 to access the sewer on Frederick Street. In Addition there is a large Box Elder Maple Tree on the southeast of the lot which I am making every effort to keep. (Utility Easement and Tree)

As you can see I am facing some challenges on this lot with multiple easements. I would like to place my accessory dwelling as close to the NE corner of my lot as possible. This would be 12' from the alley and 8' from the neighboring lot to the North. Approving the overhead easement reduction would allow this. I am not asking for any other variances.

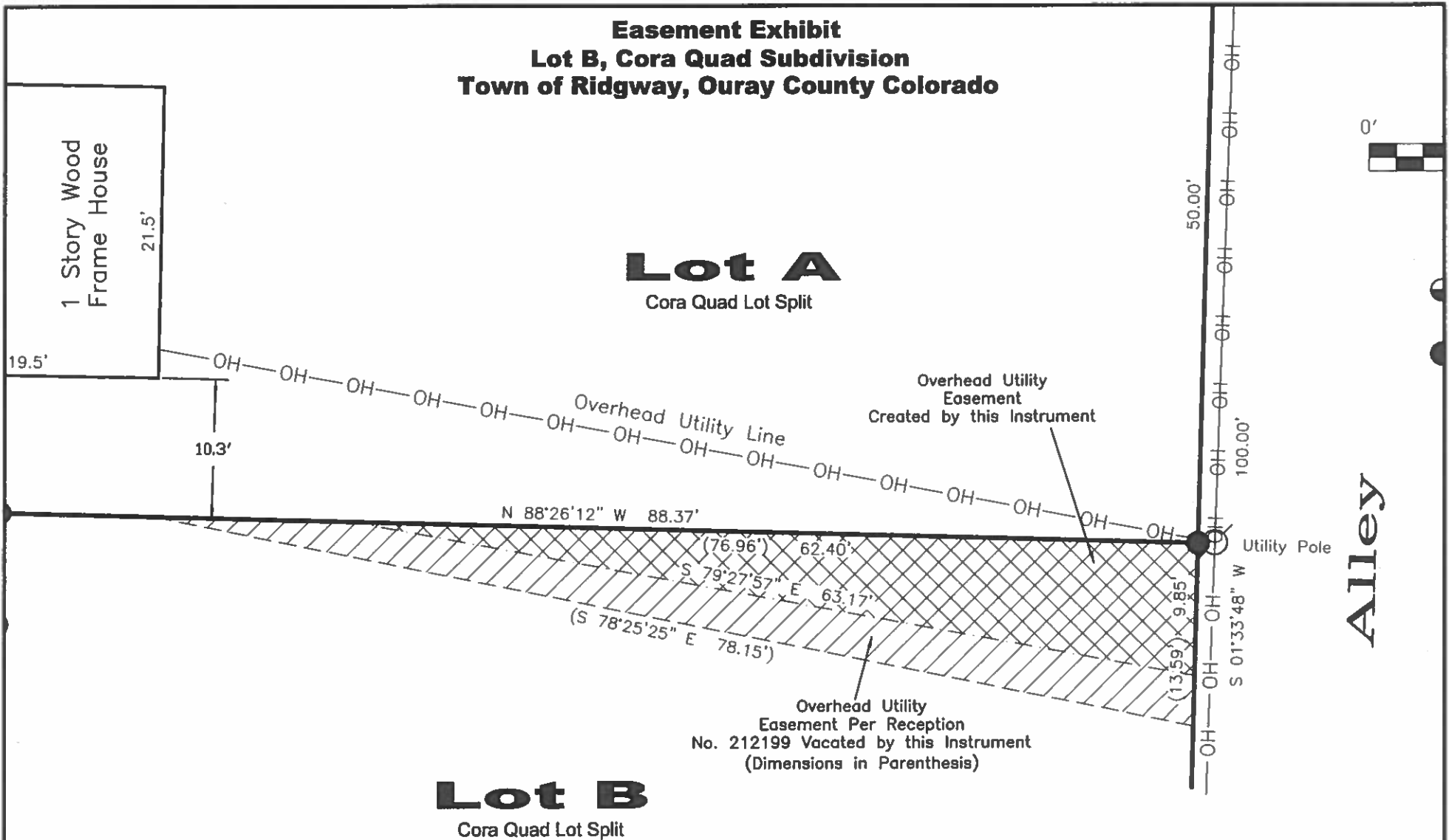
I will be in attendance at this meeting and am happy to answer any questions you may have.

Sincerely,

Michelle Montague



**Easement Exhibit**  
**Lot B, Cora Quad Subdivision**  
**Town of Ridgway, Ouray County Colorado**

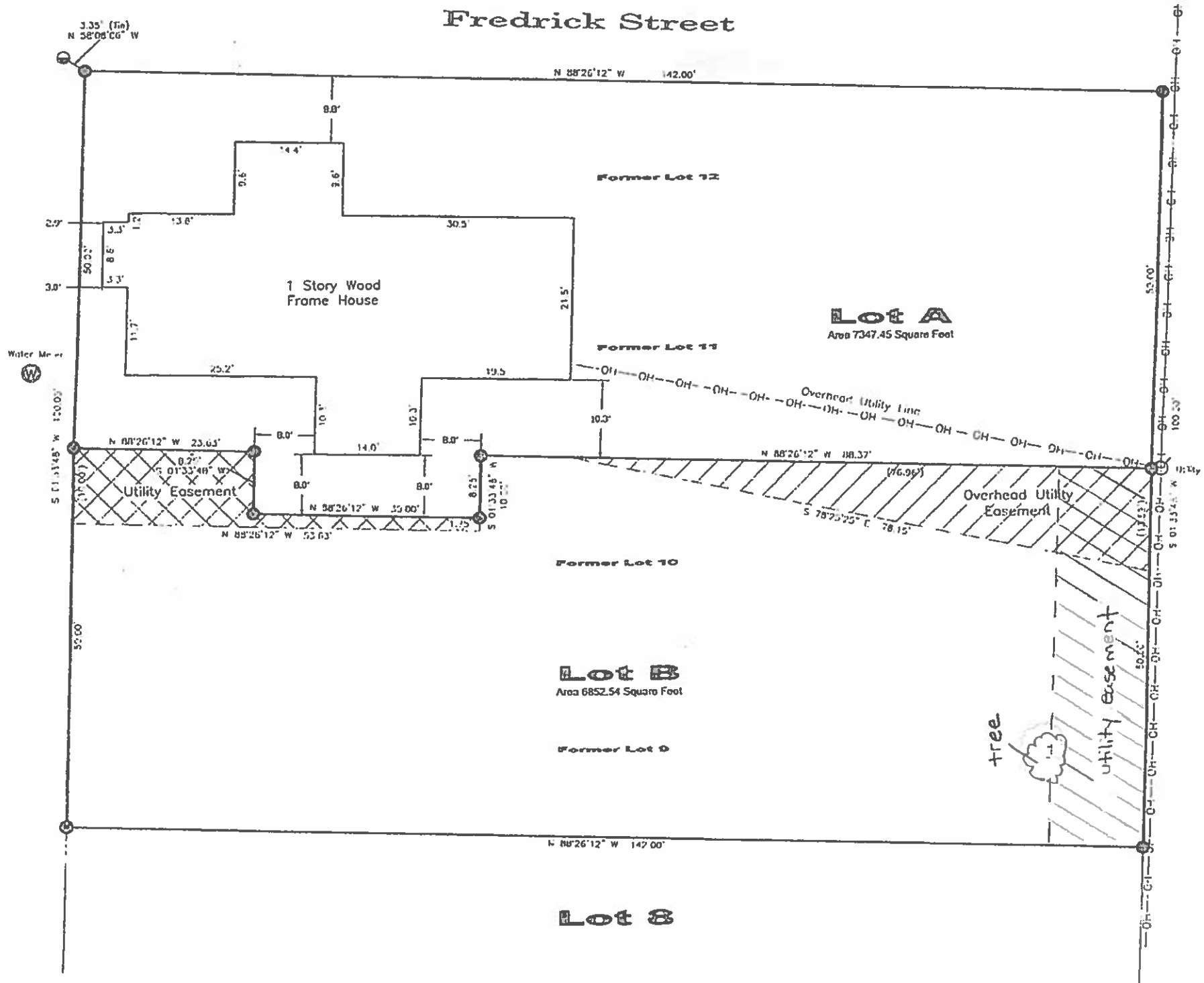


**Lot B**  
 Cora Quad Lot Split

PROJECT MANAGER: PETER BAUER		REVISIONS	DATE	DESCRIPTION	BY
CADD TECH: PETER BAUER		1			
CHECKED BY: PETER BAUER		2			
START DATE: 6-30-17		3			
		4			
		5			
		6			
		7			
		8			
		9			
		10			
OFFICE (970) 248-5348 CELL (970) 729-1288 1147 OURAY COUNTY ROAD 22 MONTROSE, CO 81403 WWW.ORIONSURVEYING.COM					

Cora Street

Fredrick Street



Utility Easement & Tree





## STAFF REPORT

**Request:** Amended Plat  
**Legal:** Cora Quad Lot Split, Lot B (Block 32)  
**Address:** TBD Cora St.  
**Parcel #s:** 430516243002  
**Zone:** Historic Residential (HR)  
**Applicants:** Michelle Montague  
**Owner:** Michelle Montague  
**Initiated By:** Shay Coburn, Planner  
**Date:** January 2, 2018

## REQUEST

This request is to amend an overhead utility easement on the Cora Quad Lot Split plat map recorded with the Ouray County Clerk and Recorder at reception number 212199. The Applicant proposes reducing the Overhead Utility Easement by five feet, from the exiting 15 feet to ten feet. This easement currently provides access to the overhead power line serving the building just to the north of the subject property.

An application was submitted December 8, 2017 along with a letter, exhibits showing the proposed change, and applicable fee. The property and public hearing have been noticed in compliance with the Town Municipal Code.

