

## RIDGWAY PLANNING COMMISSION

### AGENDA

Tuesday, March 31<sup>st</sup>, 2020

Regular Meeting; 5:30 pm

**ONLINE via ZOOM**

To join the meeting go to: <https://zoom.us/j/663433691>

Meeting ID: 663 433 691

Or dial by your location:

+1 301 715 8592 US

+1 253 215 8782 US

You may submit written comments on any of the agenda items before the meeting to  
[scoburn@town.ridgway.co.us](mailto:scoburn@town.ridgway.co.us)

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

### PUBLIC HEARINGS:

1. **Application:** Deviation for Roof Pitch; **Location:** Hirsh Subdivision Parcel A, Block 4; **Address:** 202 North Amelia Street; **Zone:** Historic Residential (HR); **Applicant:** Nick Wasser; **Owners:** Nicholas Wasser
2. **Application:** Variance for Building Height (continued hearing); **Location:** Block 34, east 92 feet of Lots 11-12, Lots 13-15; **Address:** 185 North Lena Street and TBD North Lena/Clinton Street; **Zone:** Historic Business (HB); **Applicant:** Conterra Workshop; **Owners:** Catherine and Steven Chevalier, Firehouse Investment Real Estate LLC
3. **Application:** Sketch Plan; **Location:** Triangle Subdivision Lot 1; **Address:** TBD Highway 550; **Zone:** General Commercial (GC); **Applicant:** John Simone; **Owner:** Alpine Homes-Ridgway LLC

### OTHER BUSINESS:

4. Master Plan Implementation: Land Use Code Updates Phase 1, Address Housing.

### APPROVAL OF MINUTES:

5. Minutes from the meeting of February 25, 2020

### ADJOURN

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Ridgway Planning Commission will hold a **PUBLIC HEARING online\***, on Tuesday, March 31<sup>st</sup>, 2020 at 5:30 p.m., to receive and consider all evidence and reports relative to the application described below:

Application for:       **Deviation – Roof Pitch**

Location:               **Hirsh Subdivision Parcel A, Block 4**

Address:                **202 North Amelia Street**

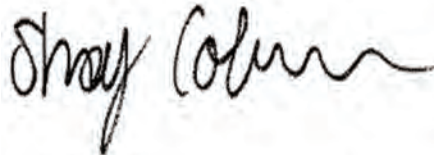
Zoned:                  **Historic Residential (HR)**

Applicant:             **Nick Wasser**

Property Owners:      **Nicholas Wasser**

**ALL INTERESTED PARTIES** are invited to attend said hearing **online** 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: March 20, 2020

Shay Coburn, Town Planner

**\*To join the online Zoom meeting go to:** <https://zoom.us/j/663433691>  
**Meeting ID: 663 433 691**

**Or dial by your location:**  
**+1 301 715 8592 US**  
**+1 253 215 8782 US**

## STAFF REPORT

**Request:** Deviation for Roof Pitch  
**Legal:** Hirsh Subdivision Parcel A, Block 4  
**Address:** 202 N Amelia Street  
**Parcel #:** 430517120002  
**Zone:** Historic Residential (HR)  
**Applicant:** Nick Wasser  
**Owner:** Nicholas Wasser  
**Initiated By:** Shay Coburn, Planner  
**Date:** March 31, 2020

## REQUEST

The subject property is in Block 4 of the Historic Residential district which is zoned Historic Residential. The lot is accessed via Amelia Street, which abuts the western property line. This lot also has access to an alley on the south property line. A manufactured home currently occupies this lot.

The Applicant is requesting a deviation to the Single Family Home Design Standards, specifically 6-6-3(C) which addresses roof pitch requirements.

The Applicant has submitted a hearing application, fee, letter of request, and pertinent building plans for this public hearing. The property and hearing have been noticed and posted.



## CODE REQUIREMENTS

## RMC §6-6 Single Family Home Design Standards

## RMC §6-6-3 Development Standards

*(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.

## RMC §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:

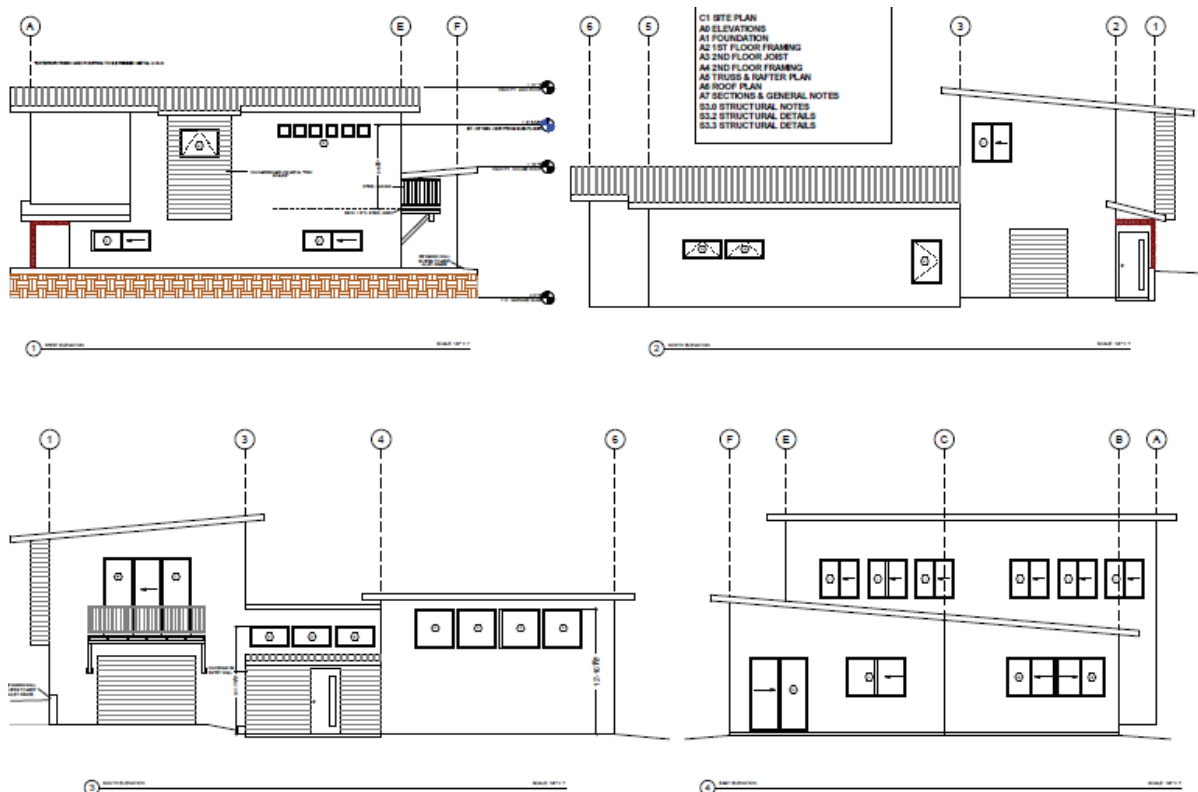
(1) The proposed architecture or construction standards provide compensating features that meet the intent and objectives of these standards.

(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.

## ANALYSIS

As shown in the code requirements above, all sloped roofs must have a roof pitch no less than 3:12. This deviation request is to have a roof pitch of 1:12 for most of the roof planes of this single-family house. There will be one small roof over an entry area that will be 3:12 shown on the top right corner of the below drawing. This deviation may be granted by the Planning Commission if the two criteria listed above are met.



Elevation drawings showing mostly 1:12 roof pitches.



Criteria one requires that the proposed architecture or construction standards provide compensating features that meet the intent and objectives of these standards. From the drawings provided by the applicant, one can tell that the proposed architecture provides compensating features through varied roof lines, varied heights, varied building mass, varied wall planes, and the inclusion of solids and voids. This design is unique and will add to the “eclectic architecture” of the Town. In addition, the Applicant explained in the letter submitted that a 1:12 roof pitch will improve sun exposure for the property to the north, improve functionality of future solar panels on the roof, and improve views for the new unit. It should also be noted that this lot is currently has a manufactured home on it which does not meet the intent of these standards.

Criteria two requires that the structure is compatible and harmonious with the structures in the immediate vicinity. This lot is on the edge of the Historic Residential district with a few homes nearby and the elementary school across Amelia Street. This proposed structure is similar to those to the north and south in that it would also have a shed roof and varied roof lines. The new structure is similar in scale to those surrounding it which range from about 1700 square feet to 2000 square feet. This house and ADU is proposed to be about 2700 square feet.

---

#### STAFF RECOMMENDATION

Given the two criteria for a deviation appear to have been met, staff recommends approval of this application for a deviation to the roof pitch requirements of the Single Family Home Design Guidelines for Hirsh Subdivision Parcel A for owner Nicholas Wasser as presented in this staff report.



*Posted property looking east*



## Planning Commission Hearing Request

### Official Use Only

Receipt # 1459

Date Received: 3-5-20

Initials: TC

### General Information

Applicant Name

Nick Wasser

Application Date

3-5-2020

Mailing Address

1040 Charles Street

Phone Number

970 596-3447

Email

nwasser@yahoo.com

Owner Name

Nick Wasser

Phone Number

970 596-3447

Email

nwasser@yahoo.com

Address of Property for Hearing

202 Amelia Street

Zoning District

Historical Residential

### Brief Description of Requested Action

Roof pitch change to 1:12

### Action Requested and Required Fee Payable to the Town of Ridgway

<input type="checkbox"/> Temporary Use Permit per 7-3-13(C)	\$150.00	<b>Subdivisions per 7-4 unless noted</b>	
<input type="checkbox"/> Conditional Use per 7-3-14	\$250.00	<input type="checkbox"/> Sketch Plan	\$300.00 (+ \$10.00/lot or unit)
<input type="checkbox"/> Change in Nonconforming Use per 7-3-15	\$150.00	<input type="checkbox"/> Preliminary Plat	\$1,500.00 (+ \$25.00/lot or unit)
<input type="checkbox"/> Variances & Appeals per 7-3-16	\$250.00	<input type="checkbox"/> Preliminary Plat resubmittal	\$750.00 (+ \$25.00/lot or unit)
<input type="checkbox"/> Rezoning per 7-3-17	\$250.00	<input type="checkbox"/> Final Plat	\$600.00
<input type="checkbox"/> Other Reviews Pursuant to 7-3-18	\$250.00	<input type="checkbox"/> Minor Subdivision	\$450.00 (+ \$25.00/lot or unit)
<input type="checkbox"/> Variance to Floodplain Reg. per 6-2	\$150.00	<input type="checkbox"/> Lot Split	\$450.00
<input type="checkbox"/> Master Sign Plan Pursuant to 7-3-12	\$150.00	<input type="checkbox"/> Replat	\$150.00 (+ \$25.00/lot or unit)
<input checked="" type="checkbox"/> Deviations from Single Family Design Standards per 6-6	\$175.00	<input type="checkbox"/> Plat Amendment	\$250.00
<input type="checkbox"/> Other	\$ _____	<input type="checkbox"/> Planned Unit Dev. per 7-3-11	See Preliminary and Final Plat
		<input type="checkbox"/> Statutory Vested Rights per 7-5	\$1,500.00

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.



### Attachments Required

#### For All Applications

- ☒ Evidence of ownership or written notarized consent of legal owner(s).
- ☒ Information proving compliance with applicable criteria (see the Ridgway Municipal Code for criteria), like a narrative, site plans, and/or architectural drawings drawn to scale on paper size of 8.5 x 11 or 11 x 17.

#### For Conditional Use Permits

- ☐ The site plan shall show the location of building(s), abutting streets, all dimensions, off-street parking requirements, and landscaping.
- ☐ Architectural drawings shall include elevations and details of building(s).

#### For Changes in Nonconforming Use

- ☐ Description of existing non-conformity.

#### For Variances

- ☐ The site plan shall show the details of the variance request and existing uses within 100 ft. of property.

#### For Rezoning

- ☐ Legal description, current zoning, and requested zoning of property.

#### For Subdivisions

- ☐ All requirements established by Municipal Code Section 7-4.
- ☐ Sketch plan submittals shall be submitted at least 21 days prior to the Planning Commission hearing at which the applicant wishes to have the application considered.
- ☐ Preliminary plat submittals shall be submitted at least 30 days prior to the Planning Commission hearing at which the applicant wishes to have the application considered.
- ☐ Final plat submittals shall be submitted at least 30 days prior to the Planning Commission hearing at which the applicant wishes to have the application considered.

*Please note that incomplete applications will be rejected.*

SAM E  
Applicant Signature

3-5-2020  
Date

[Signature]  
Owner Signature

3-5-2020  
Date

To: Planning and Zoning Commission

I'm asking for a roof pitch variance for the proposed project for multiple reasons listed below.

1. A pitch of 3:12 will raise the height of the home to be built and will therefore block southern exposure to the neighbor to the north whom will have a raised garden on this side as well as windows on the lower level of that house. This sun exposure is very appreciated.
2. A pitch of 3:12 will push the window sill height of the southeast window of the second level. This is an amazing view and a different window layout will reduce this view.
3. I would like to be able to install a solar system on this roof and I have been told that it is unreasonable to attempt this on a 3:12 pitch due to the additional bracket height necessary to capture sun exposure. A 1:12 pitch makes solar much more feasible from a sun exposure point of view as well as more cost effective.
4. As a former member of the Planning and Zoning Commission, I can appreciate the reasoning for the minimum pitch code was to mitigate poorly built manufactured homes and/or "trailers" in the town. I'm confident the prospective home achieves an architectural standard considered modern in style which visually fits in with the adjacent homes. The building materials have been chosen to ensure a high quality end product taking into account the low pitch roof which I also believe creates a unique and attractive design.
5. A postponement of this variance will set a proposed start time back at least one month. With a narrow building window of our area, I ask that the commission take this into consideration. I will be doing a lot of the construction myself in an attempt to keep costs lower but this also can extend a timeline. Good weather is highly valuable.
6. I would also ask that the commission consider that the roof pitch variance has been granted a number of times in the past few years and it is my understanding that this portion of the building code is in the process of being changed.

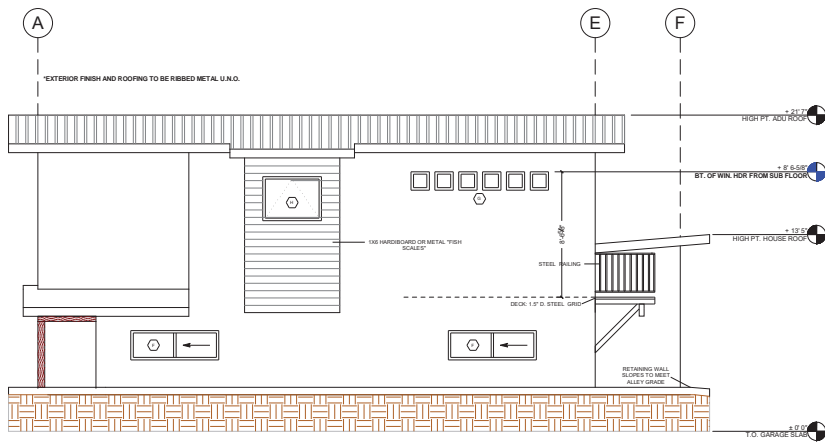
I appreciate your consideration of this variance and I apologize that I am not able to be present to to ask for this variance in person.

Sincerely,

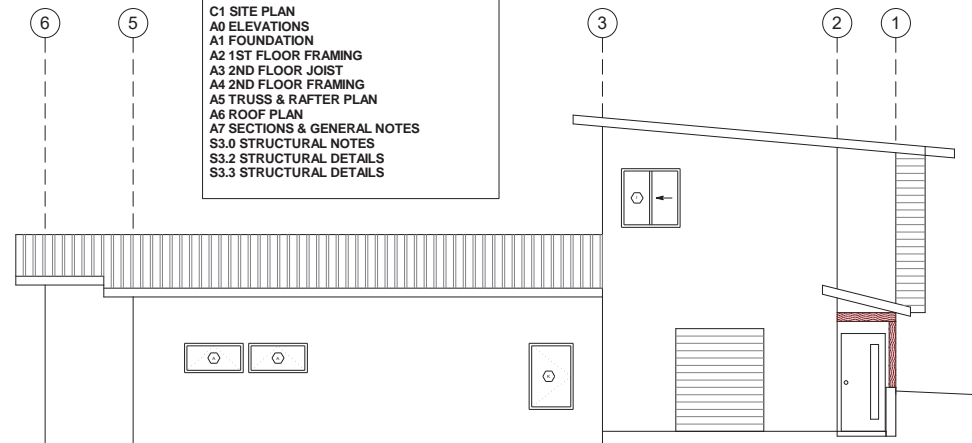
Nick Wasser  
1040 Charles Street



Rev. 8-5-20



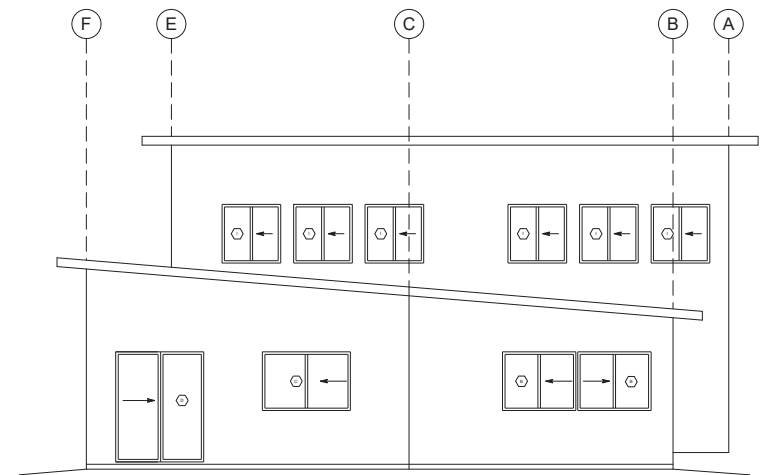
1 WEST ELEVATION SCALE: 1/4" = 1'



2 NORTH ELEVATION SCALE: 1/4" = 1'



3 SOUTH ELEVATION SCALE: 1/4" = 1'



4 EAST ELEVATION SCALE: 1/4" = 1'

**SHEET INDEX**

- C1 SITE PLAN
- A0 ELEVATIONS
- A1 FOUNDATION
- A2 1ST FLOOR FRAMING
- A3 2ND FLOOR JOIST
- A4 2ND FLOOR FRAMING
- A5 TRUSS & RAFTER PLAN
- A6 ROOF PLAN
- A7 SECTIONS & GENERAL NOTES
- S3.0 STRUCTURAL NOTES
- S3.2 STRUCTURAL DETAILS
- S3.3 STRUCTURAL DETAILS



WASSER RESIDENCE  
202 AMELIA ST.  
RIDGWAY, CO

P.E. STAMP

DATE	SCALE	DATE	SCALE	DATE	SCALE
1/11/2020	1/4" = 1'				

ELEVATIONS

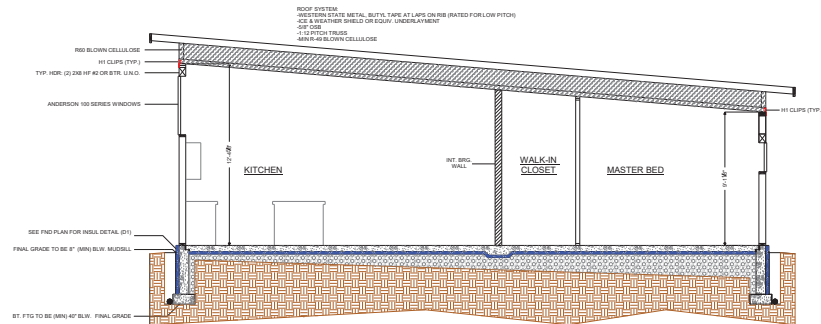
A0



DATE	SCALE	DATE	SCALE	DATE	SCALE
2/26/2020	1/4" = 1'				

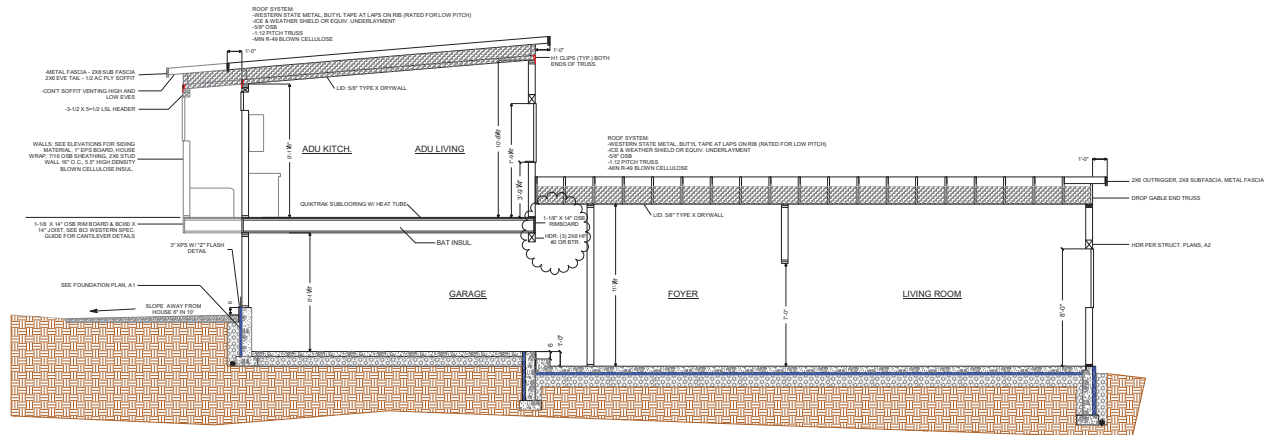
**GENERAL NOTES:**

- HOUSE: 1190 FT. SQ.
- ADU: 790 FT. SQ.
- GARAGE & ADU STORAGE: 690 FT. SQ.
- ALL CONSTRUCTION TO CONFORM TO THE RIDGWAY MUNICIPAL CODE (RMC).
- INSULATION VALUES: LID - R 49, WALLS - R26, STEMWALL - 3" XPS, UNDER HEATED SLAB - 2" XPS.
- GUARD RAILS: TOP OF GUARD RAIL TO BE 36" ABOVE FINISHED DECK HEIGHT. INTERMEDIATE VERTICAL RAILS TO BE SPACED SO THAT A 4" SPHERE CANNOT PASS THROUGH THEM.
- STAIR NOTES: (MAX) RISE - 7-3/4", (MIN) RUN 10", 38" (MAX) STAIR RISER HEIGHT VARIATION BETWEEN HIGHEST AND LOWEST RISERS WITHIN A FLIGHT OF STAIRS. HANDRAILS (NOT SHOWN FOR CLARITY) NOT TO BE LESS THAN 34" OR HIGHER THAN 38". HEADROOM ON STAIRS NOT TO BE LESS THAN 6' 8". 36" (MIN) CLEAR WIDTH ON STAIR TREADS.
- FINISH GRADE: SLOPE AWAY FROM HOUSE 6" VERTICAL IN 10' OF RUN.
- FLOOR FINISHES: HOUSE - ACID STAINED & SEALED CONCRETE, ADU - ENGINEERED HARDWOOD.
- BATHROOMS: ALL SHOWERS & TUBS TO HAVE TILE SURROUND.
- HEAT RECOVERY VENTILATION UNIT (HRV) TO BE INSTALLED AND SERVICE BOTH HOUSE AND ADU.
- RADON MITIGATION: 4" PERF. PIPE TO BE INSTALLED CONT. AROUND FND. PERIMETER IN SCREENED ROCK, 6-10MM PLOY VAPOR BARRIER OVER GRAVEL. PERF. PIPE TRANSITION TO VERTICAL 4" SOLID PIPE WITH INLINE FAN, VENTED THROUGH ROOF.



1 SECTION 1

SCALE: 1/4" = 1'



2 SECTION 2

SCALE: 1/4" = 1'

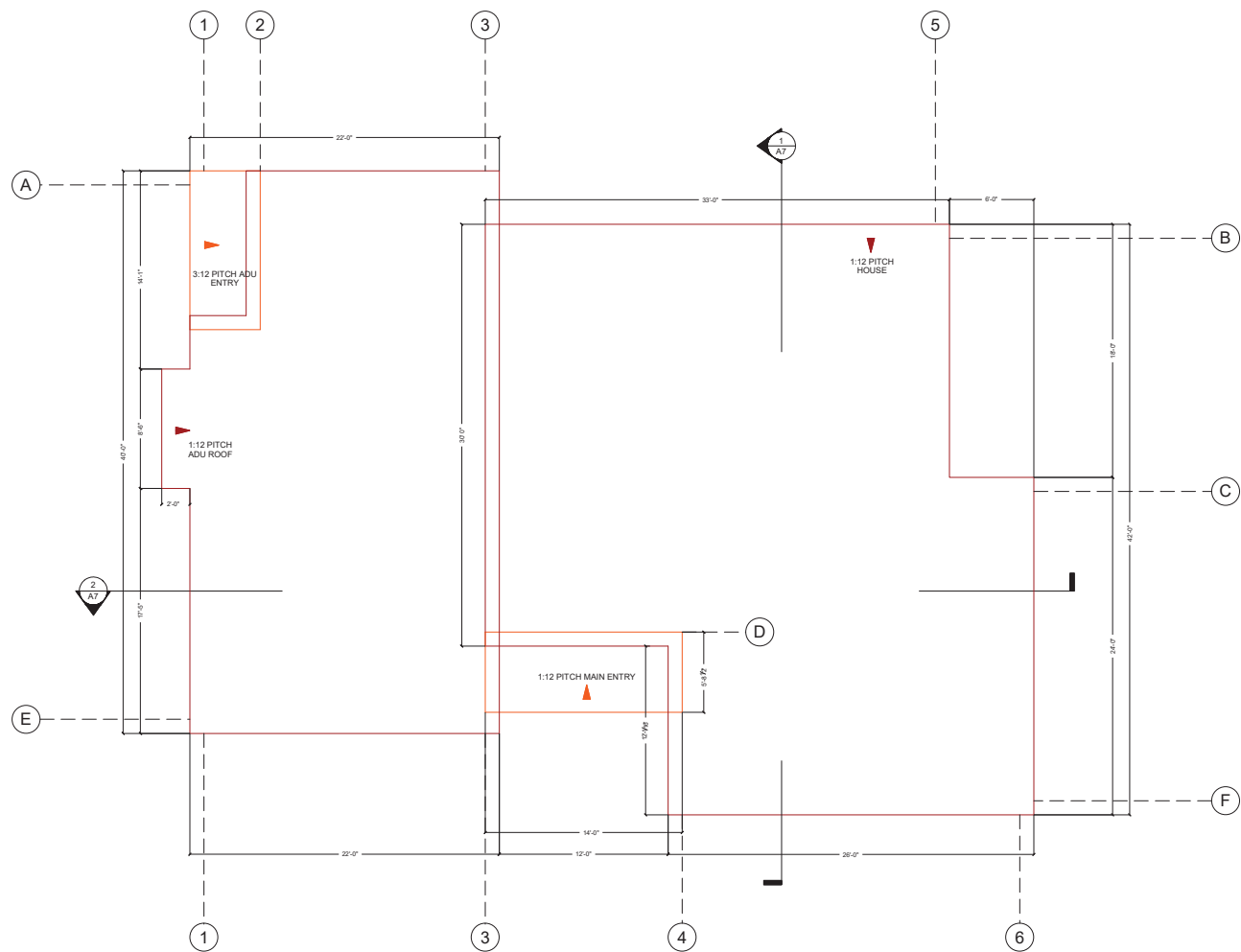


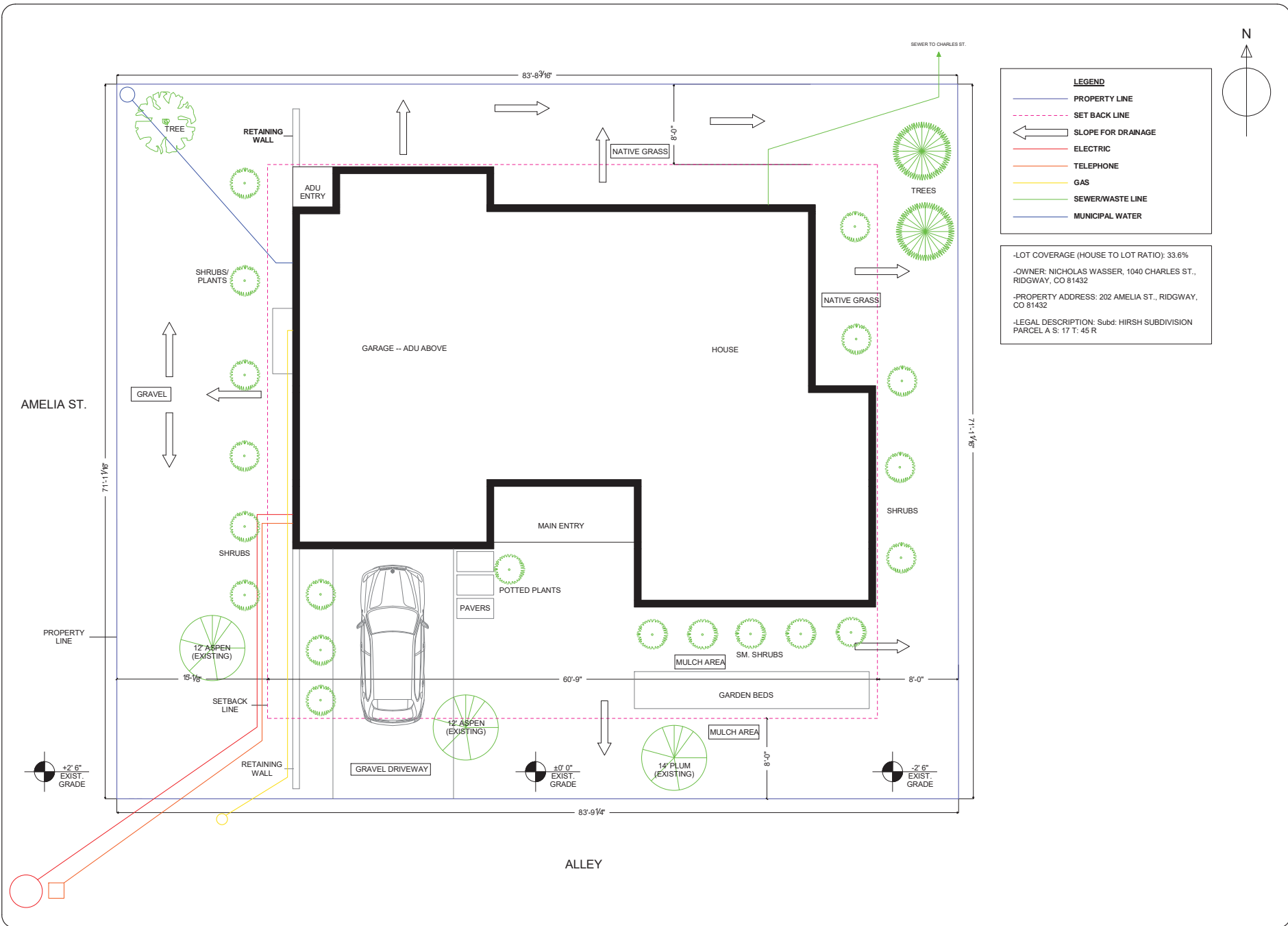
WASSER RESIDENCE  
202 AMELIA ST.  
RIDGWAY, CO

NAME	DESCRIPTION	DATE	DATE	SCALE	18" x 11"
				DRAWN BY	AW
				CHECKED BY	

ROOF PLAN

A6





DATE	SCALE	DATE	SCALE	DATE	SCALE
1/1/2020	1/4" = 1'	1/1/2020	1/4" = 1'	1/1/2020	1/4" = 1'
DATE	SCALE	DATE	SCALE	DATE	SCALE
DATE	SCALE	DATE	SCALE	DATE	SCALE
DATE	SCALE	DATE	SCALE	DATE	SCALE
DATE	SCALE	DATE	SCALE	DATE	SCALE



## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Ridgway Planning Commission will hold a **PUBLIC HEARING online\***, on Tuesday, March 31<sup>st</sup>, 2020 at 5:30 p.m., to receive and consider all evidence and reports relative to the application described below:

Application for:       **Variance for Building Height (continued hearing)**

Location:               **Block 34, east 92 feet of Lots 11-12, Lots 13-15**

Address:                **185 North Lena Street and TBD North Lena/Clinton Street**

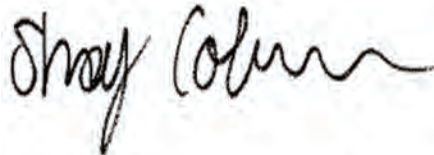
Zoned:                  **Historic Business (HB)**

Applicant:              **Conterra Workshop**

Property Owners:       **Cathrine and Steven Chevalier, Firehouse Investment Real Estate LLC**

**ALL INTERESTED PARTIES** are invited to attend said hearing **online** 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: March 20, 2020

Shay Coburn, Town Planner

**\*To join the online Zoom meeting go to:** <https://zoom.us/j/663433691>  
**Meeting ID: 663 433 691**

**Or dial by your location:**  
**+1 301 715 8592 US**  
**+1 253 215 8782 US**

## STAFF REPORT

**Request:** Variance for Building Height (continued hearing)  
**Legal:** Block 34, east 92 feet of Lots 11-12, Lots 13-15  
**Addresses:** 185 North Lena Street and TBD North Lena/Clinton Street  
**Parcel #:** 430516213006 and 430516213001  
**Zone:** Historic Business (HB)  
**Applicant:** Conterra Workshop  
**Owner:** Catherine and Steven Chevalier, Firehouse Investment Real Estate LLC  
**Initiated By:** Shay Coburn, Town Planner  
**Date:** March 31, 2020

## REQUEST

The subject property is located in the Historic Business (HB) district near the center of town on North Lena and Clinton Streets. The property includes the old firehouse with accessory structures and surrounding vacant land.

This proposed project is a mixed-use development explained by the Applicant as a “culinary arts complex” including a restaurant, cooking school, tavern, commercial kitchen, event/flex space, gardens, and eight residential units.

The Applicant requested a variance for building height on December 3, 2019, along with other variance and conditional use requests. While the other requests were finalized, the Commission did not feel that they had enough information to make a decision on the request for a height variance. As such, the hearing was continued and is now in front of the commission for further review. The request is now for the height to be up to 41 feet, rather than the previous request of 39 feet.

For this hearing, the Applicant submitted a letter, building plans, and 3D renderings. The property and hearing have been noticed and posted pursuant to the Town’s regulations.



## CODE REQUIREMENTS

**RMC §7-3-10 Dimensional & Off-Street Parking Requirements****(A) [Dimensional Requirements Table]**

Structure height is limited to 35 feet in the HB district.

**RMC §7-3-16 Variances and Appeals**

Variances are considered under RMC §7-3-16 and reviewed under RMC §7-3-18. Applicable criteria include:

(A) The Planning Commission may grant a variance from the Dimensional Requirements, Sign Regulations, Design or Performance Standards and other provisions of these regulations not related to "use", and excluding Off-Street Parking Requirements, following the review procedure of Subsection 7-3-18, provided that the criteria of this Subsection will be met. No variance shall be granted from the provisions governing "Uses By Right", and "Conditional Uses" within any zoning district. Variances shall be granted only if all the following criteria are met:

(1) There are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the Zoning Ordinance, and

(2) The spirit of the ordinance will be observed, the public health, safety and welfare secured and substantial justice done by granting the variance.

(C) The burden shall be on the applicant to show that these criteria have been met.

## ANALYSIS

Planning Commission may grant a variance from the dimensional requirements, including building height, if both of the criteria for a variance are met. This variance request is for up to 41 feet for portions of the 3<sup>rd</sup> floor, highlighted roughly in blue below. The last request, that was continued, was for the building height to be up to 39 feet.



Floor plan of third floor, areas in blue proposed to be over 35' and up to 41'.

For criterion 1, the Applicant explains that there is a practical difficulty due to the set elevation of the existing and historic fire house building, alleys, and new sidewalks. There is roughly 8 feet of elevation change from the southwest corner to the northeast corner of the site. To provide parking on the ground floor, the 2<sup>nd</sup> floor has to be set at a certain height and the parking access is located at the highest natural grade on the site, along the alleys.



*Areas protruding above opaque blue show where 3<sup>rd</sup> floor will be above 35' and up to 41'.*

The image above shows all areas that will project above 35 feet from the natural grade. This is not a perfect depiction for how the Town measures height as gabled roofs are measured to the mid-point so those likely do not require a variance. In addition, each terrace can be measured independently from the lowest natural grade at the exterior wall, not just from the ground plane. It appears as if two main building sections are proposed to be over 35 feet, and up to 41 feet – those areas are highlighted in blue on the floor plan image above. It should be noted that this building plan meets the requirement to set back the 3<sup>rd</sup> floor 15 feet from the front and 8 feet from the street side.

The Applicant also mentioned that this building requires an elevator for accessibility and that the elevator must be 12 feet tall from the last floor it serves. So, with a 35 feet height max, that would leave 11.5 feet for each of the lower two floors which seems adequate but the Applicant may be better able to explain why it is not. The terraced structure where the elevator is located appears to need up to 38 feet in height, not 41 feet.

The request to build up to 41 feet is quite tall. It is not clear why the applicant needs up to 41 feet, rather than the previous request for up to 39 feet. The tallest area appears to be for two residential units on the northeast corner of the subject property. The Applicant needs to prove that there is practical difficulty or unnecessary hardship that creates the need for this particular terraced structure to be up to 41 feet.

To address criterion 2, this spirit of ordinance will be observed as the building is clearly designed to look like multiple separate buildings with a lot of architectural interest including varying roof heights, varying roof styles, variety in building mass, and step backs from the street for the taller roofs. In addition, the full building is not up to 41 feet, just a few sections. However, one of the sections is quite visible from Clinton and Leana Streets. The public health, safety and welfare could be considered to be secured and substantial justice could be considered to be done by granting this variance given this project includes community benefits such as preservation of Lucy's Garden and a historic building that may not otherwise be able to pencil out without a 3<sup>rd</sup> floor.

The Silver San Juan Building at the corner of South Cora and Sherman Streets received a variance for building height. In 2005, the Redcliff Two building received a variance to building height. The neighboring



three-story structure on the northwest corner of Clinton and North Cora Streets was built in 1990 and is estimated to be approximately 35' in height on three historically platted lots. In addition, the Space to Create building received a variance for building height up to 39' for a few terraced sections of the building.

---

### STAFF RECOMMENDATION

As with any request for a variance, it requires careful consideration. The subject property is right in the heart of the Town's historic business district, which is our most dense and vibrant district. This is an exciting project that is generally in alignment with the 2019 Master Plan.

Staff recommends that the Commission asks for information from the Applicant to be sure the criteria for a variance is met, specifically to build up to 41 feet and why not less. If the criteria can be met, staff recommends approval of this application for a variance to building height up to \_\_ feet for the subject property Block 34, east 92 feet of Lots 11-12 and Lots 13-15 for owners Catherine and Steven Chevalier and Firehouse Investment Real Estate LLC, as presented in this staff report.



*Posted notice from N Lena Street looking west.*



*Posted notice from North Lena Street looking west.*



*Posted notice from Clinton Street looking south.*



## OLD FIREHOUSE

March 16, 2020

Ms. Shay Coburn,  
Town Planner  
Town of Ridgway  
PO Box 10  
201 N. Railroad Street  
Ridgway, CO 81432

RE: Old Firehouse Project: 185 and 195 N Lena Street, Ridgway Colorado 81432  
Criteria for Variance

Dear Shay:

Please see below regarding continuance of the requested variance for building height, including our position on how the Project, as submitted, meets the criteria for the granting of variances pursuant to Section 7-3-16 of the Ridgway Municipal Code (the "Code").

### **I. Variance from Dimensional Requirements for the HB Zoning District**

A variance is requested in relation to dimensional requirements for the Project. The request is for a maximum structure height of up to 41' pursuant to Section 7-3-10 of the Code. This request is made pursuant Section 7-3-16(A) of the Code. This Code Section provides that these requested variances shall be granted only if all of the following criteria are met:

(1) There are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the Zoning Ordinance, and

(2) The spirit of the ordinance will be observed, the public health, safety and welfare secured and substantial justice done by granting the variance.

(1) There are practical difficulties complying with the strict letter of the height ordinance because:

- The upper floors need to be high enough to accommodate parking below parts of the second floor (and parking must be accessed from alleys, which exist at the highest natural grade on site);
- The project requires an elevator for accessibility (elevators require 12' minimum height above the highest floor served)
- 9' minimum ceiling height is required for program spaces.
- The existing site elevations are anchored by public rights of way on all sides. The existing site has over 8' of fall from Southwest to Northeast.



(2) The spirit of the ordinance will be observed, the public health, safety and welfare secured and substantial justice done by granting the variance:

The spirit of the ordinance will be observed as the project is articulated to appear as multiple separate buildings constructed around the historic Old Firehouse. The project achieves variations in scale, architectural interest and reduced overall mass due to variations in height and horizontal setback, terracing, varied rooflines, cornices and banding, recesses, and landscape spaces and planters. Varying the height and setback also serves the owner's primary goals of preserving the historic Firehouse's prominence and also the dedication of space for Lucy's Garden, a restaurant patio along Lena Street, and a corner-entry setback at Lena/Clinton Streets (which expands views up Clinton Street from Hartwell Park and Lena Street, visually inviting the public to explore our historic main street).

It is important to note that this project is not 3-story at the streets. Along the streets, the 3<sup>rd</sup> story is set back from the street and also designed to have dark/muted colors, which helps the upper level visually "fade back" in contrast to the 2-story facades rising from the sidewalk. The goal of setting-back the 3<sup>rd</sup> story from the street (and of using dark color for the 3<sup>rd</sup> story) was to *provide a design that results in nearby observers generally experiencing the physical presence of a 2-story building*. Because the 3<sup>rd</sup> story is set back from the streets, the project will have a substantially smaller physical presence than other 3-story Ridgway projects, such as the Silver San Juan building or the future Artspace project. Stepping-back the 3<sup>rd</sup> story also allows more sunlight to reach the streets than a typical 3-story building, further supporting the public realm near the project.

