

RIDGWAY PLANNING COMMISSION

AGENDA

Tuesday, August 27th, 2019
Regular Meeting; 5:30 pm
Ridgway Community Center
201 North Railroad Street, Ridgway, Colorado

ROLL CALL: Chairperson: Doug Canright, Commissioners: Tessa Cheek, John Clark, Thomas Emilson, Larry Falk, Bill Liske, and Jennifer Nelson

OTHER BUSINESS:

1. Master Sign Plan regulations, RMC 7-3-12
2. Prioritize 2019 Master Plan actions, specifically zoning and subdivision code updates
3. Ouray County Multi-Hazard Mitigation Plan update

APPROVAL OF MINUTES:

4. Minutes from the meeting of July 30th, 2019

ADJOURN

7-3-12 SIGN REGULATIONS.

(J) Master Sign Plans

- (1) Purpose: To provide flexibility for the amount of signage and size of signs for multi-tenant buildings and developments to ensure signage is available for business and facility wayfinding and identification. To protect the health, safety and welfare of the community while preserving town aesthetics.
- (2) Applicability
 - (a) A Master Sign Plan shall be required for all properties with multi-tenant buildings and/or multiple buildings in which more than three non-residential tenants or businesses are present.
 - (b) Any property with multiple-tenant buildings or multiple buildings in which more than three non-residential tenants existing at the time of adoption of this section that does not have a Master Sign Plan shall be required to apply for a Master Sign Plan at the time of application for a new sign at the site.
 - (c) Property owners that are not required to have a Master Sign Plan per items (a) and (b) above, may apply for a Master Sign Plan.
- (3) General Regulations
 - (a) All signs subject to a Master Sign Plan shall apply for and receive a sign permit before any sign may be installed.
 - (b) All signs on the site shall conform at all times to the approved Master Sign Plan and other applicable Sign Regulations.
 - (c) A Master Sign Plan shall run with the property for which it was issued and not with individual tenants or businesses.
 - (d) Applications for a Master Sign Plan shall be submitted to the Town on forms supplied by the Town accompanied by the fee per Ridgway Municipal Code Section 7-3-20. At a minimum the Applicant shall submit the following information to the Town:
 - (i) Identification of the property for which the Master Sign Plan application shall apply;
 - (ii) Proof of property ownership, or partial ownership, and signatures from all property owners included in the proposed Master Sign Plan;
 - (iii) Total sign area allowed per Ridgway Municipal Code Section 7-3-12 and the total sign area requested with the Master Sign Plan;
 - (iv) Site plan showing location of all existing and proposed signs on property, with distance from property lines;
 - (v) Building elevations/pictures showing location of all existing and proposed signs on property, with height of all signs from the ground;
 - (vi) Dimensions and type of all existing and proposed signs, including the unit number/address for each; and
 - (vii) Any proposed lighting for the signs, including location, type, kelvin, and lumens for each fixture.

(e) The following deviations are allowed from the specified dimensional requirements of the sign regulations in Ridgway Municipal Code Sections 7-3-12(E)(3) and 7-3-12(F)(7).

- (i) Any one sign may be up to 30% larger than 32 square feet.
- (ii) A free-standing sign may be up to 30% larger than 56 square feet.
- (iii) Up to 30% more than the allotted square footage of sign area may be allowed.

Deviations may not be considered for other sign regulations herein including, but not limited to, prohibited signs, zoning district specific regulations, performance criteria excluding item 7, and specific regulations for projecting and portable signs.

(4) Criteria for Approval

The proposed Master Sign Plan:

- (a) will not be contrary to the public health, safety, or welfare;
- (b) will not create traffic hazards;
- (c) provides for adequate assurances of safety from natural conditions (such as wind, snow, and ice) as it relates to the signs proposed;
- (d) will not unreasonably interfere with neighboring commercial businesses or properties; and
- (e) provides for signs that are reasonably necessary to operate the business or businesses on the property.