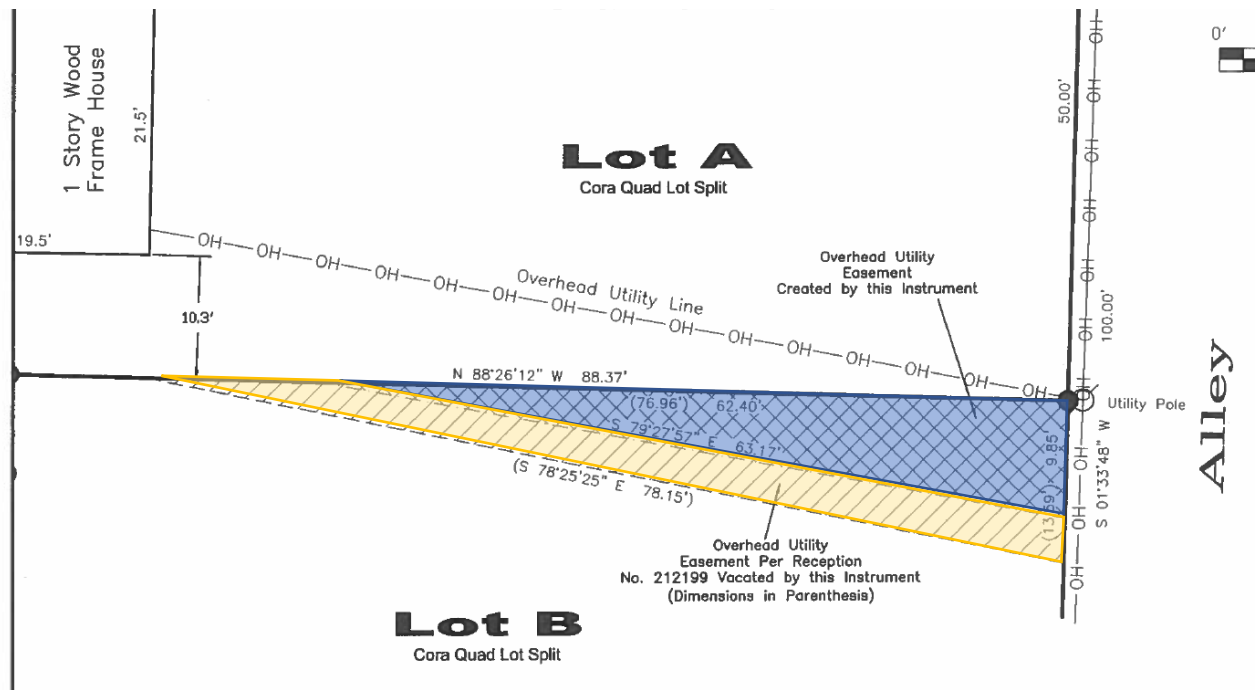


## CODE REQUIREMENTS

Amended plats are considered under Ridgway Municipal Code (RMC) §7.4.10(B) & (C) as follows:

- No material change in the extent, location, or type of public improvements and easements provided is made or required with the amended plat
- The requested changes are consistent with the Design Standards of the municipal code
- Any amended plats shall conform to the applicable requirements for final plats as provided in these subdivision regulations, including the minimum design standards, and shall conform to the applicable dimensional requirements of the town's Zoning Regulations

## ANALYSIS



The Cora Quad Lot Split subdivided lots nine through 12 of block 32 into two separate lots, A and B. The subject property is Lot B. It is assumed that at the time of this subdivision, the Overhead Utility Easement was established to accommodate the existing overhead power line to the existing house on Lot A. This easement is 15 feet from the existing power line.

Staff was able to get in touch with Jeremy Fox at SMPA to discuss this application. Fox indicated the Applicant's proposal to reduce this overhead utility setback by five feet is not a problem for SMPA. He also mentioned that the 10-foot rear utility easement is critical. There is no change proposed to the rear easement, it will remain as is.

There are no changes in public improvements, the request is consistent with the Design Standards of the municipal code, and no other evident adverse impacts with this request.

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## STAFF RECOMMENDATION

At the time of subdividing lots A and B, this fifteen-foot overhead utility easement was created. Per the conversation with SMPA staff, the easement will be sufficient for them if reduced by five feet. For this reason, staff supports this request to amend the Overhead Utility Easement of the Cora Quad Lot Split as proposed.

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## EXHIBITS

Exhibit 1 – Draft Amendment #1 to the Cora Quad Lot Split



*Posted property from North Cora St.*

**AMENDMENT #1 TO THE CORA QUAD LOT SPLIT RECORDED JUNE 12, 2014 AT RECEPTION  
#212199 REGARDING RELOCATION OF THE OVERHEAD UTILITY EASEMENT ON LOT B**

**Whereas**, the currently platted Cora Quad Lot Split plat map contains an Overhead Utility Easment on Lot B; and,

**Whereas**, the Overhead Utility Easement is established to provide for appropriate access to the overhead power line for the adjoining lot owner and San Miguel Power Association; and,

**Whereas**, the Owner of Lot B wishes to relocate the existing Overhead Utility Easment on their respective lot, and to also observe the requisite building setbacks required under the Ridgway Municipal Code;

**Therefore**, the Property Owner of Lot B, and the Town of Ridgway agree that the currently platted Overhead Utility Easement on Lot B as recorded on the Cora Quad Lot Split plat map, shall be amended as shown on Exhibit A:

No other changes to the Cora Quad Lot Split plat are made hereby.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Town of Ridgway, Colorado

Attest:

By: \_\_\_\_\_  
John Clark, Mayor

By: \_\_\_\_\_  
Town Clerk, Pam Kraft

STATE OF COLORADO   )  
                                  )   ss  
COUNTY OF OURAY    )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2018 by John Clark, Mayor and Pam Kraft, Town Clerk of the Town of Ridgway, Colorado. Witness my hand and official seal.

\_\_\_\_\_  
Notary Public

[SEAL]

Michelle Montague  
Property Owner, Cora Quad Lot Split Lot B

By: \_\_\_\_\_  
Michelle Montague  
PO BOX 732, Telluride, CO 81435

STATE OF COLORADO    )  
  )   ss  
COUNTY OF OURAY    )

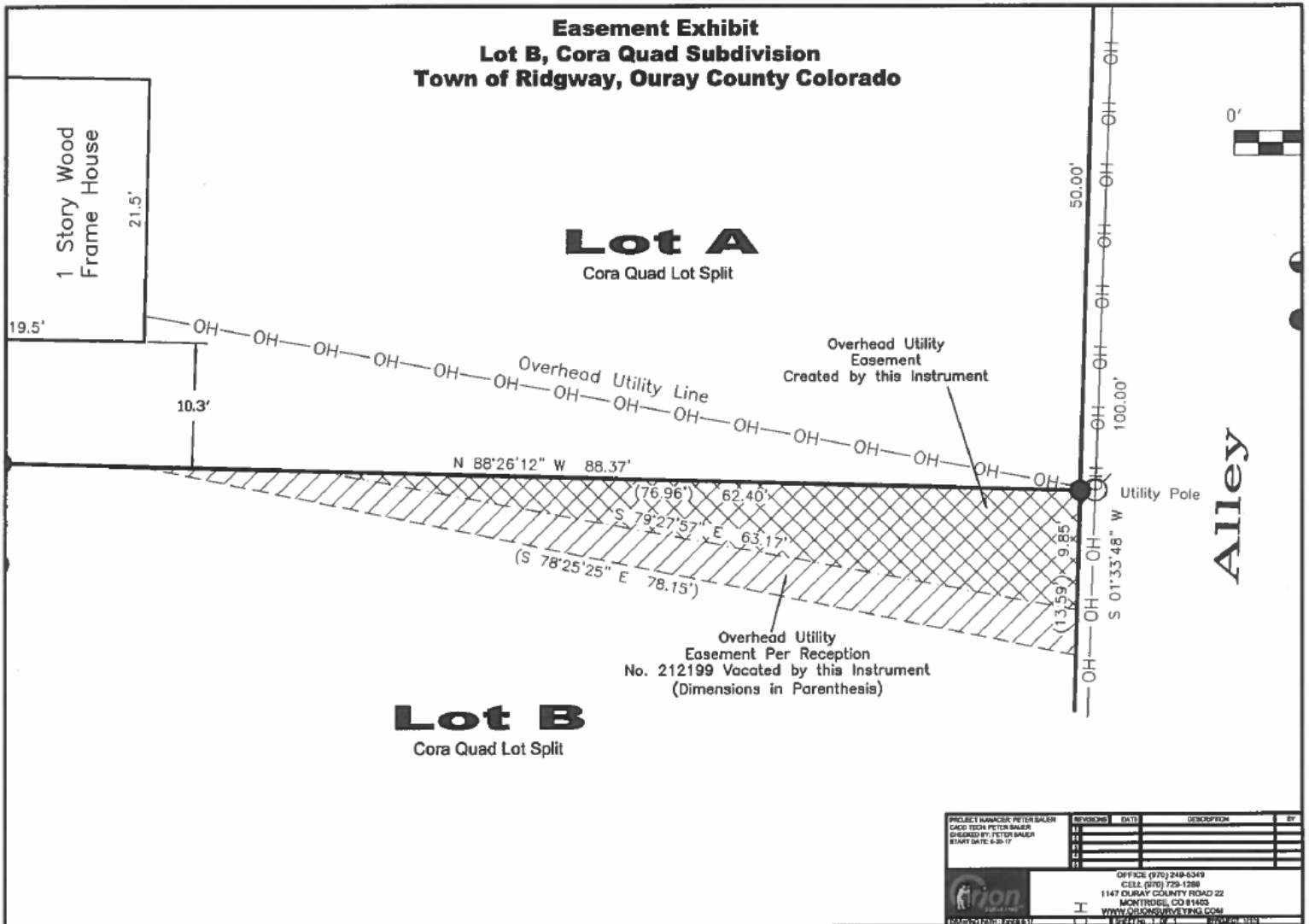
The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2018  
by Michelle Montague, Owner Lot 204.  
Witness my hand and official seal.

\_\_\_\_\_  
Notary Public

[SEAL]

# EXHIBIT A

## Easement Exhibit Lot B, Cora Quad Subdivision Town of Ridgway, Ouray County Colorado



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Application for:        Deviation

Location:                Solar Ranches Filing 2A, Lot 20

Address:                TBD Chipeta Dr.

Zoned:                   Residential (R)

Applicant:              Brian Buzarde

Property Owner:       Cottonwood Creek LTD, c/o Raleigh Coburn

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DATED: December 21, 2017

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Shay Coburn, Town Planner



RC 12/11/17 LH

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OTHER: <u>DEVIATION</u>	[ ] 6-6-5		

#### APPLICANT/APPLICANTS:

**NAME:** Brian Buzarde

**MAILING ADDRESS:** 1955 Marble Village Dr.

**CITY:** Marble, CO 81623

**TELEPHONE NO.:** 970 497 0925

**FAX:**

#### OWNER/OWNERS OF RECORD:

**NAME:** COTTONWOOD CREEK LTD

**MAILING ADDRESS:** P.O. Box 569

**CITY:** OURAY, CO

**TELEPHONE NO:** 970 318 0158

**ADDRESS OF PROPERTY:** TBD CHIPETA DRIVE

**ACREAGE/SQUARE FOOTAGE:** 53,477 **ZONING DISTRICT:** RESIDENTIAL

**BRIEF DESCRIPTION OF REQUESTED ACTION:** \_\_\_\_\_

**DEVIATION APPROVAL FOR ROOF SLOPES WHICH ARE LESS THAN 3:12.** \_\_\_\_\_

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*Brian Buzards*

Signature of Applicant/Applicants

12/11/2017

Date

*[Signature]*

Signature of Owner/Owners

12/11/17

Date



TOWN HALL PO Box 10 | 201 N. Railroad Street | Ridgway, Colorado 81432 | 970.626.5308 | [www.town.ridgway.co.us](http://www.town.ridgway.co.us)

### AUTHORIZATION OF AGENT

I/we, the undersigned owner/s of the following described real property located in the Town of Ridgway, Ridgway, Colorado, hereby authorize:

**Brian Buzarde and Eric Dickerson**

*(Name of Authorized Agent)*

To act in my /our behalf in applying for the following permits from the Town of Ridgway, as required by existing Town of Ridgway regulations pertaining to zoning, building, encroachment, excavation, and/or utilities.

