

**TOWN OF RIDGWAY, COLORADO  
ORDINANCE NO. 03-2023**

**AN ORDINANCE OF THE TOWN OF RIDGWAY, COLORADO  
AMENDING CHAPTER 6 – BUILDING REGULATIONS; AMENDING CHAPTER 7 –  
PLANNING AND ZONING; AND AMENDING CHAPTER 8 – LICENSING OF THE  
RIDGWAY MUNICIPAL CODE; AND AMENDING THE OFFICIAL ZONING MAP**

**WHEREAS**, the Town of Ridgway, Colorado (“Town”) is a home rule municipality existing pursuant to the laws of the Colorado Constitution, the Colorado Revised Statutes and the Town's Home Rule Charter; and

**WHEREAS**, the zoning and land use powers conferred upon the Town by the State of Colorado as a Home Rule Municipality empower the Town to manage land use to ensure the public health, safety, and welfare; and

**WHEREAS**, the Town of Ridgway currently regulates land uses within the Town limits in accordance with Chapter 7 “Planning and Zoning” of the Ridgway Municipal Code, adopted pursuant to its Home Rule Constitutional authority and the Local Government Land Use Control Enabling Act of 1974, as amended, §§29-20-101, et seq. C.R.S; and

**WHEREAS**, during the summer of 2022, the Town had received an unprecedented number of applications for minor subdivisions, lot splits, replats, multi-site development, subdivision, and planned unit developments, placing a strain on the resources of Town staff; and

**WHEREAS**, in Emergency Ordinance No. 01-2022, the Ridgway Town Council by a vote of 7-0 approved a temporary moratorium on the acceptance, processing and approval of the following development applications:

- a. Minor Subdivisions pursuant to 7-4-8 of the Town Code.
- b. Lot Splits pursuant to 7-4-9 of the Town Code.
- c. Replats and Amended Plats pursuant to 7-4-10 of the Town Code.
- d. Multi-Site Developments pursuant to 7-4-11 of the Town Code.
- e. Planned Unit Developments pursuant to 7-3-16 of the Town Code.
- f. Amendments and Additions to the Official Zoning Map and Zoning Regulations pursuant to 7-3-22 of the Town Code.

**WHEREAS**, the temporary moratorium enacted by Emergency Ordinance No. 01-2022 on August 10, 2022 was scheduled to terminate upon the adoption of an updated Chapter 7 of the Ridgway Municipal Code, or March 31, 2023, unless terminated earlier by the Town Council or extended in its duration by enactment of another ordinance by the Town Council; and

**WHEREAS**, on March 8, 2023, the Ridgway Town Council by a vote of 6-0 approved Emergency Ordinance No. 01-2023 extending of the temporary moratorium through July 31, 2023; and

**WHEREAS**, in response to Town Council direction and approval, Town staff has engaged with the Town’s planning consultant, Community Planning Strategies, LLC; and

**WHEREAS**, throughout the duration of the moratorium, staff and the consultant team carried out an extensive public engagement effort to inform the public and receive input from stakeholders. A summary of these efforts was presented to the Town Council at a work session on April 12, 2023; and

**WHEREAS**, in response to Council direction, recommendations from the consultant team, and input from the community, staff has drafted proposed amendments throughout Chapter 7 “Planning and Zoning” in support of the Town Council’s desired outcomes of the temporary moratorium as identified in Emergency Ordinance No. 01-2022; and

**WHEREAS**, Town staff and the consultant team provided public engagement opportunities, held a number of discussions with the Ridgway Planning Commission, and received recommendations from the Planning Commission; and

**WHEREAS**, these updates to the Town’s zoning and subdivision regulations will clarify the zoning and subdivision review process, remove contradictions and duplication between Ridgway Municipal Code sections, and create a structure that can easily be updated to adapt to changing trends and needs; and

**WHEREAS**, the restructure to Chapter 7 “Planning and Zoning” will better delineate and separate the three functions of the Code, which are administration, procedures and standards; and

**WHEREAS**, the Ridgway Town Council finds that this ordinance furthers and is necessary to promote the health, safety and general welfare of the Ridgway community.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF RIDGWAY, COLORADO** the following:

**Section 1. Recitals Incorporated.** The above and foregoing recitals are incorporated herein by reference and adopted as findings and determinations of the Town Council.

