

PLANNING COMMISSION  
MINUTES OF THE REGULAR MEETING  
July 30, 2019

CALL TO ORDER

The Chairperson called the meeting to order at 5:35 p.m. with Commissioners Falk, Liske, Nelson, Councilor Cheek and Chairperson Canright in attendance. Mayor Clark and Commissioner Emilson were absent.

PUBLIC HEARINGS

1. Application for Sketch Plan; Location: Block 28, Lots 16-20; Address: 283 North Cora Street; Zone: Historic Residential (HR); Applicant Matt Mclsaac; Owners: Matt Mclsaac

Staff Report dated July 30, 2019 presenting background, analysis and staff recommendation prepared by the Town Planner.

Town Planner Shay Coburn presented an application for sketch plan for a proposed subdivision that will include one single family home over an attached garage, and six 2 bedroom, 2.5 bath townhomes. The quarter block parcel will be divided into 7 individual lots. She noted that a conditional use approval will be required for the multi-family residences in the Historic Residential Zone. Reduced lot widths, lot size, lot coverage and side setbacks will require a variance approval as part of a planned unit development if the sketch plan is approved she continued. Planner Coburn said drainage issues currently exist on the lot. She noted the Applicant has attended the first Storm Water Master Plan meeting, and felt the issue can be resolved through a coordinated effort. She recommended that the affordable housing restrictions be simplified by allowing occupancy of residents where the majority of the household income is earned in Ouray County because the project is too small to designate 10% of built units as affordable. Coburn noted that in general the application comports with the Master Plan and provides a variety of housing options in the core of Town and recommended approval of the Sketch Plan.

The Chairperson opened the hearing for public comment.

Gary Redmond said his house is situated between the proposed development and the proposed Space 2 Create structure. He commented that his residence will be obstructed from the sunlight because of the two developments and asked when that area of town was designated as a Historic Residential Zone. He found that the height requirement for the proposed structure is within the zone allowances and that the HR District has been in existence since prior to the 1970's.

Cathy Redmond asked if there would be alley access to the proposed development and the applicant said there would not be alley access for the 6 new townhome units.

Krista Stewart asked if the length of the driveway will accommodate two linear parked cars to prevent overspill onto the pedestrian area of the sidewalk and the applicant explained that should not be a problem.

The Chairperson closed the hearing for public comment.

The Planning Commission discussed landscaping, restricting short-term rentals, affordable housing options, snow melt and removal on the parcel, and the criteria for the requested variances with the applicant and staff.

#### ACTION:

Councilor Cheek moved to approve the Application for Sketch Plan; Location: Block 28, Lots 16-20; Address: 283 North Cora Street; including all variance requests and the conditional use request noted in the Staff Report dated July 30, 2019. Commissioner Nelson seconded the motion, and it carried unanimously.

#### OTHER BUSINESS

##### 2. Dark Skies Update and Discussion

Memorandum dated July 30, 2019 presenting background, analysis and points for discussion prepared by the Town Planner.

The Town Planner updated the Planning Commission on the requirements to become a Dark Skies Community. She reviewed the proposed revisions for the Outdoor Lighting Regulations that are needed to become a designated Dark Skies Community along with enforcement of the regulations. Planner Coburn reviewed her memo dated July 30, 2019 with the Planning Commission so that their recommendations and concerns could be accurately conveyed in a comprehensive memo to the Town Council.

A watts conversion to lumens graph was included in the memorandum. The data consisted of sample sites within the Town and it revealed that the limitation on lumens is not favorable for densely populated areas. Other difficulties with certification and the proposed lighting regulations included: calculating net acre light distribution; calculating the correct amount of lumens allowed for new construction at the time of the building permit process; a concern that the public may not yet be aware of this proposed change; commercial buildings combining or dividing units will need to recalculate the net lumens on the lot; compliance for legally non-conforming fixtures; all outdoor lights including solar lights count toward the maximum lumen calculation; Town owned street lights may need replacing; and enforcing the regulations. Planner Coburn noted the Commissions' concerns to include in the Town Council memo and they agreed the Planner's memorandum accurately depicted their opinions for Town Council review.

Assistant Planner Deanna Drew commented that the Town consist of a variety of developments and density is encouraged. She acknowledged that the regulations are being revised to minimize the variance process for builders, and that keeping the regulations simple will assist in administration, education and enforcement.

Val Szwarc, Ridgway Ouray Community Council (ROCC) Board President said he agreed that the Outdoor Lighting Regulations should take precedence over any requirements established by the International Dark Skies Association (IDA) in order for the Town to obtain certification and encouraged the variance process for new builders. He said ROCC would assist the Town in education, documentation for outreach, and interim and annual reports, so that ultimately the Town would only need to enact an ordinance, supply a support letter for the IDA application and update the outdoor mercury vapor lamp street lights. Mr. Szwarc noted that the process and maintenance of the certification is not a staff responsibility in other municipalities, rather

grassroots committees coordinate the certification program and are the immediate contacts for the IDA and tourists.

Howard Green, ROCC member, said he has experienced overwhelming community support about the Dark Skies certification. He explained the designation should not be burdensome to the Town because most of the IDA standards are already met with the outdoor lighting regulations as written at this time. He noted should the residents desire to prevent glaring lighting in the future or should they desire to change the regulation to be less protective of the dark skies, the certification is the firewall to prevent backtracking. Mr. Green also suggested that the certification provides residents with a friendly way to discuss their concerns with neighbors about glaring lights because of the culture it promotes which is part of the fabric of Town and compliance will be more likely.

### 3. 2019 Ouray County Multi-Hazard Mitigation Plan Update

Document entitled *Hazard Mitigation Planning*, published by the Federal Emergency Management Agency (FEMA)

The Town Planner presented the *Hazard Mitigation Planning* document to the Commission. She informed them that the County in conjunction with the Town are updating the Plan as required every 5 years. Coburn explained the Plan will provide information and outlines proactive procedures about how to avoid major impacts before a hazardous situation occurs. Planner Coburn said there will be periodic updates for the Planning Commission during the process.

### 4. Chairperson's Comments to the Commissioners

Chairperson Canright requested that the Commissioners respond to the Town Planners' email when the meeting packets are sent out. The response should include an acknowledgement about receiving the packet as well as an affirmation about attending the meeting. This will ensure that applicants attending the meeting are notified timely if a meeting is rescheduled. The Town Planner agreed this procedure would be helpful.

## APPROVAL OF THE MINUTES

### 5. Approval of the Minutes from the Meeting of June 25, 2019

#### ACTION:

Commissioner Liske moved to approve the Minutes from June 25, 2019. Councilor Cheek seconded the motion, with Commissioner Nelson abstaining, and it carried unanimously.

## ADJOURNMENT

The meeting adjourned at 8:15 p.m.

Respectfully submitted,

Karen Christian  
Deputy Clerk