Legal property description *(include: lot, block, subdivision, physical address)*:

LOT 20, FILING NO. 2A, SOLAR RANCHES, A RE-SUBDIVISION OF OUTLOT A, SAVATH SUBDIVISION, ACCORDING TO THE PLAT RECORDED MARCH 23, 1992

AT RECEPTION NO. 150475, TOWN OF RIDGWAY, COUNTY OF OURAY, STATE OF COLORADO, TBD CHIPETA DR, RIDGWAY, CO 81432

Signature: \_\_\_\_\_

*(Property Owner of Record)*

Date: 12/11/17

Signature: \_\_\_\_\_

*(Property Owner of Record)*

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

*(Property Owner of Record)*

Date: \_\_\_\_\_

December 11, 2017

Dear Town of Ridgway Planning Commission,

This letter is part of an application aimed at receiving a Deviation Approval for the proposed roof design located at 911 Chipeta Drive (currently TBD Chipeta Drive) owned by Cottonwood Creek Ltd. by Manager, Raleigh Coburn.

We hope to receive approval from the Town Planning Commission during the next meeting on January 2nd. Accompanying this letter is the application form, supporting materials and a \$100 check for the review fee. We will also provide a letter of support from Solar Ranches HOA ARC.

### Summary of Scope of Application

Our proposed roof geometries are less than 3:12. Visually, we feel the lower slope anchors the house to the landscape and connects it to the local ranching / agrarian vernacular. In-line with the ranching ethos, we wanted to keep our forms simple, meaning we didn't want to introduce extraneous roof structures. The porches and outside areas are very important to the design of this house and we wanted to shelter them with eaves to keep them dry and enjoyable year-round. Making the eaves continuous extensions of the roof maintains the scale and simplicity we're looking to achieve, while keeping the overall building height relatively low and the eaves above / not cropping the great views.

### Supporting Materials

Please refer to the drawings and animation submitted to get a feel for the design. Please note the visuals submitted are in progress and the intent here is to show how the massing and general aesthetic work on the site.

### Ridgway Municipal Code

We now want to address how we see our proposed design satisfying Section 6-6-5 of the Ridgway Municipal Code.

#### **6-6-5 DEVIATIONS.**

**(A) The Planning and Zoning Commission may approve deviations from one or more of the requirements of this Section 6-6 on the basis of finding that:**

**(1) The proposed architecture or construction standards provide compensating features that meet the intent and objectives of these standards.**

It is our interpretation that the purpose of section 6-6 is to protect the quality of Ridgway's built environment and safeguard against sub-par quality and poor

design that would detrimentally affect the area visually and economically. The house we are proposing is of high quality and while budget is key to any project, primary drivers behind design decisions were views, balance and scale. We feel this house is a quality addition to Ridgway's built environment. Nothing was done cheaply and many of the components used in the design attest to this, including: thoughtful variation of appropriate materials, variation in elevation and roof planes that break up the mass, healthy amounts of glazing, large covered porches, deep eaves all around, etc.

**(2) The proposed structure will be compatible and harmonious with structures in the immediate vicinity.**

Our proposed design is essentially a current take on the ranch house, which is an innately functional, simple and understated typology, historically rooted in the area. By maintaining a lower profile, the residence takes a back seat to the natural setting which aesthetically works with the landscape and is considerate of its neighborhood surrounding. We believe the design is both high quality and unpretentious, making it a great fit within the eclectic Ridgway setting. Solar Ranches HOA ARC is supportive of the design.

Thank you for your consideration.

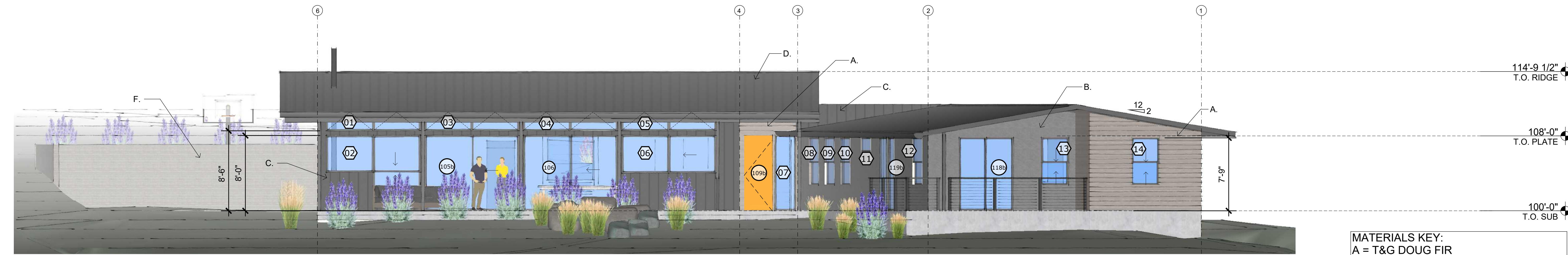
Sincerely,

**Brian Buzarde**

**[Brian@toposhomes.com](mailto:Brian@toposhomes.com)**

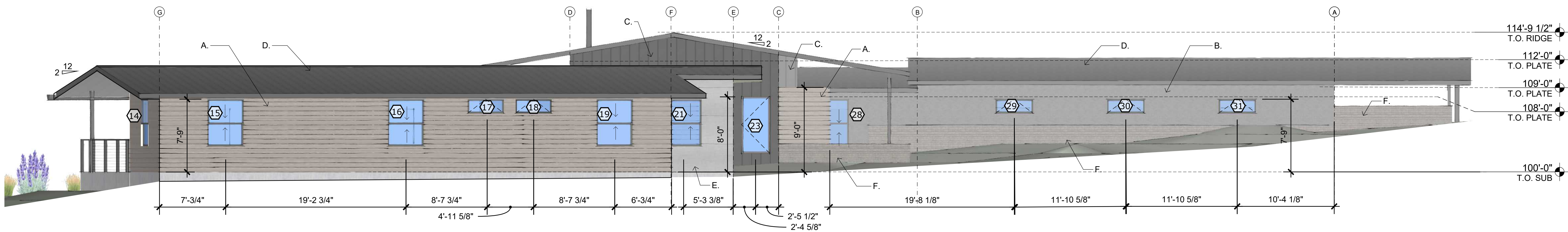
**970 497 0925**



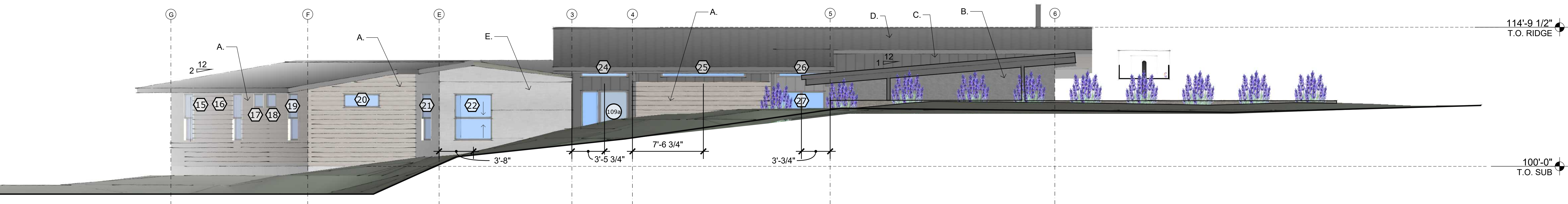


1 East Elevation  
A3.1 3/16" = 1'-0"

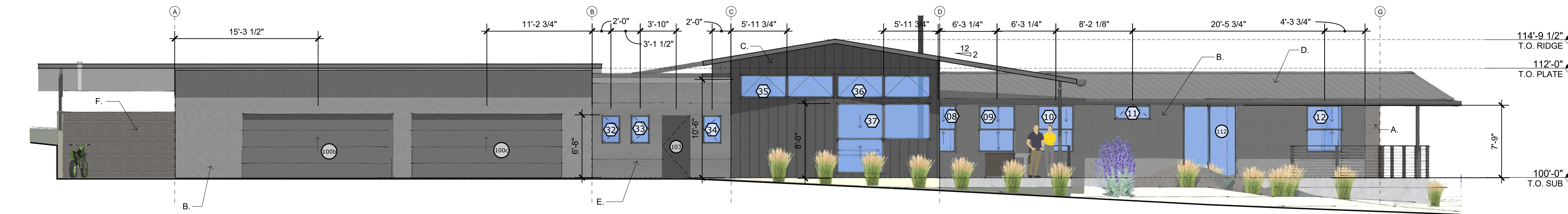
MATERIALS KEY:  
A = T&G DOUG FIR  
B = STUCCO  
C = STANDING SEAM METAL SIDING  
D = STANDING SEAM METAL ROOFING  
E = FLUSH SEAM METAL SIDING  
F = BOARD FORMED CONCRETE



2 North Elevation  
A3.1 3/16" = 1'-0"



3 West Elevation  
A3.1 3/16" = 1'-0"



4 South Elevation  
A3.1 3/16" = 1'-0"

# Coburn Residence

911 Chipeta  
Ridgway, CO

Raleigh Coburn

Document Date:  
December 13, 2017

Document Phase:  
Roof Deviation Presentation

rev. date remark

Elevations

A3.1



December 13, 2017

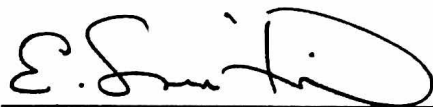
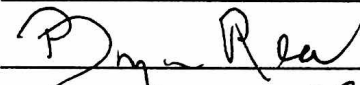
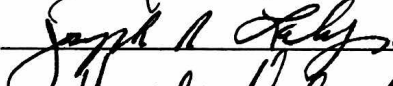

To whom it may concern:

The members of Solar Ranches (Filings 1 & 2A) Homeowners Association ARC would like to offer their support of the deviation request made by Brian Buzarde, on behalf of Raleigh Coburn, for their proposed new construction of the single family home at 911 Chipeta Drive, Ridgway, CO 81432.

Upon review of their initial design drawings, our members unanimously agree that this deviation does not conflict with our existing design standards or architectural guidelines.