(5) Review Procedure

- (a) Within 10 days of receipt of a completed application accompanied by the applicable fee for a Master Sign Plan or a minor change to a Master Sign Plan, the Town will administratively approve or deny the application according to the Criteria for Approval. It shall not be necessary for the Town to provide written findings or conclusions, except upon request of the applicant.
 - (i) To the extent an application for a Master Sign Plan or minor change is denied in whole or in part, the requesting party may appeal to the Planning Commission as set forth in subsection (5)(b) of this section. Such appeal shall be in writing and submitted within 7 days of the Town's decision and review shall be *de novo*.
- (b) Within 14 days of receipt of a completed application accompanied by the applicable fee for a major change to a Master Sign Plan, or an appeal of a denial of a Master Sign Plan or minor change to a Master Sign Plan, the Planning Commission will set a hearing;
 - (i) The hearing shall be heard at the next regularly scheduled Planning Commission meeting, but no later than 40 days after receipt of a completed application accompanied by the applicable fee for a major change to a Master Sign Plan, or an appeal of a denial of a Master Sign Plan or minor change to a Master Sign Plan. A hearing that must be continued due to time constraints or other delays may be continued for an additional 7 days beyond the 40-day deadline, assuming the hearing was commenced within the 40-day deadline. By mutual agreement, the applicant and the Planning Commission may also extend the 40-day and 7-day deadlines set forth in this subsection.
 - (ii) 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 Planning Commission may limit testimony, evidence, and cross-examination which is merely

cumulative and is not required to follow any set procedure during the hearing, nor strictly follow the Rules of Evidence as applied by the Court. The hearing should 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 the applicant's sole expense. The burden is upon the applicant in all cases to establish that the applicable criteria for any action are met.

- (iii) Notice of the hearing shall be posted at Town Hall at least ten days before the hearing and posted, visible for each street frontage abutting the property, for at least ten days prior to the hearing in addition to any other notice required by Town regulations.
- (iv) The Planning Commission shall announce its decision according to the Criteria for Approval within 14 days of the completion of the hearing. It shall not be necessary for the Planning Commission to provide written findings or conclusions, except upon request of the applicant, or other party appearing or participating in the hearing. The decision of the Planning Commission with respect to an application for a major change to a Master Sign Plan, or an appeal of a denial of a Master Sign Plan or minor change to a Master Sign Plan shall be final, subject only to review under Rule 106 of the Colorado Rules of Civil Procedure. Upon the filing of an appeal under Rule 106, the Town shall cause a transcript of any tape recording of the hearing to be made and certified to the court, and the party filing such appeal or such review, shall pay the Town the reasonable cost incurred in producing such transcript, unless such party has a transcript produced by a court reporter at the applicant's expense.
- (v) The Planning Commission may approve the requested action only upon finding that all applicable criteria and requirements of these Master Sign Plan regulations or other Town ordinances have been met. If it determines such criteria have not been met, the application shall be denied. The application may be granted upon conditions or limitations which the Planning Commission determines are necessary in order to ensure 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, subject only to review under Rule 106 of the Colorado Rules of Civil Procedure.

(6) Amendments to Approved Master Sign Plans

- (a) **Minor Changes:** Minor changes are those changes that do not alter the overall characteristics of the existing Master Sign Plan and that create no adverse impacts on adjacent uses, infrastructure, or public safety. Examples of what may be considered a minor change include, but is not limited to, 1) changes in the location of signs, 2) replacement of existing signs that are the same size or smaller than the existing sign, and 3) changes in the number of signs, as long as the aggregate square footage remains the same.
- (b) **Major Changes:** Major changes are those that can alter the overall character of the Master Sign Plan and which could create adverse impacts on adjacent uses or public infrastructure. Examples of what may be considered a major change include, but are not limited to, 1) changes in the total square footage of the Master Sign Plan and 2) requests for deviations per 7-3-12(J)(3)(e).



To: Ridgway Planning Commission
From: Shay Coburn, Town Planner
Date: August 23, 2019
RE: Prioritizing Master Plan Action Items, specifically zoning and subdivision code updates

The Town of Ridgway recently adopted a new [Master Plan](#). This Master Plan includes an Action Plan in Park V, along with a designated lead for each action. The attached table below includes all actions from the Action Plan where Community Development, specifically Planning, is the lead. Many of these actions are to update our municipal code. Based on the Town’s priorities to address housing, the following proposal for code updates is being presented for Commission input.