The project has balconies and terraces, varied rooflines (including a greenhouse), decorative cornices, and many other elements that provide visual interest and benefit the public streetscape. It also provides public art and greenery at Lucy's Garden. Granting this variance supports the preservation of the Old Firehouse and Lucy's Garden as well as other benefits listed above. Granting this variance therefore does substantial justice and helps the people of Ridgway secure health, safety and welfare.

Alignment with Master Plan: In looking at the above-cited Code requirements, we must show that the granting of any variance must meet the spirit of the ordinance, secure the public health, safety and welfare, and serve substantial justice. To satisfy this burden, we refer you to the Town of Ridgway Master Plan. The Goals and Policies set forth in the Master Plan provide guidance for how the Town will work to achieve the community vision, as set forth therein, as part of its day-to-day actions and decision making and are "reflective of the community's vision and the community values they share." It is respectfully submitted that the Project, with the granted variances and conditional use, meets the following Goals and Policies as set forth in the Master Plan, and consequently by granting our requests, we will meet the spirit of the Zoning Ordinance, secure the public's health, safety and welfare, and serve substantial justice.



**Master Plan Goals Clearly Supported by Old Firehouse Project:**

**Goal Env-4: Advocate for the efficient use of resources and sustainable practices that work to eliminate harmful impacts to the health of the community and natural environment.**

The Old Firehouse provides (8) housing units in the Town core, which helps decrease commuting for work and supplies. The Old Firehouse will be designed and constructed to be energy-efficient, and will utilize alternative energy including solar PV.

**Goal Env-5: Community Forest – Protect, preserve, and enhance Ridgway’s community forest, maximizing tree canopy cover across the community where financially and ecologically possible.**

Lucy’s Garden and several outdoor terraces will provide trees, plants and flowers in the downtown core.

**Goal Com-1: Maintain Ridgway as a community that is accessible to a range of income levels, ages, and households.**

**Policy Com-1.1: Workforce Housing.**

The Old Firehouse will provide (5) employee housing units.

**Policy Com-1.2: Private Sector Responsibilities – Acknowledge the role of private sector as a necessary partner in addressing the community’s affordable and workforce housing needs.**

The Old Firehouse will provide (5) employee housing units.

**Policy Com-1.5: Distributed Approach – Take advantage of all opportunities to add needed affordable and workforce housing to Ridgway and the surrounding area while being mindful of the community’s desire to avoid overconcentration in any one neighborhood.**

(5) employee housing units may be considered the “appropriate number” of workforce housing in the project area, which occupies slightly less than ¼ block.

**Goal Com-2: Encourage a diversity of housing options that meet the needs of residents.**

**Policy Com-2.1: Diversity of Housing Types – Encourage new developments to accommodate a variety of housing sizes, household types, tenure types, densities and prices.**

The Old Firehouse provides (3) housing units in the mid to upper level price range in addition to (5) employee housing units, which will be rented at rates based on income.

**Policy Com-2.2: Housing Options – Support the development of a range of housing options in Ridgway, as appropriate in different parts of the community, including, but not limited to small homes, accessory dwelling units, townhomes, live/work units, and small-scale apartments or condominiums.**

See above.

**Policy Com-2.3: Resident-Occupied Housing** – Support strategies that help maintain resident-occupied housing in Ridgway, rather than housing occupied by second-homeowners.

See above.

**Policy Com-6.4: Lifelong Learning Opportunities** – Encourage the growth of programming and events that provide opportunities for learning throughout all stages of life.

The Old Firehouse project's proposed cooking school and food grow operations will provide food-based education for individuals at all stages of life.

**Goal CHR-1: Support vibrant, diverse, safe, and well-connected neighborhoods.**

**Policy CHR-1: Neighborhood Character** – Encourage the development of neighborhoods that enhance and reflect the character of Ridgway through quality design, cohesive materials, and integration of natural features.

The Old Firehouse project incorporates existing natural features such as Lucy's Garden. It also preserves the historic Old Firehouse building, a non-designated Ridgway landmark. High quality design and construction, including design geared-toward presenting appropriate scale for the neighborhood, are integral to the project.

**Goal CHR-2: Protect and preserve Ridgway's historic assets.**

**Policy CHR 2.1: Historic Resources and Heritage.** Promote and build awareness of significant resource associated with people and events important to the Town's, County's, or State's history.

This project preserves and celebrates the historic Old Firehouse building.

**Policy CHR 2.2: Historic Preservation.** Encourage the designation of historically significant buildings.

State designation for the existing Firehouse building was sought (and refused) in the 1990's by the previous owner. It is currently felt that construction of the proposed project will best preserve and enhance utilization of the Old Firehouse through adaptive reuse.

**Policy CHR 2.3: Preservation Tools.** Support protection of the Town's historic resources, including the original Town Core.

See above.

**Goal CHR-5: Promote a range of opportunities and spaces for community gatherings and interactions.**

**Policy CHR 5.1: Community Spaces.** Emphasize the importance of community spaces throughout Town to reinforce Ridgway's character, identity, and social fabric and continue to creatively develop these spaces.

The Old Firehouse project provides public/community space around and within Lucy's Garden. It also provides an exhibition and event space bordering Lucy's garden, as well

as restaurant space. Programming for the Old Firehouse prioritizes education, awareness, and support for local arts.

**Goal Eco-1: Create a vibrant, diverse, and sustainable year-round local economy that reflects Ridgway's social fabric, values, and character.**

**Policy Eco-1.3: Economic diversity – Encourage light manufacturing, creative industries, renewable energy, outdoor recreation, and agricultural-or ranching-related industries that complement the community's vision for Ridgway and do not negatively impact the community or environment.**

The Old Firehouse project provides facilities for a range of industries including retail, restaurant, art exhibition, education and the production and sale of quality organic vegetables.

**Policy Eco-1.5: Historic Downtown Ridgway – Continue to enhance the Historic Town Core as the economic center of Ridgway, enriching its vibrancy.**

The Old Firehouse project preserves Lucy's Garden and the Old Firehouse building, enhancing and preserving existing resources within the Town core.

**Goal Eco-2: Support the retention and expansion of local businesses.**

**Policy Eco-2.4: Ease of Doing Business – Improve the ease of doing business in Ridgway through transparent and predictable regulations and development review/permitting processes.**

This Ridgway Town prerogative is supported by the Old Firehouse project.

**Policy Eco-2.5: Regulations – Ensure regulations, including land use regulations, support and nurture a successful business environment and do not unnecessarily impede desirable industrial or employment uses, or compromise other community goals and priorities.**

This Ridgway Town prerogative is supported by the Old Firehouse project.

**Goal Eco-3: Balance the need to preserve quality of life for residents with business needs.**

**Policy Eco-3.1: Locals-serving Businesses and Services – Develop strategies to grow or attract appropriately-scaled businesses that provide needed goods and services to local residents and "fit" the character of the community.**

The Old Firehouse project will provide education and a business model for indoor organic food growing operations downtown. It also provides education and support for culinary and other arts through the cooking school, event and exhibition space and its plans to highlight the creative lives and works of Ridgway's citizens.

**Goal Gro-1: Manage growth and development in order to maintain Ridgway's small town character, support a diverse community, and create employment opportunities.**

**Policy Gro-1.1: Directed Growth – Direct growth to occur in a concentric fashion from the core outward, in order to promote efficient and sustainable Town services, strengthen the**

**Historic Town Core and existing neighborhoods, and preserve the rural character of the surrounding landscapes.**

The Old Firehouse is a dense and substantially-sized project in the historic business (HB) core.

**Policy Gro-1.2: Balanced Mix of Uses – Accommodate a balanced mix of residential, employment, retail and commercial services, and institutional uses that allows residents to live, work, play, learn and conduct more of their daily business in Ridgway.**

The Old Firehouse is a “mixed use” project in the HB downtown core.

**Policy Gro-1.3: Mixed Use Development – Promote vertically or horizontally mixed-use development, where appropriate, to encourage more opportunities to live and work in Ridgway, and to add vibrancy and diversity to existing centers.**

The Old Firehouse is a “mixed use” project in the HB downtown core.

**Policy Gro-1.4: Underutilized Areas – Encourage infill development on vacant parcels and the redevelopment or adaptive reuse of underutilized parcels or structures in the Historic Town Core or other areas where infrastructure and services are already in place.**

The Old Firehouse project is an “infill” project which preserves the historic Firehouse and Lucy’s Garden.

**Policy Gro-1.5: Design of New Development – Ensure new development and infill/development is compatible with the surrounding area or neighborhood, particularly in the Historic Town Core where maintaining the historic character of Ridgway is desired.**

The Old Firehouse project is an “infill” project which preserves the historic Firehouse and Lucy’s Garden.

**Goal Gro-5: Utilize Ridgway’s parking resources effectively.**

**Policy Gro-5.4: Parking Requirements – Support the use of shared parking, on-street parking and other strategies to maximize the use of available resources and support local businesses.**

Ridgway Planning Commission approved a variance for on-site parking for this project on Dec. 3, 2019.

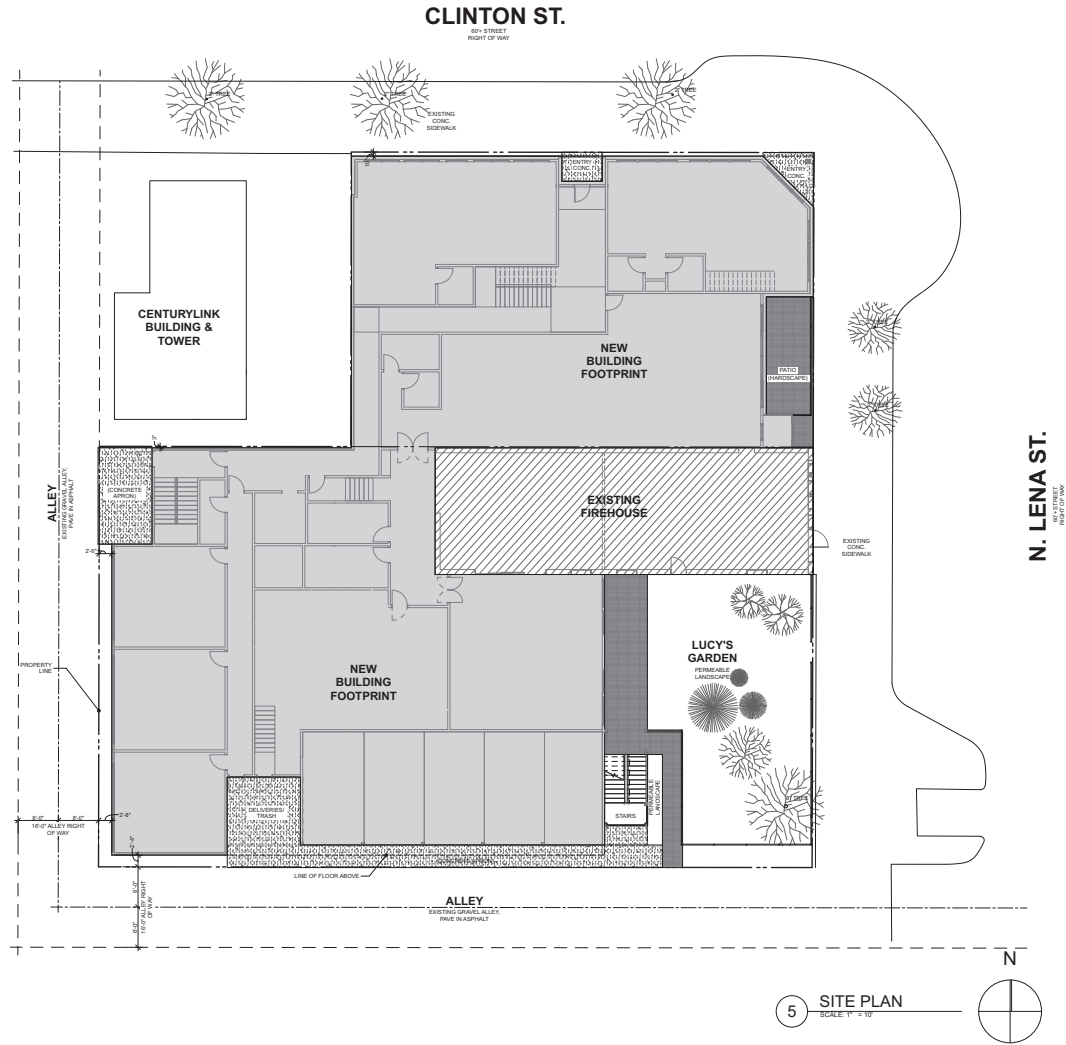
We are excited about the scope and creative breadth of the Firehouse Project and sincerely believe that it will be a valuable addition to the development and growth of Ridgway's historic Town core. We look forward to discussing this Project with the Planning Commission on March 31, 2020.

Respectfully submitted,



John Baskfield  
Conterra Workshop  
[conterraworkshop@gmail.com](mailto:conterraworkshop@gmail.com)  
(970) 646-4471

xc: Patrick O'Leary,  
Managing Member  
Firehouse Investment Real Estate, LLC  
[poleary1975@gmail.com](mailto:poleary1975@gmail.com)  
(312) 952-5409



5 SITE PLAN  
SCALE: 1" = 10'

GROSS BUILDING AREA	
FLOOR	GROSS FLOOR AREA (SQ. FT.)
MAIN FLOOR	16,672
2ND FLOOR	11,166
3RD FLOOR	6,283
TOTAL	28,121

RESIDENTIAL UNITS		
#	TYPE	AREA
208	STUDIO APARTMENT	598
213	STUDIO APARTMENT	856
211	STUDIO APARTMENT	852
212	STUDIO APARTMENT	856
213	STUDIO APARTMENT	861
201	1 BEDROOM CONDO	2,192
102	1 BEDROOM CONDO	2,073
TOTAL RESIDENTIAL AREA (INCLUDED IN TOTAL GFA ABOVE)		7,385

VARIANCE SUBMITTAL

CONTERRA WORKSHOP  
conterraworkshop.com  
(970) 626-4471  
PO BOX 100  
RIDGWAY, CO 81432

OLD FIREHOUSE  
FIRE INVESTMENT  
REAL ESTATE, LLC  
185 & 190 N. LENA STREET  
RIDGWAY, CO 81432

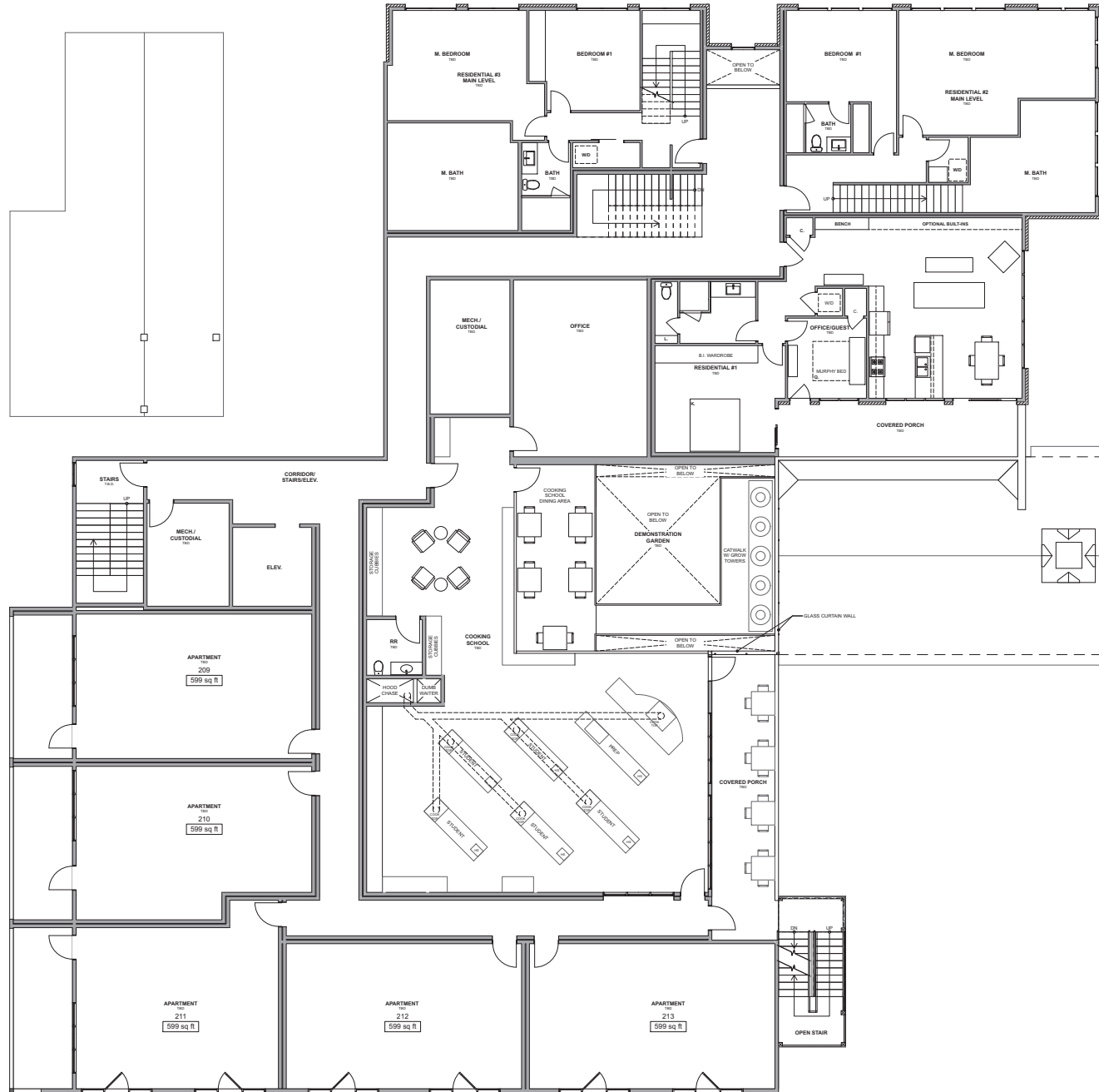
BY: [ ] REVISIONS: [ ] DATE: [ ]

Date: 3/16/20  
Scale: AS NOTED  
Drawn: [ ]  
Job: [ ]  
Sheet: [ ]

A2.01  
Printed On: 3/16/20

SITE PLAN & PROJECT DATA





GROSS BUILDING AREA	
FLOOR	GROSS FLOOR AREA (SQ FT)
MAIN FLOOR	16,875
2ND FLOOR	11,100
3RD FLOOR	6,285
TOTAL	24,260

RESIDENTIAL UNITS		
#	TYPE	AREA
209	STUDIO APARTMENT	599
210	STUDIO APARTMENT	599
211	STUDIO APARTMENT	599
212	STUDIO APARTMENT	599
213	STUDIO APARTMENT	599
214	STUDIO APARTMENT	599
215	STUDIO APARTMENT	599
216	STUDIO APARTMENT	599
217	STUDIO APARTMENT	599
218	STUDIO APARTMENT	599
219	STUDIO APARTMENT	599
220	STUDIO APARTMENT	599
221	STUDIO APARTMENT	599
222	STUDIO APARTMENT	599
223	STUDIO APARTMENT	599
224	STUDIO APARTMENT	599
225	STUDIO APARTMENT	599
226	STUDIO APARTMENT	599
227	STUDIO APARTMENT	599
228	STUDIO APARTMENT	599
229	STUDIO APARTMENT	599
230	STUDIO APARTMENT	599
231	STUDIO APARTMENT	599
232	STUDIO APARTMENT	599
233	STUDIO APARTMENT	599
234	STUDIO APARTMENT	599
235	STUDIO APARTMENT	599
236	STUDIO APARTMENT	599
237	STUDIO APARTMENT	599
238	STUDIO APARTMENT	599
239	STUDIO APARTMENT	599
240	STUDIO APARTMENT	599
241	STUDIO APARTMENT	599
242	STUDIO APARTMENT	599
243	STUDIO APARTMENT	599
244	STUDIO APARTMENT	599
245	STUDIO APARTMENT	599
246	STUDIO APARTMENT	599
247	STUDIO APARTMENT	599
248	STUDIO APARTMENT	599
249	STUDIO APARTMENT	599
250	STUDIO APARTMENT	599
251	STUDIO APARTMENT	599
252	STUDIO APARTMENT	599
253	STUDIO APARTMENT	599
254	STUDIO APARTMENT	599
255	STUDIO APARTMENT	599
256	STUDIO APARTMENT	599
257	STUDIO APARTMENT	599
258	STUDIO APARTMENT	599
259	STUDIO APARTMENT	599
260	STUDIO APARTMENT	599
261	STUDIO APARTMENT	599
262	STUDIO APARTMENT	599
263	STUDIO APARTMENT	599
264	STUDIO APARTMENT	599
265	STUDIO APARTMENT	599
266	STUDIO APARTMENT	599
267	STUDIO APARTMENT	599
268	STUDIO APARTMENT	599
269	STUDIO APARTMENT	599
270	STUDIO APARTMENT	599
271	STUDIO APARTMENT	599
272	STUDIO APARTMENT	599
273	STUDIO APARTMENT	599
274	STUDIO APARTMENT	599
275	STUDIO APARTMENT	599
276	STUDIO APARTMENT	599
277	STUDIO APARTMENT	599
278	STUDIO APARTMENT	599
279	STUDIO APARTMENT	599
280	STUDIO APARTMENT	599
281	STUDIO APARTMENT	599
282	STUDIO APARTMENT	599
283	STUDIO APARTMENT	599
284	STUDIO APARTMENT	599
285	STUDIO APARTMENT	599
286	STUDIO APARTMENT	599
287	STUDIO APARTMENT	599
288	STUDIO APARTMENT	599
289	STUDIO APARTMENT	599
290	STUDIO APARTMENT	599
291	STUDIO APARTMENT	599
292	STUDIO APARTMENT	599
293	STUDIO APARTMENT	599
294	STUDIO APARTMENT	599
295	STUDIO APARTMENT	599
296	STUDIO APARTMENT	599
297	STUDIO APARTMENT	599
298	STUDIO APARTMENT	599
299	STUDIO APARTMENT	599
300	STUDIO APARTMENT	599

TOTAL RESIDENTIAL AREA (INCLUDES IN TOTAL GFA ABOVE)

VARIANCE SUBMITTAL



CONFERRA WORKSHOP  
conferraworkshop.com  
(970) 626-4471  
1000 10TH AVENUE  
DENVER, CO 80202

OLD FIREHOUSE  
FIRE INVESTMENT  
REAL ESTATE, LLC  
185 & 190 N. 1ST STREET  
DENVER, CO 80202

BY: [Signature] DATE: [Date]  
Date: 3/16/20  
Scale: AS NOTED  
Drawn: [Signature]  
Job: [Signature]  
Sheet: [Signature]  
**A3.02**  
Printed On: 3/16/20

2ND FLOOR PLAN

1 2ND FLOOR PLAN  
SCALE: 3/16" = 1'-0"

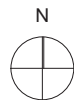






RESIDENTIAL UNITS		
#	TYPE	AREA
209	STUDIO APARTMENT	598
210	STUDIO APARTMENT	600
211	STUDIO APARTMENT	602
212	STUDIO APARTMENT	599
213	STUDIO APARTMENT	601
301	3 BEDROOM CONDO	2190
302	3 BEDROOM CONDO	2079
TOTAL RESIDENTIAL AREA (INCLUDED IN TOTAL GFA ABOVE)		7,269

3RD FLOOR PLAN



ROOF PLAN



2 NORTH ELEVATION  
SCALE 3/8" = 1'-0"



1 EAST ELEVATION  
SCALE 3/8" = 1'-0"

VARIANCE SUBMITTAL



CONTERRA WORKSHOP  
conterraworkshop.com  
(970) 625-4471  
PO BOX 4440  
RIDGWAY, CO 81432

OLD FIREHOUSE  
FIRE INVESTMENT  
REAL ESTATE, LLC  
185 & 190 N. LENA STREET  
RIDGWAY, CO 81432

BY REVISIONS DATE  
Date: 3/16/20  
Scale: AS NOTED  
Drawn:  
Job:  
Sheet:

A4.01

Printed On: 3/16/20

PRESENTATION ELEVATIONS



**CONTERRA WORKSHOP**  
conterraworks.hop.com

(970) 626-4471  
PO BOX 401  
RIDGWAY, CO  
81432

**OLD FIREHOUSE**

IF THE ABOVE DIMENSION DOES

[illegible]

## A4.02

Printed On: 3/15/20

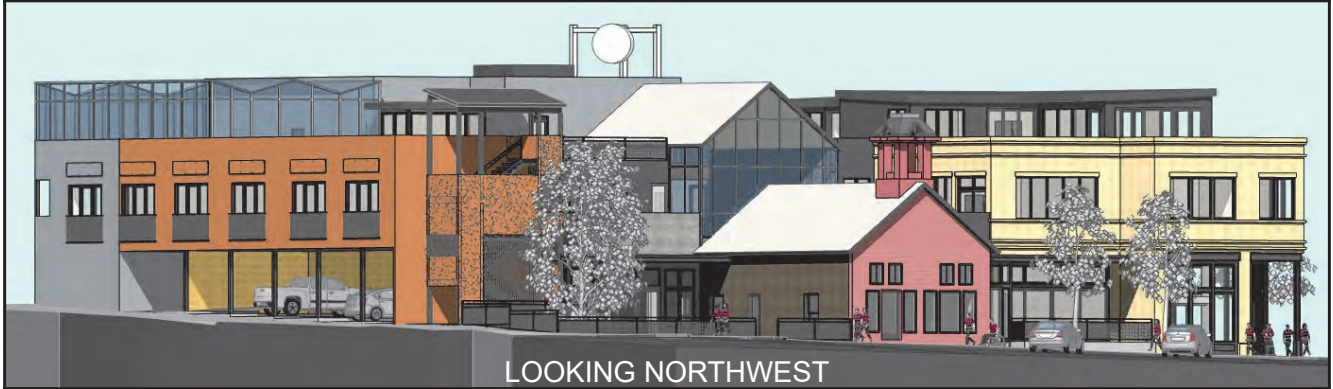
PRESENTATION ELEVATIONS







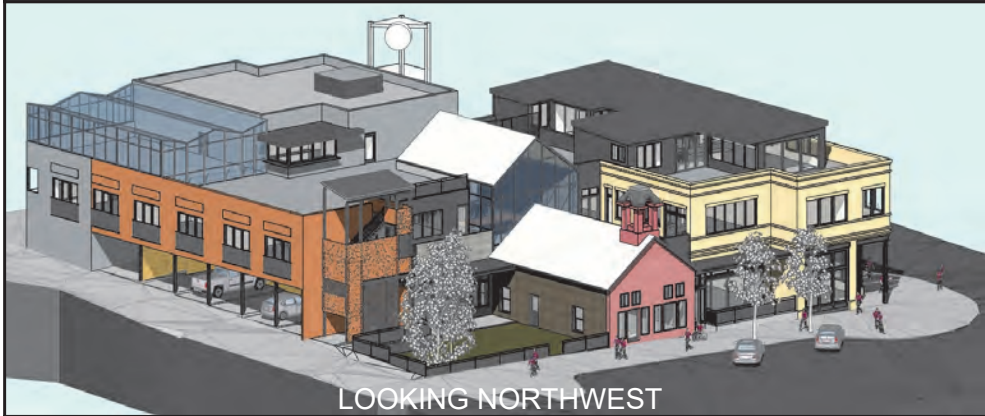
LOOKING SOUTHEAST



LOOKING NORTHWEST



LOOKING SOUTHWEST



LOOKING NORTHWEST



LOOKING SOUTHWEST

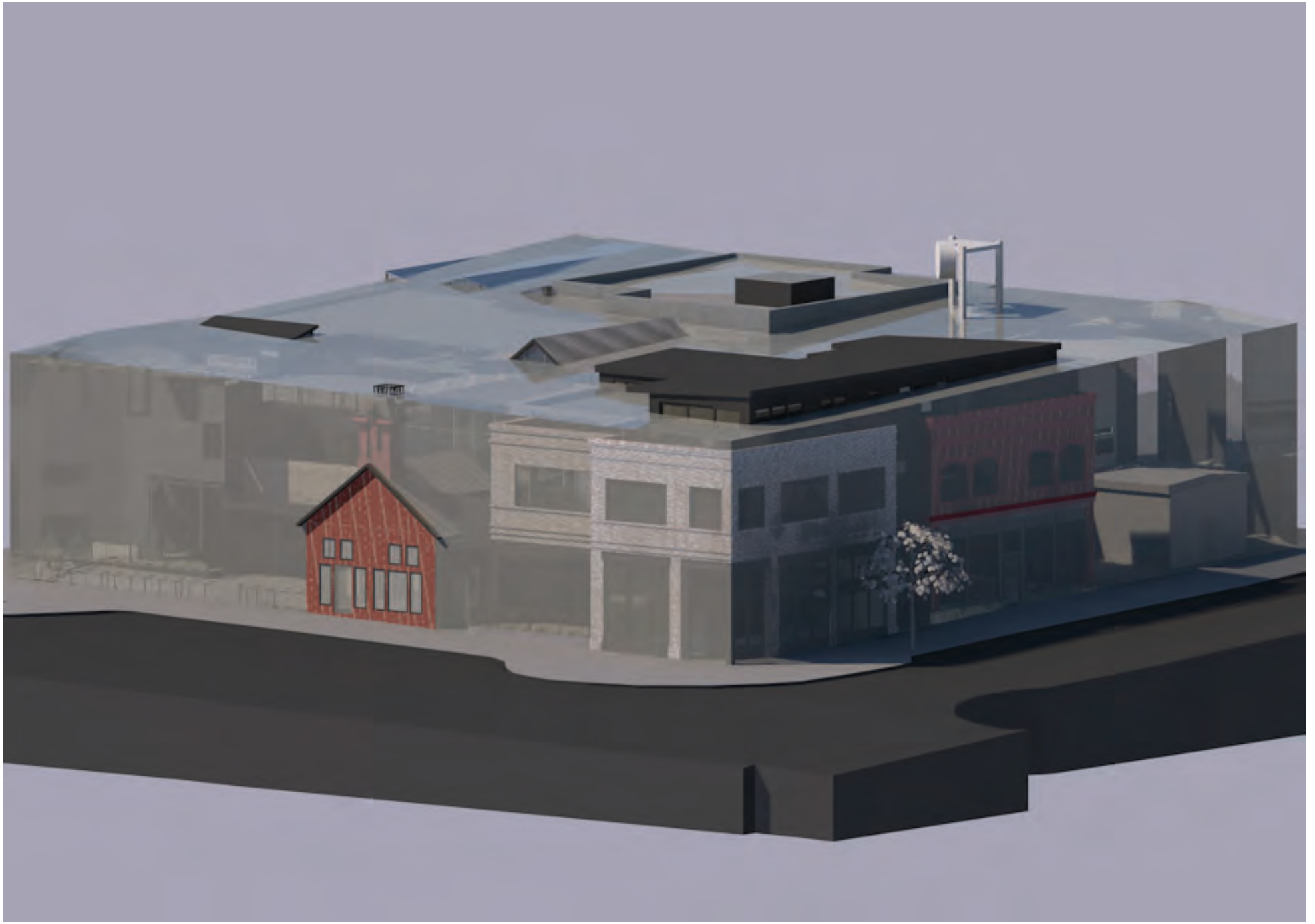
# OLD FIREHOUSE

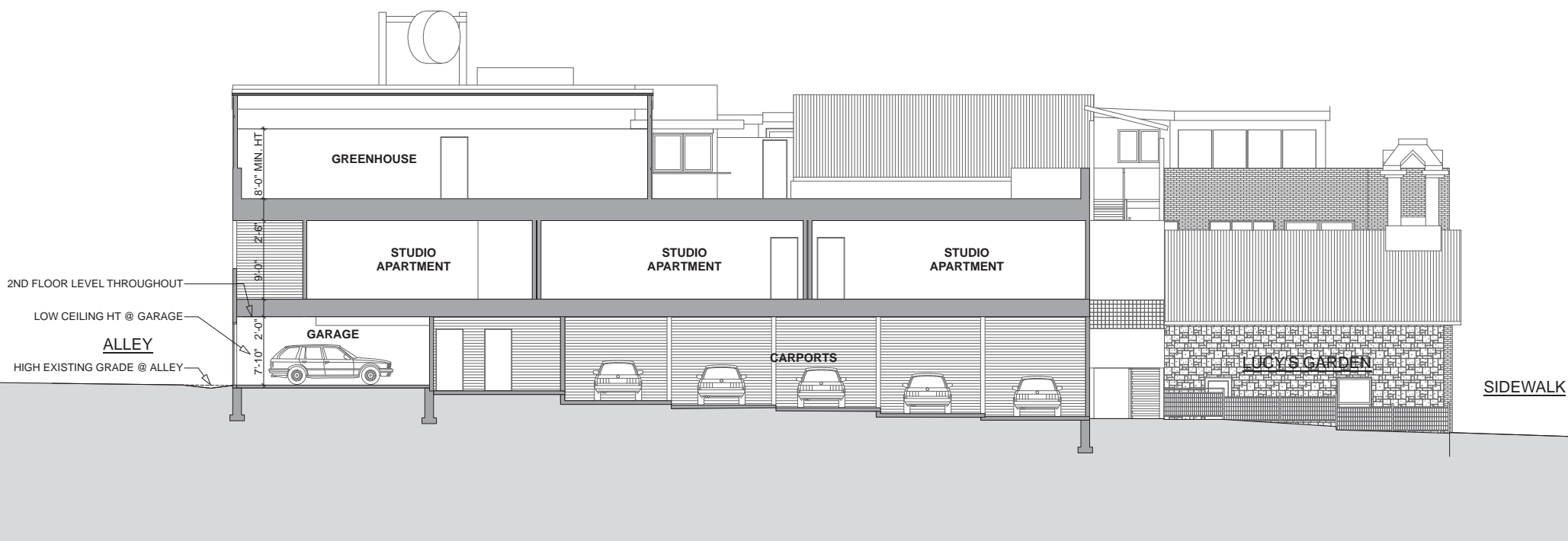
185 & 195 N. LENA STREET  
RIDGWAY, CO. 81432

PERSPECTIVE VIEWS

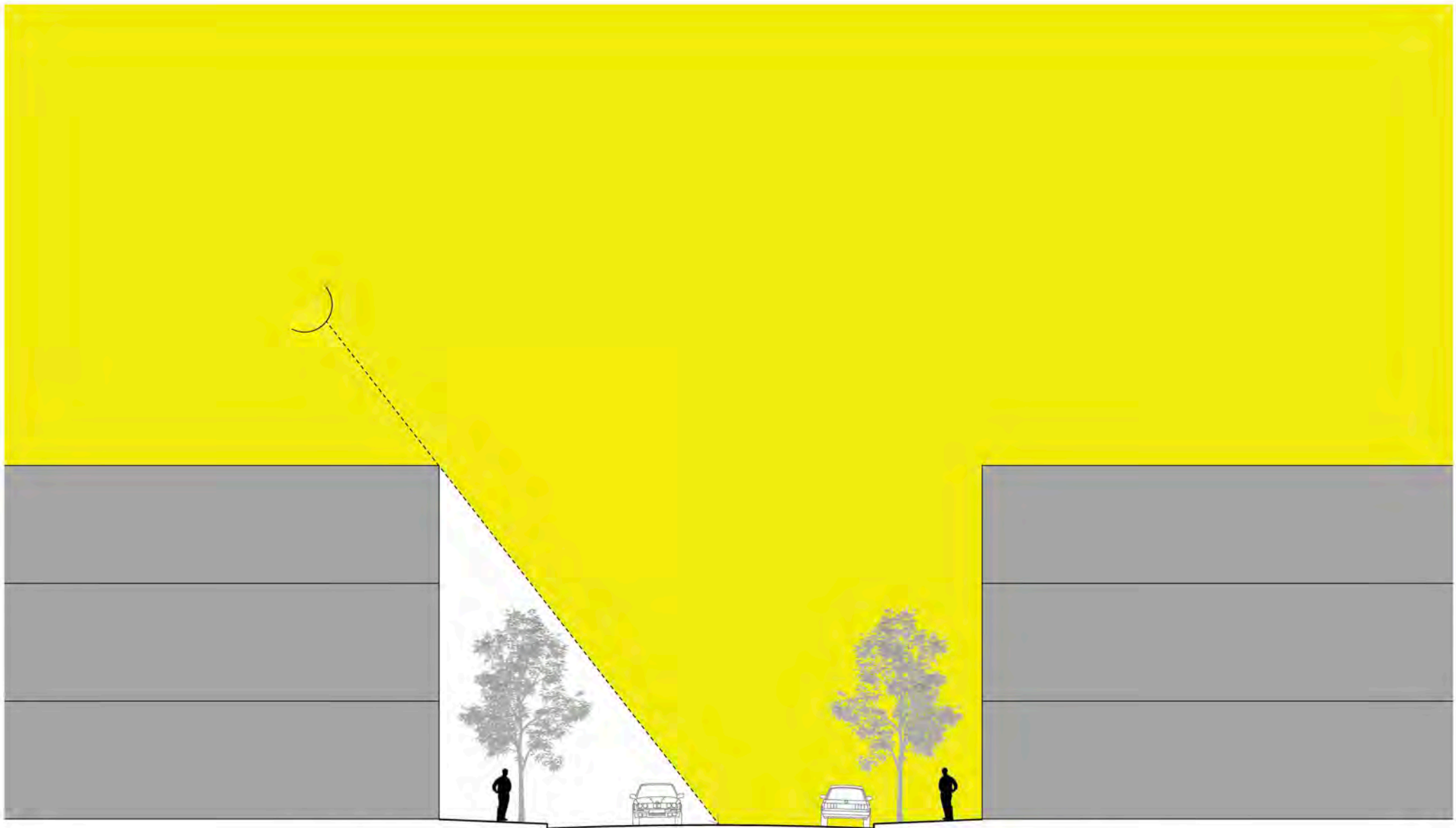
VARIANCE SUBMITTAL  
3/31/20



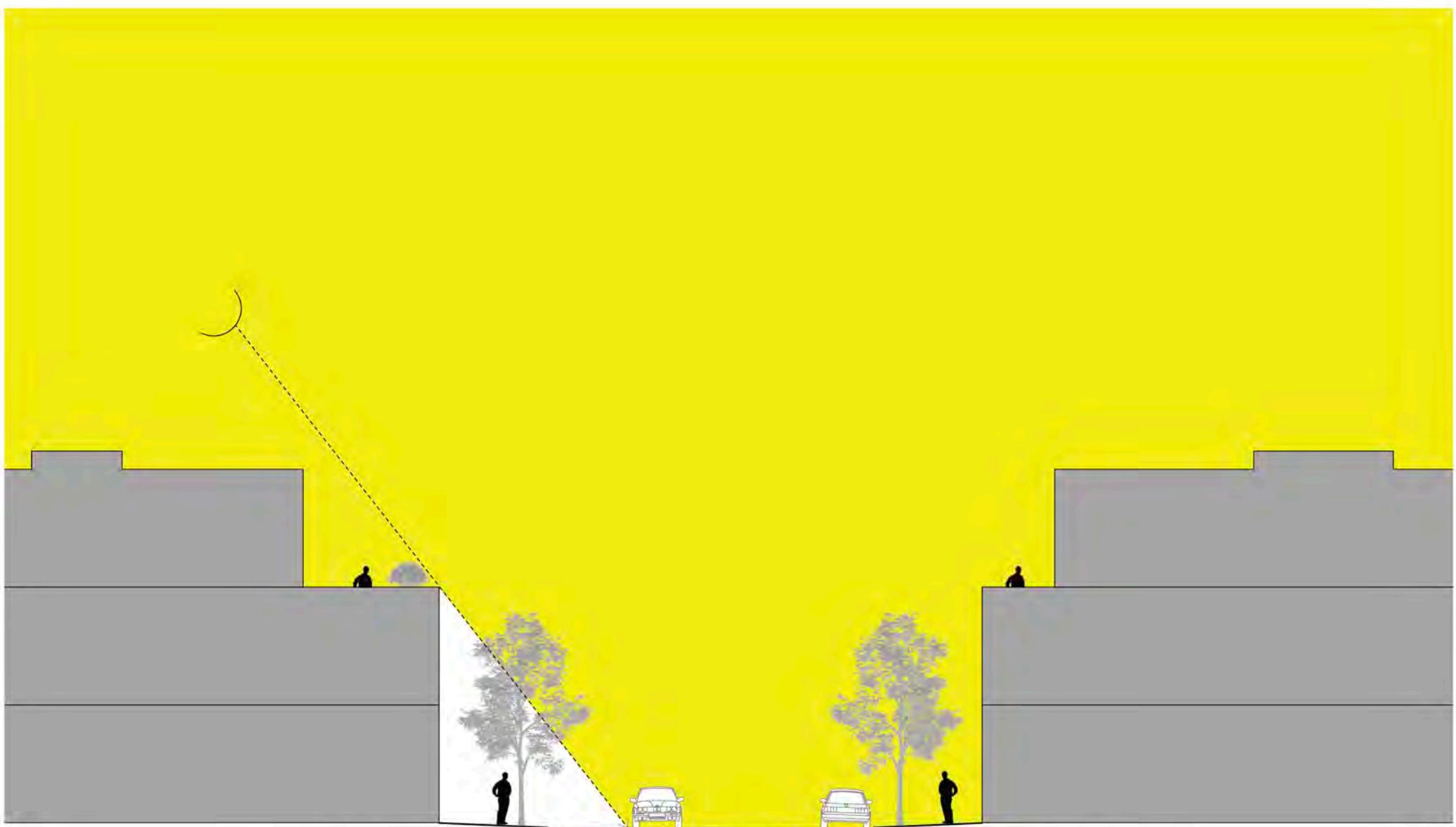








3-STORY STREET SECTION: NO SETBACKS



3-STORY STREET SECTION: SETBACK 15', 8"

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Ridgway Planning Commission will hold a **PUBLIC HEARING online\***, on Tuesday, March 31<sup>st</sup>, 2020 at 5:30 p.m., to receive and consider all evidence and reports relative to the application described below:

Application for:       **Sketch Plan**

Location:               **Triangle Subdivision Lot 1**

Address:                **TBD Highway 550**

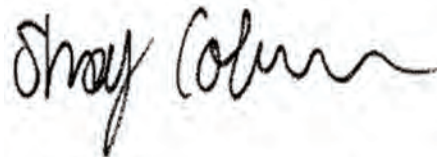
Zoned:                  **General Commercial (GC)**

Applicant:             **John Simone**

Property Owners:      **Alpine Homes-Ridgway LLC**

**ALL INTERESTED PARTIES** are invited to attend said hearing **online** 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: March 20, 2020

Shay Coburn, Town Planner

**\*To join the online Zoom meeting go to:** <https://zoom.us/j/663433691>  
**Meeting ID: 663 433 691**

**Or dial by your location:**  
**+1 301 715 8592 US**  
**+1 253 215 8782 US**

## STAFF REPORT

**Request:** Sketch Plan  
**Legal:** Triangle Subdivision Lot 1  
**Address:** TBD Highway 550  
**Parcel #:** 430516215001  
**Zone:** General Commercial (GC)  
**Applicant:** John Simone  
**Owners:** Alpine Homes-Ridgway LLC  
**Initiated By:** Shay Coburn, Town Planner  
**Date:** March 31, 2020

---

**BACKGROUND**

Applicant is submitting a sketch plan for a proposed planned unit development. An informal discussion was held with the Planning Commission on October 29, 2019 and again on February 25, 2020. Each informal discussion was generally well received as to the overall plan. Some concerns were raised which are included in the text of this report.