Sincerely yours,

Solar Ranches (Filings 1 & 2A) Homeowners Association ARC Members

Erin Smith		<u>12.13.17</u>
Bryan Rea		<u>12-13-17</u>
Joseph Lake		<u>Dec. 13, 2017</u>
Heidi Nadiak		<u>12-13-17</u>

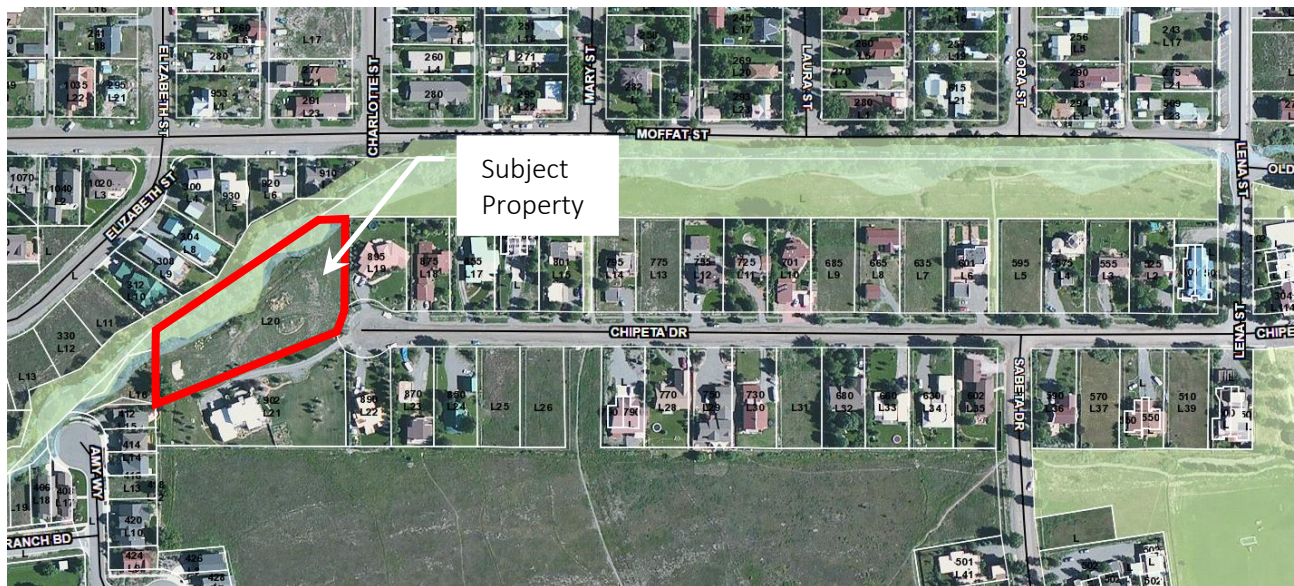
## STAFF REPORT

**Request:** Deviation from Single-Family Home Design Standards  
**Legal:** Solar Ranches Filing 2A, Lot 20  
**Address:** TBD Chipeta Dr  
**Parcel #:** 430517410020  
**Zone:** Residential (R)  
**Applicant:** Brian Buzarde  
**Owner:** Cottonwood Creek LTD, c/o Raleigh Coburn  
**Initiated By:** Shay Coburn, Planner  
**Date:** January 2, 2018

### REQUEST

The Applicant is requesting a deviation from the Single-Family Home Design Standards in Chapter 6 Section 6 of the Ridgway Municipal Code. More specifically, RMC §6-6-3(C) requiring a minimum roof pitch of 3 feet of rise for each 12 feet of horizontal distance. The Applicant is proposing a roof pitch of 2:12 for most of the building with the garage at 1:12.

The subject property is in Solar Ranches Filing 2A, recorded at reception number 150475. This vacant lot is accessed via Chipeta Drive, at the end of the cul-de-sac, and borders Cottonwood Creek on the north west.



The Applicant has submitted an application, elevations, digital fly over of proposed building design, letter dated December 11, 2017, and the applicable fee for this public hearing. In addition, a letter of support from the Solar Ranches HOA ARC was submitted. The property and public hearing have been noticed in compliance with the Town Municipal Code.

### CODE REQUIREMENTS

The subject property is zoned Residential where single-family homes are a use-by-right.

Single-Family Home Design Standards can be found in Ridgway Municipal Code (RMC) Chapter 6 Section 6. These design standards are applicable to newly constructed or installed single-family homes.

The legislative declaration for the Single-Family Home Design Standards is defined in RMC §6-6-1, as follows:

*Ridgway is defined in part by eclectic architecture and neighborhoods vary in age and character. A goal of the Town's Master Plan is to create a well-integrated community that meets the needs of residents of various income levels, ages and stages of family life cycles. One way of achieving this is to encourage a mix of housing types and densities, rather than segregating them into separate districts. In accomplishing this, it is acknowledged that the visual appearance of a property affects more than just the property involved. New and altered structures impact the surrounding neighborhood both in character and property value. These standards have been adopted to encourage a mix of housing types, while helping to insure that this will not be detrimental to the character of the neighborhoods or to property values in general.*

RMC §6-6-3(C) describes the requirements specifically for roof structures, as follows:

*(C) Roof Structure.*

*(1) Repealed by Ordinance 3-2002*

*(2) All sloped roofs, including roofs over deck areas, covered porches, entryways, and the like, shall have a minimum pitch of 3 feet of rise for each 12 foot of horizontal distance.*

*(3) Sloped roofs must have an overhang at the eaves and gable ends of not less than 12 inches excluding rain gutters measured from the vertical side of the dwelling. This required overhang shall not apply to areas over porches, alcoves and other appendages, which together do not exceed 25% of the length of the dwelling. Flatter roofs are permitted only if contained within a parapet that is higher than the adjacent roof.*

*(4) Mansard roofs and A-frame designs are not permitted; provided, however, mansard roofs are permitted if the base of the roof is above the second story of the structure.*

This request for a deviation is considered under RMC §6-6-5 based upon the following:

*(A) The Planning and Zoning Commission may approve deviations form one or more of the requirements of this Section §6-6 on the basis of finding that:*

*(1) The proposed architecture or construction standards provide compensating features that meet the intent and objectives of these standards.*

*(2) The proposed structure will be compatible and harmonious with structures in the immediate vicinity.*

*(B) Requests for deviations shall be reviewed pursuant to the procedures of Subsection 7-3-18 of the Ridgway Municipal Code, subject to the fees set in Subsection 7-3-20.*

Applicable review procedures as described in RMC §7-3-18 are as follows:

*(E) At the hearing scheduled, the applicant and other interested parties may appear and present such evidence and testimony as they may desire. Anyone presenting evidence or testimony shall be subject to cross-examination by other interested parties, although the Reviewing Board may limit testimony, evidence, and cross-examination which is merely cumulative and is not required to follow any set procedure during the hearing, nor to strictly follow the Rules of Evidence as applied by the Courts. The hearing may be tape recorded or otherwise electronically recorded. The applicant, or other interested party may, if he desires, have the hearing recorded by a court reporter, at his expense. The hearing may*



*be continued from time to time as necessary. The burden is upon the applicant in all cases to establish that all applicable criteria for any action are met, including proper notice.*

...

*(G) The Reviewing Board may approve the requested action only upon finding that all applicable criteria and requirements of these Zoning Regulations or other Town ordinances have been met. If it determines that such criteria have not been met, the application shall be denied. The application may be granted upon conditions or limitations which the Reviewing Board determines are necessary in order to insure that the applicable criteria are met. Such conditions or limitations shall be provided to the applicant and interested parties, in writing, as part of the decision.*

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## ANALYSIS

The following two criteria must be met for the Planning Commission to approve this request.

*1) The proposed architecture or construction standards provide compensating features that meet the intent and objectives of these standards.*

While the roof pitch is not in compliance with the regulations, many compensating features are provided to meet the intent and objectives of these design standards. As described in the letter submitted by the Applicant, this design includes “thoughtful variation of appropriate materials, variation in elevation and roof planes that break up the mass, healthy amounts of glazing, large covered porches, deep eaves all around, etc.” Also noted is that this house design is the result of the site views while considering balance and scale. This house design is unique and responsive to the site. See the submitted elevation drawings and [animation](#) to better understand the design of the full house.

Note that that the amount of glazing will be reviewed per our energy code and addressed during building permit review by staff.

*(2) The proposed structure will be compatible and harmonious with structures in the immediate vicinity.*

This is a very large lot that could accommodate a very large house. The proposed design is a one-story ranch house as described in the Applicant’s letter. The Applicant states “By maintaining a lower profile, the residence takes a back seat to the natural setting which aesthetically works with the landscape and is considerate of its neighborhood surrounding. We believe the design is both high quality and unpretentious, making it a great fit within the eclectic Ridgway setting.” Many houses in Solar Ranches have flat roofs so this roof being less than the required 3:12 may actually fit a bit better with the surrounding neighborhood.

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## STAFF RECOMMENDATION

The apparent intent of the Single-Family Home Design Standards is to avoid homes that are uniform in design and homes that may be detrimental to the character of the neighborhood. This house design seemingly meets the overall intent of these regulations. In addition, the Applicant has done a good job of providing compensating design features and ensuring compatibility with the neighborhood and the specific site. The Applicant has also provided sufficient information to prove the criteria are met.

Staff recommends approval of the requested deviation to the Single-Family Home Design Standards for a roof pitch of 2:12 for all of the house except the garage, which will have a roof pitch of 1:12.



*Posted property from Chipeta Dr.*

# NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Ridgway Planning Commission will hold a **PUBLIC HEARING** at the Town Hall Community Center, 201 N. Railroad Street, Ridgway, Colorado, on Tuesday, January 2<sup>nd</sup>, 2018 at 5:30 p.m., to receive and consider all evidence and reports relative to the application described below:

Application for: Conditional Use Permit

Location: River Park Ridgway Business Park Filing 1, Second Lot-Split of Blk 2, Lot 4

Address: 687 N Cora St.

Zoned: Light Industrial 2 (I-2)

Applicant: Daniel Richards

Property Owner: Chad Baillie

**ALL INTERESTED PARTIES** are invited to attend said hearing and express opinions or submit written testimony for or against the proposal to the Town Clerk.

**FURTHER INFORMATION** on the above application may be obtained or viewed at Ridgway Town Hall, or by phoning 626-5308, Ext. 222.