Priority	Task	Timeframe
1	Housing: Revise permitted use lists to add “Missing Middle” and innovative/efficient housing types in appropriate zone districts, as well as standards and definitions for those housing types. Consider development of a new residential district and/or revise dimensional standards. We could include discussion of residential uses as conditional uses in the industrial districts per the workshop for development in the industrial park. MP Actions: COM-2a, COM-1c, COM-2c	Sept.-Dec. 2019
2	Administrative Flexibility: Draft new Administrative Adjustment process and decision criteria to allow staff approval of minor deviations from listed dimensional and development standards when necessary to accommodate unique site, terrain, or utility constraints on single development lots (not entire multi-lot or multi-home developments).	Jan.-Feb. 2020
3	Planned Unit Developments: Revise PUD regulations to align lists of required PUD design elements or amenities with key priorities in the adopted master plan. Clarify standards, procedures, and decision criteria. Subdivision Regulations: Revise to align with adopted master plan. Simplify and clarify subdivision standards, procedures, and decision criteria. MP Actions: COM-1b, COM-2b, CHR-1c, GRO-1c, GRO-4d	Mar.-May 2020

Ridgway Master Plan Community Development/Planning Action Items

Action Number	Action Item Description	Responsibility-Lead	Responsibility-Partners	Timing	Resources Required	Code Reference
COM-2a	Review and update the Town’s zoning regulations as necessary to ensure desired housing types are defined and allowed in locations designated for residential uses by the Land Use Plan.	Community Development	Planning Commission	Short-term	P,F	7-3-4 to 7-3-9.6
COM-1c	Update the Ridgway Municipal Code to promote housing affordability (i.e.: reducing lot size requirements, increasing allowed densities, and reducing parking requirements).	Community Development	Planning Commission	Short-term	P,F	7-3-10
COM-2c	Study recent innovations in modular home and small home construction and revise land use and building codes to allow in appropriate locations.	Community Development	Planning Commission, Community Partners	Short-term	P	6-6, 6-3
COM-1b	Update Planned Unit Development Regulations to require community benefits—such as, but not limited to— the dedication of a portion of planned units to affordable or workforce housing.	Community Development	Planning Commission, Town Council, private property owners, developers	Short-term	P	7-3-11
COM-2b	Review and update the Town’s subdivision standards and PUD regulations to encourage/incentivize a mix of housing types in new neighborhoods and establish formal criteria for community benefits, such as affordable or workforce housing.	Community Development	Planning Commission	Short-term	P,F	7-4 and 7-3-11
GRO-1b	Evaluate the desirability of creating an incentive system whereby developers and property owners are given density, height, or other bonuses in exchange for community benefits, such as affordable housing. Codify the incentive system if found desirable.	Community Development	Planning Commission, Town Council	Short-term	P	7-4
COM-1d	Develop and consider adopting a policy on deed restriction language for affordable units.	Community Development	Planning Commission	Short-term	P	
ENV-3c	Update the Town’s landscaping regulations to require low water usage landscaping or xeriscaping.	Community Development	Public Works, Planning Commission	Short-term	F,P	6-6, 6-1-11