This development is proposed for Lot 1 of the Triangle Subdivision. In the early 2000s, Ridgway Hot Springs was proposed for this site and some groundwork was done which ceased around 2008. This lot is accessible from Highway 550, just north of the stop light and intersection with Highway 62.



The proposed plan is a mixed-use development including 38 residential units in a mix of townhouses and condos, two commercial buildings, plus shared parking and common areas. This development would encompass approximately 4.3 acres, 1.314 of which would be utilized for commercial uses with 4 dwellings and 2.981 acres would include 34 dwelling units. Inclusive of all shared spaces (road, open spaces, detention ponds, pathways, etc.) the purely residential area, 2.981 acres, averages to about 12.75 dwelling units per acre.

Submitted with this public hearing application are the following:

- Application and hearing fee
- Narrative with legal property description, title policy and commitment, and water and sewer calculations, and plans including:
  - Site plan
  - Draft plat map
  - Survey
  - Fire truck turning simulations
  - Grading and drainage plan
  - Preliminary utility plan
  - Landscape site analysis

- Letter regarding CDOT Access from TurnKey
- Letter regarding the floodplain from DelMont
- “Will Serve” letters from SMPA and BlackHills Energy

The property has been noticed and posted in accordance with the Ridgway Municipal Code (RMC).

---

## ANALYSIS

The purpose of sketch plan is to understand how a proposed development may impact the community, including: utility, streets, traffic, land use, master plan conformity, zoning regulation conformity, etc. The following code provision are considered with this Sketch Plan request:

### RMC 7-4-5(A)(1)

#### (a) Conformance with the Master Plan and Zoning Regulations.

##### Applicable 2019 Master Plan Goals and Policies:

Goal ENV-1: Preserve, Protect, and restore natural habitats, including for wildlife and ecosystems.

Goal ENV-2: Strengthen the Uncompahgre River corridor as a community asset and environmental resource.

- Policy ENV-2.2: Corridor Access and Uses – balance protection of nature with development, private property rights, and river access.

Goal COM-1: Maintain Ridgway as a community that is accessible to a range of income levels, ages, and households.

- Policy COM-1.5: Distributed Approach – take advantage of all opportunities to add affordable and workforce housing to the town.

Goal COM-2: Encourage a diversity of housing options that meet the needs of residents.

- Policy COM-2.1: Diversity of Housing Types – encourage variety of types in all new developments.
- Policy COM-2.3: Resident Occupied Housing – support resident occupied housing, rather than housing second home owners.

Goal CHR-1: Support vibrant, diverse, safe, and well-connected neighborhoods.

- Policy CHR-1.1: Neighborhood Character – promote neighborhoods that enhance and reflect the character of the town and integrate natural features.
- Policy CHR-1.2: Neighborhood Walkability and Bikeability – enhance these across town and within new developments.

Goal CHR-6: Maintain and enhance Ridgway’s gateways, entry-corridors, and scenic vistas.

- Policy CHR-6.1: Corridor and Gateway Character – gateways should enhance and benefit the character of the town and preserve mountain vistas.
- Policy CHR-6.2: Near-Gateway Development Considerations – encourage new development to be aesthetically pleasing and contribute to the desired character of town considering the context, configuration, and overall design.

Goal CHR-7: Develop an interconnected system of parks, trail, open space, and recreational facilities that meets the needs of Ridgway’s residents and visitors.

- Policy CHR-7.2: Trail Development – encourage trail development and create key links.

Goal GRO-1: Manage growth and development in order to maintain Ridgway’s small town character, support a diverse community, and create employment opportunities.

- Policy GRO-1.1: Directed Growth – grow from the center and infill.
- Policy GRO-1.2: Balanced Mix of Uses – balance mix of uses to provide housing, work, and services.
- Policy GRO-1.3: Mixed-Use Development – promote mix of uses and provide vibrancy to areas.
- Policy GRO-1.4: Underutilized Areas – encourage infill where services don’t have to be extended much.
- Other policies to design for compatibility with surroundings, consider appropriate transitions, encourage clustering to keep open/green space.

### **General Commercial Zoning Regulations**

The General Commercial district allows for most commercial uses by right, including restaurants. Residential uses are currently a conditional use in this district. The Commission discussed that while it is not desirable to use land zoned General Commercial for residential uses, this property is unique and could make sense with a mix of uses. This should be confirmed during this sketch plan hearing.

Building height is limited to 27 feet unless approved as a conditional use. This project will need conditional use approval for the two multi-family buildings located on lot 4 that are proposed to be 3 stories.

The proposal for the creation of lots on the plat map makes it difficult to tell if each lot meets the required dimensional standards for the GC district. This will need to be reviewed for the Preliminary Plat submittal. The requirements in the GC district are:

- Setbacks: 15’ in the front, 8’ on the sides and rear
- Lot width = 30’ min.
- Lot coverage = 50% max.
- Lot size = 5,000 square feet min. (the townhouse lots do not meet this requirement, the remaining lots appear to be in compliance)

Developments with more than 20 parking spaces, which this development has, must incorporate the mitigation and site planning techniques of the commercial design guidelines. Developments within the UROD have similar requirements.

The multifamily buildings proposed for lots 3 and 4 appear to be over 10,000 square feet in floor area and will need to incorporate visual mitigation per performance standards in RMC 7-3-9(D). All buildings appear to be under 25,000 square feet so a variance for a building larger than this is not included with this Sketch Plan hearing.

All properties in GC must mitigate the impacts of their operations by means of landscaping, screening, site design, fencing, or other means to ensure reasonable enjoyment of adjacent properties.

This property is within the UROD and will need comply with those regulations:

- The residential and commercial development proposed between 25' and 75' from the high-water mark needs to be reviewed as a conditional use, meeting the criteria of 7-3-14. The Commission should consider if the following criteria will be met:

*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.*

Here is what the Applicant said about the request: "The developer is requesting the Town of Ridgway consider a Conditional Use variance to allow for limited development within the 75' setback per Subsection 7-3-9.6 (D) and (E) of the Ridgway Municipal Code. The proposed encroachment area is shown on Landscape Site Analysis Plan. The area to be considered for encroachment is highly degraded and consists of fill material, noxious weeds and is mostly void of vegetation currently. To offset impacts, the developer is proposing riparian restoration, and a walking/biking trail which connects to the pedestrian bridge in town, along the western edge of the property where degraded riparian habitat exists currently. This would significantly increase habitat, provide bank stabilization, improve aesthetics and provide the Town and visitors with a new riverfront experience. Native plants will be used in the site drainage and water quality areas within the project, to help pull in and blend with the riparian character of the river, while also improving connected habitat. The intent is to be very compatible with river ecosystem and provide riparian enhancement to what exists currently. Refer to Landscape Site Analysis for more information."

- An Ecological Characterization Study is required for the conditional use request above. A Landscape Site Analysis map was provided with this submittal that appears to have much of the required information.
- Total façade length parallel to the river must be less than 50'. Lot 3 appears to break this requirement. This should be clarified with the Applicant to understand if they want to request a variance to this requirement as part of this PUD application.



**(b) Relationship of development to topography, soils, drainage, flooding, potential natural hazard areas and other physical characteristics.**

This site is relatively flat. It borders the east bank of the Uncompahgre River making the property vulnerable to flooding. The applicant stated that the development is out of the 100-year floodplain – see letter submitted by DelMont and notes below on the floodplain. The Applicant has stated that they have worked to preserve and protect the riverbank and provided enhancement areas along the riverbank on the Landscape Site Analysis. For the Preliminary Plat submittal, these details will need to be included and agreed upon.

The Applicant submitted a drainage plan for the site that includes some detention areas and drains to the river. This drainage plan will need to be reviewed in detail as part of the Preliminary Plat review. Currently the town is exempt from CDPHE stormwater regulations so detaining and draining into the river is likely okay. The Town Engineer's initial thoughts are that this plan might be improved with fewer discharge points and some specific water quality improvements rather than the simple detention ponds but that this may be hard to do with a flat site. It is hard to review the drainage plan at this point as new contours have not been included, just existing. Calculations on runoff and drainage will need to be presented with the Preliminary Plat submittal. It is important to note that Town's Stormwater Master Plan is up for adoption in a just a few weeks so this development will likely be subject to those regulations. In addition, all regulations of the Uncompahgre River Overlay district apply to this site. It would be best if staff could review this plan with the Applicant before further work is done.

Soils testing will need to be completed for the Preliminary Plat.

**(c) Availability of water, means of sewage collection and treatment, access and other utilities and services.**

Water and sewer are available nearby but water and sewer mains will need to be extended to serve the property. This property has access to other utilities as stated in the "Will Serve" letters submitted. The Applicant will want to be sure the other utility providers approve the utility plans to avoid changes during construction.

**(d) Compatibility with the natural environment, wildlife, vegetation and unique natural features.**

This property was once proposed for development and some site work was completed leaving the site with few natural features, wildlife, and vegetation. The proposed development plans to enhance the riverbank. It will also provide some open spaces for vegetation and the Applicant said it will also include landscaping that will enhance the natural environment.

**(e) Public costs, inefficiencies and tax hardships.**

As with any new development, there are likely to be impacts that are important to consider. For example, increased traffic on the roads that surround this development. However, given the location near the core of town, vehicle trips into town may not increase with residents being able to walk and bike from their home. Increased law enforcement may be necessary for development as maximum occupancy represents a 17% increase in population.

This is somewhat of an infill development and should not add too much additional linear feet of water and sewer mains to maintain as well as roads. It is likely that the internal access road will need to be maintained by the HOA, not the Town.

**RMC 7-4-5(A)(2)**

**(c) Vicinity/topographical map showing the project location, zoning and land uses of all lands within 300 feet of any property boundary owned by or under option to the subdivider.**

Topographic Survey and Existing Conditions, DelMont Sheet 1 should be edited as follows:

- Reconcile easements. For example, it appears that the easements at Reception No. 163082 and 150643 were both removed and replaced with the easement at Reception No. 195143. It is vital that the correct easements are provided. This is applicable to other documents submitted as well.
- Add property lines for neighboring properties.
- Label surrounding uses - update labels on buildings to the south to also include residential uses, label the park to the west, label the residential uses across the highway.
- Add measurements of utility easements.
- Add applicable easements on neighboring properties.

**(d) Request Letter containing the following:**

**1. Disclosure of ownership.**

The subject property is owned by Alpine Homes-Ridgway, LLC and Joel Cantor has authority to act on behalf of the LLC. The Town received an Authorization of Agent form to work with John Simone and an Acknowledgement of Fees and Costs form from the owner.

**2. Total number of proposed dwelling units, and maximum occupancy.**

38 dwelling units are proposed in a mix of 10 townhouse style units and 28 condo style units. Maximum occupancy is stated to be 176 = 88 bedrooms \* 2 occupants each. This represents about a potential 17% increase in town population.

**3. Estimated total number of gallons per day of water system requirements, source of waters to supply subdivision requirements, and proposed dedication of water rights in accordance with existing town ordinances.**

Estimated water usage is described in Exhibit C of the Narrative document and totals about 16,200 gallons a day for all units. This estimate is reasonable as long as the retail component doesn't turn out to be a high-water use like a laundromat or car wash.

**4. Estimated total number of gallons per day of sewage to be treated and means for sewage disposal.**

Sewage usage should be about the same as the water usage.

**5. Availability of electricity, natural gas and other utilities necessary or proposed to serve the subdivision.**

The proposed development is near the town core and has access to utilities. "Will Serve" letters for gas and power are provided. All utilities are required to be underground when added or reworked. The plans show replacement of a power pole then undergrounding. Is it possible to underground that line rather than replace the pole?

**6. Estimated construction cost and proposed method for financing of the streets and related facilities, water distribution system, sewage collection system, drainage facilitates and such other utilities and improvements as may be necessary.**

Estimated costs for site work and utilities are stated to be \$1,986,000 in the Narrative and it is planned to be owner financed. There was no additional information included on how this estimate was formulated.

RMC 9-1-9 describes the tap fees that will be due before Final Plat of this project. RMC 3-4 describes the development excise tax that will also be due before Final Plat.

**7. Evidence of legal access to the property.**

The full property will be accessed via one access location on Highway 550, on the north side of the subject property. A CDOT Access Permit has been submitted and the Applicant is waiting to hear back from CDOT. See letter submitted from TurnKey Consulting, LLC

**RMC 7-4-5(A)(3) The sketch plan shall contain the following:**

Submittal was submitted on time with required information, including hearing fees.

**1. Technical information on sketch plan**

Substantially complete.

**2. Lot and street layout indicating approximate area and number of individual lots and access to the property.**

The proposal is to have 14 individual lots. Staff is unclear why the lots are proposed to be divided as they are shown on the draft plat map, it is assumed that these lots are being proposed for HOA management rather than by town code requirements. For example, Lots 3 through 5 do not have access to a street, they would have to have access over Lot 1. Lot 2 also needs access over Lot 1. All 5 lots need access over lot 4. In addition, this is not in compliance with RMC 7-4-7(C)(17) that requires all lot lines are at right angles to street lines. Lot layout will need to be adjusted to meet the code.

The approximate area of the proposed 14 lots can be found in the Narrative and is copied in here:

<b>Name</b>	<b>Area (sf)</b>	<b>Area (acres)</b>	<b>Description</b>
<b>Lot 1</b>	<b>34,994 sf</b>	<b>0.803 acres</b>	<b>One-story Commercial building, parking and common area around building</b>
<b>Lot 2</b>	<b>21,795 sf</b>	<b>0.500 acres</b>	<b>Two-story Commercial building, parking and common area around building</b>
<b>Lot 3</b>	<b>18,303 sf</b>	<b>0.420 acres</b>	<b>Two-story Multifamily building, parking and common area around building</b>
<b>Lot 4</b>	<b>78,368 sf</b>	<b>1.800 acres</b>	<b>Three-story Multifamily buildings, parking and common area around buildings</b>
<b>Lot 5A-5J</b>	<b>varies</b>	<b>varies</b>	<b>Townhome lots, refer to Preliminary Plat Plan</b>

The access drive is proposed to be 24 ft. wide. The minimum width for alleys is 20 ft. and for marginal access streets it is 40 ft. pursuant to 7-4-7(C)(13). Access via a public street is required per 7-4-7(C)(2) and the 24 ft. access drive could only qualify as an alley due to the width. The Commission will want to discuss this to ensure the property has adequate access as required by the code.

The fire truck tracking document will need to be reviewed based on established access locations. For example, there is not currently an emergency access easement on the south of the lot that staff is aware of but it is shown on this diagram with a truck using it. Also, the hammerhead turn around shown in green is less than ideal due to the need to turn and that the property could redevelop blocking the possibility of turning around unless there is an established easement.

There was concern expressed at the informal meeting regarding the one access point for all of the proposed development as well as for Lot 2 (what is currently Mountain Annie's). The Commission encouraged the Applicant to provide another access point, even if just an emergency access. RMC 7-4-7(C)(2) requires access to the state highway system by at least two separate routes. This will need to be worked out.

### **3. Off-street parking, school bus stop and mailboxes**

Parking – Under RMC 7-3-10(A), 2 parking spaces are required for residences greater than 600 square feet and 1 space for all units 600 square feet or less.

- 34 residential units greater than 600sf = 68 parking spaces required
- 4 residential units less than 600sf = 4 parking spaces required
- Commercial space 1 is planned to be 3,200sf and retail space is required to provide 1 space for each 250 sf of gross floor area = 12.8 spaces provided
- Commercial space 2 is planned to be a restaurant which is required to provide 1 space per 100 sf of customer floor area. The space is 2,000 sf = 20 spaces provided

The site plan shows the parking spaces are provided in a combination of garages and surface parking. Without building plans it is not clear if all required parking will be provided on site. This should be confirmed with the Applicant. The Commission should note that some of the parking spaces are tandem loaded which is allowed but generally makes them less usable. It should also be noted that with a 24' access road, there will be no ability to have on-street parking for visitors or overflow.

Bus Stop - Applicant is working on coordinating with the School District on a bus stop.

Mail boxes – Applicant is working with USPS on a location and size.

### **4. Site problems, drainage, floodplain, wetlands or natural and geologic hazards**

The drainage plan will have to be reviewed in detail as part of the Preliminary Plat review as noted above.

Floodplain – The Applicant submitted a letter from DelMont explaining the floodplain and their determination of where it is. It is not clear that this is adequate to confirm the official floodplain and therefore the need to comply with RMC 6-2 Flood Plain Management Regulations or not. Staff has a call in to the Army Corps of Engineers to confirm this determination.

The Applicant has shown on the Landscape Site Analysis that there are no wetlands on this property but there are on the adjacent Town owned property.

### **5. Significant natural and manmade features on the site**

See the narrative and the Landscape Site Analysis for this information.

## 6. Compatibility with natural features

The Applicant explained in the Narrative that the proposed development plan offers to restore the riparian area along the riverbank with bank stabilization and native landscaping enhancements. Otherwise there are limited natural features existing on the site today.

## 7. Total acreage of the track

The property is about 4.3 acres all of which is proposed to be part of this development.

## 8. Existing and proposed zoning district boundary lines

The property is currently zoned General Commercial and is proposed to remain General Commercial.

## 9. General land use divisions

Copied in from the Applicant's Narrative:

**Land Use Table:**

Land Use	Portion of Site	Description	Area (acres)	%
Commercial	Lot 1, Lot 2	Commercial buildings, commercial parking and surrounding area.	1.304 acres	30.3%
Residential	Lot 3, Lot 4, Lot 5A-5J	Residential buildings, residential parking and surrounding area	2.996 acres	69.7%

**(Refer to Architectural Site Plan and Preliminary Plat Plan for more information)**

## 10. Type and layout of all proposed infrastructure

Water and sewer mains will need to be dedicated to the town. A utility easement that follows these mains onto private property will be required. This easement will need to be a minimum of 20 ft., potentially 25 ft. wide, to accommodate separation requirements plus room to maintain the infrastructure on either side. The applicant will also need to work with the town on access to each water meter for monthly readings.

A few comments on the utility plan from the Town Engineer:

- The dead end of the water main on southwest side will not work. This will need to be looped back to the mainline, similar to the route of the access lane. Then the south buildings on lot 4 could be served from the south. The looped connection to the line on the east side of the highway is good.
- This property should not need a lift station for sewer, it should be able to gravity flow. Perhaps the wrong manhole was identified. There is a very deep (16') sewer line under Hwy 62 between Citizens State Bank and the building to the west that should be utilized. The plan for a past development here was actually to have a sewer line that was deep enough that the land across the highway in the Ridgway Land Company Subdivision could actually hook in and gravity flow. This will require redesign of the sewer system.
- Spacing of hydrants appears to be adequate but may need to be adjusted based on flow available. It is not clear that the two water main connections will provide enough flow to the hydrants to meet requirements of the Insurance Service Office. The two main lines that are planned to serve this development are 6".

- The utility plans are showing cable. It is unclear that cable is an option but maybe it should say fiber.

#### **11. Public use areas to be dedicated to the public, and the purpose of dedication, and their relationship to existing public use areas.**

A path is shown on the site plan connecting to the pedestrian bridge over the river; however, there are no easements proposed for public access. RMC 7-4-6(A)(11) and 7-3-9.6(F) contemplate that a 10' wide trail easement along the river is required, the Commission should consider requesting a public access easement along the riverside trail which seems to be what this plan might be considering. In addition, access to this trail easement should be considered from Hwy 550 given there is already a social trail through this property and a need for this pedestrian circulation. Flow for pedestrians and bikes is a policy in the Master Plan.

There are no parks, open space, or community facilities proposed with this development, although some shared private space is provided for the residents within the development. Would the Commission like to make any requests? The 2019 Master Plan contains goals and policies around gateways. Perhaps an easement for the Town to install a "Town of Ridgway" or "Welcome to the Town of Ridgway" sign would be appropriate.

#### **12. Existing and proposed land use patterns**

Existing land use patterns need to be added to the existing conditions map as noted above. This property is adjacent to the river and park land to the west, highway 550 and residential uses to the east, and commercial uses to the east and south.

#### **13. Adequate Water Supply**

Applicant has stated this provision of the code, RMC 7-6 Adequate Public Water Supply, does not apply as they do not exceed 50 single family equivalents (SFE). The Applicant used the Ouray County code to assess SFE and with 38 dwelling units and 5,200 square feet of commercial use, they came up with 43 SFE. The commercial numbers seem a bit low but likely not low enough to get up to 50 SFE. It should be noted that the Town's 2020 strategic plan includes revising this section of the Municipal Code to reduce the number of SFE that triggers the requirement to submit a report proving adequate water supply.

#### **RMC 7-4-5(A)(8) Mineral Estate Owner Notification**

Applicant emailed staff to confirm that there are no mineral estate owners; therefore, notification is not necessary.

#### **Additional Considerations**

Street lights will likely be required at key entry and exit points for vehicles and pedestrians for safety. A stop sign at the exit on to Hwy 550 may also be needed. We may wait to hear from CODT on this matter.

Short-term rentals – there was discussion during the informal meetings that the Commission would like to see short-term rentals restricted within this development in line with a Master Plan policy to create resident occupied housing. The Commission should discuss this topic during this Sketch Plan hearing.

Affordable Housing Restrictions – in the informal discussions the Commission requested about 10% of the units be deed restricted to be permanently affordable. The Applicant has proposed to provide four deed



restricted units which seemed adequate to the Commission during the informal discussions. Deed restriction language should be the Town's standard or slightly adjusted if needed.

Noxious weeds – if the property houses noxious weeds, they will need to be mitigated prior to the submittal of a Final Plat pursuant to 7-4-6(C).

Commercial Design Guidelines – applicant should consider incorporating some of the Commercial Design Guidelines for the GC district including, but not limited to: compliment the size, height, and arrangement of surrounding buildings; promote a pedestrian-friendly and aesthetically-pleasing environment; and site plan for a pedestrian scale experience along the public rights-of-way.

Posted Notice per RMC 7-4-13 will need to be completed. Staff can provide instructions after the Sketch Plan hearing.

---

### STAFF RECOMMENDATION

Pursuant to the Town Code for Sketch Plan Review, the Planning Commission shall approve, conditionally approve or disapprove the sketch plan after the plan has been submitted in full compliance with all submittal requirements to the Commission. If the sketch plan is disapproved, the reason for disapproval shall be included in the minutes of the Planning Commission's proceedings and provided to the subdivider in writing upon request. The sketch plan shall be disapproved if it or the proposed improvements and required submittals are inadequate or do not comply with the requirements of these Regulations. Approval of a sketch plan shall lapse automatically in six months from the date of submittal, unless a preliminary plat is submitted.

Based on the 2019 Master Plan this development seems to be well suited for the community, especially given the diverse housing options and that it is basically infill development. With that being said, it is also important to discuss the potential impacts of the development and address a number of topics in order to reconcile the development request with the Town's Master Plan and Municipal Code.

The following considerations, clarifications, and questions (summarized from this report) should be addressed:

1. Conditional use consideration for residential in the GC district.
2. Conditional use consideration for the two central buildings to be up to 35'.
3. Consideration to vary setbacks – not yet clear on exact request.
4. Conditional use consideration for development between 25' and 75' of the high-water mark.
5. Does this request include a variance request to the 50' length restriction for buildings in the UROD?
6. Drainage plan review and discussion with town staff before further design.
7. Edits to the Topographic Survey and Existing Conditions map, especially reconciling existing easements.
8. Additional information on the proposed budget.
9. Revision of lot layout to ensure compliance with the code.
10. Determination if a 24' access lane is adequate for this development.
11. Determination if the one established access point to the site from Hwy 550 is adequate or if another, at least for emergency access, is needed.

12. Refinement of fire truck diagram – revisit this once the access locations are determined.
13. Confirm if parking meets the code and discuss the need for visitor parking.
14. Clarification around the floodplain.
15. Utility plan review and discussion with town staff before further design.
16. Trail easement along riverway trail. Potential for easement from east side of property connecting to the riverway trail.
17. Any other public dedications like an easement for a Town sign.
18. Restrictions on short term rentals.
19. Applicant to provide four deed restricted units.
20. Posted notice per 7-4-13.



*Property posting from Hwy 550 looking southwest*



TOWN HALL PO Box 10 | 201 N. Railroad Street | Ridgway, Colorado 81432 | 970.626.5308 | www.town.ridgway.co.us

## Planning Commission Hearing Request

### Official Use Only

Receipt # \_\_\_\_\_

Date Received: 3-10-2020

Initials: JS

### General Information

Applicant Name John Simon Application Date 3/10/20  
Mailing Address P.O. Box 3391  
Phone Number 970-708-7224 Email js@q.com  
Owner Name Alpine Homes, LLC, Glenn Becker  
Phone Number 727.823.8161 Email glenn@centorpartners.com  
Address of Property for Hearing Hwy. 550 Lot 1 Triangle Subdivision  
Zoning District General Commercial

### Brief Description of Requested Action

Sketch Plan review of a 4.3 acre parcel along Hwy. 550. The parcel is to be developed into a mix of commercial buildings and residences.

### Action Requested and Required Fee Payable to the Town of Ridgway

<input type="checkbox"/> Temporary Use Permit per 7-3-13(C)	\$150.00	Subdivisions per 7-4 unless noted	
<input type="checkbox"/> Conditional Use per 7-3-14	\$250.00	<input checked="" type="checkbox"/> Sketch Plan	\$300.00 (+ \$10.00/lot or unit)
<input type="checkbox"/> Change in Nonconforming Use per 7-3-15	\$150.00	<input type="checkbox"/> Preliminary Plat	\$1,500.00 (+ \$25.00/lot or unit)
<input type="checkbox"/> Variances & Appeals per 7-3-16	\$250.00	<input type="checkbox"/> Preliminary Plat resubmittal	\$750.00 (+ \$25.00/lot or unit)
<input type="checkbox"/> Rezoning per 7-3-17	\$250.00	<input type="checkbox"/> Final Plat	\$600.00
<input type="checkbox"/> Other Reviews Pursuant to 7-3-18	\$250.00	<input type="checkbox"/> Minor Subdivision	\$450.00 (+ \$25.00/lot or unit)
<input type="checkbox"/> Variance to Floodplain Reg. per 6-2	\$150.00	<input type="checkbox"/> Lot Split	\$450.00
<input type="checkbox"/> Master Sign Plan Pursuant to 7-3-12	\$150.00	<input type="checkbox"/> Replat	\$150.00 (+ \$25.00/lot or unit)
<input type="checkbox"/> Deviations from Single Family Design Standards per 6-6	\$175.00	<input type="checkbox"/> Plat Amendment	\$250.00
<input type="checkbox"/> Other	\$_____	<input type="checkbox"/> Planned Unit Dev. per 7-3-11	See Preliminary and Final Plat
		<input type="checkbox"/> Statutory Vested Rights per 7-5	\$1,500.00

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.



TOWN HALL PO Box 10 | 201 N. Railroad Street | Ridgway, Colorado 81432 | 970.626.5308 | www.town.ridgway.co.us

#### Attachments Required

##### For All Applications

- ☒ Evidence of ownership or written notarized consent of legal owner(s).
- ☒ Information proving compliance with applicable criteria (see the Ridgway Municipal Code for criteria), like a narrative, site plans, and/or architectural drawings drawn to scale on paper size of 8.5 x 11 or 11 x 17.

##### For Conditional Use Permits

- ☐ The site plan shall show the location of building(s), abutting streets, all dimensions, off-street parking requirements, and landscaping.
- ☒ Architectural drawings shall include elevations and details of building(s).

##### For Changes in Nonconforming Use

- ☐ Description of existing non-conformity.

##### For Variances

- ☒ The site plan shall show the details of the variance request and existing uses within 100 ft. of property.

##### For Rezoning

- ☐ Legal description, current zoning, and requested zoning of property.

##### For Subdivisions

- ☐ All requirements established by Municipal Code Section 7-4.
- ☒ Sketch plan submittals shall be submitted at least 21 days prior to the Planning Commission hearing at which the applicant wishes to have the application considered.
- ☐ Preliminary plat submittals shall be submitted at least 30 days prior to the Planning Commission hearing at which the applicant wishes to have the application considered.
- ☐ Final plat submittals shall be submitted at least 30 days prior to the Planning Commission hearing at which the applicant wishes to have the application considered.

Please note that incomplete applications will be rejected.

Applicant Signature

3/9/20  
Date

Owner Signature

3/9/2020  
Date



**APPLICATION/NARRATIVE FOR SKETCH PLAN SUBDIVISION AND PUD REVIEW FOR  
LOT 1 TRIANGLE SUBDIVISION**

Date: March 6, 2020

Alpine Homes-Ridgway, LLC, a Colorado limited liability company (“**Applicant**”) is the current, fee title owner of certain property described on attached **Exhibit “A”** (“**Subject Property**”).

Applicant requests that the Town schedule the Application (described below) for appropriate review and action at a duly noticed public meeting.

A copy of a current title policy showing the vesting of title to the Subject Property in the name of the applicant and a listing of all liens, encumbrances, agreements, easements and other exceptions is attached **Exhibit “B”**. There are no holders of mortgages or deeds of trust whose consent is required to enable Applicant to process this Application. Based upon its review of the Title Policy, the Applicant has determined that there does not appear to be any severed mineral rights that are associated with the Subject Property.

The Subject Property is a generally triangle shaped parcel containing approximately 4.30 acres and is included within the incorporated boundaries of the Town of Ridgway. The Subject Property is depicted on the attached survey, attached as **Exhibit “D”**. The Subject Property is currently vacant and undeveloped, except for an existing access and certain utilities serving future development on this parcel as well as providing access to development on adjacent property to the south owned by other parties. It is adjacent to and fronts on Highway #550, which is located to the east. The western boundary of the Subject Property sits above and to the east of the Uncompahgre River and is generally situated above the highwater mark of the Uncompahgre River. The Subject Property extends to point to the northerly extent of the parcel and adjoins existing commercial properties to the south. The Subject Property is generally flat and contains only sparse growth of grass.

Applicant is submitting its application for Sketch PUD/Subdivision Review (“**Application**”) by the Town of Ridgway (“**Town**”), which is being compiled and will be reviewed in accordance with applicable provisions of the Ridgway Municipal Code (“**Code**”). The Application is for a certain development project (“**Project**”) generally described as follows: Mixed Use Project consisting of commercial and residential development to be included in certain new buildings being constructed on the Subject Property. The Subject Property is being subdivided into separate lots and parcels to accommodate the new buildings, infrastructure and open space uses and activities. The layout of the lots and parcels as well as the conceptual placement, mass/scale/height and design of the proposed buildings are as represented in the attached submittal documents.

In furtherance of the Town's submission and review standards provided for in Section 7-4-5 of the Code, the applicant states as follows:

**Total number of proposed dwelling units, and maximum occupancy: 38 Residential Dwelling Units, Max Occupancy 176 (88 bedrooms x 2 occupants) of which 4 dwelling units are proposed to be deed restricted.**

**Affordability: An overriding goal of this project is affordability. Beyond the 4 deed restricted affordable units, the overall project is being designed in a most cost effective manner by the Owner and Project team to meet the needs of the community and provide additional local housing within walking distance top the Town core.**

**Estimated total number of gallons per day of water system requirements, source of waters to supply subdivision requirements, and proposed dedication of water rights in accordance with existing town ordinances: \_16,200 gals/day, calculations attached as Exhibit "C".**

**Estimated total number of gallons per day of sewage to be treated and means for sewage disposal: 16,200 gals/day, calculations attached as Exhibit "C".**

**Availability of electricity, natural gas and other utilities necessary or proposed to serve the subdivision: (Refer to Civil Plans)**

**Estimated construction cost and proposed method for financing of the streets and related facilities, water distribution system, sewage collection system, drainage facilitates and such other utilities and improvements as may be necessary: \$1,986,000    Owner financed**

**Evidence of legal access to the property:** As indicated on the survey attached as Exhibit " D ", the Subject Property adjoins State Hwy #550. Survey shows access easement to the property and the development team is working through the CDOT access permit process. See also Access Permit Status Attachment 1.

The Application includes copies of appropriate plans/drawings/reports in support of the sketch plan which address the following information/conditions:

(1) The property boundaries of the subdivision, north arrow and date. The scale of the sketch map shall not be less than one inch equals two hundred feet. The map shall include the name of the subdivision, name of the county, township, range, section and quarter section. In the case of large subdivisions requiring more than one sheet at such a scale, and index map showing the total area on a single sheet at an appropriate scale shall also be submitted.

(2) A conceptual drawing of the lot and street layout indicating the approximate area and number of individual lots and access to the property.

Individual lots within project:

Name	Area (sf)	Area (acres)	Description
Lot 1	34,994 sf	0.803 acres	One-story Commercial building, parking and common area around building
Lot 2	21,795 sf	0.500 acres	Two-story Commercial building, parking and common area around building



<b>Lot 3</b>	<b>18,303 sf</b>	<b>0.420 acres</b>	<b>Two-story Multifamily building, parking and common area around building</b>
<b>Lot 4</b>	<b>78,368 sf</b>	<b>1.800 acres</b>	<b>Three-story Multifamily buildings, parking and common area around buildings</b>
<b>Lot 5A-5J</b>	<b>varies</b>	<b>varies</b>	<b>Townhome lots, refer to Preliminary Plat Plan</b>

**(Refer to Preliminary Plat Plan for more information)**

(3) Provisions for sufficient off-street parking, school bus stops to be approved by the school district, and mail box locations to be approved by the US Postal Service.

**Parking Requirements:**

**Lot 1**

Mixed Use: 2-story 8,000 sf 4 UNITS

- a. Ground Level - Commercial 3,200 sf Ground floor
- b. Upper Level - Res 4-2- BR Units 800 sf
- c. Parking: uncovered at grade
- d. Commercial 3,200 sf/ 250 = 12.8 spaces
- e. Residential 2 spaces/ unit= 8 spaces

**Lot 2**

Mixed Use: 1-story 2,000 sf

- a. Commercial 2,000 sf
- b. Parking 2,000 sf/ 100 = 20 spaces

**Lot 3**

Multifamily: 2-story 11,200 sf 8 UNITS

- a. 2 - 3 BR Units 1,250 sf
- b. 2 - 2 BR Units 850 sf
- c. 4 - 1 BR Units 500 sf
- d. Garage 2,700 sf 8 spaces

**Lot 4**

Multifamily: 3-story 14,070 sf (2 buildings) 16 UNITS

- a. 4 - 3 BR Units 1,260 sf
- b. 12 - 2 BR Units 942 sf
- c. Garage 1st level 3,768 sf 16 spaces (tandem, 2 per unit)

**Lots 5A to 5J**

Townhome: 2- story; 24,250 sf (5 buildings) 10 UNITS

- a. Living 1,850 sf (3 BR's) + Garage 2 cars 575 sf 2,425 sf ea

**School Bus Stop:**

The development team is working with Shane Ayer at Ridgway School District to finalize location.

**Postal Box (Centralized Delivery Unit):**

The development team is working with Renee Rexford at USPS to finalize location and size.

**(Refer to Architectural Site Plan for more information)**

(4) Site problems, poor drainage, flood plain, wetlands or natural and geologic hazards.

The project site has a wetland boundary along the west side of the project, but the development does not go into the wetlands.

The site is currently naturally draining to the north and the proposed project works with the existing drainage and improves upon it by providing detention ponds to slow the drainage before it leaves the site. The Uncompahgre River borders the western boundary of the site and provides a great opportunity for some riparian restoration along the bank. The floodplain follows the western edge and there are no buildings proposed within the flood zone. There is a wetland area along the lower bench of the riverbank that is adjacent to the site. The wetlands have a combination of open water, grasses, cattails and willows. For more information see Ecological Characterization Study.

(5) Significant natural and manmade features on the site, such as streams, lakes, natural drainageways; vegetation types including locations of wooded areas; wildlife habitats; scenic corridors; visual impacts; solar access; existing buildings; utility lines and easements; irrigation ditches; bridges and similar physical features; and existing development on adjacent property.

As shown on the civil drawings the project includes manmade detention ponds to slow drainage from the site. The project also has a good portion of the proposed green space along the existing river corridor to enhance wildlife habitats. Visually the buildings in this project have been staggered and stepped in height to minimize their visual impact.

Refer to Civil Plans for more information.

The majority of vegetation on site consists of disturbed and degraded areas with weedy, herbaceous vegetation being dominant throughout. The herbaceous vegetation consists primarily of green rabbitbrush (*Chrysothamnus viscidiflorus*), spineless horsebrush (*Tetradymia canescens*), spotted knapweed (*Centaurea stoebe*), common mullein (*Verbascum Thapsus*) and bentgrass species (*Agrostis* spp.). In addition to this dominant herbaceous stratum, there is a row of 8 narrow leaf cottonwoods (*Populus angustifolia*) towards the middle of the property and 3 silver buffaloberry (*Shepherdia argentea*) shrubs scattered throughout. The adjacent property, buffering the Uncompahgre River, is reminiscent of scrub-shrub riparian ecosystems, with populations of Geyer willow (*Salix geyeriana*), Rocky Mountain willow (*Salix monticola*), sandbar willow (*Salix exigua*), and smaller narrow leaf cottonwood species that appear to have been planted. These willow populations are found all along the bank of the Uncompahgre River, with more robust populations bordering the property to the north. Throughout the western border of the site, where it is adjacent to the Uncompahgre River and hydrology is favorable, these willow populations can be found in sparse densities.

(6) Demonstrate compatibility with natural features.

The project site has been designed to work with the natural features and to enhance them where possible.

The developer is requesting the Town of Ridgway consider a Conditional Use variance to allow for limited development within the 75' setback per Subsection 7-3-9.6 (D) and (E) of the Ridgway Municipal Code. The proposed encroachment area is shown on Landscape Site Analysis Plan. The area to be considered for encroachment is highly degraded and consists of fill material, noxious weeds and is mostly void of vegetation currently. To offset impacts, the developer is proposing riparian restoration, and a walking/biking trail which connects to the pedestrian bridge in town, along the western edge of the property where degraded riparian habitat exists currently. This would significantly increase habitat, provide bank stabilization, improve aesthetics and provide the Town and visitors with a new riverfront

experience. Native plants will be used in the site drainage and water quality areas within the project, to help pull in and blend with the riparian character of the river, while also improving connected habitat. The intent is to be very compatible with river ecosystem and provide riparian enhancement to what exists currently. Refer to Landscape Site Analysis for more information.

(7) Total acreage of the tract. 4.3 acres

(8) Existing and proposed zoning district boundary lines.

The Subject Property is currently classified in the “General Commercial” zone and this application does not propose to change the applicable zoning.

(9) General land use divisions including residential types, commercial, industrial, parks, open space and community facilities, including the proposals’ relevance to underlining zoning.

Land Use Table:

Land Use	Portion of Site	Description	Area (acres)	%
Commercial	Lot 1, Lot 2	Commercial buildings, commercial parking and surrounding area.	1.304 acres	30.3%
Residential	Lot 3, Lot 4, Lot 5A-5J	Residential buildings, residential parking and surrounding area	2.996 acres	69.7%

**(Refer to Architectural Site Plan and Preliminary Plat Plan for more information)**

(10) Type and layout of all proposed infrastructure including streets, utilities, water and sewer systems, and impact on existing systems. **Refer to Civil Plans**

(11) Public use areas proposed to be dedicated to the public, and the purpose of the dedication, and their relationship to existing public use areas.

The project includes an extension of the existing walking path along the east bank of the river.. The project also includes public courtyards at the commercial buildings which is intended to be an energized community space for public gathering.

(12) Existing and proposed land use patterns, including street system, of both the tract proposed for development and immediately adjacent land. **Refer to Civil Plans**

(13) Documents required by Section 7-6 of the Ridgway Municipal Code.

Not Applicable, **Refer to calculations attached as Exhibit “C”**

The Applicant believes that the proposed development, as depicted on the site plan and supporting materials, is consistent with the following town review standards:

**(a) Conformance with the master plan and zoning regulations:**

The project contains a diversity of attainable housing units, walkable community connections, sustainable practices (green building, solar, geo-thermal, etc.), the preservation of Uncompahgre River

corridor, courtyards for community gathering, enhanced entry corridor into Ridgway, mixed-use for sustainable year-round local economy which all align with the Town's master plan.

The project is located within the General Commercial zoning district with the commercial portion falling within a use by right and we are requesting a variance for multi-family residential as a conditional use.