DATED: December 21, 2017

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Shay Coburn, Town Planner

**RECEIVED**12/13/17

9:15am

**PLANNING & ZONING PERMIT****Incomplete Applications will be Rejected**Receipt # \_\_\_\_\_ \*  
Date Received 12/13/17 \*  
By Jess \*  
\* For Office Use Only**ACTION REQUESTED**

TEMPORARY USE PERMIT	[ ] 7-3-13c	VARIANCE	[ ] 7-3-16
CONDITIONAL USE PERMIT	[X] 7-3-14	REZONING	[ ] 7-3-17
CHANGE IN NON-CONFORMING USE	[ ] 7-3-15	SUBDIVISION	[ ] 7-4-1 thru 7-4-12
OTHER: _____	[ ] _____		

**APPLICANT/APPLICANTS:**NAME: DANIEL RICHARDS/CO. BOY  
MAILING ADDRESS: PO BOX 877  
CITY: RIDGWAY  
TELEPHONE NO.: 303-419-5730  
FAX: \_\_\_\_\_**OWNER/OWNERS OF RECORD:**NAME: CHAD BAILLE  
MAILING ADDRESS: 17185 HWY 550  
CITY: RIDGWAY  
TELEPHONE NO: 970-708-9529ADDRESS OF PROPERTY: 687 N. CORAACREAGE/SQUARE FOOTAGE: 2,000 SQ FT ZONING DISTRICT: LIGHT IND. 2BRIEF DESCRIPTION OF REQUESTED ACTION: CONVERT TO A REVIEW & OPERATION AND SMALL RETAIL SECTION**ATTACHMENTS REQUIRED FOR ALL ACTIONS:**

1. Evidence of ownership or written notarized consent of legal owner(s).
2. Copy of all site plans drawn to scale showing location of building(s), elevations, abutting streets, and all dimensions, must be submitted on paper size of 8.5 x 11 or 11 x 17.
3. A filing fee payable to the Town of Ridgway.

**FILING FEE SCHEDULE:**

Temporary Use	\$ 100.00	Subdivisions	
Conditional Use	<u>100.00</u>	a. Sketch Plan	\$ 200.00
Change in Nonconforming Use	100.00	(plus \$10.00 per lot or unit)	
Variances & Appeals	150.00	b. Preliminary Plat	400.00
Rezoning	200.00	(plus \$20.00 per lot or unit)	
Reviews Pursuant to 7-3-18	100.00	c. Final Plat	300.00
Variance from Flood Plain Reg's	100.00	d. Minor Subdivision	200.00
Deviations from Single Family		e. Lot Split	100.00
Design Standards	100.00	f. Replat/amended plats	100.00
		g. Planned Unit Development	(a. b. & c.)

**ADDITIONAL COSTS:**

Applicant and owner shall be jointly and severally responsible for legal, engineering, planning, administrative and miscellaneous fees, including recording costs, if incurred. (R.M.C. 7-3-20(B) and 7-4-12(B)). Water and sewer tap fees and development excise taxes are due at approval of final plats.

**SPECIFIC ATTACHMENTS REQUIRED FOR EACH ACTION:****CONDITIONAL USE PERMITS:**

1. The site plan shall show off-street parking requirements, landscaping and architectural features.
2. Information showing compliance with applicable criteria.
3. Notice of hearing shall be posted at Town Hall 10 days before the hearing.
4. Property shall be posted at least 10 days prior to the hearing.

**TEMPORARY USE PERMITS:**

1. The site plan shall show off-street parking requirements, landscaping and architectural features.
2. Information showing compliance with applicable criteria.
3. Property shall be posted at least 10 days prior to the hearing.

**CHANGES IN NON-CONFORMING USE:**

1. Description of existing non-conformity.
2. Information showing compliance with applicable criteria.
3. Notice of hearing shall be posted at Town Hall 10 days before the hearing.
4. Property shall be posted at least 10 days prior to the hearing.

**VARIANCE:**

1. Site plan showing details of the variance request and existing uses within 100 ft. of property.
2. Information showing compliance and/or non-compliance with applicable criteria.
3. Notice of hearing shall be posted at Town Hall 10 days before the hearing.

**REZONING:**

1. Legal description, present zoning and requested zoning of property.
2. Notice of hearing shall be posted 10 days before the date of the hearing.
3. Property shall be posted at least 10 days prior to the hearing.

**SUBDIVISION:**

1. All requirements established by Municipal Code Sections 7-4-1 through 7-4-12.
2. Affidavit of notice sent to all surface and mineral owners and lessees of mineral rights.  
(Proof of proper notice must be submitted prior to the hearing.)
3. The Preliminary Plat shall be submitted 21 days prior to the hearing.
4. The Final Plat shall be submitted 20 days prior to the next scheduled Planning & Zoning meeting.
5. Sketch plan required in subdivisions consisting of more than 5 proposed lots or units.

**Applicant and owner shall be jointly and severally responsible for legal, engineering, planning, administrative and miscellaneous fees, including recording costs, if incurred. (R.M.C. 7-3-20(B) and 7-4-12(B)). Water and sewer tap fees and development excise taxes are due at approval of final plats.**

  
\_\_\_\_\_  
Signature of Applicant/Applicants  
\_\_\_\_\_  
Date  
\_\_\_\_\_  
Signature of Owner/Owners  
\_\_\_\_\_  
Date

Colorado Boy Depot - The primary use of manufacturing of food (beer) and storage fits within the Town's Master Plan and within the Light Industrial 2 zoning.

The retail portion open to the public will be a small space with limited hours. Opening to the public only a few hours per week and during off peak hours for the business park. The retail opening hours would only be 4 - 12 hours per week. For example, 4pm-8pm on Thursday and Friday night.

### **7-3-14 CONDITIONAL USES.**

(A) Uses listed as conditional uses for the various zoning districts provided in this Section shall be allowed only if the Planning Commission determines, following review pursuant to Subsection 7-3-18, that the following criteria are substantially met with respect to the type of use and its dimensions:

(1) The use will not be contrary to the public health, safety, or welfare.

-- The use of this space by Colorado Boy will not be contrary to the public health, safety or welfare.

(2) The use is not materially adverse to the Town's Master Plan.

-- The use of this space by Colorado Boy is not materially adverse to the Town's Master Plan. Colorado Boy will minimize the retail use of the space and is committed to not impacting the businesses near by or the Town in any negative manner.

(3) Streets, pedestrian facilities, and bikeways in the area are adequate to handle traffic generated by the use with safety and convenience.

-- The existing infrastructure of streets, sidewalks and bikeways are adequate and Colorado Boy's use will have minimal impact.

(4) The use is compatible with existing uses in the area and other allowed uses in the District.

-- The primary use of the space will be for light manufacturing of food (beer) and storage. This is compatible with other uses within the district.

(5) The use will not have an adverse effect upon other property values.

-- Colorado Boy's use of the premises will not have any adverse effect upon other property values.

(6) The location of curb cuts and access to the premises will not create traffic hazards.

-- The location of the curb cuts and access to the premises are existing and will not create any traffic hazards.

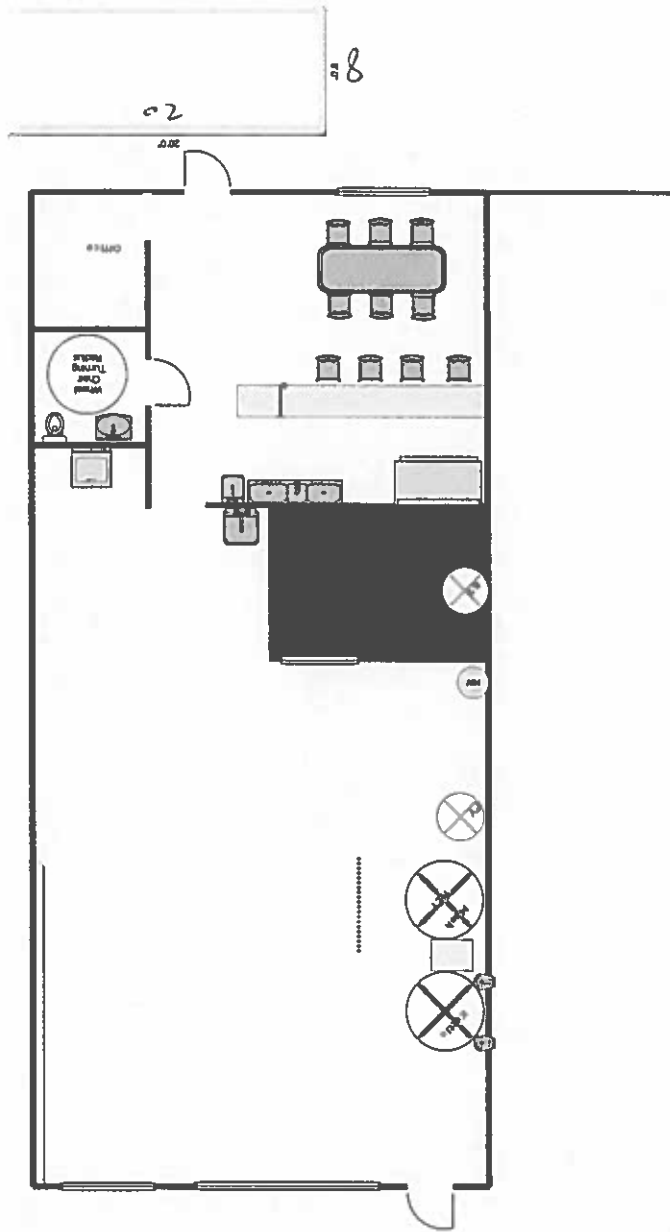
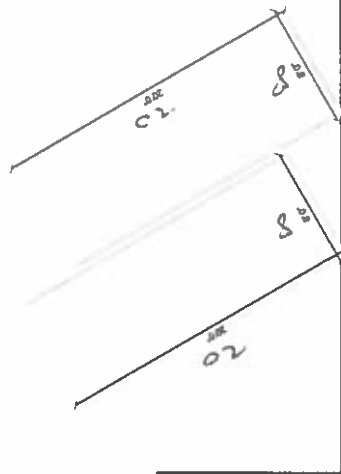
(7) The use will not generate light, noise, odor, vibration, or other effects which would unreasonably interfere with the reasonable enjoyment of other property in the area.

-- No light, noise, odor, vibration or other effects would unreasonably interfere with the reasonable enjoyment of other property in the area. The odor from brewing beer is minimal and would only have a potential bready/malty odor for less than 3 hours 1-3 times per week.

(8) Visual impact due to a building's size shall be mitigated by means of design, landscaping, berming, and other methods of site treatment, and must be compatible with the mass and scale of existing buildings on adjacent properties, or if there are no such buildings, compatible with the mass and scale of buildings in the Town generally. (Ord 1-2014)

-- The building is exiting and Colorado Boy's use will not change the appearance or size of the building.

(B) The burden shall be upon the applicant to prove that these requirements are met.





## Colorado Boy Depot Mitigation Report

(6) Applicants shall submit an Industrial Use Mitigation Report that details how the proposed use will conform to the following criteria. Mitigation measures shall include, at a minimum, a combination of site design, building setbacks, landscaping and screening, to minimize noise, odor, glare, vibration or lighting from emanating beyond the property boundaries in a manner that is not in conformance with these or other town regulations. An application that fails to address each of the following items or that inadequately addresses these items shall be deemed incomplete and no permits shall be issued until all criteria have been addressed.

(a) Additional Studies. The applicant shall complete or provide funding for completion of studies by qualified personnel that the Town deems necessary to quantify and to develop recommendations for abating impacts directly associated with the proposed use.