**Section 2. Amendment to Chapter 6 – Building Regulations.** Chapter 6 of the Ridgway Municipal Code is hereby amended to repeal *Section 6-1-11 – Landscaping*; to repeal *Section 6-3-1 – Definitions*; to repeal *Section 6-3-3 – Nonconforming Manufactured Homes and Structures*; to repeal *Section 6-4 – Fence, Hedge and Wall Regulations*; to repeal *Section 6-5 – Outdoor Lighting Regulations*; to repeal *Section 6-6 – Residential Design Standards*; to recodify Section 6-1-12 to Section 6-1-11; to recodify Section 6-3-2 to Section 6-3-1; and to recodify Section 6-3-4 to Section 6-3-2.

**Section 3. Amendment of Chapter 7 – Planning and Zoning.** Chapter 7 of the Ridgway Municipal Code is hereby amended to read as set forth in *Exhibit A: Chapter 7: Land Use Regulations*.

**Section 4. Amendment of Chapter 8 - Licensing.** Chapter 8 of the Ridgway Municipal Code is hereby amended to repeal *Section 8-1-4 – Manufactured Home Park Design*; to repeal *Section 8-1-5 – Travel Home Park Design Requirements*; to repeal *Section 8-1-6 – Maintenance of Manufactured Home and Travel Home Parks*; to repeal *Section 8-1-7 – Nonconforming Manufactured Home Parks and Travel Home Parks*; and to repeal *Section 8-1-8 – Administration and Enforcement*.

**Section 5. Amendment of Section 8-1-2 – Definitions.** Section 8-1-2 of the Ridgway Municipal Code are hereby amended to read as follows:

*“Manufactured Home, Dependent Manufactured Home, Manufactured Home Park, Travel Home and Travel Home Park shall be defined as set out in Section 7-9 of the Ridgway Municipal Code.”*

**Section 6. Amendment of Official Zoning Map.** The Official Zoning Map of the Town of Ridgway is hereby amended to change the “I-1” Light Industrial – 1 District to the “LI” Light Industrial District and to change the “I-2” Light Industrial – 2 District to the “GI” General Industrial District.

**Section 7. Codification of Amendments.** The Town Clerk, as the codifier of the Town's Municipal Code, is hereby authorized to make such numerical and formatting changes as may be necessary to incorporate the provisions of this Ordinance within the Ridgway Municipal Code. The Town Clerk is authorized to correct, or approve the correction by the codifier, of any typographical error in the enacted regulations, provided that such correction shall not substantively change any provision of the regulations adopted in this Ordinance. Such corrections may include spelling, reference, citation, enumeration, and grammatical errors.

**Section 8. Severability.** If any provision of this Ordinance, or the application of such provision to any person or circumstance, is for any reason held to be invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable. The Town Council hereby declares that it would have passed this Ordinance and each provision thereof, even though any one of the provisions might be declared unconstitutional or invalid. As used in this Section, the term "provision" means and includes any part, division, subdivision, section, subsection, sentence, clause or phrase; the term "application" means and includes an application of an ordinance or any part thereof, whether considered or construed alone or together with another ordinance or ordinances, or part thereof, of the Town.

**Section 9. Effective Date.** This Ordinance shall take effect thirty (30) days after the date of final passage in accordance with Article 3-7 of the Ridgway Charter.

**Section 10. Safety Clause.** The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Ridgway, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained.

**Section 11. No Existing Violation Affected.** Nothing in this Ordinance shall be construed to release, extinguish, alter, modify, or change in whole or in part any penalty, liability or right or affect any audit, suit, or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing which may have been incurred or obtained under any ordinance or provision hereby repealed or amended by this Ordinance. Any such ordinance or provision thereof so amended, repealed, or superseded by this Ordinance shall be treated and held as remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings and prosecutions, for the enforcement of such penalty, liability, or right, and for the purpose of sustaining any judgment, decree or order which can or may be rendered, entered, or made in such actions, suits or proceedings, or prosecutions imposing, inflicting, or declaring such penalty or liability or enforcing such right, and shall be treated and held as remaining in force for the purpose of sustaining any and all proceedings, actions, hearings, and appeals pending before any court or administrative tribunal.

**Section 12. Publication.** The Town Clerk is ordered to publish this Ordinance in accordance with Article 3-7 of the Ridgway Charter.

*[Execution Page follows]*

**INTRODUCED AND REFERRED TO PUBLIC HEARING** on May 10, 2023 and setting such public hearing for June 14, 2023 at Ridgway Town Hall, located at 201 N. Railroad Street, Ridgway, Colorado.

BY:

ATTEST:

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John Clark, Mayor

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Pam Kraft, Town Clerk

**ADOPTED** on June 14, 2023.

BY:

ATTEST:

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John Clark, Mayor

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Pam Kraft, Town Clerk

APPROVED AS TO FORM:

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Bo James Nerlin, Town Attorney