**(b) Relationship of development to topography, soils, drainage, flooding, potential natural hazard areas and other physical characteristics;**

The project is along the east bank of the Uncompahgre river and is fairly flat. The design team has worked to preserve and protect the riverbank and enhance the drainage on the site. See Civil plans for more information

**(c) Availability of water, means of sewage collection and treatment, access and other utilities and services;**

Water to the site will come from two locations to form a looped system. The first location is in the south eastern part of the site and the second location is at the north eastern part of the site. The sanitary sewer is at the south eastern corner of the site. An existing electrical easement runs along the east side of the site and power will be fed from this line. The gas line is also fed from the east side of the site with-in an existing utility easement. See Civil plans for more information

**(d) Compatibility with the natural environment, wildlife, vegetation and unique natural features;**

The property is a vacant, undeveloped parcel east of the Uncompahgre River. The proposed development will preserve the River corridor and the bulk of the site is designed with large areas of open space and will be well landscaped to enhance the natural environment.

**(e) Public costs, inefficiencies and tax hardships**

The town is in great need for a variety of attainable housing and this project will help to fill that need. The location of this site will help promote community connectivity and enhance the public use along the river. We do not see this project creating hardships for the town, we see this project as filling a need.

Respectfully Submitted

Alpine Homes-Ridgway, LLC,  
a Colorado limited liability company

By: \_\_\_\_\_

**Exhibit "A"**  
**(Description of Subject Property)**

LOT 1, TRIANGLE SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED APRIL 22, 1992 UNDER RECEPTION NO. 150643; AND THE PLAT OF SURVEY RECORDED JANUARY 26, 1995 UNDER RECEPTION NO. 158652, AND THE PLAT OF SURVEY RECORDED DECEMBER 8, 1994 UNDER RECEPTION NO. 158254, TOWN OF RIDGWAY

EXCEPT A PARCEL OF LAND WITHIN LOT 1 OF THE TRIANGLE SUBDIVISION, TOWN OF RIDGWAY, COUNTY OF OURAY, STATE OF COLORADO, CONVEYED IN THE DEED RECORDED JANUARY 2, 2008 UNDER RECEPTION NO. 196855, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 88°35'07" EAST (BASIS OF BEARING, OURAY COUNTY CONTROL) ALONG THE SOUTH LINE OF SAID LOT 1, 119.59 FEET;  
THENCE NORTH 15°16'17" EAST, 169.01 FEET;  
THENCE NORTH 12°11'40" EAST, 255.36 FEET;  
THENCE 359.19 FEET ALONG THE ARC OF A CURVE TO THE LEFT, WITH A CENTRAL ANGLE OF 34°18'00", A RADIUS OF 600.00 FEET AND A CHORD OF NORTH 04°57'20" WEST, 353.85 FEET;  
THENCE NORTH 22°06'19" WEST, 60.00 FEET;  
THENCE NORTH 25°22'43" WEST, 68.43 FEET;  
THENCE NORTH 30°05'32" WEST, 159.64 FEET;  
THENCE NORTH 38°54'53" WEST, 43.57 FEET TO A POINT ON THE WEST LINE OF SAID LOT 1;  
THENCE SOUTH 01°31'23" WEST ALONG THE WEST LINE OF SAID LOT 1, 1057.93 FEET BACK TO THE POINT OF BEGINNING,

ALL IN THE COUNTY OF OURAY, STATE OF COLORADO.



**Land Title Guarantee Company  
Customer Distribution**



**PREVENT FRAUD** - Please remember to call a member of our closing team when initiating a wire transfer or providing wiring instructions.

Order Number: **OUC85006192**

Date: **03/06/2020**

Property Address: **TBD HIGHWAY 550, RIDGWAY, CO 81432**

**PLEASE CONTACT YOUR CLOSER OR CLOSER'S ASSISTANT FOR WIRE TRANSFER INSTRUCTIONS**

---

**For Closing Assistance**

**For Title Assistance**

Land Title Ouray County Title Team  
218 SHERMAN  
RIDGWAY, CO 81432  
PO BOX 276  
(970) 626-7001 (Work)  
(877) 375-5025 (Work Fax)  
[ourayresponse@ltgc.com](mailto:ourayresponse@ltgc.com)

---

**Buyer/Borrower**

A BUYER TO BE DETERMINED  
Delivered via: No Commitment Delivery

**Attorney for Seller**

THE LAW OFFICES OF THOMAS G KENNEDY  
Attention: THOMAS KENNEDY  
PO BOX 3081  
307 E COLORADO AVE #203  
TELLURIDE, CO 81435  
(970) 728-2424 (Work)  
(970) 728-9439 (Work Fax)  
tom@tklaw.net  
Delivered via: Electronic Mail

**Seller/Owner**

ALPINE HOMES-RIDGWAY, LLC, A COLORADO  
LIMITED LIABILITY COMPANY  
Delivered via: No Commitment Delivery





## Land Title Guarantee Company Estimate of Title Fees

Order Number: **OUC85006192** Date: **03/06/2020**  
Property Address: **TBD HIGHWAY 550, RIDGWAY, CO 81432**  
Parties: **A BUYER TO BE DETERMINED**  
**ALPINE HOMES-RIDGWAY, LLC, A COLORADO LIMITED LIABILITY COMPANY**

Visit Land Title's Website at [www.ltgc.com](http://www.ltgc.com) for directions to any of our offices.

Estimate of Title insurance Fees	
"TBD" Commitment	\$293.00
	<b>Total \$293.00</b>
If Land Title Guarantee Company will be closing this transaction, the fees listed above will be collected at closing.	
<b>Thank you for your order!</b>	

**Note:** The documents linked in this commitment should be reviewed carefully. These documents, such as covenants conditions and restrictions, may affect the title, ownership and use of the property. You may wish to engage legal assistance in order to fully understand and be aware of the implications of the effect of these documents on your property.

### Chain of Title Documents:

[Ouray county recorded 12/19/2019 under reception no. 224429](#)

[Ouray county recorded 10/29/2012 under reception no. 208643](#)

[Ouray county recorded 05/28/2010 under reception no. 203214](#)

[Ouray county recorded 07/22/2009 under reception no. 201179](#)

### Plat Map(s):

[Ouray county recorded 01/26/1995 under reception no. 158652](#)

[Ouray county recorded 12/08/1994 under reception no. 158254](#)

[Ouray county recorded 04/22/1992 under reception no. 150643](#)

**ALTA COMMITMENT**  
**Old Republic National Title Insurance Company**  
**Schedule A**

Order Number: OUC85006192

**Property Address:**

TBD HIGHWAY 550, RIDGWAY, CO 81432

**1. Effective Date:**

02/25/2020 at 5:00 P.M.

**2. Policy to be Issued and Proposed Insured:**

"TBD" Commitment

\$0.00

Proposed Insured:

A BUYER TO BE DETERMINED

**3. The estate or interest in the land described or referred to in this Commitment and covered herein is:**

A Fee Simple

**4. Title to the estate or interest covered herein is at the effective date hereof vested in:**

ALPINE HOMES-RIDGWAY, LLC, A COLORADO LIMITED LIABILITY COMPANY

**5. The Land referred to in this Commitment is described as follows:**

LOT 1, TRIANGLE SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED APRIL 22, 1992 UNDER RECEPTION NO. [150643](#); AND THE PLAT OF SURVEY RECORDED JANUARY 26, 1995 UNDER RECEPTION NO. [158652](#), AND THE PLAT OF SURVEY RECORDED DECEMBER 8, 1994 UNDER RECEPTION NO. [158254](#);

EXCEPT A PARCEL OF LAND WITHIN LOT 1 OF THE TRIANGLE SUBDIVISION, TOWN OF RIDGWAY, COUNTY OF OURAY, STATE OF COLORADO, CONVEYED IN THE DEED RECORDED JANUARY 2, 2008 UNDER RECEPTION NO. [196855](#), MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 88°35'07" EAST (BASIS OF BEARING, OURAY COUNTY CONTROL) ALONG THE SOUTH LINE OF SAID LOT 1, 119.59 FEET;  
THENCE NORTH 15°16'17" EAST, 169.01 FEET;  
THENCE NORTH 12°11'40" EAST, 255.36 FEET;  
THENCE 359.19 FEET ALONG THE ARC OF A CURVE TO THE LEFT, WITH A CENTRAL ANGLE OF 34°18'00", A RADIUS OF 600.00 FEET AND A CHORD OF NORTH 04°57'20" WEST, 353.85 FEET;  
THENCE NORTH 22°06'19" WEST, 60.00 FEET;  
THENCE NORTH 25°22'43" WEST, 68.43 FEET;  
THENCE NORTH 30°05'32" WEST, 159.64 FEET;  
THENCE NORTH 38°54'53" WEST, 43.57 FEET TO A POINT ON THE WEST LINE OF SAID LOT 1;  
THENCE SOUTH 01°31'23" WEST ALONG THE WEST LINE OF SAID LOT 1, 1057.93 FEET BACK TO THE POINT OF BEGINNING,  
ALL IN THE TOWN OF RIDGWAY, COUNTY OF OURAY, STATE OF COLORADO.

Copyright 2006-2020 American Land Title Association. All rights reserved.

The use of this Form is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.



**ALTA COMMITMENT**

**Old Republic National Title Insurance Company**

**Schedule B, Part I**

**(Requirements)**

**Order Number:** OUC85006192

**All of the following Requirements must be met:**

**This proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.**

**Pay the agreed amount for the estate or interest to be insured.**

**Pay the premiums, fees, and charges for the Policy to the Company.**

**Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.**

**NOTE: ADDITIONAL REQUIREMENTS OR EXCEPTIONS MAY BE NECESSARY WHEN THE BUYERS NAMES ARE ADDED TO THIS COMMITMENT. COVERAGES AND/OR CHARGES REFLECTED HEREIN, IF ANY, ARE SUBJECT TO CHANGE UPON RECEIPT OF THE CONTRACT TO BUY AND SELL REAL ESTATE AND ANY AMENDMENTS THERETO.**

**ALTA COMMITMENT**  
**Old Republic National Title Insurance Company**  
**Schedule B, Part II**  
**(Exceptions)**

Order Number: OUC85006192

This commitment does not republish any covenants, condition, restriction, or limitation contained in any document referred to in this commitment to the extent that the specific covenant, conditions, restriction, or limitation violates state or federal law based on race, color, religion, sex, sexual orientation, gender identity, handicap, familial status, or national origin.

1. Any facts, rights, interests, or claims thereof, not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
2. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
3. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
5. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date of the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.
6. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
7. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water.
8. RIGHTS OF WAY FOR DITCHES OR CANALS CONSTRUCTED BY THE AUTHORITY OF THE UNITED STATES, AS RESERVED IN UNITED STATES PATENT RECORDED JUNE 13, 1951, IN BOOK 103 AT PAGE [508](#).
9. SUBJECT TO ANNEXATION PLAT OF SUNSET ENTERPRISES ADDITION FILED MARCH 10, 1980 UNDER RECEPTION NO. [127944](#) AND ANNEXATION ORDINANCE RECORDED MARCH 10, 1980 IN BOOK 194 AT PAGE [343](#).
10. TERMS, CONDITIONS AND PROVISIONS OF EASEMENT GRANTED TO US WEST COMMUNICATIONS, INC. RECORDED NOVEMBER 22, 1991 IN BOOK 217 AT PAGE [791](#).
11. TERMS AND CONDITIONS OF SUBDIVISION IMPROVEMENTS AND LIEN AGREEMENT BETWEEN H. DARYL QUANDT AND PATRICIA KATHLEEN QUANDT AND THE TOWN OF RIDGWAY RECORDED APRIL 22, 1992 IN BOOK 222 AT PAGE [95](#).
12. NOTES, EASEMENTS, RIGHTS OF WAY, AND RESTRICTIONS AS CONTAINED ON THE RECORDED PLATS FILED APRIL 22, 1992 UNDER RECEPTION NO. [150643](#), RECORDED DECEMBER 8, 1994 UNDER RECEPTION NO. [158254](#) AND RECORDED JANUARY 26, 1995 UNDER RECEPTION NO. [158652](#).
13. SUBJECT TO NOTICE CONCERNING UNDERGROUND FACILITIES OF SAN MIGUEL POWER ASSOCIATION RECORDED JUNE 22, 1993 IN BOOK 227 AT PAGE [145](#).

**ALTA COMMITMENT**  
**Old Republic National Title Insurance Company**  
**Schedule B, Part II**  
**(Exceptions)**

**Order Number:** OUC85006192

14. TERMS, CONDITIONS AND AGREEMENTS AS CONTAINED IN EASEMENT AGREEMENT BY AND BETWEEN RIDGWAY HOT SPRINGS, LLC AND TELLURIDE REAL ESTATE COMPANY, LLC, RECORDED JUNE 11, 2007 UNDER RECEPTION NO. [195143](#) AND AMENDMENT/CLARIFICATION TO EASEMENT AGREEMENT RECORDED JULY 13, 2009 UNDER RECEPTION NO. [201106](#); AS AFFECTED BY PARTIAL TERMINATION OF EASEMENT AGREEMENT RECORDED DECEMBER 23, 2019 UNDER RECEPTION NO. [224462](#).
15. ANY INCREASE OR DECREASE IN THE AREA OF THE LAND AND ANY ADVERSE CLAIM TO ANY PORTION OF THE LAND WHICH HAS BEEN CREATED BY OR CAUSED BY ACCRETION OR RELICTION, WHETHER NATURAL OR ARTIFICIAL; AND THE EFFECT OF THE GAIN OR LOSS OF AREA BY ACCRETION OR RELICTION UPON THE MARKETABILITY OF THE TITLE OF THE LAND.
16. ANY RIGHTS OR INTERESTS OF THIRD PARTIES WHICH EXIST OR ARE CLAIMED TO EXIST IN AND OVER THE PRESENT AND PAST BED, BANKS OR WATERS OF UNCOMPAHGRE RIVER.
17. MATTERS DISCLOSED ON IMPROVEMENT SURVEY ISSUED BY ORION SURVEYING CERTIFIED DECEMBER 12, 2019, PROJECT NO. 18079. STORED IN OUR RECORDS AS IMAGE [20049484](#).



## LAND TITLE GUARANTEE COMPANY DISCLOSURE STATEMENTS

**Note:** Pursuant to CRS 10-11-122, notice is hereby given that:

- (A) The Subject real property may be located in a special taxing district.
- (B) A certificate of taxes due listing each taxing jurisdiction will be obtained from the county treasurer of the county in which the real property is located or that county treasurer's authorized agent unless the proposed insured provides written instructions to the contrary. (for an Owner's Policy of Title Insurance pertaining to a sale of residential real property).
- (C) The information regarding special districts and the boundaries of such districts may be obtained from the Board of County Commissioners, the County Clerk and Recorder, or the County Assessor.

**Note:** Effective September 1, 1997, CRS 30-10-406 requires that all documents received for recording or filing in the clerk and recorder's office shall contain a top margin of at least one inch and a left, right and bottom margin of at least one half of an inch. The clerk and recorder may refuse to record or file any document that does not conform, except that, the requirement for the top margin shall not apply to documents using forms on which space is provided for recording or filing information at the top margin of the document.

**Note:** Colorado Division of Insurance Regulations 8-1-2 requires that "Every title entity shall be responsible for all matters which appear of record prior to the time of recording whenever the title entity conducts the closing and is responsible for recording or filing of legal documents resulting from the transaction which was closed". Provided that Land Title Guarantee Company conducts the closing of the insured transaction and is responsible for recording the legal documents from the transaction, exception number 5 will not appear on the Owner's Title Policy and the Lenders Policy when issued.

**Note:** Affirmative mechanic's lien protection for the Owner may be available (typically by deletion of Exception no. 4 of Schedule B, Section 2 of the Commitment from the Owner's Policy to be issued) upon compliance with the following conditions:

- (A) The land described in Schedule A of this commitment must be a single family residence which includes a condominium or townhouse unit.
- (B) No labor or materials have been furnished by mechanics or material-men for purposes of construction on the land described in Schedule A of this Commitment within the past 6 months.
- (C) The Company must receive an appropriate affidavit indemnifying the Company against un-filed mechanic's and material-men's liens.
- (D) The Company must receive payment of the appropriate premium.
- (E) If there has been construction, improvements or major repairs undertaken on the property to be purchased within six months prior to the Date of Commitment, the requirements to obtain coverage for unrecorded liens will include: disclosure of certain construction information; financial information as to the seller, the builder and or the contractor; payment of the appropriate premium fully executed Indemnity Agreements satisfactory to the company, and, any additional requirements as may be necessary after an examination of the aforesaid information by the Company.

No coverage will be given under any circumstances for labor or material for which the insured has contracted for or agreed to pay.



**Note:** Pursuant to CRS 10-11-123, notice is hereby given:

This notice applies to owner's policy commitments disclosing that a mineral estate has been severed from the surface estate, in Schedule B-2.

- (A) That there is recorded evidence that a mineral estate has been severed, leased, or otherwise conveyed from the surface estate and that there is substantial likelihood that a third party holds some or all interest in oil, gas, other minerals, or geothermal energy in the property; and
- (B) That such mineral estate may include the right to enter and use the property without the surface owner's permission.

**Note:** Pursuant to CRS 10-1-128(6)(a), It is unlawful to knowingly provide false, incomplete, or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance, and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado Division of Insurance within the Department of Regulatory Agencies.

**Note:** Pursuant to Colorado Division of Insurance Regulations 8-1-3, notice is hereby given of the availability of a closing protection letter for the lender, purchaser, lessee or seller in connection with this transaction.



**JOINT NOTICE OF PRIVACY POLICY OF  
LAND TITLE GUARANTEE COMPANY,  
LAND TITLE GUARANTEE COMPANY OF SUMMIT COUNTY  
LAND TITLE INSURANCE CORPORATION AND  
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY**

This Statement is provided to you as a customer of Land Title Guarantee Company as agent for Land Title Insurance Corporation and Old Republic National Title Insurance Company.

We want you to know that we recognize and respect your privacy expectations and the requirements of federal and state privacy laws. Information security is one of our highest priorities. We recognize that maintaining your trust and confidence is the bedrock of our business. We maintain and regularly review internal and external safeguards against unauthorized access to your non-public personal information ("Personal Information").

In the course of our business, we may collect Personal Information about you from:

- applications or other forms we receive from you, including communications sent through TMX, our web-based transaction management system;
  - your transactions with, or from the services being performed by us, our affiliates, or others;
  - a consumer reporting agency, if such information is provided to us in connection with your transaction;
- and
- The public records maintained by governmental entities that we obtain either directly from those entities, or from our affiliates and non-affiliates.

Our policies regarding the protection of the confidentiality and security of your Personal Information are as follows:

- We restrict access to all Personal Information about you to those employees who need to know that information in order to provide products and services to you.
- We may share your Personal Information with affiliated contractors or service providers who provide services in the course of our business, but only to the extent necessary for these providers to perform their services and to provide these services to you as may be required by your transaction.
- We maintain physical, electronic and procedural safeguards that comply with federal standards to protect your Personal Information from unauthorized access or intrusion.
- Employees who violate our strict policies and procedures regarding privacy are subject to disciplinary action.
- We regularly assess security standards and procedures to protect against unauthorized access to Personal Information.

**WE DO NOT DISCLOSE ANY PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT STATED ABOVE OR PERMITTED BY LAW.**

Consistent with applicable privacy laws, there are some situations in which Personal Information may be disclosed. We may disclose your Personal Information when you direct or give us permission; when we are required by law to do so, for example, if we are served a subpoena; or when we suspect fraudulent or criminal activities. We also may disclose your Personal Information when otherwise permitted by applicable privacy laws such as, for example, when disclosure is needed to enforce our rights arising out of any agreement, transaction or relationship with you.

Our policy regarding dispute resolution is as follows: Any controversy or claim arising out of or relating to our privacy policy, or the breach thereof, shall be settled by arbitration in accordance with the rules of the American Arbitration Association, and judgment upon the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof.



## Commitment For Title Insurance

### Issued by Old Republic National Title Insurance Corporation

#### NOTICE

IMPORTANT—READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON. .

#### COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and the Commitment Conditions, Old Republic National Title Insurance Company, a Minnesota corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured. If all of the Schedule B, Part I—Requirements have not been met within 6 months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

#### COMMITMENT CONDITIONS

##### 1. DEFINITIONS

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
- (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
- (h) "Title": The estate or interest described in Schedule A.

2. If all of the Schedule B, Part I—Requirements have not been met within the time period specified in the Commitment to Issue Policy, Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:

- (a) the Notice;
- (b) the Commitment to Issue Policy;
- (c) the Commitment Conditions;
- (d) Schedule A;
- (e) Schedule B, Part I—Requirements; and
- (f) Schedule B, Part II—Exceptions; and
- (g) a counter-signature by the Company or its issuing agent that may be in electronic form.

##### 4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

##### 5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
  - i. comply with the Schedule B, Part I—Requirements;
  - ii. eliminate, with the Company's written consent, any Schedule B, Part II—Exceptions; or
  - iii. acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
- (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.

- (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I—Requirements have been met to the satisfaction of the Company.
- (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

**6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT**

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.
- (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

**7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT**

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

**8. PRO-FORMA POLICY**

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

**9. ARBITRATION**

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Policy Amount is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <http://www.alta.org/arbitration>.

IN WITNESS WHEREOF, Land Title Insurance Corporation has caused its corporate name and seal to be affixed by its duly authorized officers on the date shown in Schedule A to be valid when countersigned by a validating officer or other authorized signatory.

Issued by:

Land Title Guarantee Company  
3033 East First Avenue Suite 600  
Denver, Colorado 80206  
303-321-1880



Senior Vice President



**OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY**  
A Stock Company  
400 Second Avenue South, Minneapolis, Minnesota 55401  
(612) 371-1111

By



President

Attest



Secretary

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Land Title Insurance Corporation. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

Copyright 2006-2016 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

**Exhibit "C"**  
**Water and Sewer Calculations**

**Water Usage:**

**Estimated water usage per day: 16,200 gals/day**

**Estimated sewage per day: 16,200 gals/day**

Calculations:

The total number of dwelling units is 38.

The maximum occupancy of 176. (88 bedrooms x 2 occupants)

Here is a breakdown of units:

Townhomes, 2-story: 10 total units

(10) Three bedroom units

Multifamily, 2-story: 8 total units

(4) One bedroom units

(2) Two bedroom units

(2) Three bedroom units

Multifamily North, 3-story: 8 total units

(6) Two bedroom units

(2) Three bedroom units

Multifamily South, 3-story: 8 total units

(6) Two bedroom units

(2) Three bedroom units

Mixed Use, 2-story: 4 total units

(4) Two bedroom units

Residential:

176 occupants x 75 gals/day = 13,200

Commercial:

Retail: 40 occupants x 25 gals/day = 1,000

Restaurant: 80 occupants x 25 gals/day = 2,000

Total:

13,200 + 1,000 + 2,000 = 16,200 gals/day

**Water Use Rates:**

Based on Ouray County code section 9-10 (Water Use and Sewer Rates)

**Estimated Water use rate: 43 dwelling units or equivalent**

Dwelling Units

Townhomes = 10 units

Multifamily, 2-story = 8 units

Multifamily North, 3-story = 8 units

Multifamily South, 3-story = 8 units

Mixed Use, 2-story = 4 units

Commercial Units (EQR "equivalency factor")

Retail 3,200 sf (0.30 / retail space) 3 spaces x 0.30 = 0.9 units

Restaurant 2,000 sf (2.00 per 1st 20 seats; 0.60 per additional 10 seats)

40 seat = 3.2 units

Total Water Use Rates = 42.1 or 43



## **Fixture Units (Supply and Drainage):**

### **Residential:**

#### **Townhomes**

##### **194.0 Total Fixture Units Supply**

- (10) 3 Bed 2.5 Bath Units (19.4 Fixture Units Supply Each)  
(Clothes Washer 1.4, "5 Piece" Bath Group 4.3, "4 Piece" Bath Group 3.6, Half Bath Group 2.6, Kitchen Group 2.5, Hose Bib 2.5, Hose Bib 2.5)

##### **190.0 Total Fixture Units Drainage**

- (10) 3 Bed 2.5 Bath Units (19.0 Fixture Units Supply Each)  
(Clothes Washer 2, "5 Piece" Bath Group 6, "4 Piece" Bath Group 5, Half Bath Group 4, Kitchen Group 2)

#### **Multifamily, 2-story**

##### **97.7 Total Fixture Units Supply**

- (2) 3 Bed 2.5 Bath Units (14.4 Fixture Units Supply Each)  
(Clothes Washer 1.4, "5 Piece" Bath Group 4.3, "4 Piece" Bath Group 3.6, Half Bath Group 2.6, Kitchen Group 2.5)
- (2) 2 Bed 2 Bath Units (11.8 Fixture Units Supply Each)  
(Clothes Washer 1.4, "5 Piece" Bath Group 4.3, "4 Piece" Bath Group 3.6, Kitchen Group 2.5)
- (4) 1 Bed 1 Bath Units (8.2 Fixture Units Supply Each)  
(Clothes Washer 1.4, "5 Piece" Bath Group 4.3, Kitchen Group 2.5)
- Garage/Exterior (12.5 Fixture Units Supply)  
(5) Hose Bib 2.5

##### **108 Total Fixture Units Drainage**

- (2) 3 Bed 2.5 Bath Units (19 Fixture Units Supply Each)  
(Clothes Washer 2, "5 Piece" Bath Group 6, "4 Piece" Bath Group 5, Half Bath Group 4, Kitchen Group 2)
- (2) 2 Bed 2 Bath Units (15 Fixture Units Supply Each)  
(Clothes Washer 2, "5 Piece" Bath Group 6, "4 Piece" Bath Group 5, Kitchen Group 2)
- (4) 1 Bed 1 Bath Units (10 Fixture Units Supply Each)  
(Clothes Washer 2, "5 Piece" Bath Group 6, Kitchen Group 2)

## **Multifamily, 3-story North**

### **109.6 Total Fixture Units Supply**

- (2) 3 Bed 2.5 Bath Units (14.4 Fixture Units Supply Each)  
(Clothes Washer 1.4, "5 Piece" Bath Group 4.3, "4 Piece" Bath Group 3.6, Half Bath Group 2.6, Kitchen Group 2.5)
- (6) 2 Bed 2 Bath Units (11.8 Fixture Units Supply Each)  
(Clothes Washer 1.4, "5 Piece" Bath Group 4.3, "4 Piece" Bath Group 3.6, Kitchen Group 2.5)
- Exterior (10.0 Fixture Units Supply)  
(4) Hose Bib 2.5

### **128 Total Fixture Units Drainage**

- (2) 3 Bed 2.5 Bath Units (19 Fixture Units Supply Each)  
(Clothes Washer 2, "5 Piece" Bath Group 6, "4 Piece" Bath Group 5, Half Bath Group 4, Kitchen Group 2)
- (6) 2 Bed 2 Bath Units (15 Fixture Units Supply Each)  
(Clothes Washer 2, "5 Piece" Bath Group 6, "4 Piece" Bath Group 5, Kitchen Group 2)

## **Multifamily, 3-story South**

### **109.6 Total Fixture Units Supply**

- (2) 3 Bed 2.5 Bath Units (14.4 Fixture Units Supply Each)  
(Clothes Washer 1.4, "5 Piece" Bath Group 4.3, "4 Piece" Bath Group 3.6, Half Bath Group 2.6, Kitchen Group 2.5)
- (6) 2 Bed 2 Bath Units (11.8 Fixture Units Supply Each)  
(Clothes Washer 1.4, "5 Piece" Bath Group 4.3, "4 Piece" Bath Group 3.6, Kitchen Group 2.5)
- Exterior (10.0 Fixture Units Supply)  
(4) Hose Bib 2.5

### **128 Total Fixture Units Drainage**

- (2) 3 Bed 2.5 Bath Units (19 Fixture Units Supply Each)  
(Clothes Washer 2, "5 Piece" Bath Group 6, "4 Piece" Bath Group 5, Half Bath Group 4, Kitchen Group 2)
- (6) 2 Bed 2 Bath Units (15 Fixture Units Supply Each)  
(Clothes Washer 2, "5 Piece" Bath Group 6, "4 Piece" Bath Group 5, Kitchen Group 2)

**Mixed Use, 2nd Floor****57.2 Total Fixture Units Supply**

- (4) 2 Bed 2 Bath Units (11.8 Fixture Units Supply Each)
  - (Clothes Washer 1.4, "5 Piece" Bath Group 4.3, "4 Piece" Bath Group 3.6, Kitchen Group 2.5)
- Exterior (10.0 Fixture Units Supply)
- (4) Hose Bib 2.5

**60 Total Fixture Units Drainage**

- (4) 2 Bed 2 Bath Units (15 Fixture Units Supply Each)
  - (Clothes Washer 2, "5 Piece" Bath Group 6, "4 Piece" Bath Group 5, Kitchen Group 2)

**Commercial:** (Estimated, Actual tenant unknown at this time)

**Mixed Use, 1st Floor****17 Total Fixture Units Supply**

- (2) Restrooms @ 4.5 Fixture Units Each (Public Water Closet 2.5, Public Sink 2)
- (4) Service Sink 2

**16 Total Fixture Units Drainage**

- (2) Restrooms @ 4 Fixture Units Each
- (4) Service Sink @ 2 Fixture Units Each

**One-Story Restaurant building****33 Total Fixture Units Supply**

- (4) Restrooms @ 4.5 Fixture Units Each (Public Water Closet 2.5, Public Sink 2)
- Kitchen @ 15 Fixture Units Total ((3) Kitchen Sink 2, (2) Hand Sink 2, (2) Dishwasher 1.5, Mop Sink 2)

**36 Total Fixture Units Drainage**

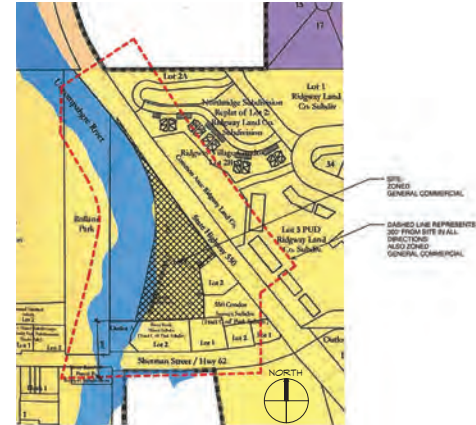
- (2) Restrooms @ 4 Fixture Units Each
- Kitchens @ 20 Fixture Units Total ((3)Kitchen Sink 2, (2) Hand Sink 2, (2) Dishwasher 2, Mop Sink 2, (2) Floor Drain 2)



PRELIMINARY PLAT SUBMISSION - MARCH 10, 2020

# TRIANGLE PARCEL

LOT 1, TRIANGLE SUBDIVISION  
RIDGWAY, COLORADO



VACINITY MAP - NTS

**PROJECT ADDRESS:**  
TRIANGLE SUBDIVISION, LOT 1

**OWNER INFORMATION:**  
CANTOR FUND MANAGEMENT, LLC  
CONTACT: JOHN SIMON  
MOUNTAINEER CONSTRUCTION  
P.O. BOX 2794  
TELLURIDE, CO 81435  
9070-708-7224

**ARCHITECT INFORMATION:**  
HINES DESIGNS CCA ASPEN  
SUNDRA HINES JIM KEHOE  
(970) 626-2300 (970) 925-5590

**CIVIL ENGINEER INFORMATION:**  
DEL-MONT CONSULTANTS  
125 COLORADO AVE.  
MONTROSE, CO 81401  
(970) 249-2251

## SHEET INDEX

- T1.1 TITLE SHEET/ VICINITY MAP
- A1.1 ARCHITECTURAL SITE PLAN
- 1 OF 3 PRELIMINARY PLAT
- 2 OF 3 PRELIMINARY PLAT
- 3 OF 3 PRELIMINARY PLAT
- 1 SURVEY
- 2 FIRETRUCK TURNING SIMULATION
- 3 PRELIMINARY GRADING & DRAINAGE PLAN
- 4 PRELIMINARY UTILITY PLAN
- 5 PRELIMINARY PROFILES
- 6 LANDSCAPE SITE ANALYSIS



CHARLES  
CUNNIFFE  
ARCHITECTS

cunniffe.com

610 EAST HYMAN AVE.  
ASPEN, CO 81611  
TEL: 970.925.5590  
FAX: 970.920.4557

TRIANGLE PARCEL  
LOT 1, TRIANGLE SUBDIVISION  
RIDGWAY, COLORADO



Architect

SITUATED IN THE W1/2SE1/4NW1/4 OF SECTION 16, TOWNSHIP 45 NORTH,  
RANGE 8 WEST, N.M.P.M. TOWN OF RIDGWAY, COUNTY OF OURAY, STATE OF  
COLORADO.

**SITE ACREAGE:** 4.3 ACRES  
**ZONING:** GENERAL COMMERCIAL  
**SETBACKS:** FRONT 15' REAR 8'  
**DWELLING UNITS:** 38 TOTAL  
**BEDROOMS:** 88 TOTAL  
**MAX RES OCCUPANCY:** 186

**SCHOOL BUS STOP:** THE DEVELOPMENT TEAM IS WORKING WITH SHANE AYER AT RIDGWAY SCHOOL DISTRICT TO FINALIZE LOCATION.

**POSTAL BOX (CENTRALIZED DELIVERY UNIT):** THE DEVELOPMENT TEAM IS WORKING WITH RENEE REXFORD AT USPS TO FINALIZE LOCATION AND SIZE

**LOT 1**  
MIXED USE: 1-STORY 2,000 SF  
RESTAURANT 2,000 SF/ 100 = 20 SPACES  
**20 SPACES**

**LOT 2**  
COMMERCIAL: 2-STORY 8,000 SF  
GROUND LEVEL 3,200 SF RETAIL COMMERCIAL  
PARKING: 3,200 SF/ 250 13 SPACES  
UPPER LEVEL RESIDENTIAL 4-2- BR UNITS  
PARKING: 2 SPACES PER UNIT 8 SPACES  
**21 SPACES**

**LOT 3**  
MULTIFAMILY: 2-STORY 11,200 SF  
2 - 3 BR UNITS 2 COVERED 2 UNCOVERED  
2 - 2 BR UNITS 2 COVERED 2 UNCOVERED  
4 - 1 BR UNITS 4 COVERED 2 UNCOVERED  
**12 SPACE**

**LOT 4**  
MULTIFAMILY: 3-STORY 14,070 SF (2 BUILDINGS)  
8 - 3 BR UNITS  
24 - 2 BR UNITS  
GARAGE 1<sup>ST</sup> LEVEL 32 SPACES (2 PER UNIT)  
10 VISITORS SPACES  
**42 SPACES**

**LOT 5A - 5J**  
TOWNHOME: 2- STORY; 24,250 SF (5 BUILDINGS)  
LIVING 1,850 SF (3 BR'S) + GARAGE 2 CARS 575 SF 2,425 SF EA  
**20 SPACES**



- KEY NOTES:
1. DRAINAGE DETENTION AREAS
  2. PROPOSED BUS STOP
  3. PROPOSED MAIL BOX LOCATION
  4. PROPOSED RIVER TRAIL AND RESTORATION
  5. PROPOSED RESTAURANT PATIO
  6. PROPOSED EASMENT FOR FUTURE PEDESTRIAN HWY CROSSING
- EXTENT OF EASMENT T.B.D.
- 8/6/2011

1 OVERALL SITE PLAN  
1" = 40'-0"



CHARLES  
CUNNIFFE  
ARCHITECTS

cunniffe.com

610 EAST HYMAN AVE.  
ASPEN, CO 81611  
TEL: 970.925.5590  
FAX: 970.920.4557

TRIANGLE PARCEL  
LOT 1, TRIANGLE SUBDIVISION  
RIDGWAY, COLORADO

ARCHITECTURAL  
SITE PLAN

<b>ISSUE:</b>	<b>DATE</b>
SITE PLAN	3/10/20
JOB NO. 2001	

SHEET NO.

## A1.1

PRELIMINARY PLAT OF:  
**ALPINE HOMES PLANNED UNIT DEVELOPMENT**  
A RESUBDIVISION OF LOT 1, TRIANGLE SUBDIVISION  
SITUATED IN THE E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$  OF SECTION 16, TOWNSHIP 45 NORTH, RANGE 8 WEST, N.M.P.M.  
TOWN OF RIDGWAY, COUNTY OF OURAY, STATE OF COLORADO

**CERTIFICATE OF DEDICATION AND OWNERSHIP:**

KNOW ALL MEN BY THESE PRESENTS that the undersigned, being the owner of certain lands in the Town of Ridgway, Colorado, to wit:  
LOT 1, TRIANGLE SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED APRIL 22, 1992 UNDER RECEPTION NO. 150643; AND THE PLAT OF SURVEY RECORDED JANUARY 26, 1995 UNDER RECEPTION NO. 158652; AND THE PLAT OF SURVEY RECORDED DECEMBER 8, 1994 UNDER RECEPTION NO. 158254. EXCEPT A PARCEL OF LAND WITHIN LOT 1 OF THE TRIANGLE SUBDIVISION, TOWN OF RIDGWAY, COUNTY OF OURAY, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 88°35'07" EAST (BASIS OF BEARING, OURAY COUNTY CONTROL) ALONG THE SOUTH LINE OF SAID LOT 1, 119.59 FEET;  
THENCE NORTH 15°16'17" EAST, 169.01 FEET;  
THENCE NORTH 12°11'40" EAST, 255.36 FEET;  
THENCE 359.19 FEET ALONG THE ARC OF A CURVE TO THE LEFT, WITH A CENTRAL ANGLE OF 34°18'00", A RADIUS OF 600.00 FEET AND A CHORD OF NORTH 04°57'20" WEST, 353.85 FEET;  
THENCE NORTH 25°22'43" WEST, 68.43 FEET;  
THENCE NORTH 30°05'32" WEST, 159.64 FEET;  
THENCE NORTH 38°54'53" WEST, 43.57 FEET TO A POINT ON THE WEST LINE OF SAID LOT 1;  
THENCE SOUTH 01°31'23" WEST ALONG THE WEST LINE OF SAID LOT 1, 1057.93 FEET BACK TO THE POINT OF BEGINNING.  
ALL IN THE COUNTY OF OURAY, STATE OF COLORADO.

Has by these presents laid out, platted and subdivided the same into lots, as shown on this plat, under the name of Alpine Homes Planned Unit Development. The following easements are dedicated, granted and conveyed to the Town of Ridgway, Colorado as shown:

Town Access and Utility Easements, and Public Pedestrian/Non-Motorized Easements as shown and identified hereon;

Executed this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.

ALPINE HOMES-RIDGWAY, LLC,  
a Colorado limited liability company

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

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

STATE OF COLORADO )  
                                  ) ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing Certificate of Ownership and Dedication was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_ by \_\_\_\_\_ (type in name of signatory), \_\_\_\_\_ (type in representative capacity), of \_\_\_\_\_ (type in owner's name).

Witness my hand and official seal.

My Commission expires \_\_\_\_\_ (SEAL)

Notary Public

**ATTORNEY'S CERTIFICATE:**

I, \_\_\_\_\_, an attorney at law duly licensed to practice before the courts of record of Colorado, do hereby certify that I have examined the Title Policy numbered \_\_\_\_\_ issued by \_\_\_\_\_ on \_\_\_\_\_ and according to that title policy, of all land herein platted and that title to such land is in the dedicator(s) and owners, and that based upon my review of said title commitment, the property dedicated hereon has been dedicated free and clear of all liens and encumbrances, except as follows:

Dated this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 20\_\_\_\_.

Attorney at Law

**CERTIFICATE OF IMPROVEMENTS COMPLETION:**

The undersigned, Town Manager of the Town of Ridgway, does certify that all improvements and utilities required by the current Subdivision Regulations of the Town of Ridgway have been installed in this Subdivision in accordance with the specifications of the Town except for the following which have been secured pursuant to Town subdivision regulations:

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

Town Manager

**OURAY COUNTY TREASURER:**

I certify that as of the \_\_\_\_\_ day of \_\_\_\_\_, there are no delinquent taxes due, nor are there any tax liens, against the property described herein or any part thereof, and that all current taxes and special assessments have been paid in full.

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

Ouray County Treasurer

**PLANNING COMMISSION:**

Approved by the Ridgway Town Planning Commission this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_, by \_\_\_\_\_

Chairman.

**TOWN COUNCIL:**

Approved by the Ridgway Town Council this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_, by \_\_\_\_\_

Mayor.

**TOWN ATTORNEY'S CERTIFICATE:**

Approved for recording this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Town Attorney

**ENGINEER'S CERTIFICATE:**

I, \_\_\_\_\_, a Registered Engineer in the State of Colorado, do certify that the streets, curb gutter & sidewalk, sanitary sewer system, the water distribution system, fire protection system and the storm drainage system for this subdivision are properly designed, meet the Town of Ridgway specifications, are adequate to serve the Subdivision shown hereon.

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

Engineer Registration Number

**BASIS OF BEARINGS:**

The bearing between the found rebar and cap at the \_\_\_\_\_, and the found rebar and cap at the \_\_\_\_\_, bears \_\_\_\_\_ (ASSUMED).

**LINEAL UNITS STATEMENT:**

The Lineal Unit used on this plat is U.S. Survey Feet

**SURVEYORS CERTIFICATE:**

I, Nicholas Barrett, hereby certify that this plat was prepared under my direct supervision and that said survey is accurate to the best of my knowledge, conforms to all requirements of the Colorado Revised Statutes, and all applicable Town of Ridgway regulations, and that all required monuments have been set as shown.

Nicholas Barrett L.S. 38037

**RECORDER'S CERTIFICATE:**

This plat was filed for record in the office of the Clerk and Recorder of Ouray County at \_\_\_\_\_ m. on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Reception No. \_\_\_\_\_

by \_\_\_\_\_ County Clerk & Recorder Deputy

NOTICE: According to Colorado Law (13-80-105, CRS) you must commence any legal action based upon any defect in this survey within three (3) years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten (10) years from the date of the certification shown hereon.