- Colorado Boy does not believe any studies shall be necessary. If the Town deems studies may be necessary for our use then we can definitely address that.

(b) Dust and Fly Ash. No solid or liquid particles shall be emitted in such a quantity as to be readily detectable at any point along lot lines or as to produce a public nuisance or hazard beyond lot lines.

- No dust or fly ash, solid or liquid particles will be emitted.

(c) Electrical Disturbance or Interference. No use shall:

(i) Create any electrical disturbance that adversely affects any operations or equipment other than those of the creator of such disturbance, or

(ii) Otherwise cause, create, or contribute to the interference with electrical signals (including television and radio broadcasting transmissions) to the extent that the operation of any equipment not owned by the creator of such disturbance is adversely affected.

(d) Exterior Lighting. All exterior lighting shall conform to Chapter 6 Section 5 of the Town of Ridgway Municipal Code titled "outdoor lighting regulations".

(e) Fire and Explosion. No fire or explosive hazard shall exist such as to produce dangerous exposure to adjacent property.

(f) Glare. No direct or reflected glare shall be detectable at any Light Industrial District boundaries.

- No electrical disturbance will occur as a result of Colorado Boy's use of the space.

- All lighting will conform to Chapter 6 Section 5 of the Town of Ridgway Municipal code.

- No fire or explosion hazard will exist from Colorado Boys brewing process.

- There will be no glare as a result of Colorado Boy's use of the space.

(g) Hazardous waste. Hazardous waste shall be those substances as defined by

## Colorado Boy Depot Mitigation Report

Federal, State or local regulations. The disposal, treatment, bulking or handling (hereinafter collectively called treatment) of hazardous waste within the municipal limits of the Town of Ridgway shall be permitted only when such waste is generated within the Town of Ridgway. Any such treatment shall be prohibited except in conformance with all applicable Federal, State or local regulations governing hazardous waste. The temporary storage of hazardous waste other than for treatment is permitted only when it is used, manufactured or generated as a waste as part of an industrial, manufacturing or laboratory process that takes place within the Town of Ridgway. In this circumstance, hazardous waste shall be inventoried and stored inside a building with an impermeable floor and otherwise handled in strict conformance with all applicable Federal, State and local regulations. The records pertaining to such inventory and storage shall be open to authorized personnel of the Town of Ridgway and/or the Ridgway Fire Department upon reasonable request.

- No hazardous waste will be produced by Colorado Boy's use of the space.

(h) Heat. No direct or reflected heat that is dangerous or discomforting shall be detectable at any Light Industrial District boundaries.

- There will be no dangerous or discomforting heat produced by Colorado Boy's use of the space.

(i) Landscaping. A landscaping plan setting forth type, size, location of all plant types and species shall be submitted in conformance with the landscaping standards Section 6-1-11 of the Town of Ridgway Municipal Code. The design of the landscaping plan shall adequately buffer the light industrial use from adjacent surrounding non-light industrial zone districts and breakup any parking area more than 25 spaces to avoid the appearance of large areas of parking.

- Landscaping is existing at the location.

(j) Noise. No persistent noise shall be detectable beyond the property line in excess of the values identified in the following table:

(i)

Zoning of Adjacent Lot

Zoning of Lot

Where Use Is located

All Residential

Zone Districts

General

Commercial

District

## Colorado Boy Depot Mitigation Report

Industrial-1  
District

Industrial-2  
District

Industrial-1  
District

50 55 60 65

Industrial-2  
District

50 60 65 70

All of the above levels are measured in decibels dB(A).

(ii) Impact noises are sounds that occur intermittently rather than continuously. Impact noises generated by sources that do not operate more than one minute in any hour are permissible up to a level of ten (10) dB(A) in excess of the figures listed in the table above, except that this higher level of permissible noise shall not apply from 7:00 pm to 7:00 am when the adjacent lot is zoned residential. The impact noise shall be measured using the fast response of the sound level meter.

- There will be no noise detectable beyond the property line. Noise produced will be minimal and not heard outside the building.

(iii) Noise resulting from temporary construction activity that occurs between 7:00 am and 7:00 pm shall be exempt from the requirements of this section.

- Any construction that may produce noise will be done during these required hours

(iv) Noise shall be measured on a decibel or sound level. Noise level shall be measured at a point located within a street or public right-of-way in the town and a distance of at least 25 feet from the noise source; and/or at the common property line of the property on which the noise source is located and the adjacent property.

(v) No use in the light industrial zone districts may generate noise that tends to have an annoying or disruptive effect upon uses outside the immediate space occupied by the use if that use is one of several located on the lot or uses located on adjacent lots.

## Colorado Boy Depot Mitigation Report

(vi) The table above establishes the maximum permissible noise levels for the I-1 and the I-2 Zone Districts. Measurements shall be taken at the boundary line of the lot where a particular use is located, and, as indicated, the maximum permissible noise levels vary according to the zoning of the lot adjacent to the lot on which subject use is located.

- There will be no noise detectable beyond the property line. Noise produced will be minimal and not heard by anyone outside the building.

(k)

(i) Odor. For purposes of this section, the "odor threshold" is defined as the minimum concentration in a year of a gas, paper or particulate matter that can be detected by the olfactory systems of a healthy observer.

(ii). No use in the I-1 or I-2 Districts may generate any odor that reaches the odor threshold measured at:

(a) The outside boundary of the immediate space occupied by the enterprise generating the odor.

(b) The lot line if the enterprise generating the odor is the only enterprise located on a lot.

- There will be minimal odor produced by the brewing process. Brewing may occur 1-3 times per week. From the kettle steam vent there may be a slight bready/malty smell similar to that of baking bread. This may be noticeable for 2-3 hours 1-3 times per week when brewing occurs. The steam vent will be on the South West side of the building away from the main street.

(l) Off-site Impacts. Off-site impacts that directly result from the proposed use shall be abated. The Town of Ridgway reserves the right to require an independent evaluation of off-site impacts including recommendations about mitigation measures.

- There should be no Off-site impacts as the result of Colorado Boy's use of the space.

(m) Radioactivity. No operation shall be permitted which causes radioactivity in violation any applicable Federal, State or local regulation.

- No radioactivity.

(n) Smoke. For purposes of determining the density of equivalent opacity of smoke, Ringlemann Chart, as adopted and published by the United States Department of Interior, Bureau of Mines Information Circular 8333 May 1967,

## Colorado Boy Depot Mitigation Report

shall be used. The Ringlemann number referred to in this section refers to the number of the area of the Ringlemann Chart that coincides most nearly with the visual density of equivalent opacity of the omission of smoke observed. For example, a reading of Ringlemann No. 1 indicates a 20 percent density of the smoke observed. No smoke shall be permitted in such quantity as to become a nuisance nor shall it be detectable at any property boundaries. All measurements shall be taken at the point of emission of the smoke. In the I-2 District, no use may emit from a tent, stack, chimney or combustion process any smoke that exceeds a density or equivalent capacity of Ringlemann No. 2, except that an emission that does not exceed a density or equivalent capacity of Ringlemann No. 2 is permissible for a duration of not more than four minutes during any eight hour period if the source of such emission is not located within 500 feet of a residential district.

- There will be no smoke produced

(o) Vehicular Traffic. Traffic to and from the site shall not overload or damage street systems to or from the site. Verification of this provision shall be confirmed by an independent traffic analysis conducted by properly qualified individuals.

- Vehicle traffic will be minimal. The small retail portion of the space will be an auxiliary use and only open a few hours per week and primarily during off peak times as to not effect the normal workday of the business park.

(p) Vibration. No inherent and recurrently generated vibration shall be perceptible, without instruments, at any point along in the boundary line of the property on which the use is located. Where more than one use is located on a property, then this standard shall also be measured along any wall of any other building on the property.

- No vibration will be detectable

(q) Waste Disposal. Liquid and solid waste disposal and water service shall comply with all pertinent Federal, State and local regulations.

- Spent grain will be given to a local farmer for feed for their animals. All additional liquid and solid waste will comply with pertinent regulations. Attached is also answers to the commercial wastewater questionnaire.

(r) Observations shall be made as described in the applicable section above. In the event that the point of measurement is not defined or if there is more than one use on the property, measurements shall be taken at the property line of the lot on which the use is located if it is the only use on the lot, or at the exterior of the building in which the use is located if more than one use exist on the same site.

## STAFF REPORT

**Request:** Conditional Use Permit  
**Legal:** River Park Ridgway Business Park Filing 1, Second Lot-Split of Block 2, Lot 4  
**Address:** 687 N Cora St.  
**Parcel #s:** 430516202006  
**Zone:** Light Industrial 2 (L-2)  
**Applicant:** Daniel Richards  
**Owner:** Chad Baillie  
**Initiated By:** Shay Coburn, Town Planner  
**Date:** January 2, 2018

## REQUEST

Applicant is requesting a conditional use permit to convert their current warehouse space into a brewery. "Manufacturing, processing, and packaging of food or beverages" is a use-by-right in this district; however, any manufacturing that requires state or federal permits of any kind in this Light Industrial 2 district becomes a conditional use.

This building is divided into three separate units and the Applicant occupies the southernmost unit. This property is in the industrial park and is currently surrounded by industrial uses.

The Applicant has submitted an application, site plan, description of how the conditional use criteria is met, an industrial mitigation report, and applicable fee. The property and public hearing have been noticed in compliance with the Town Municipal Code.