Ridgway Master Plan Community Development/Planning Action Items

Action Number	Action Item Description	Responsibility-Lead	Responsibility-Partners	Timing	Resources Required	Code Reference
CHR-1a	Consider updating the Single Family Home Design Standards for residential infill and redevelopment to protect the character of these areas.	Community Development	Planning Commission, Ouray County Historical Society	Short-term	P	6-6
ECO-2b	Strengthen the Town zoning code to support industrial and commercial uses in appropriate zones.	Community Development	Planning Commission	Short-term	P	7-3-4 to 7-3-9.6
CHR-3a	Revise subdivision regulations and/or PUD regulations to encourage the retention of agricultural land or the incorporation of small-scale urban agriculture as community benefits where appropriate or desirable.	Community Development	Planning Commission, Ouray County Right to Farm Board	Short-term	P	7-4 and 7-3-11
ECO-1a	Update zoning subdivision regulations to support the implementation of broadband access in all new developments.	Community Development	Planning Commission	Short-term		7-4
GRO-1a	Update the Town's zoning code and map, as needed, to align with the Master Plan.	Community Development	Planning Commission, Town Council	Short-term	P,F	7-3
GRO-2b	Review and update the Town code's regulations regarding adequate water supply for new development.	Public Works	Community Development	Short-term	P	7-6
(not in MP)	Review Procedures - allow for administrative approvals for certain applications (CUP, Variances, Deviations, etc.)	Community Development	Planning Commission, Town Council	Short-term	P	7-3
GRO-5c	Revise the zoning code parking requirements for residential and lodging uses in the Historic Business district.	Community Development	Public Works, Planning Commission	Medium-term	P	7-3-10
COM-1g	Provide development incentives, such as density bonuses, fee waivers, or others as appropriate, to encourage the construction of a variety housing sizes, types and prices.	Community Development	Planning Commission, Town Council	Medium-term	P,F	7-4 and 7-3-11
CHR-1c	Review and update as needed the Town's subdivision regulations to ensure connectivity and public infrastructure requirements are aligned with the goals and policies of the Master Plan.	Community Development	Planning Commission	Medium-term	P	7-4

Ridgway Master Plan Community Development/Planning Action Items

Action Number	Action Item Description	Responsibility-Lead	Responsibility-Partners	Timing	Resources Required	Code Reference
GRO-1c	Review and update the Town's Planned Unit Development and Subdivision Regulations to ensure economic impacts, service demands, compatibility, connectivity, and community enhancements are considered, and to ensure both support the vision and goals of this Master Plan.	Community Development	Planning Commission, Town Council	Medium-term	P,F	7-4 and 7-3-11
GRO-4d	Update subdivision requirements for streets to include bike lanes where appropriate.	Community Development	Planning Commission, Town Council	Medium-term	P	7-4
COM-1f	Develop and adopt guidelines or standards for universal design that encourage the use of design features or strategies that create housing that is usable by all people, particularly those with limited mobility.	Community Development	Planning Commission, Community Partners	Medium-term	P	
ECO-2c	Engage the business community to review development regulations as they apply to light industrial development in future locations.	Community Development	Public Works, Light Industrial businesses	Long-term	P	7-3-9.4 and 9.5
CHR-6b	Examine each community gateway to determine any defining features or characteristics that should be protected or considered when reviewing development applications in these areas.	Community Development	Public Works	Long-term		
CHR-6c	Revise the Town's zoning and development regulations to ensure new development or redevelopment preserves the existing or desired character of gateways.	Community Development	Planning Commission	Long-term	P,F	
GRO-1d	Consider revising the Commercial Design Guidelines to provide clearer guidance on design related issues, such as transitions between incompatible land uses or development densities. Codify applicable guidelines where desired.	Community Development	Planning Commission	Long-term	P	
GRO-3b	Define "steep slopes" in the development code, and develop regulations that detail the conditions and performance standards under which such development may be evaluated.	Community Development	Planning Commission	Long-term	P	

Ridgway Master Plan Community Development/Planning Action Items

Action Number	Action Item Description	Responsibility-Lead	Responsibility-Partners	Timing	Resources Required	Code Reference
ENV-1b	Prioritize the conservation and preservation of community valued natural resources such as environmentally sensitive areas, view and wildlife corridors, riparian areas and wetlands, river corridor, natural filtration and storm water drainage areas.	Community Development	Public Works, Ouray County, Colorado Parks and Wildlife, Community Partners	Ongoing	RC,F	

Hazard Mitigation Plan Update

Ouray County is looking for your input about the hazards that our communities face. As part of the on-going hazard mitigation planning process, your information will help inform the planning team.

Ultimately, your contribution will assist your community in developing a robust hazard mitigation strategy for reducing or eliminating hazard risk. The brief five-minute survey can be found here:

<https://forms.gle/iSzXWX4oWpt4B9JS7>

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