**DRAFT**



DEL-MONT CONSULTANTS, INC.  
ENGINEERING & SURVEYING  
1000 E. 10TH AVENUE, SUITE 100  
DENVER, COLORADO 80202

FILED ALPINE HOMES P.U.D.  
RIDGWAY, COLORADO

CLIENT ALPINE HOMES-RIDGWAY, LLC

APPROVED & FILED:

FILED BOOK	727	DATE	3/6/2020
SHEET	1 of 3	PLAT	19150V PLAT

FILED PRELIMINARY PLAT

"EXHIBIT D"




PRELIMINARY PLAT OF:  
**ALPINE HOMES PLANNED UNIT DEVELOPMENT**  
A RESUBDIVISION OF LOT 1, TRIANGLE SUBDIVISION  
SITUATED IN THE E½SE¼NW¼ OF SECTION 16, TOWNSHIP 45 NORTH, RANGE 8 WEST, N.M.P.M.  
TOWN OF RIDGWAY, COUNTY OF OURAY, STATE OF COLORADO

NOTES:

- 1. FORMATION OF COMMON INTEREST COMMUNITIES:
- 2. DEVELOPMENT AGREEMENT:
- 3. VESTED RIGHTS AND PHASING PLAN:
- 4. PROVISION OF DEED RESTRICTED HOUSING:
- 5. SHORT-TERM RENTALS:
- 6. STORM WATER SYSTEM MAINTENANCE:
- 7. SNOW REMOVAL:
- 8. PEDESTRIAN PUBLIC/NON-MOTORIZED EASEMENTS:
- 9. COMMERCIAL CONDOMINIUMS EASEMENT FOR UTILITIES, ACCESS AND DRAINAGE:
- 10. TOWNHOMES EASEMENT FOR UTILITIES, ACCESS AND DRAINAGE:
- 11. OTHER EASEMENTS FOR ACCESS AND UTILITIES:
- 12. COMMERCIAL COMMON ELEMENT MAINTENANCE:
- 13. TOWNHOME COMMON AREA MAINTENANCE:
- 14. TOWNHOMES LOT E PARKING:
- 15. LANDSCAPING AND IRRIGATION:
- 16. OUTDOOR LIGHTING:
- 17. MAXIMUM ALLOWABLE DWELLING UNITS:
- 18. GEOTECHNICAL STUDY:

NOTICE: According to Colorado Law (13-80-105, CRS) you must commence any legal action based upon any defect in this survey within three (3) years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten (10) years from the date of the certification shown hereon.

DRAFT



DEL-MONT CONSULTANTS, INC.  
ENGINEERING & SURVEYING  
1000 Colorado Ave. • Montrose, CO 81401 • (970) 249-1100  
www.dmc-consultants.com • info@dmc-consultants.com

FIELD BOOK

727

DATE

3/6/2020

PROJECT

2 of 3

FILE

19150V\_PLAT

JOB NO.

19150

TITLE

PRELIMINARY PLAT

FILED

ALPINE HOMES P.U.D.  
RIDGWAY, COLORADO

CLIENT

ALPINE HOMES-RIDGWAY, LLC

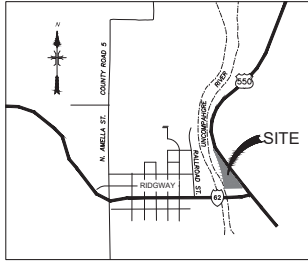
REVISIONS & PHASES

"EXHIBIT D"

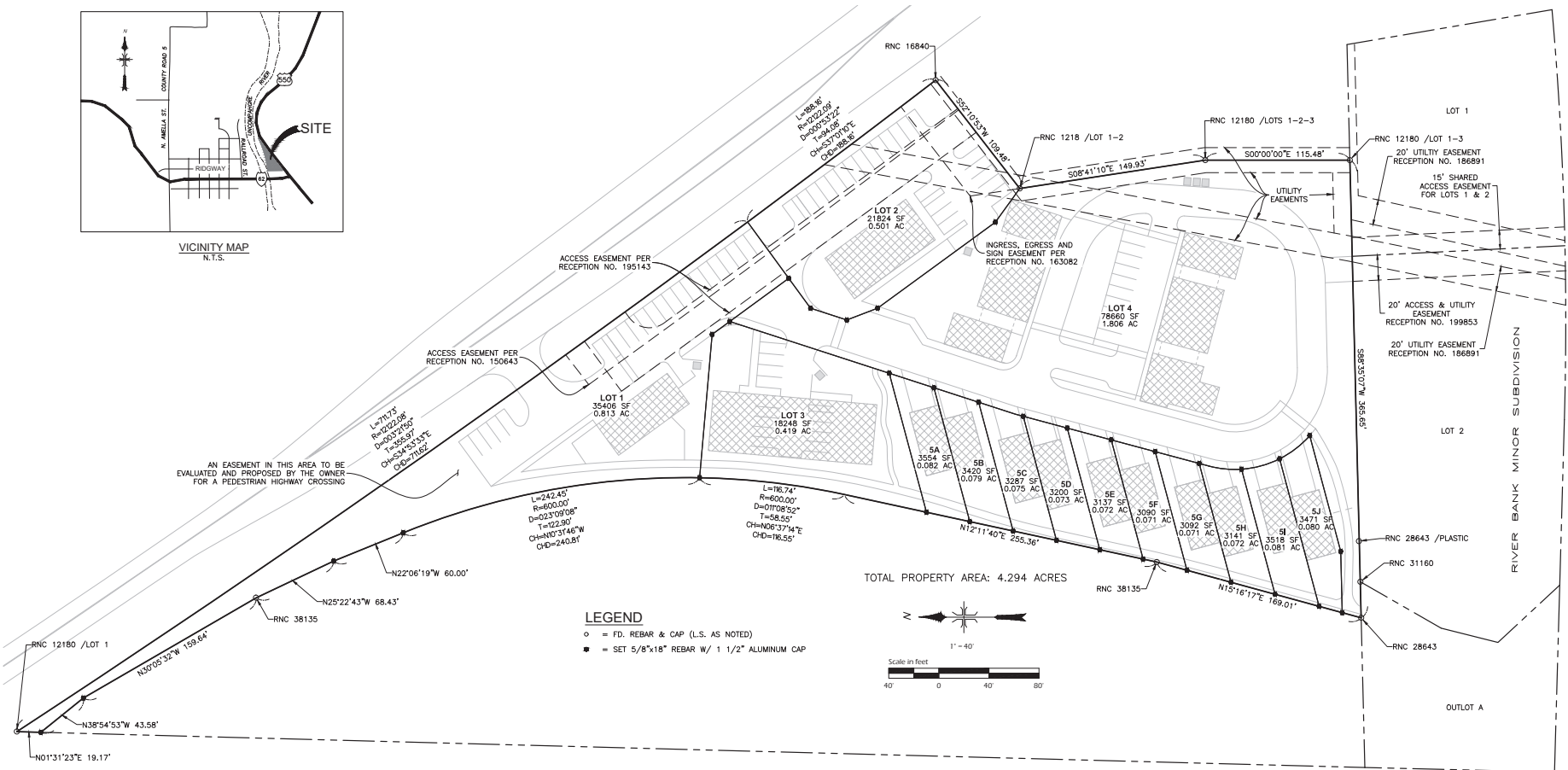
PRELIMINARY PLAT OF:  
**ALPINE HOMES PLANNED UNIT DEVELOPMENT**

A RESUBDIVISION OF LOT 1, TRIANGLE SUBDIVISION

SITUATED IN THE E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$  OF SECTION 16, TOWNSHIP 45 NORTH, RANGE 8 WEST, N.M.P.M.  
TOWN OF RIDGWAY, COUNTY OF OURAY, STATE OF COLORADO



VICINITY MAP  
N.T.S.



**LEGEND**

- = FD. REBAR & CAP (L.S. AS NOTED)
- = SET 5/8"x18" REBAR W/ 1 1/2" ALUMINUM CAP

**DRAFT**

ALPINE HOMES P.U.D.  
RIDGWAY, COLORADO

DEL-MONT CONSULTANTS, INC.  
600 N. G. ST. SUITE 100, RIDGWAY, CO 81350

ALPINE HOMES-RIDGWAY, LLC

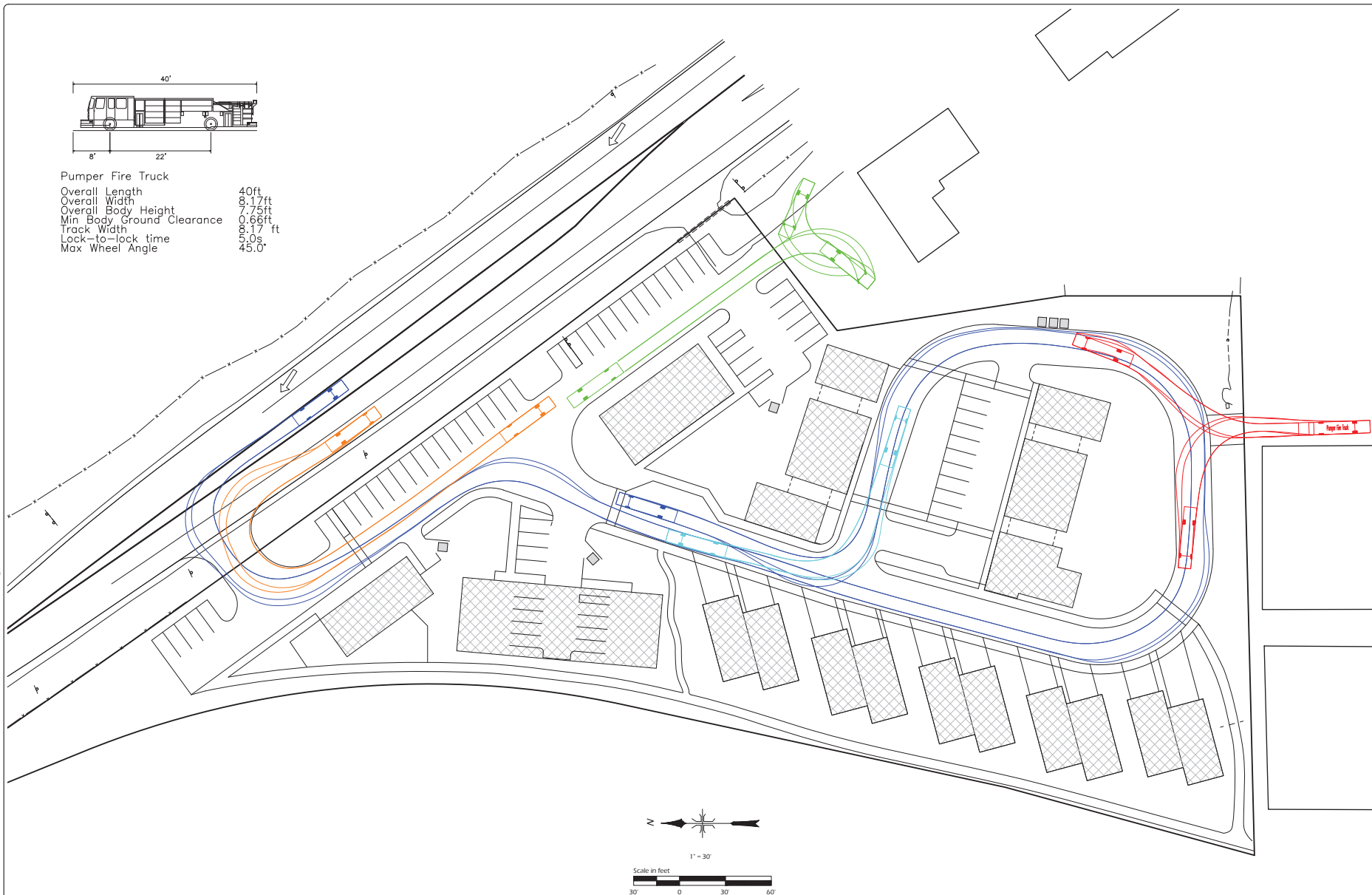
NOTICE: According to Colorado Law (13-80-105, CRS) you must commence any legal action based upon any defect in this survey within three (3) years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten (10) years from the date of the certification shown hereon.

FIELD BOOK	DATE	BY	DATE	BY
727		PJ	3/6/2020	
3 of 3		19150V PLAT	19150	

PRELIMINARY PLAT

"EXHIBIT D"





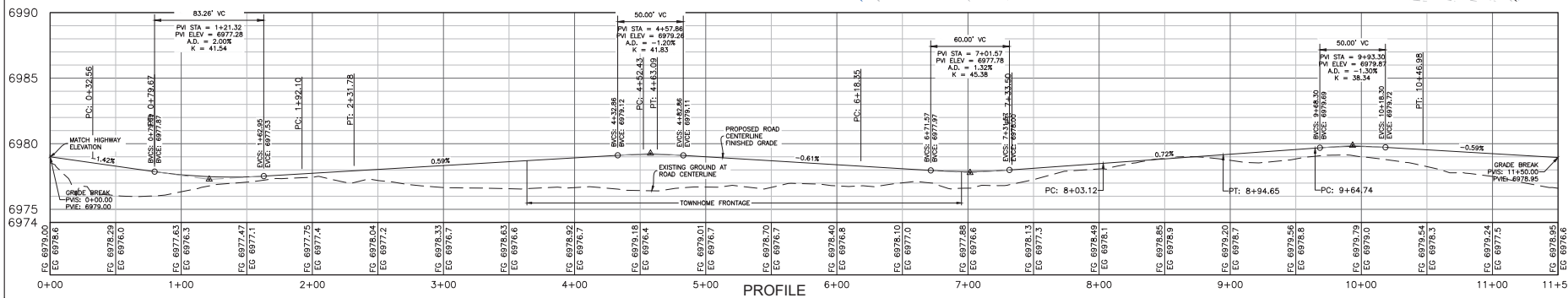
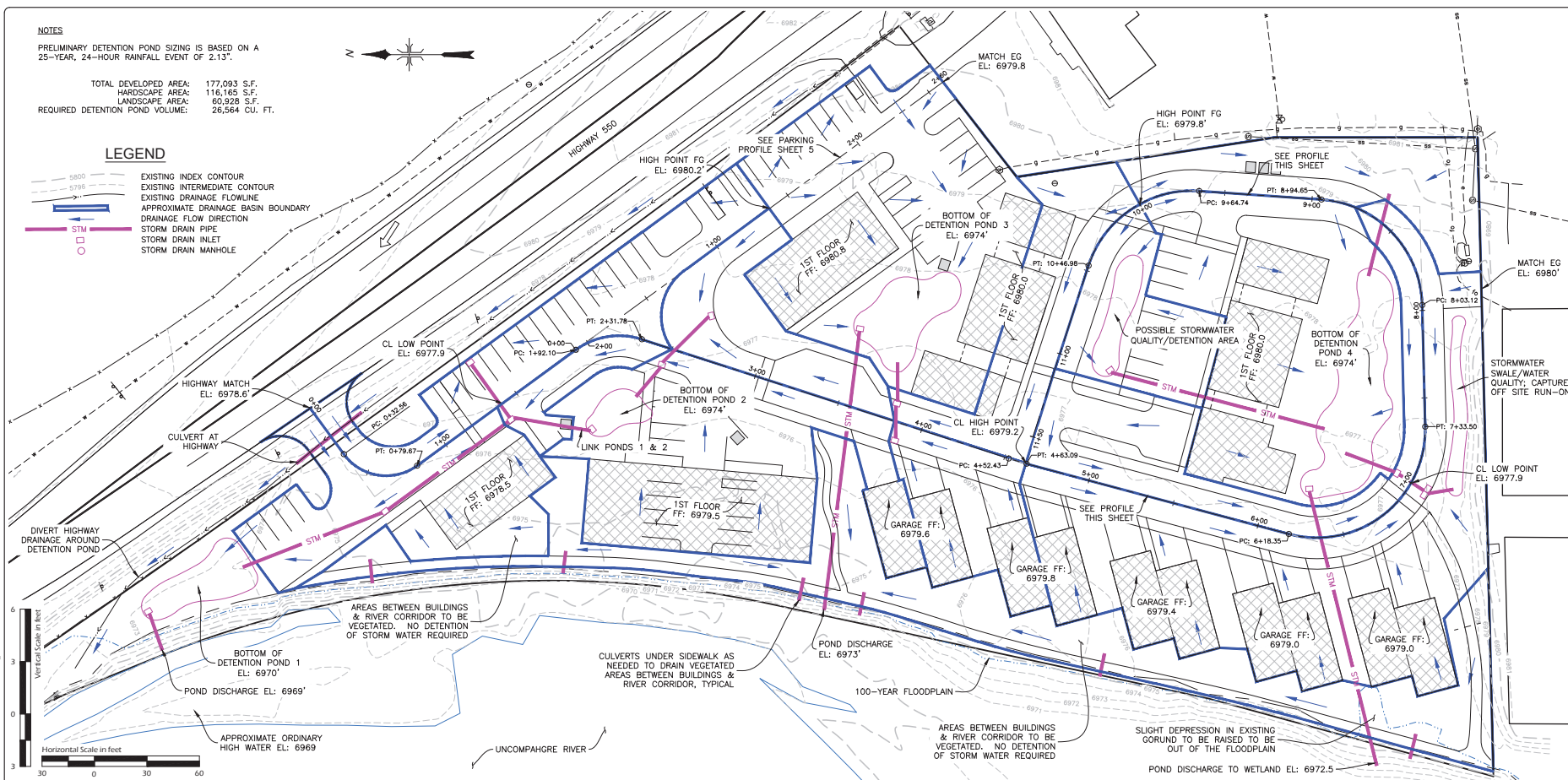
PRELIMINARY DETENTION POND SIZING IS BASED ON A 25-YEAR, 24-HOUR RAINFALL EVENT OF 2.13".

TOTAL DEVELOPED AREA:	177,093 S.F.
HARDSCAPE AREA:	116,165 S.F.
LANDSCAPE AREA:	60,928 S.F.
REQUIRED DETENTION POND VOLUME:	26,564 CU. FT.

5800  
5796


EXISTING INDEX CONTOUR  
EXISTING INTERMEDIATE CONTOUR  
EXISTING DRAINAGE FLOWLINE  
APPROXIMATE DRAINAGE BASIN BOUNDARY  
DRAINAGE FLOW DIRECTION

STM  
STORM DRAIN PIPE  
STORM DRAIN INLET  
STORM DRAIN MANHOLE



PLOTTED BY PETER, FILE PATH & NAME = I:\DMS14\PROJECTS\ACTIVE PROJECTS\2019\19150-CANTOR RD\RDWAY DEVELOPMENT\VC3D\1919150C\_SKETCH.DWG, PLOT DATE = 3/9/2020 12:08 PM

[illegible]

	<b>DEL-MONT CONSULTANTS, INC.</b> <b>ENGINEERING • SURVEYING</b> 1125 Colorado Ave. <a href="http://www.delmont.com">www.delmont.com</a> <a href="mailto:info@delmont.com">info@delmont.com</a>		LICENSE BY <b>DWS</b>	<b>2020-03-09</b> 10:00 (PST) (M)
	TOTAL <b>P/J1</b>	AS NOTED	10:00 (PST) (M)	
PREPARED BY <b>P/J1</b>	DATE ISSUED <b>P/J1</b>			

ALPINE HOMES-RIDGWAY, LLC  
TRIANGLE SUBDIVISION, LOT 1  
RIDGWAY, COLORADO

**SKETCH PLAN**

**PRELIMINARY GRADING & DRAINAGE PLAN**

19150

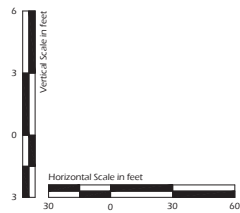
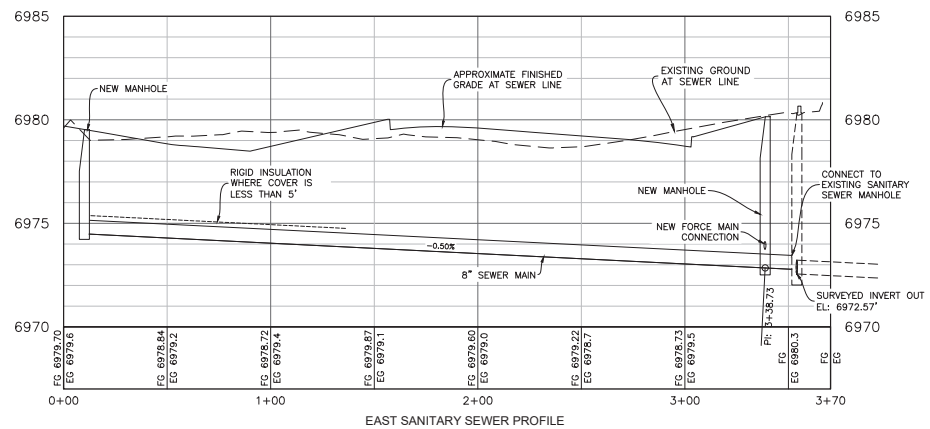
3

EXHIBIT D













1885 Denver West Ct. #1323  
Golden, CO 80401  
970-314-4888

## MEMORANDUM

TO: John Simon  
FROM: Skip Hudson, PE  
DATE: 3/9/20  
RE: **Ridgway Alpine Park – Status of CDOT Access Permitting**

---

TurnKey Consulting has been retained to prepare a traffic impact study and obtain a CDOT access permit for the site access to US-550, north of SH-62.

### Current Status

1. The traffic study is complete based on CDOT direction, and it evaluated one full-movement access (no restrictions on left turns) to SH-550. A northbound left turn deceleration lane on US-550 will be required, while maintaining the existing southbound left turn lane at the SH-62 intersection. The site access point will be located as far north as possible to provide as much northbound left turn lane length as possible.
2. The CDOT access permit application should have been submitted today (3/9/20). CDOT has up to 45 calendar days to review this application

### Public Benefits of Project

1. The existing dispensary access to SH-550 will be closed, and the dispensary traffic will be routed through the Project to the proposed site access. This will eliminate dangerous left turns to/from the dispensary that occur close to the signalized intersection at SH-62, and within the limits of the southbound left turn lane. This resolves years of CDOT concern about that access location by providing a cross access easement through the Project.
2. The Project access will be located as far north as possible to allow the safety improvement of a northbound left turn lane.
3. This package of items allows infill development on a challenging parcel of land near the Ridgway Town Center.





DEL-MONT CONSULTANTS, INC.  
ENGINEERING ▼ SURVEYING

125 Colorado Ave. ▼ Montrose, CO 81401 ▼ (970) 249-2251 ▼ (970) 249-2342 FAX  
www.del-mont.com ▼ service@del-mont.com

Shay Coburn  
Town of Ridgway  
201 N. Railroad Street  
Ridgway, CO 81432

January 2, 2020

Re: FEMA Floodplain Research Summary in Support of the Alpine Homes Development in Ridgway, CO.

Shay,

As you are aware, the published FEMA floodplain of the Uncompahgre River through the Town of Ridgway has not been updated since the early 80's. In an effort to correctly identify the floodplain extents through the project site, background research has been completed. This letter is to serve as a summary of the work performed to identify the extents of the floodplain from the Uncompahgre River that passes along the west side of the project site.

The first item that was looked at was the existing FEMA flood maps. The site survey that we completed in November was vertically lowered 4.514' to be on the same vertical datum (NGVD 29) as the flood maps. The floodplain elevations shown on the FEMA map were then projected onto the actual contours/elevations present at the site. This resulted in the 100-year flood being contained within the river banks and did not encroach onto the site like the old FEMA mapping shows.

The second item that was completed was reaching out to the past designers of the River Restoration Project which was performed in the early to mid 2000's. This included both Riverbend Engineering and Western Stream Works. Both companies stated that flood modeling had been completed to support the project and show a "No-rise" of the floodplain due to construction in the River. This implies that the extents and elevations of the floodplain remain valid and unchanged.

The third item that was completed was sitting down with Pam Kraft with the Town and reviewing files from the River Restoration Project. We were able to find documentation that Riverbend Engineering had performed detailed flood modeling of the River and had prepared a FEMA Letter of Map Revision (LOMR) package to formally change the floodplain mapping. It appears, based on the documents we saw, that the package was never submitted to FEMA to formally change the published mapping. The results of Riverbend's floodplain modeling demonstrated that the flood elevations in the area abutting the project have actually dropped approximately 2'. We were able to review the HEC-RAS files provided, and it appears that the cross sections are representative of the existing conditions of the river and the project site. We then imported the Riverbend floodplain line from their mapping into our base map and agree with the extents and elevations shown.



Lastly, we compared the projected FEMA floodplain line from the first task to the proposed line from the Riverbend modeling. The two lines correlated well to each other, following the contours of the property as would be expected. The only difference was the vertical drop of Riverbend's line in comparison to the projected FEMA elevations line.

In an effort to be conservative, we have decided to use the published FEMA floodplain elevations, projected onto our site to establish the true limits of the floodplain. If detailed modeling is conducted in the future, it is likely that the floodplain elevations will decrease, as shown in Riverbend's modeling, and will actually decrease the encroachment on the site.

We feel that we have demonstrated due diligence in establishing a defensible boundary for the limits of the floodplain, and the project will cause no changes to downstream users or the floodplain limits. It is also the intent to elevate the finished floors of the buildings above the existing ground surface, further ensuring that the building elevations will be above the published FEMA floodplain elevations, as that is what will be required by insurance companies.

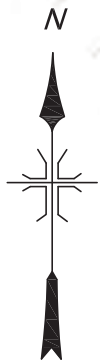
Attached are the following documents that support our findings:

- Floodplain Comparison Exhibit

Sincerely,



David W. Schieldt, P.E., CFM  
Project Manager  
Del-Mont Consultants, Inc.



RIVERBEND ENGINEERING  
DRAWING UNDERLAY  
FOR REFERENCE

Riverbend Engineering, LLC  
102 Third St., P. O. Box 2979, Pagosa Springs, CO 81147  
Tel: 970.264.1195 FAX: 970.264.1196 Email: rphillips@riverbend.net

RIVERBEND ENGINEERING  
100-YEAR FLOOD ELEVATIONS

FEMA 100-YEAR  
FLOOD ELEVATIONS

WATER EDGE  
11/14/19

DMC SURVEYED  
TOPOGRAPHY

RIVERBEND ENGINEERING  
MODELED FLOODPLAIN

DMC SURVEYED  
TOP OF RIVERBANK

FEMA FLOOD ELEVATIONS  
PROJECTED TO DMC TOPO

FEMA FLOODPLAIN

PROPERTY BOUNDARY

1" = 150'

Scale in feet

150 75 0 150



DEL-MONT CONSULTANTS, INC.  
ENGINEERING & SURVEYING  
125 Colorado Ave. • Montrose, CO 81401 • (970) 249-6251 • (970) 249-2342 FAX  
www.delmont.com • service@delmont.com

DESIGNED BY:

PJI

SCALE:

1"=150'

CHECKED BY:

DWS

FILE NAME:

19150C\_RIVER

## FLOODPLAIN COMPARISON EXHIBIT

ALPINE HOMES DEVELOPMENT

RIDGWAY, COLORADO

D.M. JOB NO.:

19150

DATE ISSUED:

12/30/19

SHEET:

1 of 1





Date: 3-5-2020

To whom it may concern:

This is a "will-serve" letter for LOT 1 TRIANGLE SUBDIVISION RIDGWAY CO.

I have reviewed the plans based on drawing JOB # 19150 PRELIMINARY PLAT

SMPA will be the electric service provider for TRIANGLE SUBDIVISION and has sufficient capacity and ability to provide single phase and three phase electrical service subject to the provisions of the Service Connection and Line Extension Policy as found in SMPA's Rules, Regulations, and Policies.

If you have any questions please feel free to contact me at our Ridgway office.

Best regards,

Duane DeVeney  
**Service Planner**  
Mobile: (970) 209-5684  
Office: (970) 626-5549 x214



Hrs: **MON.-THUR. 7:00 a.m. - 5:30 p.m.**  
*San Miguel Power is an equal opportunity provider and employer*

*Rec 3/10/2020*



March 9, 2020

Re: Alpine Homes Planned Unit Development

To Whom It May Concern:

This letter will confirm that Black Hills Energy will provide Natural Gas Distribution service to the development commonly known as Alpine Homes Planned Unit Development. Black Hills Energy will install a distribution system capable of serving the demand of the development that lies within the BHE service territory.

This service will be subject to Black Hills Energy tariffs filed with the Public Utilities Commission and the Black Hills Energy Gas Main Extension Policy.

If you have any questions please contact me.

Sincerely,

A handwritten signature in black ink that reads 'Scott Hunter'.

Scott Hunter  
Utility Construction Planner  
Montrose, CO  
[scott.hunter@blackhillscorp.com](mailto:scott.hunter@blackhillscorp.com)  
Office; 970-615-8075  
Mobile; 970-596-1924

Rec 3.10.2020

From: [Thomas Kennedy](#)  
To: [Joel Cantor](#)  
Cc: [Shay Coburn](#); [John Simon](#)  
Subject: RE: triangle subdivision sketch plan - initial review  
Date: Friday, March 13, 2020 2:35:19 PM  
Attachments: [Commitment.3.20.pdf](#)

---

Shay, attached is the title work for the property, as indicated there are no severed mineral estate interests noted in the title commitment, that is the evidence you are asking for to confirm these circumstances. Please call if you have questions about this 970-708-1800

Thank You  
Tom Kennedy

\*\*\*\*\*

The Law Offices of Thomas G. Kennedy  
P.O. Box 3081 (Mailing Address)  
The Willow Professional Building  
307 East Colorado Avenue, Suite 203  
Telluride, Colorado 81435  
Voice: (970)728-2424  
Fax: (970)728-9439  
Email Address [tom@tklaw.net](mailto:tom@tklaw.net)

CONFIDENTIALITY NOTICE:

This message is confidential and may be privileged.  
If you believe that this email has been sent to you  
in error, please do not open any attachment and then  
notify the sender that you have erroneously received  
this message and delete this email message and  
any attachments. Thank you.

---

**From:** Joel Cantor <[joel@cantorpartners.com](mailto:joel@cantorpartners.com)>  
**Sent:** Friday, March 13, 2020 2:12 PM  
**To:** Tom Kennedy, Esq. <[tom@tklaw.net](mailto:tom@tklaw.net)>  
**Cc:** Shay Coburn <[scoburn@town.ridgway.co.us](mailto:scoburn@town.ridgway.co.us)>; John Simon <[jls@q.com](mailto:jls@q.com)>  
**Subject:** Re: triangle subdivision sketch plan - initial review

Tom- see below note about notice. Can you handle that. Thanks. Joel

On Mar 13, 2020, at 2:05 PM, Shay Coburn <[scoburn@town.ridgway.co.us](mailto:scoburn@town.ridgway.co.us)> wrote:

Hi Joel,

After an initial review of the sketch plan submittal I have a few questions:

1. The Authorization of Agent and Acknowledgement of Fees forms are signed by Glen Becker. I need some sort of documentation that proves that Glen can sign on behalf of Alpine Homes-Ridgway, LLC. Or per the Statement of Authority document provided you, Joel Cantor, can sign the two forms for Alpine Homes-Ridgway, LLC and resubmit them. I have attached both forms if you decide to go that route. Once I have this, I can work directly with John Simone.
2. Per 7-4-5(A)(2)(d)(6) you must submit estimated construction costs. Do you have additional details you could provide that support that estimate? I think the commission will want to see more than just the total number. I have the attached from your first sketch plan submittal but I am not sure it is that helpful either.
3. Per 7-4-5(A)(8) you are required to provide notice at least 30 days prior to the Planning Commission hearing to any mineral estate owners. Have you done this yet? If there are no mineral estate owners, I need proof of that.

Thanks,  
Shay

<image001.jpg>

**Shay Coburn**  
Town Planner

**RIDGWAY TOWN HALL**

PO Box 10 | 201 N. Railroad Street | Ridgway, Colorado 81432  
970.626.5308 ext. 222 | [scoburn@town.ridgway.co.us](mailto:scoburn@town.ridgway.co.us)

<04 Cost Estimate.pdf>

<Authorization of Agent.pdf>

<2016.09.14 (Fee Acknowledgment) Chapter 7.pdf>

SITUATED IN THE W1/2SE1/4NW1/4 OF SECTION 16, TOWNSHIP 45 NORTH,  
RANGE 8 WEST, N.M.P.M. TOWN OF RIDGWAY, COUNTY OF OURAY, STATE OF  
COLORADO.

**SITE ACREAGE:** 4.3 ACRES  
**ZONING:** GENERAL COMMERCIAL  
**SETBACKS:** FRONT 15' REAR 8'  
**DWELLING UNITS:** 38 TOTAL  
**BEDROOMS:** 88 TOTAL  
**MAX RES OCCUPANCY:** 186

**SCHOOL BUS STOP:** THE DEVELOPMENT TEAM IS WORKING WITH SHANE AYER AT RIDGWAY SCHOOL DISTRICT TO FINALIZE LOCATION.

**POSTAL BOX (CENTRALIZED DELIVERY UNIT):** THE DEVELOPMENT TEAM IS WORKING WITH RENEE REXFORD AT USPS TO FINALIZE LOCATION AND SIZE

**LOT 1**  
MIXED USE: 1-STORY 2,000 SF  
RESTAURANT 2,000 SF/ 100 = 20 SPACES  
**20 SPACES**

**LOT 2**  
COMMERCIAL: 2-STORY 8,000 SF  
GROUND LEVEL 3,200 SF RETAIL COMMERCIAL  
PARKING: 3,200 SF/ 250 13 SPACES  
UPPER LEVEL RESIDENTIAL 4-2- BR UNITS  
PARKING: 2 SPACES PER UNIT 8 SPACES  
**21 SPACES**

**LOT 3**  
MULTIFAMILY: 2-STORY 11,200 SF  
2 - 3 BR UNITS 2 COVERED 2 UNCOVERED  
2 - 2 BR UNITS 2 COVERED 2 UNCOVERED  
4 - 1 BR UNITS 4 COVERED 2 UNCOVERED  
**12 SPACE**

**LOT 4**  
MULTIFAMILY: 3-STORY 14,070 SF (2 BUILDINGS)  
8 - 3 BR UNITS  
24 - 2 BR UNITS  
GARAGE 1<sup>ST</sup> LEVEL 32 SPACES (2 PER UNIT)  
10 VISITORS SPACES

**LOT 5A - 5J**  
TOWNHOME: 2- STORY; 24,250 SF (5 BUILDINGS)  
LIVING 1,850 SF (3 BR'S) + GARAGE 2 CARS 575 SF 2,425 SF EA  
**20 SPACES**

**STAFF COMMENTS: #5**  
DESIGN CAN BE ADJUSTED TO ADDRESS  
50' MAX

**LOT 1 - 20 SPACES**  
2000 SF REST. COMMERCIAL

**STAFF COMMENTS: #11** \_\_\_\_\_  
PROPOSED ALT. EMERGENCY ACCESS

**LOT 1 - 22 SPACES**  
3,200 SF COMMERCIAL  
14 SPACES  
4 UNITS 2ND FL  
8 SPACES UNCOVERED

**TOTAL SPACES REQ'D = 104.8**  
**TOTAL SPACES PROVIDED = 126**

**LOT 4 - 42 SPACES**  
16 UNITS  
32 COVERED SPACE- 2 PER UNIT  
10 VISITORS BEYOND REQ'D

**LOT 5 - 12 SPACES**  
8 UNITS  
8 COVERED SPACE 1- PER UNIT  
4 UNCOVERED IN DRIVEWAY

**LOT 5 - 30 SPACES**  
10 UNITS  
20 COVERED SPACE- 2 PER UNIT  
10 VISITORS BEYOND REQ'D UNCOVERED  
IN DRIVEWAY

**TOTAL SPACES REQ'D = 104.8**  
**TOTAL SPACES PROVIDED = 126**

1 OVERALL SITE PLAN  
1" = 40'-0"



CHARLES  
CUNNIFFE  
ARCHITECTS

cunniffe.com

610 EAST HYMAN AVE.  
ASPEN, CO 81611  
TEL: 970.925.5590  
FAX: 970.920.4557

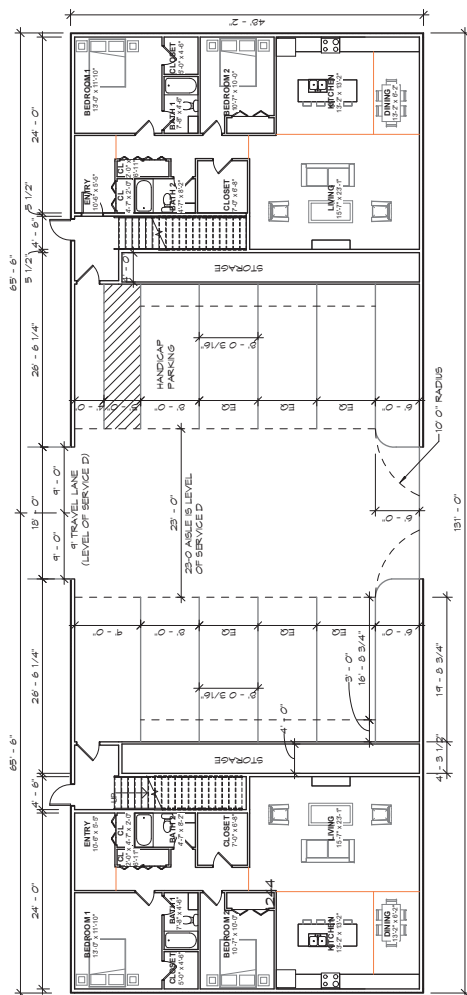
TRIANGLE PARCEL

ARCHITECTURAL  
SITE PLAN

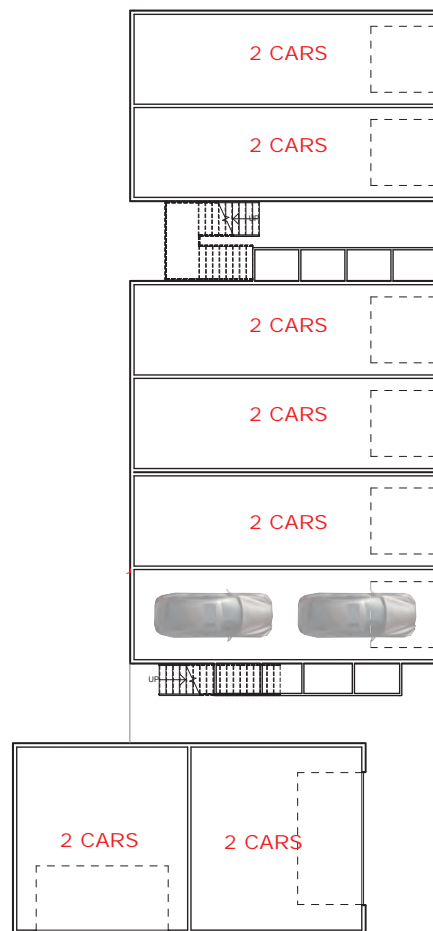
ISSUE:	DATE:
SITE PLAN	2/20/2
JOB NO. 2001	

SHEET NO.

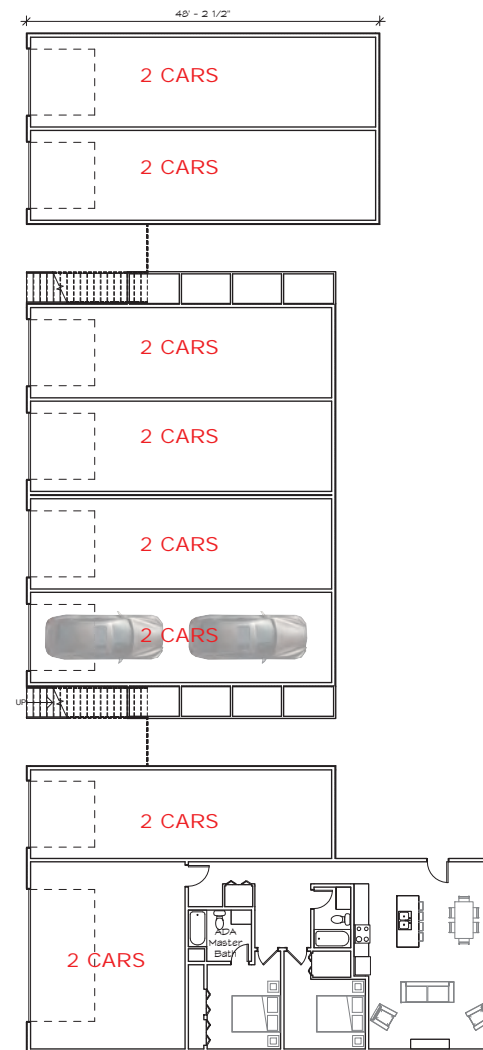
## A1.1



1 FIRST LEVEL  
1/8" = 1'-0"



1 FIRST LEVEL  
1/8" = 1'-0"



1 FIRST LEVEL  
1/8" = 1'-0"

## PARKING COUNTS



CHARLES  
CUNNIFFE  
ARCHITECTS

cunniffe.com

610 EAST HYMAN AVE.  
ASPEN, CO 81611  
TEL: 970.925.5590  
FAX: 970.920.4557

TRIANGLE PARCEL  
LOT 1, TRIANGLE SUBDIVISION  
RIDGWAY, COLORADO

ISSUE:	DATE
JOB NO. 2001	

SHEET NO.

A2.P







**To:** Planning Commission and Community Members  
**From:** Shay Coburn, Town Planner  
**Date:** March 31, 2020  
**Re:** Master Plan Implementation – Land Use Code Updates – Phase 1, Housing

---

## INTRODUCTION

This will be the third public meeting held to discuss proposed Municipal Code updates that are intended to help reduce the cost of housing in our community through allowing more housing types and considering higher density residential uses throughout town and future annexations. While the state of our world is currently in flux, it remains important to allow for flexibility in our code to help with housing needs in our changing economy.

The Planning Commission reviewed the initial draft at the January 7, 2020, meeting. The draft was revised based on feedback received and then presented at the Joint Town Council and Planning Commission Workshop on February 10, 2020. There were about 35 community members in attendance as well as most of the Council and Commission. The proposed edits to the Municipal Code were generally well received with some finer details discussed. Comments from the public were received until February 24. All comments were reviewed carefully and incorporated into the attached draft where appropriate. It should be noted that not all comments were in agreement and some were not applicable to the project at hand.