## CODE REQUIREMENTS

## RMC §7-3-9.5 "I-2" Light Industrial – 2 District

Applicable code provisions for this public hearing:

*(A) Intent: This District is similar to the I-1 Light Industrial District but will allow more intensive uses. Uses by right in this district, will be those that do not create an adverse impact on adjoining uses from lighting, noise, vibration, glare, smoke/fumes/odor, outside storage or other similar impacts. Landscaping is to be used to improve the appearance of the properties, breakup parking areas into smaller screened sections and generally buffer the industrial area from surrounding non-industrial uses. Work conducted on-site may occur outside of buildings. Some on-site impacts may be associated with this district in the form of noise, truck traffic, and vibrations. However, these impacts must be mitigated at the property line.*



*(B) Uses by Right:*

*(3) Manufacturing Processing and Assembly:*

*(f) Manufacturing, processing and packaging of food or beverages, provided all of these operations are within enclosed buildings located further than 250 feet from the Town's existing lagoons and wastewater flume at the southwest aspect of the Ridgway Public Works Wastewater Facility, and all ventilation intakes are on the opposite side of the building from the existing lagoons. (Ord 3-2012)*

*(C) Conditional Uses:*

*(2) Manufacturing Processing and Assembly:*

*(b) Manufacturing or fabrication that requires state or federal permits of any kind and that are uses by right.*

*(D) Performance Standards*

*(1) All manufacturing, fabrication and repairs shall be conducted within a building unless the activity is not visible from an adjacent right-of-way or adjoining property outside of the light industrial district.*

*(2) The maximum fence height shall be 8 feet.*

*(3) Buildings containing more than 5,000 square feet of gross floor area will be required to mitigate the visual impacts of their size by means of design, landscaping, berming and other methods of site and architectural design treatments. Buildings must be compatible with the mass and scale of existing buildings on adjacent properties, or if there are no such buildings, compatible with the mass and the scale of buildings in the Town generally. In no case, shall buildings exceed 12,500 square feet of building footprint. (Ord 1-2014)*

*(4) Street frontages and street side yards are to be fully landscaped from the curb to the building.*

*(5) Fencing, parking and storage shall not exist in front and street side yard setbacks.*

*(5.5) Drive-in restaurants, drive-in theatres, or any other retail stores and service establishments with drive-through facilities shall not be allowed in the I-2 District. (Ord 6-2004)*

*(6) Applicants shall submit an Industrial Use Mitigation Report that details how the proposed use will conform to the following criteria. Mitigation measures shall include, at a minimum, a combination of site design, building setbacks, landscaping and screening, to minimize noise, odor, glare, vibration or lighting from emanating beyond the property boundaries in a manner that is not in conformance with these or other town regulations. An application that fails to address each of the following items or that inadequately addresses these items shall be deemed incomplete and no permits shall be issued until all criteria have been addressed.*

*(a) – (r) See RMC for full detailed list.*

**RMC §7-3-14 Conditional Uses**

*(A) Uses listed as conditional uses for the various zoning districts provided in this Section shall be allowed only if the Planning Commission determines, following review pursuant to Subsection 7-3-18, that the following criteria are substantially met with respect to the type of use and its dimensions:*

*(1) The use will not be contrary to the public health, safety, or welfare.*

*(2) The use is not materially adverse to the Town's Master Plan.*

*(3) Streets, pedestrian facilities, and bikeways in the area are adequate to handle traffic generated by the use with safety and convenience.*

*(4) The use is compatible with existing uses in the area and other allowed uses in the District.*

*(5) The use will not have an adverse effect upon other property values.*

*(6) The location of curb cuts and access to the premises will not create traffic hazards.*

*(7) The use will not generate light, noise, odor, vibration, or other effects which would unreasonably interfere with the reasonable enjoyment of other property in the area.*

*(8) Visual impact due to a building's size shall be mitigated by means of design, landscaping, berming, and other methods of site treatment, and must be compatible with the mass and scale of existing buildings on adjacent properties, or if there are no such buildings, compatible with the mass and scale of buildings in the Town generally. (Ord 1-2014)*

*(B) The burden shall be upon the applicant to prove that these requirements are met.*

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## ANALYSIS

While manufacturing, processing and packaging of food or beverages is a use-by-right, it becomes a conditional use when a license from the state is required, as is required for this brewery. This use may be considered if the Performance Standards of §7-3-9.5 and the criteria listed in §7-3-14 are met. The following is an analysis of applicable standards and criteria.

### **RMC §7-3-9.5 (B)(3)(f) I-2 Light Industrial Uses by Right - Manufacturing Processing and Assembly**

All operations will take place within an enclosed building. This building is located more than 250 feet from Town's existing lagoons and wastewater flume. In addition, the applicant has confirmed that all ventilation intakes are on the opposite side of the building from the existing lagoons.

### **RMC §7-3-9.5 (D) Performance Standards**

A few of these items are applicable to the full building, not just the unit requesting this conditional use.

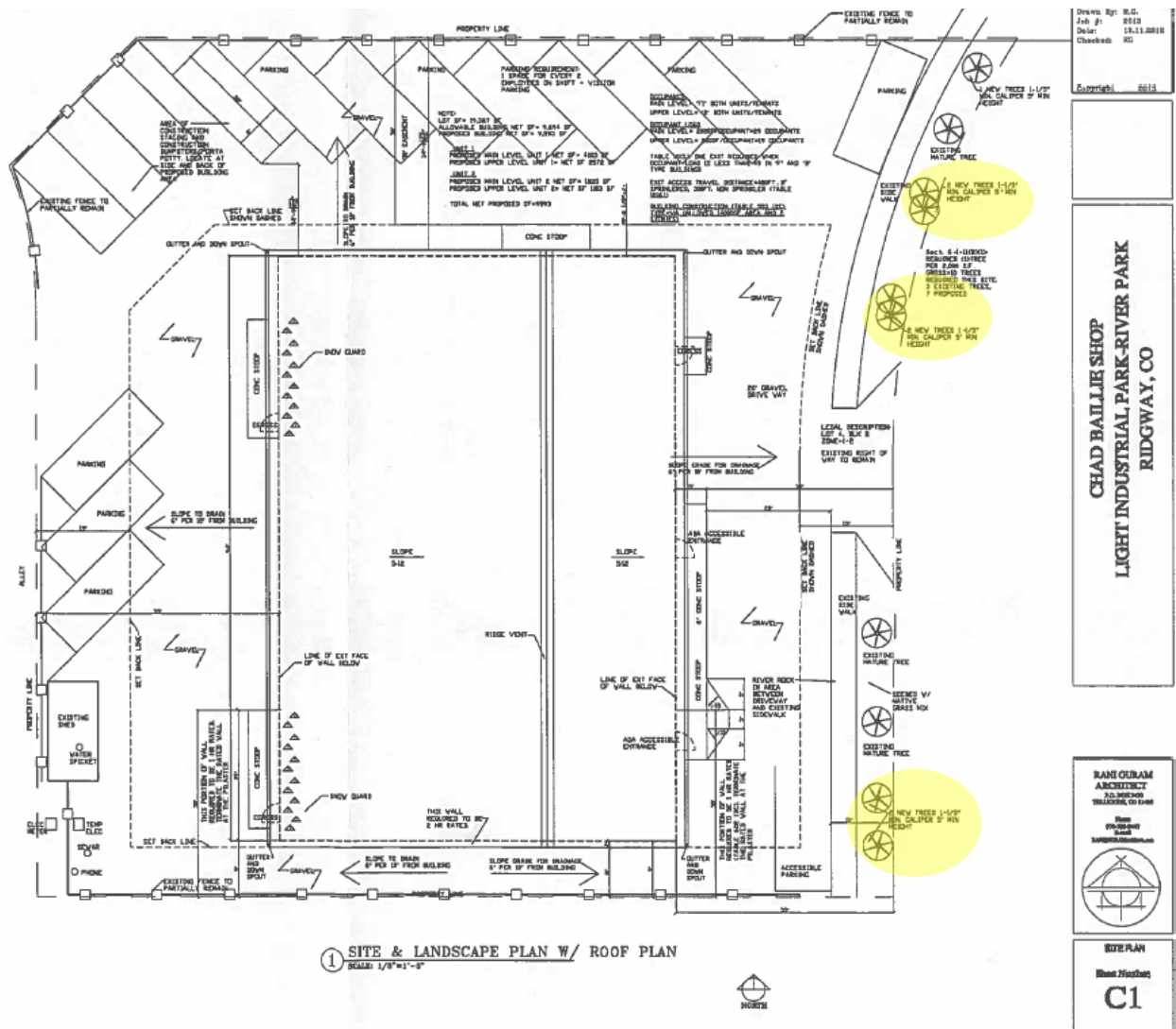
(1) All manufacturing will be conducted within the building, as mentioned above.

(2) Fence height is under 8 feet.

(3) The requirement for visual mitigation for buildings over 5,000 sq. ft. was established in 2014, after this building was completed. The building is currently legally non-conforming in regards to this regulation.

(4) There are six new trees identified on the landscaping plan from 2012 have not yet been planted. The plan, as copied in below and highlighted, labeled these new trees to be 1.5" minimum caliper, 5' minimum height. Staff recommends that these 6 trees are planted as a condition of this conditional use permit.





Site and Landscape Plan from 2012



Existing Trees – photos taken December 21, 2017

(5) The one parking space proposed in the front yard on the submitted site plan will not be permitted as the performance standards do not allow parking in the front setback. This use is required to provide three parking spaces, which are shown on the site plan to be in the rear yard.

(5.5) This use is not a drive-in or drive-through.

(6) The applicant has submitted an Industrial Use Mitigation Report. It appears that there is a potential impact due to odor. The applicant mentions in the report that a “slightly bready/malty smell similar to that of baking bread” may be noticeable “for 2-3 hours 1-3 times per week when brewing occurs.” The vent will be on the southwest side of the building which is away from Cora Street and currently toward vacant property. In addition, the Applicant’s current operation in the Historic Business district has not caused any issues with odor, so an issue is not foreseen..

While the submitted Mitigation Report mentions that vehicular traffic will be minimal, it also mentions that there will be a small retail area that is accessory to the brewery use. This may attract additional traffic during those open hours. However, the retail area is less than 500 square feet which naturally limits the capacity of the space. Furthermore, the applicant has stated that operating hours will be limited to about 4 to 12 hours per week and may be from 4 pm to 8 pm on Thursday and Friday nights, which is generally outside of the surrounding businesses’ operating hours. If traffic and safety become a problem, further discussion and mitigation may be required to limit hours of operation. The Town will work with the Applicant on these matters, should an issue present itself.

#### **RMC §7-3-14 Conditional Uses**

*(1) The use will not be contrary to the public health, safety, or welfare.*

There should be no impact to the public’s health, safety and welfare due to this use.

*(2) The use is not materially adverse to the Town's Master Plan.*

The proposed use is in an existing industrial area. The description of industrial land use in the 2011 Land Use Plan mentions that these areas provide opportunities for employment. In addition, Goal number 5 in the Land Use Plan, titled “Economy,” includes policies that directly support the Applicant’s proposal. For example, (4) supporting and nurturing a successful business environment through land use regulations, (5) promoting innovative enterprises that uphold the Town’s vision and add to the local economy, and encourage various artistic, design creative, and (6) manufacturing industries that will be sustainably implemented the complement the community’s land use goals without detrimental impacts to the community or environment.

Staff could not identify any goals or policies that would make this use adverse to the master plan.

*(3) Streets, pedestrian facilities, and bikeways in the area are adequate to handle traffic generated by the use with safety and convenience.*

This proposed use is in the existing industrial park which contains a road network and sidewalks. The brewery use should not impact traffic much at all. The proposed accessory retail use may bring more traffic, but given that the operating hours will likely be later than the business surrounding, staff does not foresee a traffic issue at this time. If traffic and safety become a problem, further discussion and mitigation may be required to limit hours of operation, as stated above.

*(4) The use is compatible with existing uses in the area and other allowed uses in the District.*

This use is compatible with surrounding industrial and light industrial uses.

*(5) The use will not have an adverse effect upon other property values.*

The use should not have an adverse effect upon property values. It may actually increase property values and area may become more vibrant.