## NEXT STEPS

The Commission should consider making a recommendation to Town Council regarding these Municipal Code updates. This can be with or without modifications to the attached draft, that will be presented at the meeting.

We will do our best to hear from everyone during the meeting; however, this will be our first effort at a virtual meeting so we will also accept written comments emailed to [scoburn@town.ridgway.co.us](mailto:scoburn@town.ridgway.co.us) by the end of the business day on April 14, 2020.

## BACKGROUND

During the 2018-2019 master planning process, and long before, the community identified housing as a major priority. As a result, the Town of Ridgway's [Master Plan](#) included a housing element informed by a consultant specializing in housing. The housing element is incorporated throughout the Master Plan in various goals, policies, and action items. The following action items are specific to this project:

- *COM-1c: Update the Ridgway Municipal Code to promote housing affordability (i.e.: reducing lot size requirements, increasing allowed densities, and reducing parking requirements).*
- *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.*



- *COM-2c: Study recent innovations in modular home and small home construction and revise land use and building codes to allow in appropriate locations.*

On August 27, 2019 the Planning Commission was presented a summary of code updates suggested by the Master Plan. The Commission recommended that Council prioritize the items that address housing. Following the Planning Commission's discussion, the Town Council approved moving forward with code updates targeted toward housing during the September 11, 2019 regular meeting.

Clarion Associates, our lead Master Plan consultant and expert zoning consultant, was hired to help with this effort. It should be noted that the Town has budgeted for additional code updates in 2020 which are planned to cover building and development procedures as well as subdivision regulations.

### **SUMMARY OF PROPOSED CODE EDITS**

Below is a summary of the proposed updates to the Town's Zoning Regulations (RMC 7-3) and the Single Family Home Design Standards (RMC 6-6). This summary offers an explanation of proposed changes and why they may be helpful. If you are interested in the exact language proposed, see the attached documents that show the proposed updates in track changes (this means that deleted text is shown as ~~strikeout~~ and new text is shown with an underline).

Edits made after the February 10, 2020 workshop are noted in *green italics*.

#### **General proposed edits include:**

1. Consistency (i.e., ensure consistent use of terms)
2. Organization (i.e., ensure use regulations are in the use section of each district, break down paragraphs or merge them to be most clear)
3. Formatting (i.e., numbering, adding headings)
4. Administrative items (i.e., fixing typos, updating cross references, deleting repetitive language)

#### **Proposed edits to the Zoning Regulations (RMC 7-3) include:**

1. Definitions – Definitions for a broader range of housing types are proposed to more clearly support the full spectrum of housing types encouraged by the Master Plan. While some are not currently referenced in other parts of the code, they are intended to provide a point of reference for the Town and applicants on future annexations, development agreements, and/or PUDs.
  - a. Edited the following definitions: dwelling, duplex dwelling, multifamily dwelling, family, group home, factory built housing, manufactured home, and manufactured home park.
  - b. Added definitions for the following terms: cluster development, co-housing development, triplex dwelling, fourplex dwelling, live-work dwelling, single family, accessory dwelling unit, employee housing, major addition, and workforce housing.
  - c. *Further edited definitions for duplex, triplex, fourplex, multifamily, and townhouse.*
  - d. *Added images for dwelling types.*
  - e. "Mobile" was replaced with "manufactured" throughout the code and will be updated in RMC 6-3: Regulations for Mobile Homes, Travel Homes, and Other Factory Manufactured Structures. The definition of manufactured home was updated to



generally be a dwelling that meets Housing and Urban Development (HUD) standards. A definition for factory built housing was added to clarify between manufactured homes/HUD homes and homes built in a factory in compliance with Town and/or State building codes. *Added a footnote to better explain that with this language, the Town is adopting DOLA's Division of Housing building codes for factory built residential units by reference.*

- f. A definition of micro-units is not included, because these are simply multi-family dwelling units of very small size. Since Ridgway does not have a minimum size requirement for multi-family dwelling units, these are included in the definition of multi-family dwelling.
  - g. A definition of tiny house is not included. Based on proposed definitions, a tiny house depending on its characteristics will fall into another category such as factory built housing or dwelling.
2. Zoning Districts and Uses – In general, the intent statements for many districts have been refined to better align with the Master Plan and the newly defined dwelling types that were added as uses by-right or conditional uses where appropriate. These edits should generally expand what is allowed in most districts encouraging more housing types and development forms.
- a. Low Density Residential district:
    - i. Added duplexes and cluster development dwellings as uses by-right. *Added Townhouse dwellings in structures containing no more than 2 dwelling units as a use by right as it is essentially the same as a duplex based on the revised definitions.*
    - ii. Added townhouse dwellings, triplex dwellings, fourplex dwellings, multiple family dwellings, and group homes as conditional uses. *Added Townhouse dwellings in structures containing over 2 dwelling units as a conditional use.*
  - b. Historic Residential district:
    - i. Added townhouse dwellings up to 4 units, triplex dwellings, and fourplex dwellings as uses by-right.
    - ii. Added townhouse dwellings more than 4 units, co-housing development dwellings, and group homes as conditional uses.
    - iii. *Deleted cross reference for manufactured homes to meet the foundation requirements of RMC 6-6 as RMC 6-3 addresses this.*
  - c. Historic Business district - Added townhouse dwellings, triplex dwellings, fourplex dwellings, live/work dwellings, and group homes as uses by-right.
  - d. Downtown Service district - Added townhouse dwellings, triplex dwellings, fourplex dwelling, and live/work dwellings as uses by-right.
  - e. General Commercial district:
    - i. Added live/work dwellings, group homes, and employee housing to uses by-right.
    - ii. Changed multiple family dwellings from a conditional use to be a use by-right to reinforce the mixed-use intent of this district, as contemplated by the Master Plan.



- iii. Removed single family and duplexes as conditional uses. Note that this use would no longer be allowed in this district.
    - iv. Added performance standards to ensure residential is not located along primary roadways on prime commercial land.
  - f. Light Industrial 1 district - Added employee housing as a conditional use.
  - g. If a district is not noted above, only general edits (like language clarifications) are proposed.
3. New Mixed Residential District – This district was added to help implement the Mixed-Neighborhood land use category in the Master Plan. The Mixed Neighborhoods category supports densities between 12 and 18 dwelling units per acre. Note that this new district was drafted based on discussions had by the Planning Commission with the public mostly in 2016. At that time the Commission was considering adding two higher density residential districts to the code. This effort was put on hold while the Town went through the master planning process to be sure it was better understood what the community wanted.
- a. This district would allow most all housing types now defined in the code. They would be allowed on smaller lots or at higher densities.
  - b. Short term rentals would only be allowed in single family detached dwellings and duplexes where one entity owns both units within the duplex. This is the same as all other residential based districts.
  - c. Retail stores, restaurants and taverns, live/work dwellings, and others are conditional uses allowing for a mix of uses.
  - d. *Added that buildings over 10,000 square feet would be reviewed as a conditional use to be consistent with the GC district.*
  - e. Includes performance standards informed by the Town's commercial design guidelines.
  - f. This district is a floating district meaning that there is no specific land proposed to be rezoned at this time, but rather by creating this zone, the public is informed that this is a desired development type in town.
4. Dimensional Standards – These standards have been refined to allow for increased density throughout town. Higher densities mean lower land costs per dwelling unit. Generally, residential districts will now allow for smaller lots, less lot width, higher lot coverage, and slightly smaller setbacks.
- a. *Edited to allow the side setback along an alley to be 2' minimum given rear setbacks along an alley are currently 2' minimum.*
  - b. Low Density Residential district:
    - i. Reduced the lot size from 10,000 square feet minimum to 6,000 square feet for single family and duplexes.
    - ii. Increased the lot coverage from 40% to 50% for single family and duplex.
    - iii. Reduced side setback from 8' to 3' – *see Setbacks explanation below.*
    - iv. All other uses (besides single family and duplex) would have to meet the existing dimensional standards in this district.
  - c. Historic Residential district:



- i. Reduced lot width from 50' to 25' for single family and duplexes. Reduced lot width from 100'+ to 35' for residential uses with 3-4 dwellings. *See Lot Size explanation below.*
- ii. Reduced lot size from 5,000 square feet minimum to 3,000 square feet for single family and duplexes. Reduced lot size from 11,000+ square feet minimum to 5,000 square feet for residential uses with 3-4 dwellings.
- iii. Reduced side setback to 5' from 8' and increased lot coverage from 50% to 60% for single family, duplexes, and residential uses with 3-4 dwellings.
- d. Multifamily Residential district:
  - i. Lot width ranges from 25' to 50' minimum. *See Lot Size explanation below.*
  - ii. Lot size ranges from 3,000 to 5,000 square feet minimum.
  - iii. Lot coverage ranges from 60-70% maximum.
  - iv. Minimum front setbacks range from 10-15', rear setbacks are 8', side setbacks are 3' to 5' – *see Setbacks explanation below.*
  - v. Height is 35' maximum.
- e. General Commercial district: Increased lot coverage to 60% from 50%. In a small town, this is really a character control – forcing less lot coverage just means the owner has to buy more land for a given building, or build a smaller building than they intended. This is a barrier to investment that doesn't need to be there.

*Setbacks – feedback received at the workshop and after in writing indicated that the majority of people supported reduced side setbacks in the HR and MR districts which are proposed in this draft. To try to address all concerns raised, here is some additional information:*

- *As of today, the first 1' of a roof overhang; the first 3' of an unroofed terrace or patio, sill, cornice, and chimney; temporary awnings; free standing walks, rails, or fences; and the first 4' of an open fire escape can encroach into the setback area.*
- *The Le Ranch subdivision, off of Amelia, has side setbacks as small as 3'. In addition, the Town recently approved a Preliminary Plat for the Vista Park Commons PUD that has as small as 3' side setbacks.*
- *Fire safety and insurance –*
  - *Current building codes require additional details (like a 1-hour fire wall and reduced wall penetrations) for any units less than 5' from the property line. A note has been added to the code to put the owner on notice.*
  - *Staff investigated if fire insurance costs would increase due to smaller setbacks. After discussion with a local insurance provider and the Insurance Service Office, staff understands that an increase in fire insurance rates due to reduced setbacks is unlikely but possible. The one suggestion to ensure that fire insurance rates are not increased with reduced setbacks is to require fire suppression systems in all buildings. While all new buildings, except single family homes and duplexes, are required to have a fire suppression system per our building code, we could consider requiring a fire suppression system if a single family or duplex is built 5' or less from the*





*property line. This would provide options to the land owner so they can decide what they works best for them.*

- *Drainage – It is completely possible to design for smaller setbacks to accommodate drainage between the buildings; however, it often requires continued maintenance which is difficult for a municipality to regulate. As such, it may be prudent to require any building 5’ or closer to the property line to do a little extra work on the front end to design the foundation properly so that long-term maintenance needs are reduced. This could include requiring a site specific Geotech report or always requiring foundation drains, foundation damp proofing, and addressing the wall barrier.*

*Lot Size – feedback received at the workshop and after in writing indicated that the majority of people supported 25’ wide lots in the HR and MR districts for single family and duplex units which remains the same as the last draft. To try to address all concerns raised, here is some additional information:*

- *There was a concern that this will result in there being rows of skinny homes throughout town. There are only so many opportunities for infill development in the Historic Residential district so land availability alone will help regulate this. In addition, there are other options for housing types so it is not guaranteed that for example, 6 historic lots would turn into 6 skinny single family homes in a row.*
- *With a 25’ wide lot and 3’ setbacks, the max unit width would be 19’. A 19’ wide dwelling unit would be a bit smaller than what we have seen in town because we have had a regulation that required at 21’ by 24’ footprint. However, there are a few homes in town that are close to 19’ wide. Here are some examples of narrow residential units for a frame of reference:*
  - *16’ wide home, rear/alley loaded with 1 or 2 car garage, 1 or 2 story, 900-1,550 square feet, or larger with a basement.*





- 20' wide unit, rear/alley loaded with a 2-car garage, up to 3 stories, 1,700 to 1,800 square feet



5. Parking – Proposing that all residential uses, besides single family and duplex, provide one parking space per unit rather than two. Currently units 600 sf or less must provide one parking space, and all dwellings greater than 600 sf must provide two parking spaces (except ADUs that are required to provide one space and can be up to 800 sf). Parking can add significant cost to a dwelling unit due to the land area needed.
6. Use Specific Standards – The following edits are proposed to this section:
  - a. Clarified regulations for home occupations, accessory dwelling units (ADUs) and short-term rentals (STRs) by moving the use regulations to the respective districts and cleaning up some language. New housing types added to the code are proposed to be excluded from short term rental allowance.





- b. ADUs – More clearly added regulation that ADUs are only permitted to single family detached dwellings. Change maximum size of 800sf of “living area” to “gross floor area which is a defined term. Updated the lot size to have an AUD that is used as a short term rental from 8,000sf to 6,000sf to match where a duplex would be allowed.
- c. Manufactured homes – Added a new section to clarify where they are allowed per a 1993 ordinance. Added cross reference to Mobile Home Park regulations in the code.
- d. Employee housing – Added a new section for this proposed new use. These standards would restrict employee housing to be accessory to a non-residential use, limit the number of units allowed, restrict ownership to be the same as the non-residential use, restrict occupancy to employees of the business, and not allow for short-term rental of the unit.
  - i. *Reduced the square footage requirement from 3,000 square feet to 2,500 square feet. Clarified that one employee housing unit is allowed for the first 2,500 square feet of gross floor area then one more for each additional 2,500 square feet up to a maximum of 3 units. The median size of existing buildings in the industrial districts is 3,369 square feet.*
  - ii. *Added a clarification that if after 90 days the unit is not rented to an employee of the connected non-residential use, that it could be offered to a household where one person is employed at an establishment within the Town of Ridgway.*
  - iii. *Employee housing units are limited to no more than 450 square feet of gross floor area. This has remained the same as the last draft.*
  - iv. *While employee housing is a proposed use by right in the GC district, many other types of housing are also a use by right. So, it is likely that an employer may choose to simply build a mixed use building rather than employee housing units to avoid the restrictions that go along with employee housing.*
  - v. *Although an employee unit will not be subject to additional tap fees as of this draft, the unit may be subject to additional monthly utility charges. This will be determined by the Town Council but the Commission can weigh in if desired.*

**Proposed edits to the Single Family Home Design Standards (RMC 6-6) include:**

1. Applicability – Proposing this section apply to ALL residential development, not just single family dwellings. While some communities develop detailed design standards for specific types of residential development (e.g., single family detached, townhomes, multifamily), as drafted, Ridgway’s standards provide a reasonable level of guidance on the key issues that would typically be addressed.
  - a. While 6-6-3(K) currently only applies to additions, the proposed edits would apply to “major addition or renovation” which is proposed to be defined in 7-3: Zoning Regulations.
  - b. *Clarified that manufactured homes do not have to meet the foundation requirements in 6-6-4 as they are covered in RMC 6-3.*
2. Minimum Width – Proposing to remove the minimum 21’ by 24’ building footprint requirement. This will allow greater flexibility to adapt building footprints to fit different size lots rather than meeting an arbitrary set of dimensions. The Planning Commission has granted a lot of deviations



to this requirement and finds that it is no longer applicable. In addition, clarity has been added around manufactured homes and factory built homes and other design standards were to address the concern for single-wide looking units.

3. Roof structure –
  - a. Replace the requirement for a 3:12 roof pitch with a requirement for varied roof forms and compatible roof forms. The Commission has granted a lot of deviations to this requirement over the past number of years and no longer feels it is necessary.
  - b. Remove the requirement to fully enclose a flatter roof with a parapet. Rather require screening for any equipment on a roof. *Refined language to ensure that screening that would interfere with the efficient operation of rooftop solar equipment is not required.*
4. Exterior Lighting – Removed repetitive section on exterior lighting. The Town's newly revised outdoor lighting regulations have more detailed information and apply to all exterior lighting.
5. Development Density – Removed the restriction for only two non site-built homes to be on each block. The proposed edits add a definition for factory built housing and manufactured housing to be clearer on what building regulations apply to what kind of housing. Manufactured dwellings are only allowed in limited locations, which is now clarified in 7-3. Factory built dwellings are treated just like site-built dwellings and must meet Town and/or State building regulations.
6. Architectural Standards – Clarified these standards to ensure we get the intended outcomes and reduce the need for deviations. Moved text from other areas in these regulations to this specific section.
7. Deviations – Added a new criterion, for those building workforce housing as defined in RMC 7-3, to qualify for a deviation to these regulations.

**CHAPTER 7**

**SECTION 3**

**Zoning Regulations**

**Subsections:**

- 7-3-1 General Provisions.
- 7-3-2 Definitions.
- 7-3-3 Zoning Map.
- 7-3-4 Residential Districts.
- 7-3-5 "R" Low Density Residential District.
- 7-3-6 "HR" Historic Residential District.
- 7-3-7 "MR" Mixed Residential.
- 7-3-8 "FD" Future Development District.
- 7-3-9 "HB" Historic Business District.
- 7-3-10 "DS" Downtown Service District.
- 7-3-11 "GC" General Commercial District.
- 7-3-12 "I-1" Light Industrial - 1 District.
- 7-3-13 "I-2" Light Industrial - 2 District.
- 7-3-14 Uncompahgre River Overlay District.
- 7-3-15 Dimensional & Off-Street Parking Requirements.
- 7-3-16 Planned Unit Development (PUD).
- 7-3-17 Sign Regulations.
- 7-3-18 Supplemental Regulations.
- 7-3-19 Conditional Uses.
- 7-3-20 Nonconforming Uses.
- 7-3-21 Variances and Appeals.
- 7-3-22 Amendments and Additions to the Official Zoning Map and Zoning Regulations.
- 7-3-23 Review Procedure.
- 7-3-24 Enforcement and Administration.
- 7-3-25 Fees and Costs.

**7-3-1 GENERAL PROVISIONS.**

- (A) This Section, as amended from time to time, together with the Official Zoning Map as adopted by Section 6 of Ordinance No. 2 (Series 1993), as amended from time to time, may be cited as the Town's Zoning Regulations or Zoning Ordinance.
- (B) The purpose of these Zoning Regulations is to promote the public health, safety and welfare.
- (C) Whenever there is any conflict between these Regulations and any other Ordinance, regulation or law, the more restrictive or higher standard shall apply.
- (D) These regulations and the Official Zoning Map shall constitute a part of the Town's Comprehensive Master Plan.

**7-3-2 DEFINITIONS.<sup>1</sup>**

The following words and terms shall be defined as follows for the purposes of these Zoning Regulations:

**ACCESSORY USE:** A use which is subordinate to, clearly incidental to, customarily in connection with, and ordinarily located on the same premises as the permitted use. Home occupations which meet the criteria set out in Subsection 7-3-18(A), including daycare facilities with 8 or fewer children, shall be considered an accessory use to a residence in all districts.

**ART AND CRAFT STUDIO:** The workshop of an artist, sculptor, photographer, craftsperson, furniture maker, glass blower, potter or cabinet maker primarily used for on-site production of unique custom goods by hand manufacturing involving the use of hand tools and small-scale equipment, which may include an accessory gallery. The primary use of art and craft studios is the retail sale of the custom goods as produced on-site, as evidenced through allocation of customer floor area or gross sales receipts of the business.

**BOARDING OR ROOMING HOUSE:** A building or portion thereof which is used to accommodate, for compensation, one or more boarders or roomers, not including members of the occupant's immediate family who might be occupying such building. "Compensation" includes compensation in money, services or other things of value.

**BUILDING LINE:** A line parallel to a property line beyond which no exposed portion of a building extends. The first three feet of unroofed terraces or patios, sills, cornices and chimneys; temporary awnings; free standing walls, rails or fences; the first one foot of a roof eave; and the first four feet of an open fire escape; need not be considered in determining the building line.

**DORMITORY:** A building used as group living quarters for students or religious adherents as an accessory use for a bona fide college, university, boarding school, seminary, convent, monastery or other similar institutional use.

DWELLING: A building or portion of a building that is designed or used exclusively as the living quarters for one or more families, and that complies with all applicable building and safety codes. This definition includes factory built housing that does not meet the definition of a manufactured home, provided the structure meets all applicable building and safety codes and is mounted on a permanent structure and connected to all required utilities.

DWELLING, CLUSTER DEVELOPMENT: A development type that concentrates single-family, duplex, or townhouse dwellings (in groups of two) on smaller lots than would otherwise be allowed in the zone district in return for the preservation of sensitive natural areas, agricultural or ranch land, trail or recreational easements, and/or common open space within the same site, on a separate lot, or in an easement.

DWELLING, CO-HOUSING DEVELOPMENT: A residential development that does not meet the definition of a Group Home, that includes a group of individual dwelling units of varying sizes, the largest containing less than 1,500 square feet of floor area, that are not constructed on a frame or capable of being transported on their own wheels, and in which individual units may or may not have partial or complete kitchens. The development must include one or more community building(s) with a community kitchen and

---

<sup>1</sup> Definitions for a broader range of housing types are proposed to more clearly support the full spectrum of housing types encouraged by the Master Plan. While some are not currently referenced in other parts of the code, they are intended to provide a point of reference for the Town and applicants on future annexations, development agreements, and/or PUDs. A definition of micro-units is not included, because these are simply multi-family dwelling units of very small size. Since Ridgway does not have a minimum size requirement for multi-family dwelling units, these are included in the definition of multi-family dwelling. Some definitions were clarified.

dining room intended for communal use on a regular basis, and in which most or all residents generally agree to share in the provision of regular communal services such as cooking meals or providing child care.

~~DUPLEX: A residence with two dwelling units. DWELLING, DUPLEX: A single structure, located on a single lot, containing two dwelling units, neither of which meets the definition of a townhouse dwelling or an accessory dwelling unit.~~

DWELLING, FOURPLEX: A single structure, located on a single lot, containing four dwelling units, none of which meets the definition of a townhouse dwelling unit or an accessory dwelling unit.

DWELLING, LIVE/WORK: A structure containing an integrated living and working space that is intended to function predominantly as business workspace with residential use area occupied by the business owner or operator. The unit typically has a store-front, with the workspace, public display area, or show-room on the ground floor of the unit and the majority of the residence area is located either on the upper floor if there are two floors, or the back of the unit if there is only one floor.

~~MULTIPLE FAMILY RESIDENCE: Any residence with three or more dwelling units in a single building.~~

~~DWELLING, MULTIPLE FAMILY: Five or more residential dwelling units, within a single building and under a single roof, located on a single lot, including apartments houses and condominiums.<sup>2</sup> This definition also includes any number of dwelling units located within a single building that contains a non-residential primary use on the ground floor of the building, and that does not meet the definition of employee housing.~~

DWELLING, SINGLE FAMILY DETACHED: A dwelling unit, located on a separate lot or tract that has no physical attachment to any other building containing a dwelling unit located on any other lot or tract, and that does not meet the definition of a manufactured home.

~~DWELLING, TOWNHOUSE: A structure containing two or more single family dwellings attached side by side, in which all units have primary entrances facing the same street. A duplex containing two dwelling units that face more than one street or direction, or a duplex containing two dwelling units located one above the other or one behind the other, is not considered a townhouse dwelling.~~



Sample duplex dwelling



Sample fourplex dwelling



Sample multiple family dwelling



Sample single family detached dwelling

<sup>2</sup> Replaces current definition for Multiple Family Residence to provide consistency with related terms.

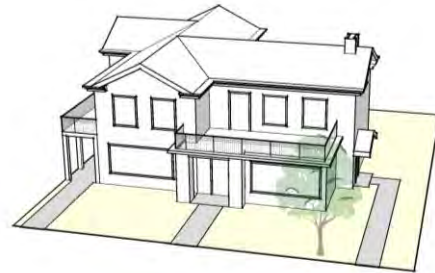


DWELLING, TOWNHOUSE: A single family dwelling at least two stories in height that is attached to at least one other single family dwelling at least two stories in height by an unpenetrated vertical wall running from ground level or below ground level to at least the top of the highest floor designed for human occupancy, and that has a pedestrian entrance leading directly from the ground floor of the dwelling unit to a street fronting the lot on which the dwelling unit is located. Individual townhouse dwellings may be located on separate lots, or a group of two or more townhouse dwellings may be located on a single lot.



*Sample townhouse dwelling*

DWELLING, SINGLE FAMILY DETACHED: A dwelling unit, located on a separate lot or tract that has no physical connection to a building located on any other lot or tract, and that does not meet the definition of a manufactured home.



*Sample triplex dwelling*

DWELLING, TRIPLEX: A single structure, located on a single lot, containing three dwelling units, none of which meets the definition of a townhouse dwelling unit or an accessory dwelling unit.

DWELLING UNIT: An area in a building containing cooking, living and sanitary facilities designed for use and used by a single family for residential purposes, including related accessory structures. The term dwelling shall not include hotels, motels, homeless shelters, boarding and rooming houses, dormitories, seasonal overflow shelters, tents, or other structures designed or used primarily for temporary occupancy.

DWELLING UNIT, ACCESSORY: A dwelling unit located within, attached to, or detached from the principal dwelling, that contains no more than 800 square feet of gross floor area, the use of which is associated with and subordinate to the principal dwelling and that is located upon the same lot as the principal dwelling.<sup>3</sup>

EMPLOYEE HOUSING: A dwelling unit that contains no more than 450 square feet of gross floor area, located within the same structure as a non-residential use and above or behind the non-residential use, in which the use of the dwelling units is secondary and subordinate to the non-residential use and restricted for occupancy only by the employees of the non-residential use.<sup>4</sup>

FACTORY BUILT HOUSING: Any structure, or component thereof of a structure, designed primarily for residential occupancy, either permanent or temporary, including a mobile home, which that is wholly or in substantial part made, fabricated, formed, or assembled in manufacturing facilities for installation, or assembly and installation, on the building site, and that does not meet the definition of a manufactured home. Factory built housing shall either comply with the Town's adopted building codes or the Colorado Division of Housing adopted Building Codes for Modular Homes, as set forth in CDOH Rule 2, Codes and Standards, at 8 CCR 1302-14.<sup>5</sup>

FAMILY: One or more individuals occupying a single dwelling unit and living as a single housekeeping unit with a maximum of eight adults. This includes groups of eight or fewer persons whose right to live together is protected by the federal Fair Housing Amendments Act.

<sup>3</sup> Regulations for ADUs are located in 7-3-19, SUPPLEMENTAL REGULATIONS, but the term is not explicitly defined.

<sup>4</sup> Intended to provide an opportunity for on-site employee housing as an accessory and conditional use in two districts.

<sup>5</sup> By adding to this definition, the Town would essentially be adopting the Division of Housing's building code by reference.

**GAS STATION:** Any building or lot having facilities for the sale of gasoline and other fuels for use by motor vehicles, and which may include incidental facilities for service and minor repair of motor vehicles.

**GOVERNMENT BUILDINGS AND FACILITIES:** Any building or facility owned and operated by the United States of America, the State of Colorado, the Town of Ridgway, or any agency or political subdivision thereof.

**GROSS FLOOR AREA:** The heated area of a building measured along the outside enclosing walls, excluding interior parking areas and outdoor common areas.

**GROUP HOME:** One or more dwelling units in which more than eight unrelated individuals or related and unrelated individuals live, where physical assistance and/or supervision, care or treatment is provided by resident and/or nonresident professional support personnel as a continual benefit. ~~Group home will~~ This definition does not include a hotel, motel, boarding or rooming house, ~~or~~ facility housing juvenile or adult offenders, or a facility for persons with drug or alcohol addictions that are not in a treatment program, but includes any group of substance abuse problems-eight or more persons whose right to live together is protected by the federal Fair Housing Amendments Act.<sup>6</sup> Group home shall include state licensed personal care and alternative care personnel.

**HIGH-WATER MARK:** The boundary dividing a river bed from a river bank and defined as the line on the bank up to which the presence and action of water are so usual and long-conditioned as to impress on the bed a character distinct from that of the bank with respect to the nature of the ground surface, soil and vegetation.

**HOME OCCUPATION:** Any commercial activity, whether for profit or non-profit, conducted within a dwelling unit.

**HOMEOWNERS ASSOCIATION:** Any entity, whether corporation, partnership, unincorporated association, or other entity existing for the purpose of maintaining commonly owned facilities or enforcing private protective covenants whose members or shareholders are the property owners involved.

**HOTELS AND MOTELS:** Any building or portion thereof containing six or more guest rooms used, designed to be used, let or hired out for occupancy by persons on more or less a temporary basis.

**MAJOR ADDITION:** An addition to or renovation of a structure in which the total gross floor area of the proposed addition or renovation area is fifty (50) percent or more of the total gross floor area of the existing structure before addition or renovation.

~~**MOBILE HOME AND MOBILE HOME PARK:** Mobile Home and Mobile Home Park are defined as defined in Section 6-3.~~

**MANUFACTURED HOME:** A factory built structure that is built on a permanent chassis, is designed and constructed to permit lawful long-term occupancy as a dwelling, whether attached or unattached to a permanent foundation, that meets requirements of the National Manufactured Housing Construction and Safety Standards Act of 1974", 42 U.S.C. Section 5401, et seq., as amended (commonly referred to as the "HUD Code.)."<sup>7</sup>

<sup>6</sup> The exception for persons in substance abuse programs was deleted because under the federal FHAA they are treated as disabled (those not in a treatment program are not disabled) and their right to live together is protected by the FHAA.

<sup>7</sup> Replaces existing, outdated definition in 6-3-1: *Mobile home means a factory built single family dwelling with a living area of 500 square feet or more which does not meet the requirements of Section 6-6, and is not required to have license plates pursuant to Article 42-3, C.R.S., as amended.*



MANUFACTURED HOME PARK: A single site, parcel, or lot operated and used for the location of two or more manufactured homes intended for use as residences.<sup>8</sup>

NONCONFORMING USE: A use which does not comply with the use regulations, dimensional requirements or other regulations of these Zoning Regulations.

PLANNING COMMISSION: The Planning and Zoning Commission of the Town.

PUBLIC UTILITY SERVICE FACILITIES: Transmission and distribution facilities for natural gas, electricity, water, sewer, drainage, telephone, and cable television necessary to provide service to customers located in the various districts of the Town, such as pipes, lines, mains, wires, transformers, valves, and other related appurtenances, but not including buildings, offices, and production or generation facilities.

SET-BACKSETBACK: The perpendicular distance between a property line and the building line.

SHORT TERM RENTAL: Rental of all or a portion of a residential dwelling unit for periods of less than 31 days. This definition of short term rentals excludes hotels, motels, lodges, and bed and breakfasts.

TRAVEL HOME AND TRAVEL HOME PARK: Travel Home and Travel Home Park are defined as defined in Section 6-3.

USE: The activity or purpose for which property, a building or other structure is designed, arranged, intended, occupied or maintained.

USE BY RIGHT: A use which is permitted or allowed in the district involved, without review, and complies with the provisions of these Zoning Regulations and other applicable Town ordinances and regulations.

WORKFORCE HOUSING: Housing that is available for purchase or rent on terms that are affordable to households earning between 80 percent and 120 percent of area median income (AMI) as determined by the U.S. Department of Housing and Urban Development (HUD) and published annually for the County. The cost of *for sale* workforce housing (including principal, interest, taxes, insurance, utilities, and homeowners' association fees) or *for rent* workforce housing (including rent and utilities) does not exceed 30 percent of those households' gross annual incomes.<sup>9</sup>

### **7-3-3 ZONING MAP.**

- (A) The 1993 Revised Zoning Map of the Town, as such may be amended from time to time, may be known or cited as the "Official Zoning Map" of the Town.
- (B) Amendments to the Official Zoning Map may be made by an ordinance enacting a revised map or by an ordinance amending portions of the Official Zoning Map by specifying the legal description of the property to be rezoned. A copy of the Official Zoning Map, as amended from time to time, shall be maintained in the Town Clerk's office available for public inspection. Periodically, copies of the Official Zoning Map, as amended, may be reproduced and made available to the public.

---

<sup>8</sup> Existing definition from 6-3-1.

<sup>9</sup> This definition is consistent with Master Plan explanation of Workforce Housing.

- (C) The regulations for the various districts provided for in this Section shall apply within the boundaries of each such district as indicated on the Official Zoning Map. The district boundaries, as shown on the Official Zoning Map, shall be construed to follow the center lines of streets, to follow platted lot lines or the lines of undivided parcels of property, or to follow the Town limits, whenever a boundary is shown as approximately in the vicinity of such lines. Distances may be determined by the scale of the map.

#### **7-3-4 RESIDENTIAL DISTRICTS.**

The residential districts described in Sections 7-3-5 thru 7-3-~~78~~ are established to support a diversity of housing options; to promote stability in residential neighborhoods; to protect such property from incompatible land uses; to protect property values; and to encourage the appropriate use of such land. Certain other uses are permitted which are compatible with residences. Dimensional requirements are set out in Section ~~7-3-10, 3-15~~. All residential development in these districts must comply with residential design standards in Section 6-6.<sup>10</sup>

#### **7-3-5 "R" LOW DENSITY RESIDENTIAL DISTRICT.**<sup>11</sup>

- (A) Intent: The "R" Low Density District is intended to ~~provide a quiet, accommodate~~ low to moderate density development for single family ~~residences, detached dwellings, as well as a mix of other housing types and other compatible land uses where supported by the Master Plan.~~ Environmental protection is provided by allowing ~~single family residences along with certain other compatible land uses, cluster development to preserve environmentally sensitive lands, maintain common open space, and to provide recreational opportunities for residents.~~

- (B) Uses by Right:

~~(1) Single family homes which meet the requirements of Section 6-6.~~

(1) Single family detached dwellings and short term rental of the dwelling in compliance with 7-3-18(I).

(2) Duplex dwellings and short term rental of the dwelling in compliance with 7-3-18(I).

(3) Townhouse dwellings in structures containing no more than two dwelling units.

~~(4)~~(4) Public utility service facilities.

~~(5)~~(5) Government buildings and facilities.

~~(6)~~(6) Parks and recreation facilities, including community gardens, gardens, owned or operated by a property owner's association or civic organization.

~~(7)~~(7) Accessory uses.

(8) Accessory dwelling units that meet the criteria of Subsection 7-3-18(G).

(9) Cluster development dwellings.

(10) Home occupation in compliance with 7-3-18(A).

<sup>10</sup> The applicability of existing Single Family Home Design Standards is proposed to be expanded to address all types of residential development. Refer to proposed updates to that Chapter for details.

<sup>11</sup> Intent statement updated to reflect Master Plan land use categories. Existing "R" zoning includes some areas designated as Rural Neighborhoods and some designated as Single-Family Neighborhoods. As defined by the Master Plan, Single-Family Neighborhoods support 2 to 8 du/ac.

## Ridgway Municipal Code

7-3-6

(C) Conditional Uses:

~~———— (1) Duplexes and multi family residences.~~

(1) Townhouse dwellings in structures containing more than two dwelling units, Triplex dwellings, Fourplex dwellings, and Multiple family dwellings.<sup>12</sup>

~~(+)(2)~~ Churches, schools, and day care facilities not otherwise allowed as an accessory use to a residence dwelling unit.

~~(2)~~ Bed and breakfast operations which meet the criteria of Subsection 7-3-1318(F) in addition to the criteria of Section 7-3-1419

~~(D) Repealed by Ordinance 1999~~

(3) Group homes.

### **7-3-6 "HR" HISTORIC RESIDENTIAL DISTRICT.<sup>13</sup>**

(A) Intent: This District is intended to coincide with the historic residential core of Ridgway and accommodate a variety of housing types at medium density as well as other activities which are compatible with such uses.

(B) Uses by Right:

~~———— (1) Single Family Homes which meet the requirements of Section 6-6 and duplexes.~~

(1) Single family detached dwellings and short term rental of the dwelling in compliance with 7-3-18(I).

(2) Townhouse dwellings in structures containing no more than four dwelling units.

(3) Duplex dwellings and short term rental of the dwelling in compliance with 7-3-18(I).

(4) Triplex dwellings.

(5) Fourplex dwellings.

~~(+)(6)~~ Public utility service facilities.

~~(2)(7)~~ Government buildings and facilities.

~~(3)~~ Parks and recreation facilities, including community gardens, owned or operated by a property owners association or civic organization.

~~(4)(8)~~ MobileManufactured homes on individual lots in the Mobile Home overlay districts which are anchored to a foundation in conformity with Subsection 6-6-3(A) that comply with Subsection 7-3-18(K).

~~(5)(9)~~ Accessory uses.

(10) Accessory dwelling units that meet the criteria of Subsection 7-3-18(G).

<sup>12</sup> Ridgway R neighborhoods have a small amount of these types of housing already as a result of PUDs.

<sup>13</sup> Proposed changes intended to reflect Master Plan land use categories. The Town Core Neighborhoods land use category supports densities from 6 to 12 du/ac.

(11) Home occupation in compliance with 7-3-18(A).

(C) Conditional Uses:

(1) Townhouse dwelling units in structures containing more than four dwelling units.

(2) Co-housing development dwellings.

(4)(3) Multiple family residences dwellings.

(4) Group homes.<sup>14</sup>

(5) Churches, schools, day care facilities not otherwise allowed as an accessory use to a residence, and community

(2)(6) Community centers.

(3)(7) Bed and breakfast operations which meet the criteria of Subsection 7-3-1318(F) in addition to the criteria of Section 7-3-1419.

~~(D) Repealed by Ord 19-1999~~

#### 7-3-7 “MR” MIXED RESIDENTIAL.<sup>15</sup>

(A) Intent: This District provides opportunities for a diverse mix of housing options at higher densities, as well as supporting services and other compatible uses that help meet the needs of area residents. Uses should be organized in compact, pedestrian- and bicycle-friendly manner and be responsive to the scale and intensity of development in adjacent zoning districts.

(B) Uses by Right:

(1) Single family detached dwellings and short term rental of the dwelling in compliance with 7-3-18(I).

(2) Townhouse dwellings.

(3) Duplex dwellings and short term rental of the dwelling in compliance with 7-3-18(I).

(4) Triplex dwellings

(5) Fourplex dwellings

(6) Co-housing development dwellings.

(7) Cluster development dwellings.

(8) Multiple family dwellings.

(9) Group Homes.<sup>16</sup>

<sup>14</sup> Added because under the FHAA group homes for the disabled cannot be excluded or limited in districts that allow multifamily residences of a similar size.

<sup>15</sup> Proposed new district to help implement the Mixed-Neighborhood land use category in the Master Plan. The Mixed Neighborhoods category supports densities of between 12 and 18 du/ac. This district was informed by previous discussions about creating two new higher density residential districts that occurred in 2016 to 2017. Without focusing on exactly what land may be rezoned or zoned in the future to this district, this district is Created to inform the public that this is a desired development type.

<sup>16</sup> Added because under the FHAA group homes for the disabled cannot be excluded or limited in districts that allow multifamily residences of a similar size.

- (10) Public utility service facilities.
- (11) Parks and recreation facilities.
- (12) Government buildings and facilities.
- (13) Accessory uses.
- (14) Accessory dwelling units that meet the criteria of Subsection 7-3-18(G).
- (15) Home occupation in compliance with 7-3-18(A).

(C) Conditional Uses:

- (1) Retail stores
- (2) Restaurants and taverns
- (3) Live/work dwellings limited to office, retail, repair and artisanal manufacturing.
- (4) Schools and day care facilities not allowed as an accessory use to a residence.
- ~~(4)~~(5) Bed and breakfast operations which meet the criteria of Subsection 7-3-18(F) in addition to the criteria of Section 7-3-19.
- ~~(2)~~
- (6) Nursing homes for the aged, invalid, ill, or mentally impaired.
- (7) Buildings with a gross floor area greater than 10,000 square feet.

(D) Performance and Design Standards:

In addition to the Residential Design Standards in Section 6-6, the following standards shall apply:

- (1) Developments must address storm water drainage and to employ a storm water drainage plan that does not discharge to the Town streets or storm water infrastructure if available, an amount greater than historic flows have discharged to public infrastructure.
- (2) A mix and variety of housing types and unit sizes must be incorporated to the maximum extent feasible based on the size of the development, adjacent development context, and other site considerations.
- (3) Parks, open spaces or common areas must be incorporated into the development.
- (4) Parking shall be sited to provide the least visual impact from public rights of way and shall not dominate the frontage of pedestrian-oriented streets. Site parking shall include bike racks and areas for parking strollers and other nonmotorized vehicles near the main entrance to the primary building(s) and shall have a logical connection to on-site non-motorized access routes.
- (5) Parking areas, outside trash receptacles, large utility boxes, open storage areas, mechanical systems and other unattractive views shall be screened from the street and public right of way. Screening of utility boxes, trash enclosures, and similar uses shall be around all sides except for those required for access, which will be screened with a gate on the access side.
- (6) Buildings containing more than 25,000 square feet of gross floor area are not permitted.

**7-3-77-3-8 "FD" FUTURE DEVELOPMENT DISTRICT.**

- (A) Intent: This District is intended to include lands held in reserve to meet future growth needs of the community. Uses include very low density single family ~~residences~~detached dwellings and agriculture.
- (B) Uses by Right:
- (1) Single family ~~homes which are constructed on site which meet the requirements~~detached dwellings and short term rental of Section 6-6.the dwelling in compliance with 7-3-18(I).
  - (2) Agriculture.
  - (3) Public utility service facilities.
  - (4) Accessory uses.
  - (5) Accessory dwelling units that meet the criteria of Subsection 7-3-18(G).
  - (6) Home occupation in compliance with 7-3-18(A).
- (C) Conditional Uses:
- (1) Gravel Extraction

**7-3-87-3-9 "HB" HISTORIC BUSINESS DISTRICT.**

- (A) Intent: This District encompasses the historic commercial core of Town. Intended uses include a mix of retail, restaurants, office, lodging, residential, service-and, institutional by right and similar conditional~~other~~ uses that are compatible with a mixed use shoppingthe historic character of the Town Core and contribute to vibrant, pedestrian-friendly atmosphere. All residential area. Conditional uses include limited light manufacturing.development must comply with residential design standards in Section 6-6. Where short term rentals are permitted, they must comply with Subsection 7-3-18.<sup>17</sup>
- (B) Uses by Right:<sup>18</sup>
- ~~———— (1) Single family homes which meet the requirements of Section 6-6, duplexes, and multi family residences and dwelling units in buildings with non-residential uses, whether or not any of the foregoing are used for rentals for periods of 31 days or less. If they are used for rentals for periods of 31 days or less, they must comply with the provisions of Subsection 7-3-13.~~
- (1) Single family detached dwellings and Duplex dwellings constructed before January 1, 2020, and short term rental of those dwellings in compliance with 7-3-18(I).
  - (2) Townhouse dwellings, Triplex dwellings, and Fourplex dwellings.
  - (3) Multiple family dwellings and short term rental of those dwellings in compliance with 7-3-18(I).

<sup>17</sup> Updated to reflect definition of Town Core land use category in the Master Plan. Removed references to by right and conditional uses, since those distinctions are covered below.

<sup>18</sup> While there are existing single-family detached homes in the "HB" District that will likely remain, higher-density housing (e.g., duplexes, attached single-family, multifamily dwellings) is encouraged by the Master Plan where infill/redevelopment occurs to expand housing options within walking distance of services and amenities.



## Ridgway Municipal Code

7-3-9

(4) Live/work dwellings.

(5) Group homes.<sup>19</sup>

(+)(6) Retail stores, business and professional offices and service establishments which cater to the general public, excluding day care facilities.

(2)(7) Libraries, museums and depots.

(3)(8) Public utility service facilities.

(4)(9) Government buildings and facilities.

(5)(10) Private and fraternal clubs.

(6)(11) Indoor theaters.

(7)(12) Restaurants and taverns.

(8)(13) Churches, Sunday schools and community centers, schools, parks and playgrounds.

(9)(14) Hotels, motels, lodges, and other types of short term ~~rentals~~ accommodations for vacations, tourists, business visitors and the like.

(+0)(15) Parking facilities, funeral homes, commercial garages.

(+1)(16) Accessory uses.

(+2)(17) Arts and craft studios.

(18) Accessory dwelling units that meet the criteria of Subsection 7-3-18(G).

(19) Home occupation in compliance with 7-3-18(A).

### (C) Conditional Uses:

(1) Light Manufacturing.

(2) Any use not prohibited by Subsection (D) which is consistent with the intent expressed in Subsection (A).

(3) The outside storage of equipment inventory or supplies, accessory to a business occupying a building on the premises, subject to conditions imposed pursuant to Section 7-3-~~14~~19 and 7-3-~~18~~23(G), which may include time limitations and limitations appropriate to lessen the impact on other property, including screening. Written Notice of the Hearing pursuant to Section 7-3-~~18~~23 shall be provided by the applicant to all owners of property located within 100 feet of the affected property.

(4) Buildings with a gross floor area greater than 7,500 square feet.

~~(5) Group Home.~~

### (D) The following uses are not to be construed as a "Use by Right" or a "Conditional Use" in the "HB" District.

<sup>19</sup> Added because under the FHAA group homes for the disabled cannot be excluded or limited in districts that allow multifamily residences of a similar size.

- (1) Drive-in restaurants, drive-in theaters, or any other retail stores and service establishments with drive-through facilities.
- (2) Above ground storage of hazardous fuels.
- (3) Heavy manufacturing and industrial uses.
- (4) Gas stations.
- (5) Farm implement, ~~mobile~~ manufactured home, automobile and other vehicle sales or service establishments.
- (6) Automobile body shops.
- (7) Machine and welding shops.
- (8) Boarding and Rooming House(s) ~~shall not be allowed in the "HB" District.~~
- ~~(9) A Dormitory structure shall not be allowed in the "HB" District~~
- (9) Dormitory.

(E) Performance Standards:

- (1) No use shall be established, maintained or conducted in any "HB" Historic Business District that will result in any public or private nuisance.
- (2) No equipment, inventory, or supplies may be stored outside, except as authorized pursuant to Subsection 7-3-~~89~~ (C)(3).
- (3) All manufacturing and industrial activities must take place inside with no noise, smoke, dust or light observable off of the premises.

(4) Parking

- (a) Residential uses must provide off-street parking as required by Subsection 7-3-~~1015~~ (C)(1)(a) and Subsection 7-3-~~1015~~ (C)(1)(r).
  - (b) All non-residential uses must provide a minimum of one off-street parking space per 1650 square feet of gross floor area. Partial spaces will be rounded up to the next whole number of required parking spaces. If the structure contains both residential and non-residential uses, calculation of the gross floor area shall not include the residential area(s) for purposes of determining off-street parking pursuant to this paragraph. Also excluded from this calculation are enclosed parking and outdoor common areas. Parking spaces will be accessed only from an alley. The first three spaces must be provided on-site.
  - (c) In cases where mixed residential and non-residential uses occur within the same property, the residential parking requirements of Subsection (a) shall be in addition to the non-residential parking space requirement set forth in Subsection (b).
  - (d) In lieu of non-residential off-street parking requirements in excess of three spaces and pursuant to Subsection (b) above, a money payment of \$3,000 per space may be paid to the Town, which money shall be used to fund the acquisition or construction of public parking facilities to serve the Historic Business Zoning District.
- ~~(4)(5)~~ (5) Buildings containing more than 15,000 square feet of gross floor area shall not be allowed.

**7-3-10 "DS" DOWNTOWN SERVICE DISTRICT.<sup>20</sup>**

~~(F)~~(A) Intent: The Downtown Service District is not intended to compete with the Historic Business District or the General Commercial District, but rather intended to provide some flexibility in use for existing residences located on or within 100 feet of Highway 62, west of Laura Street as depicted upon the Town Comprehensive Plan Land Use Map. The flexibility in use is intended to mitigate the impact of increasing traffic upon the highway upon residences, by allowing for limited business use of the properties. The Downtown Service District is further intended to provide an effective transition between the General Commercial and Historic Business Districts and nearby residential neighborhoods along and near the Highway without creating an undue, adverse impact on these areas. Establishments and structures within the Downtown Service District are intended to appear “residential” as opposed to simply providing a visual extension of the commercial and business districts. Toward this objective, some service-oriented businesses are allowed within the Downtown Service District, as conditional uses, and with performance criteria that speak to appearance, signage and parking. These businesses may have limited and ancillary retail use. Home occupation of these business uses is permissible in accordance with Section 7-3-~~13~~18(A). Auto intensive uses such as gas stations, drive-through businesses, convenience stores and similar uses that generate high traffic of items or require large parking areas are not permitted. All residential development in these districts must comply with residential design standards in Section 6-6.<sup>21</sup>

~~(G)~~(B) Uses by Right:

- (1) Single-family homes that are site built, factory built or moved onto the site detached dwellings and meet the design and standards short term rental of Single Family Homes as provided the dwelling in Section 6-6 compliance with 7-3-18(I).
- (2) Townhouse dwellings.
- ~~(4)~~(3) Duplex dwellings and short term rental of the Ridgway Municipal Code, dwelling in compliance with 7-3-18(I).
- (4) Triplex Dwellings.
- (5) Fourplex Dwellings.
- ~~(2)~~(6) Public utility service facilities.
- ~~(3)~~(7) Government buildings and facilities.
- ~~(4)~~(8) Parks and recreation facilities owned or operated by a homeowners association.
- ~~(5)~~(9) Accessory uses dwelling units that meet the criteria of Subsection 7-3-18(G).
- (10) Live/work dwellings.
- (11) Home occupation in compliance with 7-3-18(A).

~~(H)~~(C) Conditional Uses:

<sup>20</sup> Corresponds to portions of the Town Core Neighborhoods land use category in the Master Plan that are located along Sherman Street. General intent of the “DS” District is consistent with the Master Plan. Minor updates are proposed to reflect the addition of additional housing types. The numbering of the remainder of the Article changes from this point forward. This section is currently numbered 7-3-8.5, and it (and later sections) will need to be revised by the Town Clerk. Cross-references to any of the following sections will also need to be corrected.

<sup>21</sup> The applicability of existing Single Family Home Design Standards is proposed to be expanded to address all types of residential development. Refer to proposed updates to that Chapter for details.

- (1) Professional offices and service businesses that do not require outside storage, intensive vehicular access or present nuisance concerns to surrounding residential neighborhoods, including offices for doctors, dentists, chiropractors, lawyers, accountants, engineers, surveyors, architects, title companies, real estate companies, beauty salons, and other similar professional offices or service providers.
- (2) Limited retail use that is ancillary to the professional offices or service businesses is allowable under the conditional use, as long as it is not a primary use of the business. For purpose of determining whether retail uses are “ancillary,” floor space allocated to retail use and /or gross receipts of retail sales may be considered.
- (3) Bed and breakfast operations which meet the criteria of Subsection 7-3-~~13~~18(F) in addition to the criteria of Section 7-3-~~14~~19.
- (4) Churches, schools, daycare facilities not allowed as an accessory use to a residence, multi-family residences and community centers.

~~(D)~~(D) Performance Standards for Conditional Uses:

- (1) Conditional Uses, other than churches, schools, multi-family residences and community centers, shall comply with the intent of Subsection ~~A and these performance standards~~7-3-10(A).
- (2) All applications for conditional uses shall be accompanied by a site plan proposal detailing, at a minimum, the following information or other information deemed necessary by the Town of Ridgway:
  - (a) Site plan showing setbacks, lot coverage, parking, vehicle and pedestrian access, landscaping, topographic features, utility locations, storage/trash receptacles and similar information.
  - (b) Building design showing building elevations (all four sides), finish materials, door and window placement and location and types of exterior lighting fixtures.
  - (c) A statement of the anticipated traffic impact on the site and on adjacent properties and roadways.
- (3) All professional offices and service businesses allowed as a conditional use shall have no more than five employees.
- (4) Structures must be compatible in mass and scale with nearby residences, and similar in architectural features.
- (5) Off-street parking per Town standards is required, but businesses shall be credited with half parking space for every on-street parking space that is constructed adjacent to the business and in accordance with Town specifications. No parking shall be allowed on alley ways or on Highway 62 (Sherman Street).
- (6) Signage shall be non-illuminated and attached to the building.
- (7) Business hours shall be between 7:30 am and 5:30 pm.
- (8) No semi-truck traffic shall be allowed upon residential streets or alley ways.
- (9) No food services shall be allowed unless as otherwise specified herein.

- (10) No drive-in restaurants, drive-in theatres, or any other retail stores and service establishments with drive-through facilities shall be allowed in the "DS" District.

**7-3-11 "GC" GENERAL COMMERCIAL DISTRICT.<sup>22</sup>**

Intent: This District encompasses lands along the river and Highways 550 and 62. Its purpose is to create areas for ~~retail, wholesale and service businesses, tourist and auto-oriented uses, storage, manufacturing and industrial activities which require adequate space, light and air whose operations are quiet and clean, and extractive industry.~~ Each use will be required to mitigate its particular negative impacts, as they exist, if they exist, so as to provide for the reasonable enjoyment of adjacent properties. a mix of retail and commercial services, office, and other supportive uses to meet the needs of residents and tourists. A mix of higher-density housing types are also supported to provide for live/work opportunities and to promote activity and vibrancy within these areas. While more auto-oriented than development within the Town Core, uses in the "GC" District should be designed with the safety and convenience of pedestrians and bicyclists in mind. Where short term rentals are permitted, they must comply with Subsection 7-3-18.

**(A) Uses by Right:**

- (1) Single family detached dwellings and Duplex dwellings constructed before January 1, 2020, and short term rental of those dwellings in compliance with 7-3-18(I).
- (2) Multiple family dwellings and short term rentals of those dwellings in compliance with 7-3-18(I).
- (3) Live/work dwelling.
- (4) Group homes.<sup>23</sup>
- (5) Retail stores, business and professional offices and service establishments which cater to the general public.
- (6) Libraries, museums and depots.
- (7) Public utility service facilities.
- (8) Government buildings and facilities.
- (9) Private and fraternal clubs.
- (10) Indoor theaters.
- (11) Restaurants and taverns.
- (12) Churches, Sunday schools and community centers, schools, parks and playgrounds.
- (13) Hotels, motels, lodges, and other types of short term ~~rentals~~ accommodations for vacations, tourists, business visitors and the like; ~~and subject to the provisions of Subsection 7-3-13 single family homes which meet the requirements of Section 6-6, duplexes, multi-family residences, and dwelling units in buildings with non-residential uses, which are used for periods of 31 days or less.~~
- (14) Parking facilities, funeral homes, commercial garages.

<sup>22</sup> Updated to reflect definition of the corresponding Mixed Use Business land use category in the Master Plan. Proposed changes are intended to reinforce the mixed-use intent of the "GC" District.

<sup>23</sup> Added because under the FHAA group homes for the disabled cannot be excluded or limited in districts that allow multifamily residences of a similar size.

~~(H)~~(15) Accessory uses.

(16) Employee housing.

(17) Home occupation in compliance with 7-3-18(A).

~~(K)~~(B) Conditional Uses:

~~(1) Single family homes which meet the requirements of Section 6-6, duplexes, multi-family residences, and dwelling units in buildings with non-residential uses, which are not used for rentals for periods of 31 days or less.~~

(1) Townhouse dwellings, Triplex dwellings, and Fourplex dwellings and <sup>24</sup>

~~(H)~~(2) Gas stations which comply with the following criteria:

- (a) All fuel storage shall be located underground.
- (b) All gasoline pumps, lubrication and service facilities shall be located at least 20 feet from any street right-of-way line.
- (c) No curb cut may be any closer than 30 feet from any street intersection.
- (d) A minimum lot frontage of 125 feet is required.
- (e) The main building on the site shall be set back at least 40 feet from any property line.

~~(2)~~(3) Building materials businesses.

~~(3)~~(4) Farm implement, ~~mobile~~manufactured home, automobile and other vehicle sales or service establishments.

~~(4)~~(5) Feed storage and sales establishments.

~~(5)~~(6) Veterinary clinics.

~~(6)~~(7) Automobile body shops.

~~(7)~~(8) Machine and welding shops.

~~(8)~~(9) Warehouses or storage facilities.

~~(9)~~(10) Travel home parks.

~~(10)~~(11) ~~Mobile~~Manufactured home parks.

~~(H)~~(12) Manufacturing and industrial uses. Typical examples include: food processing; metal finishing and fabrication; power generation and transformer stations; paper, plastic and wood manufacturing (excluding processing of any raw materials), fabric manufacturing and similar activities.

~~(12)~~(13) Gravel extraction.

~~(13)~~(14) Buildings 27' to 35' in height or containing more than 10,000 square feet of gross floor area.

<sup>24</sup> Removed single-family homes and duplexes as conditional uses. Multiple-family dwellings are proposed to be allowed by-right reinforce the mixed use intent of this district, as contemplated by the Master Plan, in conjunction with the additional performance standard proposed under (C), below.



~~(14)~~(15) Campgrounds or similar facilities which (a) do not provide spaces for travel homes or recreational vehicles, (b) allow only a maximum of three nights stay, (c) allow only campground owned tepees, tents or similar structures and (d) meet all applicable requirements of state statutes and regulations for a "developed campground" including adequate restroom facilities, except as otherwise approved by the Planning Commission.

~~(15)~~(16) Daycare facilities which do not qualify as an accessory use to a residence.

~~(16)~~(17) Developments with more than 20 parking spaces shall incorporate the mitigation and site planning improvements set out in Section II.b. of the Commercial Design Guidelines adopted as part of the Town's Master Plans.

~~(19) Group Home.~~

~~(17)~~(C) Performance Standards:

- (1) No use shall be established or maintained in the "GC" District which results in an unreasonable hazard to the community, creates a public or private nuisance, or creates unreasonable smoke, dust, noise, fumes, odors, vibrations or light observable off the premises.
- (2) Buildings containing more than 10,000 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 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.
- (3) Buildings containing more than 25,000 square feet of gross floor area shall not be allowed.
- (4) All uses shall be required to mitigate the impacts of their operations by means of landscaping, screening, site design, fencing or other methods to assure the reasonable enjoyment of adjacent property.
- (5) All outdoor storage areas must be screened by means of fencing, landscaping or other methods.

~~(6) (a) Residential uses must provide off street parking as required by Subsection 7-3-10(C).~~

~~(b) Repealed by Ordinance 19-1999~~

~~(c) Repealed by Ordinance 19-1999~~

~~(6) (d) Residences~~Residential development<sup>25</sup>

~~(a) Residential development shall be minimum of 21 feet wide~~comply with an average roof pitch of at least 3~~the Residential Design Standards in Section 6-6, as applicable.~~<sup>26</sup>

~~(a)(b) Residential development shall not be located along primary roadway frontages to preserve these locations for commercial services and a minimum eave overhang of 12 inches.~~other businesses that rely upon visibility from Highways 550 and 62.<sup>27</sup>

<sup>25</sup> Subsection heading added for clarity.

<sup>26</sup> The applicability of existing Single Family Home Design Standards is proposed to be expanded to address all types of residential development. Refer to proposed updates to that Chapter for details.

<sup>27</sup> This section will be revised to add specific road frontages to which it applies.

(c) Employee housing. All employee housing units shall meet the requirements of criteria of Subsection 7-3-18(L).

~~(6)(7)~~ Drive-in restaurants, drive-in theatres, or any other retail stores and service establishments with drive-through facilities, other than banks or pharmacies, shall not be allowed in the "GC" District.

~~(7)(8)~~ Boarding and Rooming House(s) shall not be allowed in the "GC" District.

~~(8)(9)~~ A Dormitory shall not be allowed in the "GC" District.

**7-3-97-3-12 "I-1" LIGHT INDUSTRIAL - 1 DISTRICT.**

(A) Intent: This district is to provide areas for light industrial uses that include offices and light manufacturing and fabrication. Additionally, this district is to provide opportunities for employment and serve as a transition from adjoining residential neighborhoods. 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 sections and generally buffer the industrial area from surrounding non-industrial uses. Work conducted on-site is to occur primarily inside 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:<sup>28</sup>

(1) (1) Retail - Wholesale Uses:

- (a) Building supplies and material sales.
- (b) Electronic and mechanical supplies.
- (c) Industrial equipment sales or leasing.
- (d) Office supplies, printing.
- (e) Nursery sales and storage of nursery equipment, materials and supplies.

(2) Services:

- (a) Business research and development directly related to permitted uses.
- (b) Commercial laundries and dry cleaning.
- (c) Computer software research and development.
- (d) Office buildings.
- (e) Testing laboratories and associated offices.

(3) Manufacturing Processing and Assembly:

- (a) Data processing.

---

<sup>28</sup> The Town has been asked by a development team to add live/work as a conditional use in this district. At the first review of these code updates, the Planning Commission thought it was appropriate to add employee housing to this district, not live work as defined herein.

## Ridgway Municipal Code

7-3-12

- (b) Fabrication of wood, ceramics, glass, metal, plastics, and plastic products; furniture, sporting goods, textiles, apparel, and accessories to any of these products.
  - (c) 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.
- (4) Storage:
  - (a) Storage or warehousing facilities for materials or equipment entirely within a building (except storage of materials which are prohibited from use in this district). All storage or warehouse facilities shall be accessory to a use by right.
  - (b) Storage, warehousing and distribution 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.
- (5) Other uses:
  - (a) Cold storage plants.
  - (b) Electronic switching stations - telephone.
  - (c) Motion picture studios.
  - (d) Vocational school, educational, training center.
  - (e) Public utility service facilities.
  - (f) Government buildings and facilities.
  - (g) Accessory uses.
- (C) Conditional Uses:
  - (1) Retail - Wholesale Uses:
    - (a) Vehicle sales or leasing.
    - (b) Retail sales.
    - (c) Printing and publishing facilities.
  - (2) Manufacturing Processing and Assembly:
    - (a) Assembling or manufacturing electronic instruments and devices.
    - (b) Assembly of small appliances.
  - (3) Storage:
    - (a) Storage rental units.

- (b) Outdoor storage exceeding 200% of the principal building footprint where materials are intended for on-site wholesale or retail sales. In no case shall storage exceed 900% of the principal structure's building footprint.
  - (4) Other uses:
    - (a) Contractor offices.
    - (b) Electric power substations.
    - (c) Small scale welding accessory to another allowed use.
    - (d) Employee housing.
- (D) Performance Standards:
- (1) All manufacturing, fabrication and repairs shall be conducted within a building unless the activity is not visible from adjoining property outside of the light industrial district within 100 yards of the district boundary.
  - (2) Outdoor storage of supplies, machinery, equipment or products shall be screened from view from the adjacent street and properties.
  - (3) Any outside storage of materials, equipment or supplies associated with a use by right or conditional use shall not exceed 200% of the total building footprint of the structure associated with that use except in the case where materials are intended for on-site wholesale or retail sales.
  - (4) Landscaping within Setbacks and Street Rights-of-way - Where an industrial zoning district is adjacent to or across the street from a non-industrial use, additional landscaping shall be provided to buffer the industrial district from adjoining use. An applicant shall submit a detailed landscaping plan for locations within which the aforementioned conditions exist when the applicant makes a request for a building permit. The plan shall indicate location, type and species of all buffering vegetation. The landscaping plan shall also include the details of irrigation systems necessary for establishment and continued survival of all plantings. The Town shall review the landscaping plan to determine if it is in conformance with landscaped buffering standards in the Ridgway Municipal Code. Unacceptable proposals will be rejected and the building permit shall be withheld until a plan providing adequate buffering is submitted and accepted by the Town.
  - (5) The maximum fence height shall be 8 feet.
  - (6) Maximum Building Size Without Special Review - 5,000 square feet of gross floor area. 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 treatment. 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 5,000 square feet of building footprint.
  - (7) Fencing, parking and storage is not allowed in the front or side setbacks along any street.
  - (8) 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-1" District.

- (9) 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.
  - (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.
  - (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.
  - (g) Hazardous Waste. Hazardous waste shall be those substances as defined by 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 pertain 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.
  - (h) Heat. No direct or reflected heat that is dangerous or discomforting shall be detectable at any Light Industrial District boundaries.
  - (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.

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

Zoning of lot where use is located	Zoning of Adjacent Lot			
	All Residential Zone Districts	General Commercial District	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).				

- (i) 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 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.
- (ii) 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.
- (iii) Noise shall be measured on a decibel or sound level meter. 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.
- (iv) 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.
- (v) 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.
- (k) Odor.
- (i) 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 the~~ outside boundary of the immediate space occupied by the enterprise generating the odor.



~~(iii)(ii)~~ ~~\_\_\_\_\_~~ ~~(b)~~ The (if there is more than one enterprise in the structure) or the lot line (if the enterprise generating the odor is the only enterprise located on a lot-).<sup>29</sup>

- (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.
- (m) Radioactivity. No operation shall be permitted which causes radioactivity in violation any applicable Federal, State or local regulation.
- (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, 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 twenty 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-1 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. 1, except that any 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 250 feet of a residential district.
- (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.
- (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.
- (q) Waste Disposal. Liquid and solid waste disposal and water service shall comply with all pertinent Federal, State and local regulations.

(r) Employee housing. All employee housing units shall meet the requirements of criteria of Subsection 7-3-18(L).

~~(+)(s)~~ \_\_\_\_\_ Observations shall be made as described in the applicable subsection 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 is more than one use exist on the same site.

### ~~7-3-107-3-13~~ "I-2" LIGHT INDUSTRIAL - 2 DISTRICT.

- (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

<sup>29</sup> This section has been reformatted for clarity and to simplify document numbering.

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:

(1) Retail - Wholesale Uses:

- (a) Vehicle sales or leasing.
- (b) Building supplies and material sales.
- (c) Electronic and mechanical supplies.
- (d) Industrial equipment sales or leasing.
- (e) Agricultural equipment sales or leasing.
- (f) Office supplies.
- (g) Nursery sales and storage of nursery equipment, materials and supplies.

(2) Services:

- (a) Business research and development directly related to permitted uses.
- (b) Commercial laundries and dry cleaning.
- (c) Computer software research and development.
- (d) Office buildings.
- (e) Testing laboratories and associated offices.
- (f) Veterinary hospitals.
- (g) Animal kennels or boarding facilities.

(3) Manufacturing Processing and Assembly:

- (a) Assembling or manufacturing electronic instruments and devices.
- (b) Assembly of small appliances.
- (c) Data processing.
- (d) Fabrication of wood, ceramics, glass, metal, plastics, and plastic products; furniture, sporting goods, textiles, apparel, and accessories to any of these products.
- (e) Outdoor manufacturing, assembly or fabrication.
- (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.

(4) Storage:

- (a) Storage or warehousing facilities for materials or equipment entirely within a building (except storage of materials which are prohibited from use in this district).
  - (b) Outdoor storage of supplies, machinery, equipment or products.
  - (c) Storage rental units.
  - (d) Storage, warehousing and distribution 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.
- (5) Other Uses:
- (a) Carwash.
  - (b) Automotive repair shop, body shops, paint shops.
  - (c) Truck repair shop.
  - (d) Recycling of metals, paper, plastic or automotive oil.
  - (e) Cold storage plants.
  - (f) Contractor construction yards.
  - (g) Electronic switching stations - telephone.
  - (h) Motion picture studios.
  - (i) Motor or railroad freight depots.
  - (j) Welding and welding shops.
  - (k) Printing or publishing facilities.
  - (l) Vocational school, educational, training center.
  - (m) Public utility service facilities.
  - (n) Government buildings and facilities.
  - (o) Accessory uses.
- (C) Conditional Uses:
- (1) Retail and Wholesale Uses:
    - (a) Retail sales.
  - (2) Manufacturing Processing and Assembly:
    - (a) Manufacturing of products that involves use of toxic or hazardous materials or materials that are potentially detrimental because of latent explosion danger or radiation, or which endanger surrounding uses.
    - (b) Manufacturing or fabrication that requires state or federal permits of any kind and that are uses by right.

(3) Storage:

- (a) Storage of any materials that pose a danger to surrounding uses such as potential radiation or explosion, or for any other reason.

(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.
- (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.
- (6) 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.
- (7) 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.
  - (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.
  - (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.
- (g) Hazardous waste. Hazardous waste shall be those substances as defined by 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.
- (h) Heat. No direct or reflected heat that is dangerous or discomforting shall be detectable at any Light Industrial District boundaries.
- (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.
- (j) Noise. No persistent noise shall be detectable beyond the property line in excess of the values identified in the following table:

Zoning of lot where use is located	Zoning of Adjacent Lot			
	All Residential Zone Districts	General Commercial District	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).				

- (i) 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.
- (ii) 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.
- (iii) 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.

- (iv) 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.
- (v) 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.

(k) Odor.

~~(vi)~~(i) 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.

~~(vii)~~(ii) No use in the I-1 or I-2 Districts may generate any odor that reaches the odor threshold measured at the outside boundary of the immediate space occupied by the enterprise generating the odor (if there is more than one enterprise in the structure) or the lot line (if the enterprise generating the odor is the only enterprise located on a lot).<sup>30</sup>

~~(h)~~(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.

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

~~(j)~~(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, 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 and 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.

~~(k)~~(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 a confirmed by an independent traffic analysis conducted by properly qualified individuals.

---

30 This subsection has been reformatted for clarity and to simplify document numbering.



~~(p)~~(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.

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

~~(r)~~(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 is more than one use exist on the same site.

**~~7-3-14~~7-3-14 UNCOMPAGRE RIVER OVERLAY DISTRICT.**

- (A) Purpose and Intent: The purpose of the UROD is to promote the public health, safety and welfare of the citizens of the Town of Ridgway. The Town shall use the UROD to implement goals, policies and action items in the Town of Ridgway's Land Use Plan; preserve, improve and protect the river corridor as a Town amenity; regulate buildings and structures to maximize access to the Uncompahgre River and view corridors along the Uncompahgre River; utilize design and development techniques that avoid, minimize and mitigate impacts to the natural environment; and ensure aesthetic and ecological qualities of the river corridor continue to be a community asset.
- (B) Applicability: The provisions and regulations of this Section 7-3-~~9-614~~ shall apply to all land within the Town of Ridgway Official Zoning Map included as part of the UROD; and as defined within these regulations. The provisions of this Section 7-3-~~9-614~~ shall apply in addition to the applicable requirements of the underlying zoning district, the Flood Plain Management Regulations in Ridgway Municipal Code Chapter 6-2, and other regulations of the Town. When the standards of this UROD conflict with any other provision of the Ridgway Municipal Code, the more stringent limitation or requirement shall apply. Within the UROD, all land use activity, development, redevelopment, renovation, and/or change in use requiring a building, development, or other land use permit (for the purposes of this Section of the Ridgway Municipal Code shall be defined as "Development") are subject to the provisions of this Section 7-3-~~9-614~~.
- (C) Uses by Right: Uses permitted by the underlying zoning district are allowed unless specifically prohibited, provided that the use complies with this Section 7-3-~~9-614~~, and provided any Development complies with this Section 7-3-~~9-614~~.
- (D) Conditional Uses: All conditional uses allowed within the underlying zoning district may be permitted upon approval in accordance with Section 7-3-~~1419~~, and provided any Development complies with this Section 7-3-~~9-614~~.
- (E) Development between 25 and 75 feet:
  - (1) Development between 25 and 75 feet from the High-Water Mark shall be reviewed in accordance with Section 7-3-14, as a conditional use. In addition to the review criteria under Section 7-3-~~1419~~, the following shall also apply:
    - (a) All of this Section 7-3-~~9-614~~.
    - (b) The applicant shall provide an Ecological Characterization Study in accordance with Subsection 7-3-~~9-614~~(G) which concludes that any adverse impacts to the river

environment with the proposed Development can be mitigated, and the applicant shall incorporate the mitigation into the development plan and construct the mitigation with the Development.

- (c) Special consideration for Development shall be given so as to not deprive reasonable use of any land within the UROD.

(F) Performance Standards:

- (1) Setback: All Development must be setback a minimum of 75 feet from the High-Water Mark, unless approved as a Conditional Use as further set forth under Subsection 7-3-~~9-6~~14 (D) and (E).

- (2) Public Access:

- (a) If any proposed or existing trail, path or public access area as described in the Town's Land Use Plan or Parks and Trails Map, as amended from time to time and including the Uncompahgre RiverWay Trail, traverses a parcel proposed for Development, the Town may require as a condition of Development approval, dedication of a bicycle/pedestrian trail easement and/or public access easement benefiting the Town of Ridgway. The preferred dedication is for a 10 foot wide bicycle/pedestrian public access trail easement. However, in reviewing the proposed site plan, the Town shall evaluate the nature and extent of the proposal and the proportionality between the proposal and the dedication and may determine that the 10 foot dedication is appropriate or may reduce the dedication based on the proportionality assessment. The Town may also take into consideration whether and to what extent there are existing easements over the subject property, which provide the same functions of the required public access trail easements. Any trail easements shall be located at, or above, the High-Water Mark or abutting a public right of way. In lieu of a trail dedication, other trail locations that provide for connectivity to existing or future trails, and are made accessible to the public through a dedicated public access easement, may be approved by the Town.
- (b) As a condition of Development approval, if any proposed or existing trail, path or public access area as described in the Town's Land Use Plan or Parks and Trails Map, as amended from time to time and including the Uncompahgre RiverWay Trail, does not traverse a parcel proposed for Development, the Town shall not seek a dedication of bicycle/pedestrian trail easement and/or public access easement benefiting the Town of Ridgway. However, parcels within the UROD are encouraged to provide public access to the Uncompahgre River including clearly defined access points to public trail segments. "Access" refers to the provision of access from a public right-of-way to a publicly accessible trail or path and/or to the water's edge of the Uncompahgre River.

- (3) Design Guidelines and Standards:

- (a) These Design Guidelines and Standards under this Subsection 7-3-~~9-6~~14(D)(3) shall apply to all Development within the UROD, with the exception of single-family and duplex residential buildings.
- (b) Site Planning:
  - (i) Existing or historic drainage ways shall be accommodated with the development plan.

- (ii) Discharge of storm water directly into the river is prohibited. Use of landscaped/grassed catchment areas and similar design features shall be used for managing, controlling and filtering parking lot and site drainage.
- (iii) Outdoor common areas, seating and/or dining is recommended on the river side of the building.
- (iv) A visible and accessible public entrance from the side of the property facing the Uncompahgre River is encouraged for commercial properties that are open to the public.

(c) Parking and Loading:

- (i) Parking and loading shall be sited to provide the least visual impact from public rights-of-way, including the Uncompahgre River corridor.
- (ii) Trees shall be incorporated to provide parking lot shading. Bollard and/or street lighting shall be used to provide lighting at critical access points.
- (iii) Site parking shall include bike racks and areas for parking strollers and other non-motorized vehicles near the main entrance to the primary building(s) and should have a logical connection to on-site non-motorized access routes.

(d) Mass, Scale, Architectural Design and Materials:

- (i) Total building façade length shall be less than 50 feet in length parallel to the river.
- (ii) Buildings shall avoid monolithic shapes and surfaces by incorporating solids and voids, changes in color, pattern, texture and materials at minimum along the primary façade and the façade along the linear frontage of the river.
- (iii) Use of naturally-derived materials, such as stone, wood and innovative materials such as metal, or high-quality environmentally friendly wood-alternative decking and siding, shall be required.

(e) Screening and Buffers: All parking areas, outside trash receptacles, large utility boxes, mechanical systems and other unattractive views shall be screened with landscaping from public rights-of-way, including the Uncompahgre River corridor. Screening is not required where access is necessary but shall be screened with a gate where feasible. The purpose of screening and buffers is to promote the public health safety and welfare to conserve views along the Uncompahgre River corridor, and to improve the visual appearance along the river.

(f) Exceptions to these Design Guidelines and Standards may be pursued through the variance process pursuant to Section 7-3-~~16~~21.

(G) Submittal Requirements: These submittal requirements are in addition to the underlying zoning district submittal requirements for the type of land use activity or development proposed. The following information must be completed and included in all applications for development or land use activity:

- (1) A development plan showing compliance with the Performance Standards listed in Subsection 7-3-~~9-6~~14(F).
- (2) Survey map including: property boundaries, the location of the High-Water Mark and 75 foot setback. In the event the identification or location of the High-Water Mark is disputed by the

Town, the Town may hire a professional experienced in the identification of a High-Water Mark, to survey the High-Water Mark, and charge the cost of each survey to the Property Owner.

- (3) In addition to the above, Development applicants seeking a Conditional Use in accordance with Subsection 7-3-~~9.614~~(D) and (E) are required to submit an Ecological Characterization Study completed by a professional qualified in the areas of ecology, wildlife biology or other relevant discipline. The Ecological Characterization Study shall describe, without limitation, the following:
  - (a) The boundary of wetlands and riparian areas and a description of the ecological functions and characteristics provided by those wetlands and riparian areas;
  - (b) The pattern, species and location of any significant native trees and other native site vegetation;
  - (c) The pattern, species and location of any significant non-native trees and non-native site vegetation that contribute to the site's ecological, shade, canopy, aesthetic and cooling value;
  - (d) The top of bank, the 25 foot setback and High-Water Mark of any perennial stream or body of water on the site;
  - (e) The wildlife use of the area showing the species of wildlife using the area, the times or seasons that the area is used by those species and the "value" (meaning feeding, watering, cover, nesting, roosting, perching) that the area provides for such wildlife species;
  - (f) Special habitat features;
  - (g) Wildlife movement corridors;
  - (h) The general ecological functions provided by the site and its features;
  - (i) Any issues regarding the timing of Development-related activities stemming from the ecological character of the area; and
  - (j) Any measures needed to mitigate the projected adverse impacts of the development project on natural habitats and features along the Uncompahgre River corridor.
- (H) Exempt Uses and Activities: The following uses and activities are exempt from these regulations, including the Performance Standards of Subsection 7-3-~~9.614~~(F) and the Submittal Requirements of Subsection 7-3-~~9.614~~(G), provided plans and specifications are approved by the Town, and all local, state and federal permitting is approved.
  - (1) Public improvements essential for public health and safety, installed by, and/or approved by the Town, including but not limited to: public utility buildings, facilities, systems and accessory structures;
  - (2) Public improvements such as: pedestrian and automobile bridges, trails and recreational amenities installed by, and/or approved by the Town;
  - (3) Irrigation, drainage, flood control or water diversion structures installed by, and/or approved by the Town; and
  - (4) Bank stabilization, river restoration and planting of native vegetation installed by, and/or approved by the Town.

## Ridgway Municipal Code

7-3-15

- (5) Notwithstanding Section 7-3-~~15~~<sup>20</sup> of the Code, any Development (as defined in Section 7-3-~~9-6~~<sup>14</sup>(B)) related to any structure within the UROD that was legally conforming prior to the date of adoption of this Section, so long as such Development does not expand the building footprint of the structure and is in compliance with all other Town regulations.

### 7-3-127-3-15 DIMENSIONAL & OFF-STREET PARKING REQUIREMENTS.

- (A) Dimensional Requirements: Tabulated Requirements for Uses by Right ~~(All Dimensions in Feet or Square Feet Unless Noted Otherwise).~~

District	Min. Lot			Max. Lot Coverage (%)	Min. Setbacks (ft)				Structure Height (ft) ****
	Use	Width (ft) *****	Size (sf)		Front	Rear*	Side	Max. Side on Corner Lot	
<b>R<sup>31</sup></b>	<del>All</del> Single Family and Duplex	50	<del>10,000</del> 6,000	<del>40</del> 50	15	8	<del>8</del> 5	7.5	27
	All others	50	10,000	40	15	8	8	7.5	27
<b>HR<sup>32</sup></b>	Single Family and Duplex	<del>50</del> 25	<del>5,000</del> 3,000	<del>50</del> 60	15	8	<del>8</del> 3 <sup>33</sup>	7.5	27
	Residential uses with three or four dwelling units	35	5,000	60	15	8	5 3	7.5	35
	All others	<del>50</del> 25/DU over 1 <sup>st</sup> DU 70	<del>5,000</del> + 3,000/DU 10,000	50	15	8	8 5	7.5	35
<b>MR<sup>34</sup></b>	Single Family and Duplex	25	3,000	60	10 <sup>35</sup>	8	5 3 <sup>36</sup>	7.5	35
	Residential uses with three or four dwelling units	35	4,000	60	10	8	5 3	7.5	35

31 A 10,000 sq. ft. minimum lot size for Single Family and Duplex dwellings is very large and likely a significant contributor to lower affordability for future development in this district. If a reduced minimum lot size for all development in this district is not supported, we suggest you adopt a reduced standard applicable for lots created from 1/1/2020 forward.

32 Revised to reflect the wider variety of housing now available in this district. Lot width and lot area standards that are based on the number of dwelling units in low-scale residential uses are a major contributor to lower affordability, and have not been carried over.

33 The draft discussed on February 10, 2020 proposed a 5' side setback. This has been changed to 3' based on input received during the meeting, although input was not all in favor of smaller setbacks. Staff would suggest additional building regulations (i.e., require foundation drains, require foundations damp proofing, addressing the wall drainage barrier OR simply requiring a site specific geotech report so the engineer could best design the foundation) if a building is proposed to be 5' or less from the property line. In addition, we may want to note in the code that a 1-hour fire wall would be required if the building is less than 5' from property line, see building code. The community may also want to consider requiring a fire suppression system for any single family home or duplex building located 5' or less from the property line, fire suppression systems are required in all other buildings per our building codes.

34 New standards for a new zone district.

35 This could be as little as 5'. This could be a good option, especially if the code requires parking to be out of view of the public right-of-way, this could be a good compromise.

36 Same comment as per the side setback in the HR district.

District	Min. Lot			Max. Lot Coverage (%)	Min. Setbacks (ft)				Structure Height (ft) ****
	Use	Width (ft) *****	Size (sf)		Front	Rear*	Side*	Max. Side on Corner Lot	
	<a href="#">All other residential and mixed uses</a>	<a href="#">50</a>	<a href="#">5,000</a>	<a href="#">60</a>	<a href="#">10</a>	<a href="#">8</a>	<a href="#">5</a>	<a href="#">7.5</a>	<a href="#">35</a>
	<a href="#">Non-residential uses</a>	<a href="#">N/A</a>	<a href="#">N/A</a>	<a href="#">70<sup>37</sup></a>	<a href="#">15</a>	<a href="#">8</a>	<a href="#">5</a>	<a href="#">7.5</a>	<a href="#">35</a>
<b>HB</b>	All	25	NA	NA	***	8	***	***	35
<b>GC</b>	All	30	5,000	<del>50</del> -60	15	8	8	7.5	27**
<b>FD</b>	All	50	35 ac.	NA	15	8	8	<del>8</del> -7.5	27
<b>I-1</b>	All	50	6,000	50	15	8	8	8	30
<b>I-2</b>	All	50	6,000	50	15	8	8	8	30*****
<b>DS</b>	All	50	5,000 sf	50	15	8	8	7.5	27

\*When the rear [or side](#) lot line abuts an alley, the setback shall be [a minimum of](#) two (2) feet.

\*\*35' height may be allowed if approved as a conditional use.

\*\*\*These setbacks shall be determined as follows:

(1) The setback shall be 8 feet, unless snow and drainage from the roof is effectively directed away from the abutting property, in which case the setback can be as little as 4 feet.

(2) In those instances where snow and drainage is effectively directed away from the abutting property, and the foundation and wall of the structure are constructed so that a wall and foundation of a building on an abutting lot can be built up to, or abutting the property line, the setback can be eliminated.

(3) In buildings with three stories above ground, the third story shall be subject to a 15 foot front setback, and an 8 foot side setback for those sides facing a public street, in addition to other applicable setbacks as provided above. The third story setbacks may be reduced or eliminated where design of the third story provides architectural features that are aesthetically attractive to provide visual relief and contrast as an alternative to monolithic three-story facade surfaces. For purposes of this provision, such features include, but are not limited to, integration of third stories into roof lines, multiple roof lines and angles, windows, doors and balconies, and fenestration and facade designs that make a distinction between upper and lower floors, such as horizontal banding and varied building materials.

(4) Any reduction of the setbacks as specifically provided in these Subsections (1), (2) and (3) shall be determined by the Town Planning Commission, pursuant to consideration of the criteria as set forth herein and in accordance with the review procedures as set forth in Subsection 7-3-[2348](#).