- (6) *The location of curb cuts and access to the premises will not create traffic hazards.*

Curb cuts are existing in the area and will not change with this use.

- (7) *The use will not generate light, noise, odor, vibration, or other effects which would unreasonably interfere with the reasonable enjoyment of other property in the area.*

This use will not generate light, noise, vibration or other effects. Odor will be generated as a result of the brewing process. The Applicant expects a bready/malty odor about one to three times a week for about 3 hours.

- (8) *Visual impact due to a building's size shall be mitigated by means of design, landscaping, berming, and other methods of site treatment, and must be compatible with the mass and scale of existing buildings on adjacent properties, or if there are no such buildings, compatible with the mass and scale of buildings in the Town generally. (Ord 1-2014)*

The building is existing - this is simply a new use within one of the units. The new use will not change the size of the building. As stated above, this regulation was added to the code after the building was completed and it is legally non-conforming.

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#### **STAFF RECOMMENDATION**

Manufacturing and fabrication that requires state or federal permits of any kind, even uses-by-right, are a conditional use in the I-2 district. The conditional use must meet the required performance standards and conditional use criteria to be allowed. These criteria and performance standards exist due to the impact this use may have on the surrounding area.

Given that the analysis above shows compliance with the performance standards and conditional use criteria, Staff recommends approval of this application for a Conditional Use with the following two conditions:

1. The six new trees with minimum caliper of 1.5" and 5' minimum height, as identified on the 2012 landscape plan, be planted before a certificate of occupancy for this use is issued.
2. The Town reserves the right to work with the Applicant to find appropriate operating hours if traffic, safety or parking become a problem.



*Posted property from North Cora St.*



To: Ridgway Planning Commission  
From: Shay Coburn, Town Planner  
Date: January 2, 2018  
RE: PC Agenda Item 4: Zoning and Subdivision Workshop

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#### Discussion: Zoning and Subdivision Workshop

1. To discuss: what it is and why we are doing it.
2. To think about:
  - a. What specific topic areas within the zoning and subdivision regulations do you want to discuss?
  - b. Where do you want more clarity?
  - c. What is most relevant to you right now?



To: Ridgway Planning Commission  
From: Shay Coburn, Town Planner  
Date: January 2, 2018  
RE: PC Agenda Item 5: Upcoming Master/Comprehensive Planning Process

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#### Discussion: Upcoming Master/Comprehensive Planning Process

1. To discuss: purpose, timeline, importance, roles, scope of work and next steps.
2. To think about:
  - a. What you want to know about this process?
  - b. What you want your role to be?
  - c. Overall, what you want to be accomplished through this process?
3. Resource attached: Master Plan Primer, DOLA



# STATE OF COLORADO DEPARTMENT OF LOCAL AFFAIRS

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## MASTER PLAN PRIMER

### MASTER PLAN – GENERAL DESCRIPTION

The master plan, sometimes referred to as a comprehensive plan, is a framework and guide for accomplishing community aspirations and intentions. It states goals and objectives and recommends courses of action for future growth and development of land, public facilities and services and environmental protection.

### PLAN ELEMENTS THAT MAY BE INCLUDED

- Statement of Objectives, Policies and Programs
- Relationship of Plan to the Trends/Plans of the Region
- Land Use
- Transportation
- Utility and Facility Plan
- Urban Influence Area
- Housing
- Cultural/Historical/Social Setting
- Educational Facilities
- Energy
- Environment
- Recreation and Tourism\*

\*the only plan element required by statutes (see C.R.S. 30-28-106 and 31-23-206)

### BASIS/BACKGROUND FOR PLAN INFORMATION

The plan is based on inventories, studies, surveys, analysis of current trends and must consider social and economic consequences of the plan and existing and projected population.

### GOALS AND OBJECTIVES OF THE PLAN

The principal purpose for a master plan is to be a guide for the achievement of community goals. A plan will also:

1. State and promote broad community values in the plan goals, objectives, policies and programs.
2. Establish a planning process for orderly growth and development, and economic health.
3. Balance competing interests and demands.
4. Provide for coordination and coherence in the pattern of development.
5. Provide for a balance between the natural and built environment.
6. Reflect regional conditions and consider regional impacts.
7. Address both current and long-term needs.



## USING THE PLAN

The adopted plan has the potential for many uses and will define the way it is to be used in its implementation section. Among the uses of the plan are the following:

1. **A basis for regulatory actions:** The plan serves as a foundation and guide for the provisions of the zoning regulations, subdivision regulations, the land use map, flood hazard regulations, annexation decisions and other decisions made under these regulations.
2. **A basis for community programs and decision making:** The plan is a guide and resource for the recommendations contained in a capital budget and program, for a community development program, and for direction and content of other local initiatives, such as water protection, recreation or open space land acquisition and housing.
3. **A source for planning studies:** Few plans can address every issue in sufficient detail. Therefore, many plans will recommend further studies to develop courses of action on a specific need.
4. **A standard for review at the County and State level:** Other regulatory processes identify the municipal plan as a standard for review of applications. Master plans are important to the development of regional plans or inter-municipal programs, i.e., a regional trail network or area transit program.
5. **A source of information:** The plan is a valuable source of information for local boards, commissions, organizations, citizens and business.
6. **A long-term guide:** The plan is a long-term guide by which to measure and evaluate public and private proposals that affect the physical, social and economic environment of the community.

## RESPONSIBILITY FOR PREPARATION AND ADOPTION OF THE PLAN

The planning commission is responsible for preparing the plan, distributing the plan, holding public hearings on the plan, and adopting the plan.

## PUBLIC INVOLVEMENT

Citizen participation helps to guide the planning commission in making decisions and in promoting community understanding of planning needs and issues. At least one public hearing must be held by the planning commission and by the legislative body before the plan is adopted. To generate support, understanding, and active participation in planning, however, more community involvement is usually needed. Citizens who are not well informed can present obstacles to the implementation of the plan by not supporting or participating in local programs.



PLANNING COMMISSION  
MINUTES OF THE REGULAR MEETING  
DECEMBER 5, 2017

CALL TO ORDER

The Chairperson called the meeting to order at 5:30 p.m. with Commissioners Emilson, Falk, Liske, Nelson, Councilor Hunter, Mayor Clark and Chairperson Canright in attendance.

PUBLIC HEARING

1. Application for Preliminary Plat for Lena Street Commons; Location: East of Blocks 31 and 32, north of Hartwell Park and Charles Street, south of Otto Street, and west of the Library District property and Town of Ridgway property at North Railroad Street; Address: 316 North Lena Street; Zone: General Commercial (GC) and Historic Business (HB); Applicant: Tate Rogers: Owner; Arthur Travis Spitzer Revocable Trust.

Notice of Public Hearing dated 12-5-17; Application for Conditional Use Permit dated 4-14-17; Application for Preliminary Plat Approval, dated 8-28-2017; Town Planner Staff Report dated 12-5-17 presenting background, analysis and staff recommendation.

Town Planner Shay Coburn presented an application for preliminary plat review for the proposed Lena Street Commons subdivision. She outlined previous discussions with the Planning Commission and Town Council held August 30, 2016, October 25, 2016, November 29, 2016 and January 3, 2017. She added the application is the third version of the preliminary plat that staff has reviewed.

Ms. Coburn explained the applicant is requesting a permanent easement encroaching along the north side of the Town's property, along Otto Street to accommodate private storm drainage for the development. She explained staff worked with the development team to establish a reciprocal utility easement along the south side of the subject property and in addition to that reciprocal easement, the development team is requesting an additional five feet of Town property. The development team is also requesting a 10 foot wide easement for the sewer serving the A units. The Town Planner noted that staff has recommended the development team explore other utility lay-out options or purchase the Town-owned property. She explained these easements would need to be worked out with Town Council as they have final say regarding the use of Town property. The Commission questioned the possibility of the development team purchasing the triangular portion of Town property if a line was drawn roughly north from where there is an angle in the property line behind the A units.

The Planner updated the Commission regarding Lena Street grade and building heights. She explained Lena Street will need to be hard surfaced with the increase in traffic from the development. Changing the grade of the street will affect the building heights causing

it to exceed the maximum building height of 35 feet for the D units. Staff is working with the applicant's development team to find a solution. Options are still being explored though staff inquired if paving Lena Street should be included as part of the Planned Unit Development negotiations. The Commission agreed that this should be explored.

Planner Coburn explained the development team has requested that improvements required between preliminary and final plat be deferred for construction and secured through a Subdivision Improvements Agreement that will be completed after Final Plat. Though the decision is that of the Town Council, staff recommends the applicant adhere to the provisions of the Ridgway Municipal Code Section 7-4-6(B)(1) which requires particular improvements before Final Plat and only allows minor items to be secured through a Subdivision Improvement Agreement.

Ms. Coburn recommended modification of several proposed plat notes in addition to a revision of notes 4, 11 and 17 which are in regards to short term rentals, project phasing and affordable housing. She also commented that moving the property lines on the lots between the GC and HB Districts will require rezoning to be completed or coincident with the final plat.

The Town Planner noted that nearly every dimensional standard in the development has a variance request and reviewed 3 of 9 highlighted in the Staff Report. The requests reviewed were in regards to changes in setbacks from the original Sketch Plan and reductions in the number of required parking spaces for Units E and Building A.

Town Manager Jen Coates spoke at length and advised the Commission regarding the types of processes that could be used to secure the vested development rights. She noted since the development has numerous requests to deviate from town code the plan should be clearly outlined either by notes on the Final Plat Map or a Development Agreement. The Commission agreed that a Development Agreement or notes on the Final Plat should be used to secure the vested development rights.

The Commission reviewed the application with the Town Planner and Manager.

The Planning Commission reviewed development models and drawings with the development team architect Sundra Hines.

Commissioner Emilson left the meeting at 6:35 p.m.

Applicant Tate Rogers stated he is in agreement with the staff comments regarding short-term rental considerations.

Attorney Tom Kennedy, representing the applicant, said he is concerned about vested development rights for the project because the Town requires major infrastructure requiring significant funds to be in place before final plat approval. His concern was in regards to code changes affecting the project while in development, and prefers that a Development Agreement be drafted. Mr. Kennedy also agreed the affordable housing plat note should be compliant with current standard language used by the Town and asked Town staff to send the language to him. Tom Kennedy also said he would work on a more detailed phasing plan.

ACTION:

Councilor Hunter moved to continue the hearing for the Preliminary Plat for the Lena Street Commons to the regular January 30, 2018 meeting. Commissioner Liske seconded the motion, and it carried unanimously.

APPROVAL OF THE MINUTES

2. Approval of the Minutes from the meeting of October 31, 2017.

ACTION:

Mayor Clark moved approve the Minutes from the meeting of October 31, 2017. Councilor Hunter seconded the motion and it carried unanimously.

ADJOURNMENT

The meeting adjourned at 7:15 p.m.

Respectfully Submitted,

Karen Christian  
Deputy Clerk