\*\*\*\* "Structure Height" shall be determined as follows for application of the limitations as set forth herein:

(1) The height of any structure shall be determined by measuring the vertical distance between the elevation of the lowest point of the natural grade abutting any exterior wall or supporting structure and the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable or a pitched or hipped roof. Structures that do not have roofs shall be measured to the height of the structure.

[37 This number is higher than others because the arguments for "preserving light and air for the residents" are weaker for nonresidential uses. In a small town, this is really a character control – forcing less lot coverage just means the owner has to buy more land for a given building, or build a smaller building than they intended. We can reduce it if there is good reason like to match the character of the area, otherwise it's just a barrier to investment that doesn't need to be there. Also, most non-residential uses are already conditional uses.](#)



## Ridgway Municipal Code

7-3-15

District	Min. Lot			Max. Lot Coverage (%)	Min. Setbacks (ft)				Structure Height (ft) *****
	Use	Width (ft) *****	Size (sf)		Front	Rear*	Side	Max. Side on Corner Lot	

(2) The height of each separate terrace or step for terraced or stepped buildings shall be considered for purpose of application of these limits.

(3) Allowable building height may be increased by six (6) inches if the roof design includes raised heel trusses.

\*\*\*\*\* Lot width shall be measured at the frontage of that abutting public street which provides actual access to the lot.

\*\*\*\*\* Commercial telecommunication antennae or towers that are located on Town owned property and that are in compliance with Ridgway Municipal Code Section 7-3-~~13~~18(H) may have a structure height of up to forty (40) feet.

- (B) Proper dimensional requirements for conditional uses shall be determined in accordance with Subsection 7-3-~~14~~19. Provided, that as a general rule, they shall be no less strict than the dimensional requirements specified for uses by-right in the district concerned or as specified for the use concerned in a zone in which it is a use by-right whichever is more restrictive.

### (C) Off-Street Parking Requirements<sup>38</sup>

- (1) The following off-street parking requirements shall apply unless otherwise indicated in all districts, except the Historic Business District. The requirements for the Historic Business District are specified in Subsection 7-3-~~89~~90(E)(4).

Use	Required parking spaces
(a) Residences	<u>Single Family and Duplex: 2 spaces per dwelling unit</u> <u>All Other Residential: 1 space per dwelling unit</u>
(b) Medical offices and clinics	3 spaces per examination room
(c) Hospitals	1 space for each 3 beds
(d) Pharmacies	1 space per 200 sq.ft. of customer floor space
(e) Bus stations	1 space per 400 sq.ft. gross floor area
(f) Funeral homes and mortuaries	1 space for each 6 seats in main chapel
(g) Restaurants and Lounges	1 space per 100 sq.ft. customer floor area
(h) Hotels and Motels	1 space per guest room
(i) Walk-up restaurants	1 space per 50 sq.ft. customer floor area
(j) Bowling alleys	3 spaces per lane
(k) Gas stations	4 spaces, plus 2 spaces for each enclosed auto space
(l) Beauty shops	2 spaces for each chair
(m) Industrial uses	1 space for every 2 employees on shift plus adequate visitor parking
(n) Churches	1 space for each 6 seats in main chapel

<sup>38</sup> Subheading added for clarity.

Use	Required parking spaces
(o) Nursing homes	1 space for each 3 beds
(p) Professional office space	1 space per 300 sq. ft. gross floor area
(q) Retail establishments	1 space per 250 sq. ft. gross floor area
(r) Studio residence	1 space per unit (600 sq ft. total living area)
(s) Day care facilities not qualifying as an accessory use	1 space for each 10 children plus 1 drop off space, plus one space per staff person
(t) All other uses	1 space per 350 sq. ft. gross floor area

- (2) Parking spaces shall be sized and designed in accordance with standard Town specifications and shall be a minimum of 8 feet by 20 feet in size.
- (3) Maneuvering Area: Off-street parking shall provide sufficient off-street space to allow an automobile to enter, maneuver, and exit without backing onto any public street. Backing onto alleyways is permissible except where otherwise prohibited by plat note.
- (4) For purposes of this Subsection, "gross floor area" is the heated square footage of a building measured along the outside enclosing walls, excluding interior parking areas and outdoor common areas; "customer floor area" is the aggregate amount of internal floor area generally used by the public, or fifteen percent of the total floor area, whichever is greater.

**7-3-137-3-16 PLANNED UNIT DEVELOPMENT (PUD).**

- (A) Statement of Objectives of Development: The intent of this Subsection is to encourage the development of large tracts of land in accordance with an overall development plan by providing flexibility with respect to dimensional requirements and by allowing increased densities, and to promote the purposes of the Planned Unit Development Act of 1972.
- (B) Criteria for a Planned Unit Development: A Planned Unit Development must meet the following conditions for approval:
  - (1) It shall be in general conformity with the Town's Master Plan.
  - (2) All landowners within the PUD shall consent, in writing, to the PUD.
- (C) Permitted Uses:
  - (1) Golf courses and "uses by right" and "conditional uses" in the zone or zones in which the PUD is located shall be permitted when approved as part of the Planned Unit Development.
  - (2) Residences may be clustered into duplexes or ~~multi-family residences~~ [multifamily dwellings](#).
- (D) Dimensional Requirements and Densities:
  - (1) The dimensional requirements, which would otherwise be required by Town Zoning Regulations, or other Town regulations for the district affected, may be deviated from in accordance with the Plan as approved, if the Town determines that such deviations will promote the public health, safety and welfare.
  - (2) The number of units allowed in a residential PUD shall be generally the same as would have been allowed without clustering, taking into account minimum lot sizes and areas which would

have to be dedicated for streets and other public uses, if the property had been developed or subdivided without clustering. Provided, however, the Town may allow additional residential units if it determines that by so doing, significant public benefits will be provided which might not otherwise be available, such as significant affordable housing, public open space, public recreational amenities or off site public infrastructure improvements.

(E) Procedures:

(1) Planned Unit Developments shall be reviewed in accordance with the same procedures for review of subdivisions as found in Subsection 7-4-5, 7-4-8, 7-4-9 or 7-4-10 of the Ridgway Municipal Code as applicable. The preliminary and final planned unit development plan shall comply with all requirements for a preliminary and final subdivision plat to the extent applicable. A hearing shall be held on the Planned Unit Development Plan or any substantial amendment thereto pursuant to the Review Procedure of Section 7-3-~~18~~23.

(2) Approval of a Planned Unit Development by the Town is purely discretionary. If the Town and the Applicant do not agree on all required conditions and the plan, the Town may deny approval, or the Town may unilaterally impose conditions. If the developer does not accept the conditions, that development must adhere to standard dimensional, subdivision and zoning requirements.

(F) Required Improvements and Standards: The Planned Unit Development Plan shall provide for the construction of the same improvements required for subdivisions in Subsection 7-4-6 of the Ridgway Municipal Code and shall comply with the Design Standards of Subsection 7-4-7 of the Town's Subdivision Regulations. Fees shall be due as provided in Subsection 7-4-12 of the Town's Subdivision Regulations. Security for improvements and enforcement shall be as provided in Town Subdivision Regulations.

(G) Additional Requirements: In addition to the information required to be submitted on the preliminary and final plans pursuant to Town Subdivision Regulations, the Planned Unit Development Plan shall show the location, size, and number of dwelling units, proposed uses for all buildings and shall further set out the location of all proposed parking areas, streets, sidewalks, bike paths and other improvements and structures. Other information necessary to show compliance with the requirements of this Subsection shall be submitted with the Plan, where appropriate parameters, limits or specifications may be approved in lieu of exact locations, numbers and sizes.

(H) The Planned Unit Development Plan may be enforced by the Town in accordance with the provisions of Subsections 7-3-~~14~~16 and 7-4-3 of the Ridgway Municipal Code or in any other lawful manner.

**~~7-3-14~~7-3-17 SIGN REGULATIONS.**

(A) Compliance Required: It shall be unlawful to erect or maintain any sign except in conformity with the requirements of this Subsection. Signs not in conformity with the provisions of this Subsection are hereby declared to be a nuisance which may be abated by the Town in any lawful manner.

(B) Signs Allowed Without a Permit: The following may be erected, maintained and used without a sign permit as long as they are properly maintained in accordance with the requirements of this Paragraph (B) and Paragraph (F) and with other applicable requirements of this Subsection, State law and Town ordinances and regulations, and are not prohibited by Paragraphs (C) or (D):

- (1) Official traffic control devices, signs, and notices erected, owned and maintained by the United States, the State of Colorado, the Town of Ridgway or any of their political subdivisions for official governmental purposes.
  - (2) Any pennant, motto, or insignia of any nation, state, political subdivisions, religious, civic, or fraternal organization, or school except devices which are used to promote business activity.
  - (3) Works of art unless they are used to promote business activity.
  - (4) Temporary decorations, displays and banners which are customarily displayed and associated with holidays or celebrations and banners associated with Town endorsed civic events.
  - (5) Scoreboards, unless used to advertise business activity.
  - (6) Public utility warning signs, construction warning signs, and signs warning of other hazards, with no sign face larger than 10 square feet in area.
  - (7) Identification signs incidental to the use of vehicles attached to the vehicle.
  - (8) Traffic control devices with no sign face larger than 3 square feet.
  - (9) One or more temporary signs with an aggregate sign face area of no more than 3 square feet in the Residential and Historic Residential Zoning Districts and 16 square feet in all other zoning districts, for the premises upon which they are located.
  - (10) One temporary sign with no sign face more than 12 square feet in area identifying a project and the contractors involved therein during the construction period.
  - (11) One bulletin board per street frontage not over 20 square feet in area for the purpose of announcing events of civic interest, which is owned and maintained by a charitable or religious institution.
  - (12) Memorial signs and tablets, or cornerstone signs identifying the building and its date of construction. Such signs shall be cut into masonry surface, inlaid so as to be part of the building or constructed of incombustible materials.
  - (13) Temporary real estate "For Sale" or "For Rent" signs.
  - (14) Signs upon vending machines, gasoline pumps, or packages of goods which relate to the contents thereof.
  - (15) Temporary signs advertising Town approved civic events during the period of the event. All such signs may be erected only with the approval of the Town Council except for those displayed in Town Parks which may be approved by Town Administrative Staff.
  - (16) Signs within buildings which are located no closer than 6 inches to any window or which are not legible from distances of 5 feet or more.
  - (17) Repealed by Ordinance 7-2006
  - (18) Temporary signs on the Ridgway School Ball Field fence, provided they do not face Highway 62, that they are only up during baseball season, and that all such signs be controlled and administered by the Ridgway School Administration.
  - (19) Signs devoted to ideological or political speech which do not exceed 10 square feet in area.
- (C) Prohibited Signs and Devices: The following are hereby prohibited within the Town:

## Ridgway Municipal Code

7-3-17

- (1) Animated or flashing signs visible outside any building.
  - (2) Balloons, or pennants, or other wind-powered devices designed to attract attention, except they may be used for civic events up to a maximum of seven days.
  - (3) Repealed by Ordinance 2-2010
  - (4) The operation of search lights to promote business activities.
- (D) Off Premise Signs Restricted: A sign may identify or advertise only that activity or use conducted upon or related to the premises upon which the sign is located except in the following circumstances:
- (1) Directional signs owned by the Town. The expense of construction and maintenance shall be charged to the businesses or organizations advertised.
  - (2) Signs authorized pursuant to Subsection 7-3-~~42~~17 (G).
  - (3) Signs allowed by Paragraphs (B)(1), (4), (11), and (15).
  - (4) Signs with a message devoted solely to ideological or political speech.
  - (5) Tourist oriented directional signs owned and erected by the Colorado Department of Transportation pursuant to C.R.S. 43-1-420(3), which meet conditions set out in Town resolutions as in effect from time to time.
- (E) Permits:
- (1) Except for the signs specified in Subsection (B), no sign may be erected and maintained until a Sign Permit has been issued by the building official. Applications for a standard sign permit issued pursuant to this subsection 7-3-~~42~~17(E) shall be submitted to the Town on forms supplied by the Town accompanied by an application fee of \$35.00. Applications for permits issued pursuant to Ridgway Municipal Code Section 7-3-~~42~~17(G), for signs erected over Town-owned streets and alley rights-of-way pursuant to a revocable right-of-way permit, shall be submitted to the Town on forms supplied by the Town accompanied by an application fee of \$75.00.
  - (2) The Building Inspector shall grant a permit only for signs which will be in compliance with the requirements of this Subsection.
  - (3) The total sign face area of signs required to have a permit per building, other than those restricted by Subsection (6), shall not exceed the lesser of one square foot per foot of lineal street frontage of the premises abutting Town streets or 150 square feet. When more than one building is on the premises, the premises street frontage shall be allocated among the buildings accordingly. A minimum of 32 square feet of sign area shall be allowed for each separate business, as defined by lot, unit, lease, or other legally created property interest, subject to the total sign face area limitation of 150 square feet per building. Total sign face area in excess of 150 square feet shall not be allowed for any building unless approved through a Master Sign Plan applicable to that building. No single business may have a sign with any face area larger than 32 square feet.
  - (4) A Building Permit is also required for any sign with a value over \$1,000.
  - (5) No permit for a sign shall be allowed in the Residential Districts.

- (6) The total sign face area of signs required to have a permit for businesses within the Downtown Services Zoning District shall not exceed 12 square feet per business. All signs within said District shall be non-illuminated and attached to the building structures, no higher than the roof line.
- (F) Performance Criteria: All signs shall meet the requirements of this paragraph (F) whether a permit is required or not.
- (1) All signs shall be maintained in good, legible and safe condition.
  - (2) No sign shall be erected or maintained which creates a traffic or other safety hazard.
  - (3) All signs shall be constructed and maintained in accordance with any applicable provisions of the Town's building codes.
  - (4) All signs shall be erected and maintained in accordance with applicable requirements of State law.
  - (5) No part of any sign shall be above the roof or parapet of the highest building on the property and no higher than 35 feet. No part of any freestanding sign shall be higher than 20 feet above finished grade.
  - (6) No sign may be erected or maintained which creates a public or private nuisance, or which unreasonably interferes with the reasonable enjoyment of the adjacent property by reason of unreasonable light, shade or other effects.
  - (7) No sign shall be larger than 32 square feet in area, except a freestanding sign with more than one business advertised may have a sign face up to 56 square feet, unless approved through a Master Sign Plan applicable to the building. No sign shall have more than 2 sign faces. No sign face on a temporary "For Sale" or "For Rent" sign shall exceed 7 square feet in area including riders. All "For Sale" signs shall be taken down when the sale of the premises is closed.
  - (8) Signs may be erected only on property which the sign owner has a legal right to erect such sign.
  - (9) All temporary signs must comply with the size restrictions set forth in Section 7-3-~~4217~~(B)(9). Portable or wheeled signs displayed outside of buildings must be located so as to not impede with vehicular or pedestrian traffic, or create a traffic hazard or safety hazard or other nuisance, and must be removed at times when the advertised use or activity is not open for business.
  - (10) No more than 50% of any sign face may be internally illuminated.
  - (11) Materials – Signs lit with a dark-skies compliant external source are recommended over internally lit signs. A “halo” type sign, which uses solid letters with a light source behind them, illuminating the wall around the letters, are acceptable. If internally illuminated signs must be used, illumination of letters and graphics is allowed; however, illumination of the background is prohibited.
- (G) Signs, other than signs belonging to the Town or sponsored by the Town, conforming to size limits of this Subsection 7-3-~~4217~~, may be erected over Town-owned streets and alley rights-of-way pursuant to a revocable right-of-way permit issued pursuant to either Paragraph (1) or (2) of this Subsection only on the following conditions, in addition to other applicable requirements of this Subsection:
- (1) Projecting signs:



- (a) The sign must be supported and attached to a building.
  - (b) The sign may extend no more than 5 feet, 10 feet for a sign printed on a retractable awning from the building. A sign may extend no more than 5 feet, 10 feet for a sign printed on a retractable awning across Town-owned right-of-way.
  - (c) No part of the sign may be less than 10 feet above the ground over Town right-of-way, except for a sign printed on an awning, the awning shall be at least 7 feet above the ground.
  - (d) That portion of any sign face located over the Town right-of-way shall be no larger than 20 square feet in area.
  - (e) No more than one sign per business may extend over the Town right-of-way.
  - (f) No sign with its face parallel to the wall of the building to which it is attached, except for those printed on an awning, may extend more than 12 inches from the building, nor more than 12 inches over public property.
  - (g) Plans for signs over Town rights-of-way must be submitted with applicable fee, reviewed and approved by the Town Administrative Staff.
  - (h) The revocable permit may be revoked by the Town at any time for any reasonable reason.
  - (i) Proof of insurance shall be provided to the Town.
  - (j) The sign may identify or advertise only that activity or use conducted upon or related to the abutting premises.
- (2) Portable signs:
- (a) The sign may identify or advertise only that activity or use conducted upon or related to the abutting premises.
  - (b) No more than one sign per business may be placed on Town right-of-way.
  - (c) The proposal for a portable sign on Town right-of-way must be submitted with applicable fee, reviewed and approved by the Town Administrative Staff.
  - (d) The revocable permit shall specify the authorized location, and may be revoked by the Town at any time for any reasonable reason.
  - (e) Proof of insurance shall be provided to the Town.
  - (f) The sign must be located so that it does not interfere with Town use, impede vehicular or pedestrian traffic, or create a traffic or safety hazard or other nuisance.
  - (g) The sign must be removed at times when the advertised use or activity is not open for business.
- (H) General Provisions:
- (1) The area of a sign face shall include the surface area of a sign, including non-structural trim and decoration, but excluding supports or uprights. The face area of a sign painted or hung on a wall of a building, or on an awning, shall include all the area within a perimeter surrounding all words, symbols, designs and coloring, distinctive from the wall upon which it is painted. Only one side of double-faced signs that convey the same message on both faces shall be included for purposes of this calculation.

- (2) As used in this Subsection, "sign" means and includes any object, device, or message which is used to advertise, identify, display, direct, attract attention, or convey any message concerning any object, person, institution, organization, business, products, service, event, or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, motion, illumination, or projection, and anything else commonly known as a "sign".

(I) Nonconforming Signs:

- (1) All signs shall at all times be maintained in strict conformity with the performance criteria of Paragraphs (F)(1), (2), (3), (4), (6) or (8). All Master Sign Plans previously approved by the Town under Section 7-3-12(J) prior to April 15, 2019 shall be maintained in strict conformity with such Town approval. Any signs not in compliance with these specific performance criteria and/or Master Sign Plans approved prior to April 15, 2019 shall be removed.
- (2) All signs shall at all times be maintained in strict conformity with the performance criteria of Paragraph (F). Any sign not in compliance with Paragraph (F) shall be removed.
- (3) The right to maintain a nonconforming sign shall be terminated and the sign removed or brought into full compliance with this Subsection under the following conditions:
  - (a) Abandonment of the sign, abandonment or termination of the related business, an interruption in continuance of the business for 6 months.
  - (b) A violation of any of the performance criteria of Paragraph (F) (1), (2), (3), (4), (6) or (8).
  - (c) The destruction of the sign, removal of the sign or damage of the sign, such that the cost of replacement or repair is greater than 50 percent of the replacement cost of the original sign.
  - (d) The creation of any additional violation of or nonconformity with these regulations.
- (4) A list of nonconforming signs shall be developed and maintained by the building inspector with owners notified and given a copy of Paragraph (I).

(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 encouraged for all properties with multi-tenant buildings and/or multiple buildings in which three or more non-residential tenants or businesses are present.
  - (b) Any property with multiple-tenant buildings or multiple buildings in which ~~three~~ three or more non-residential tenants existing at the time of adoption of this section that does not have a Master Sign Plan is encouraged to apply for a Master Sign Plan at the time of application for a new sign at the site.
  - (c) Any property owner with multi-tenant and/or multiple buildings in which two or more non-residential tenants or businesses are present, may apply for a Master Sign Plan.
- (3) General Regulations:

## Ridgway Municipal Code

7-3-17

- (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) 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-~~2023~~. 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-~~1217~~ 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;
  - (vii) Any proposed lighting for the signs, including location, type, kelvin and lumens for each fixture;
  - (viii) Proof that the criteria for approval have been met.
- (e) Through these Master Sign Plan regulations the following deviations from the specified dimensional requirements may be considered.
  - (i) A free standing sign may be up to 30% larger than the 56 square feet limitation of 7-3-~~1217~~(F)(7).
  - (ii) Up to 30% more than the allocated square footage per 7-3-~~1217~~(E) (3) of sign area may be allowed.

Deviations shall not be considered for any other sign regulations in the Ridgway Municipal Code.

#### (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 proposed signs;

- (d) will not unreasonably interfere with neighboring commercial businesses or properties;
- (e) provides for signs that are reasonably necessary to operate the business or businesses on the property;
- (f) the burden shall be on the applicant to show that these criteria have been met.

(5) Review Procedure:

- (a) Within 14 days of receipt of ~~the~~ a completed application accompanied by the applicable fee for a Master Sign Plan, or a minor change to an existing 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 for which proper notice of the hearing can be made, and 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 of 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 scheduled hearing, 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~~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 application, or other interested party may, if so desires, have the hearing recorded by a court reporter, at the ~~applicant's~~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 10 days before the hearing, and posted visibly for each street frontage abutting the property for at least 10 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 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 in the hearing. The decision of the Planning Commission with respect to an application for major change

of 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 filings 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 applicants 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 Approve 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 are not limited to, 1) changes in the location of a 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-~~4217~~(J)(3)(e).

**7-3-157-3-18 SUPPLEMENTAL REGULATIONS.**

- (A) Home Occupations: Home Occupations may be conducted within a residential premises or accessory structure related thereto in any district as an accessory use only if the following criteria are met:
  - (1) Town and State Sales Tax Licenses must be obtained if sales taxable by the Town or State sales taxes are to be made.
  - (2) Only the residents of the dwelling unit may be engaged in the home occupation.
  - (3) No unreasonable noise, glare, smoke, dust, vibration or odor shall be observable off the premises.
  - (4) The home occupation activity shall not utilize or occupy more than 750 square feet in total, nor more than 400 square feet in a garage or other structures outside of the residence. Provided, however, accessory day care facilities shall be limited to 8 or fewer children in lieu of these area limitations.
  - (5) No business activity or storage of property involved in the business may take place outside of enclosed structures, except for horticultural activities.

(6) The short term rental of rooms, such as bed and breakfast operations, does not qualify as an accessory use pursuant to this Subsection.

(B) It shall be unlawful to maintain, own or operate any offensive or unwholesome business or establishment within the Town, including but not limited to rendering plants, tanneries, pig sties, feed lots, dairy farms, manufacture and storage of explosives, sugar beet pulp storage facilities, foundries, or petroleum product refineries, unless such business was lawfully in existence at the effective date of this Section, or at the effective date of annexation subsequent to the effective date of this Section. In either event, such business or establishment shall be subject to the Nonconforming Use Regulations of Subsection 7-3-~~15~~20 of these regulations, and all other applicable regulations of the Town.

(C) Temporary Use Permits:

(1) The Planning Commission may issue a permit authorizing certain temporary uses of premises in a district for a use which is otherwise not allowed in such a district for the periods specified here below:

<u>Use</u>	<u>Zoning District</u>	<u>Period</u>
Construction office incidental to construction on premises	All districts	9 months
Carnival, circus, bazaar, fairs	Commercial	1 week
Tent meetings or crusades	Commercial	2 weeks

(2) A permit (for a period of up to 1 year) may be issued under the following circumstances by the Planning Commission for temporary location or use of a ~~mobile~~manufactured home or travel home:

- (a) For fire protection or security purposes in the General Commercial District.
- (b) At a construction site during the construction period.

(3) The Planning Commission shall hold such hearings concerning the application as the circumstances merit in its opinion. Notice of any hearing shall be posted, visible from each street frontage abutting the property, for at least 10 days prior to the hearing. The permit may be granted subject to conditions appropriate to ensure that no public or private nuisance or safety hazard will be created.

(D) Use and Location of Travel Homes:

(1) Travel homes may be occupied only in the following circumstances:

- (a) Within a licensed travel home park for a maximum period of 6 months in any one 365 day period.
- (b) Upon private property for temporary occupancy by out of town guests for a period not to exceed 30 days in any year for any tract of property.
- (c) Upon property for which a permit has been issued by the Town, pursuant to Subsection 7-3-~~13~~18(C).



## Ridgway Municipal Code

7-3-18

- (2) Travel homes may be parked, if unoccupied, upon private property if in compliance with zoning setbacks, or temporarily upon public streets, if registered under State law and lawfully parked. Provided, however, they may not be parked in a manner which creates a traffic hazard.

(E) Garage and Yard Sales:

- (1) Notwithstanding restrictions of Town Zoning Regulations, or junk, litter or nuisance ordinances, garage and yard sales may be conducted within the Town consistent with the conditions set out herein.
- (2) No premises shall be used for a garage or yard sale for more than 48 hours at one time or for more than two such sales in any calendar year.
- (3) The sale shall be conducted so that no traffic hazards or nuisances are created.

(F) Bed and Breakfast Operations:

- (1) Residents of a dwelling unit in the "R" and "HR" Districts may rent rooms on a short-term basis (and may provide meals to such boarders) if a Conditional Use Permit is approved by the Planning Commission pursuant to Sections 7-3-~~1419~~ and 7-3-~~1823~~, and the operation will comply with the criteria of this Subsection.
- (2) The application shall not be granted unless the Planning Commission determines that the following criteria are met:
  - (a) There is at least one additional off-street parking space for each room to be rented in addition to the off-street parking required for the residential dwelling unit.
  - (b) No more than three rooms shall be rented in any dwelling unit. Such rooms shall be an integral part of the dwelling unit.
  - (c) The meals to be served shall be served from the kitchen which is part of the dwelling unit itself.
  - (d) The operation will not create a public or private nuisance.
  - (e) Only the permanent residents of the dwelling unit shall be employed in the operation.
  - (f) The Permittee will obtain a sales tax license and remit sales tax and lodging occupation tax.
- (3) The Town Council may revoke any permit if it determines following a hearing with reasonable notice to the holder of the permit that the above criteria or limits of any permit are not being met.

~~(G)~~ Accessory Dwelling Units:<sup>39</sup>

~~(H)(G) — Dwelling units which meet the criteria of this Subsection may be allowed as an accessory use in the "HR" Historic Residential District, the "R" Low Density Residential District, the "DS" Downtown Service District and the "HB" Historic Business District to a principal residential unit which conforms to the applicable requirements of said Districts.~~

---

<sup>39</sup> ADU has been added specifically to the use by right section to several individual districts (subject to these provisions), but references to those zone districts in this section were deleted to avoid possible future inconsistencies between this section and the lists of permitted uses in the zone district chapters.

- (1) The creation of Accessory Dwelling Units is generally encouraged as an effective means to improve housing affordability, provided that each ADU complies with the following standards.
- (2) ADUs are only allowed as accessory to a single family detached dwelling<sup>40</sup>. Only one ADU per single family detached dwelling unit is permitted.
- (3) The accessory dwelling unit must be constructed in accordance with applicable requirements of Town Building Codes. It may be attached or detached to the principal residential unit. Applicable dimensional requirements for a single family dwelling as set out in 7-3-1015(A) must be met for the premises.
- (4) One off-street parking space shall be provided for the accessory dwelling unit in addition to any other required off-street parking.
- (5) The accessory dwelling unit may not exceed 800 square feet of livinggross floor area.<sup>41</sup>
- (6) One of the dwelling units on the property must be, and remain, owner occupied.
- (7) A minimum of a 90 day rental period shall be required by written lease, except as described in subsection (10) below.
- (8) The accessory dwelling unit must be owned together with the principal residential unit, and the lot or parcel upon which they are located, in undivided ownership.
- (9) The accessory dwelling unit may be served off of the water or sewer tap for the principal residence, in which case it shall not be subject to additional tap fees.
- (10) The burden shall be upon the owner of any accessory dwelling unit to provide adequate proof to the Town that the criteria of this Section are met. In the event that the Town determines that the criteria have not been shown to be satisfied the unit may not be occupied as a residence.
- (11) A dwelling unit constructed before a principal single-family home, which meets these criteria, may be converted to an accessory dwelling unit following construction of a new principal dwelling unit.
- (12) An accessory dwelling unit, as defined in Ridgway Municipal Code Section 7-3-1318(G) either attached or detached to the primary dwelling, may be utilized as a short-term rental only under the following circumstances:
  - (a) Tap fees are paid at 30% pursuant to Ridgway Municipal Code Chapter 9-1-9(c)(2); and
  - (b) 100% of monthly water, sewer, trash and recycling services are paid on a monthly basis pursuant to Ridgway Municipal Code Chapter 9; and
  - (c) The lot size upon which both dwelling units are sited is a minimum of 86,000<sup>42</sup> square feet.

(H) Telecommunication Antenna and Tower Regulations:

- (1) Telecommunication towers and antennae shall be located, and comply with the following provisions:

<sup>40</sup> Most all communities limit ADUs to be allowed only to single family dwellings. This is how the code has been interpreted, language added here for clarity.

<sup>41</sup> Replace undefined reference to living area with reference to gross floor area, which is a more typical measure of ADU and Dwelling Unit size.

<sup>42</sup> Updated to match the lot size required for a duplex.

- (a) Noncommercial television and telecommunications receivers and amateur radio antennae, which qualify as an accessory use to the main use on the premises, may be located on such premises.
  - (b) Antennae for “personal wireless services” as defined in 97 USC 332(c)(2) shall be limited to the GC Zoning District, or upon Town-owned property in other zoning districts pursuant to leases or permits with the Town, with terms and conditions adequate to ensure safety and reasonable compatibility with the neighborhood in which they are located, including requirements for camouflaging where appropriate.
  - (c) Commercial radio, television and other tele-communications transmitters and receivers shall be restricted to the GC Zoning District.
  - (d) Additional receivers or transmitters may be installed on existing telecommunication towers regardless of the zoning district.
- (2) All telecommunication antennas and towers shall be limited to the maximum structure heights set out in Section 7-3-~~1015~~, unless a variance is obtained pursuant to Section 7-3-~~1621~~, or allowed in accordance with the following exceptions:
- (a) Telecommunication antennas, receivers and transmitters may be located on lawfully existing towers and structures, as long as they are not above the tower structure.
  - (b) A variance to the height limitations otherwise applicable may be obtained for an amateur radio antenna for noncommercial use pursuant to the review procedure of Section 7-3-~~1823~~ if the Planning Commission determines that the following criteria are met:
    - (i) A higher tower is necessary to be reasonably adequate for the domestic communications purposes;
    - (ii) No reasonable alternative exists;
    - (iii) No adverse impacts will be created with respect to other property in the area.
  - (c) A variance to the height limitations otherwise applicable may be obtained for personal wireless service antennae if the Planning Commission determines pursuant to the review procedure of Section 7-3-~~1823~~ that the following criteria are met:
    - (i) Space is not available at a commercially reasonable price on an existing tower or structure located in a technically feasible location, and no other location is available which will provide reasonably adequate service in compliance with the height limitations set out above, and
    - (ii) No adverse effect on property values in the area will be caused, and no safety hazard will be created.
    - (iii) The design and color of the tower and appurtenances shall be reasonably compatible with the site and surrounding area.
  - (d) Commercial telecommunication antennae or towers up to forty (40) feet in height may be installed upon Town owned property within the “I-2” Light Industrial 2 Zoning District.
- (3) A final decision to deny a variance shall be in writing and supported by a substantial written record.

- (4) All towers and structures shall be subject to the building setback requirements of Section 7-3-~~40~~15 and applicable provisions of Town building codes and other ordinances and regulations.

~~(1)~~(I) Short Term Rental Regulations:<sup>43</sup>

- (1) Intent and Purpose: Establish standards and procedures by which residential short term rentals can be provided in a manner that protects both the quality of experience and the character of the Town of Ridgway. It is the Town of Ridgway's intent to establish short term rental regulations to promote a mix of lodging options, support the local economy, while also upholding the integrity of the Town.

~~(2)(1) Permitted Use of Short Term Rentals:~~

- ~~(3)(2) (a) Short term rentals are allowed in all zoning districts where residential units are a use by right or an approved conditional use. Short term rentals are not permitted in the "I 1" Light Industrial District or the "I 2" Light Industrial District. Short-term rentals shall comply with the provisions of this Subsection (I) and shall be licensed per Chapter 8, Section 5 of the Ridgway Municipal Code. Provided however the provisions of Subsection 7-3-13(I)(2)(b) below are not applicable to such units in the HB or GC Districts.~~

(3) Permitted Use of Short Term Rentals:

- (a) For short term rentals not in the "HB" Historic Business or "GC" General Commercial Districts, the structure involved:
- (i) Shall be a single family dwelling structure; or
  - (ii) Shall be a single residential unit in structures with mixed uses; or
  - (iii) Shall be a property with two dwelling structures owned by the same owner, in which where the owner may use one of the dwelling structures may be used as a short term rental if both dwelling structures are owned by a single owner and as long as the second one dwelling unit is owner occupied.
  - (iv) Shall not be a multiple family residence dwelling or structure as short term rentals are prohibited in multiple family structures.
- (b) In the HB and GC Districts, a maximum of five short term rentals are allowed per building or structure.
- (4) Performance Standards for Short Term Rentals:
- (a) The unit being rented shall be a Dwelling Unit, as defined pursuant to Ridgway Municipal Code Section 7-3-2 shall not have more than 5 bedrooms, nor be leased or used to any group containing more than 10 people over the age of 18.
  - (b) The unit shall have a minimum of 2 off street parking spaces available and any additional spaces necessary to accommodate the tenant's vehicles off street.
  - (c) There shall be an owner's agent available to be at the unit within 20 minutes, who is on call full time to manage the property during any period the unit is rented. The name, address and phone number of the agent must be kept current on file with the Town, and posted in the short term rental.

<sup>43</sup> STR has been added specifically to the use by right section to several individual districts (subject to these provisions).

- (d) Adequate animal-resistant trash and recycle containers shall be provided, and information on placement for collection shall be provided, in the short term rental as stated in Ridgway Municipal Code Section 9-2.
- (e) The unit shall be maintained in compliance with applicable Town ordinances and regulations. The rental of residential units as provided herein shall not unreasonably annoy or interfere with the use or enjoyment of public or private property or which constitutes a health or safety hazard.
- (f) The owner must have current State and Town sales tax licenses, a Town business license at such time the Town has business licensing, and collect and remit sales taxes and lodging taxes.

~~(K)~~(J) Marijuana:

- (1) The cultivation, manufacture, distribution, storage, or sale of marijuana shall not be a lawful use by right, accessory use (including as a home occupation), conditional use, or lawful nonconforming use in any zoning district of the Town of Ridgway, except as provided in this Subsection (J).
- (2) A Medical Marijuana Center, Medical Marijuana Optional Premises Cultivation Operation, and Medical Marijuana-Infused Products Manufacturing Facility, licensed under Article 43.3 of Title 12 CRS, a Primary Care Giver registered under CRS 25-1.5-106, and a Marijuana Cultivation Facility, a Marijuana Testing Facility, a Marijuana Product Manufacturing Facility or a Retail Marijuana Store licensed by the State of Colorado pursuant to Article XVIII Section 16 of the Colorado Constitution and Article 43.4 of the Title 12, CRS, may be located within the I-1 and I-2 Zoning Districts and the General Commercial Zoning District east of Liddell Drive extended, as a use by right if they meet the following provisions:
  - (a) They must be operated lawfully under applicable provisions of State Law.
  - (b) They must comply with the performance standards of the I-1 and I-2 Zoning Districts, or General Commercial Zoning Districts, as applicable.
  - (c) They must have valid State and Town sales tax licenses and collect and remit sales tax on sales of Marijuana in accordance with State Law and Town ordinances.
  - (d) A Certificate of Occupancy for each building must be obtained prior to establishment of the use therein.
  - (e) The cultivation, manufacturing, storage, distribution and sale of Marijuana, must be confined to an enclosed building.
  - (f) They must be located in structures with commercial and industrial uses only, and are not allowed in buildings with residential uses.
  - (g) No storage facilities are permitted off of the licensed premises.
  - (h) The building in which the licensed activities take place may not be located within 1000 feet of a school, an alcohol or drug treatment facility, the principal campus of a college, university or seminary, or a residential child care facility. The distance referred to shall be measured from the nearest property line of the land use for the above listed uses to the nearest portion of the building in which licensed activity takes place, using a route of direct pedestrian access. This restriction shall not affect the renewal or reissuance of a license

once granted, or apply to a license in effect actively doing business before any of the above uses was constructed.

(3) Cultivation<sup>44</sup>

- (i)(a) A Patient, validly registered under State Law, may cultivate Medical Marijuana at the Patient's residence for the Patient's own use only, if in compliance with the limitations of State Law and if the plants cannot be seen or smelled off of the premises.
- (j)(b) An individual may cultivate Marijuana at the individual's residence, only if in compliance with the limitations of Subsection (16)(3)(b) of Article XVIII of the Colorado Constitution and other applicable state law, including the requirement that the growing take place in an enclosed locked place, is not conducted publically or openly and is not made available for sale.
- (k)(c) The use of a compressed flammable gas as a solvent in the extraction of THC or other cannabinoids in a residential setting is prohibited.
- (l)(d) Co-op or collective grow operations are not allowed without a state license.
- (3)(4) Delivery of Marijuana, or Medical Marijuana by a licensed Medical Marijuana business, licensed Marijuana establishment, Primary Care Giver, or any other person, from a location outside of Town, to a location within Town, is allowed, only if lawful under, and in full compliance with State Law, and the delivering person has a Town sales tax license if taxable sales may occur, and collects and remits Town sales taxes on the sale of the delivered Marijuana and Medical Marijuana.
- (4)(5) The below listed terms shall be defined as indicated for purposes of this Subsection<sup>45</sup>
  - (a) "Medical Marijuana", "Medical Marijuana Center", "Optional Premises Cultivation Operation", and "Medical Marijuana-Infused Products, Manufacturing", shall have meanings as defined in CRS, Title 12, Article 43.3.
  - (b) "Primary Care Giver" shall have the meaning as defined in CRS 25-1.5-106.
  - (c) "Patient" shall have the meaning as defined in Section 14(1) of Article XVIII of the Colorado Constitution.
  - (d) "State Law" shall include, but not be limited to, Section 16 and Section 14(1) of Article XVIII of the Colorado Constitution, CRS 25-1.5-106, Article 43.3 and 43.4, Title 12, CRS; and any rules or regulations promulgated pursuant thereto.
  - (e) "Marijuana", "Marijuana Cultivation Facility", "Marijuana Testing Facility", "Marijuana Product Manufacturing Facility" or a "Retail Marijuana Store" shall have the meaning defined in Article XVIII Section 16 of the Colorado Constitution, and Article 43.4, Title 12, CRS.
- (5)(6) Storage of Marijuana off of the licensed premises is not permitted in the Town.
- (6)(7) Marijuana clubs, businesses or other places of assembly where customers, members, or the like, are regularly invited for the purpose of using or consuming marijuana or marijuana products on site, are prohibited in the Town.

<sup>44</sup> Subheading added for clarity.

<sup>45</sup> The Town Clerk is confirming the numbering of this section. An errant "j" in the current code was not carried forward.



(K) Manufactured Homes:<sup>46</sup>

- (1) Manufactured homes, as defined in Subsection 7-3-2, that have more than 500 square feet of living area, are only permitted on the following described property:
  - (a) All of Blocks 4, 9 and 29;
  - (b) Block 28, Lots 11 through 20;
  - (c) Block 32, Lots 1 through 18;
  - (d) Block 33, Lots 6 through 10; and
  - (e) Lot 1 of Mitchell Subdivision No.2.
- (2) The limitations of this subsection shall not apply to any manufactured home that was placed on a property not referenced in (K)(1) above prior to June 9, 1993 in Ordinance 93-2 that met all applicable building at safety codes at time of installation.
- (3) Manufactured Homes are subject to the provisions of Section 6-3 Regulations for Mobile Homes, Travel Homes, and Other Factory Manufactured Structures.
- (4) Manufactured Home Parks are subject to the provisions of Section 8-1 Mobile Home Parks.

(L) Employee Housing.<sup>47</sup>

The creation of employee housing is generally encouraged as an effective means to improve housing affordability and to support the viability and retention of employment-generating uses, provided that each complies with the following standards.

- (1) Employee housing units are only allowed as accessory to a non-residential use.
- (2) One eEmployee housing units are limited to one unit peris allowed for the first 2,500 square feet of gross floor area in the structure. Structures that exceed 23,0500 square feet of gross floor area are allowed one additional unit per 23,0500 square feet, up to a maximum of three units per non-residential use.
- (3) The employee housing unit must be constructed in accordance with all applicable building and safety codes.
- (4) The employee housing unit must be owned together with the structure occupied by the non-residential use, and the lot or parcel upon which they are located, in undivided ownership.
- (5) The employee housing unit must be served off of the water or sewer tap for the principal structure, in which case it shall not be subject to additional tap fees.<sup>48</sup>
- (6) If the employee housing unit has been offered to current and prospective employees of the non-residential use for 90 days after the prior tenant vacates and the unit remains vacant, the unit can then be offered to other households where at least one of the occupants is employed at an establishment located within the Town of Ridgway.
- (7) Short-term rental of Employee housing is not permitted.

---

<sup>46</sup> These use specific standards are proposed to codify the limitations that are depicted on the Town of Ridgway Zoning Map (May 2018) as the 'Mobile Home Overlay,' as established by ordinance in 1993 but that are not referenced in Chapter 7. A size threshold has been added to ensure Tiny Homes (units on a permanent foundation and meeting current building codes) are allowed anywhere in Ridgway.

<sup>47</sup> Added to accompany proposed definition and allowance of accessory employee housing in targeted commercial and mixed use districts.

<sup>48</sup> It may be subject to additional monthly utility charges. This will be discussed with Town Council.

(8) The burden shall be upon the owner of any employee housing unit to provide adequate proof to the Town that the criteria of this Section are met. In the event that the Town determines that the criteria have not been shown to be satisfied the unit may not be occupied as a residence.

**7-3-167-3-19 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-~~1823~~, 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.
- (B) The burden shall be upon the applicant to prove that these requirements are met.

**7-3-177-3-20 NONCONFORMING USES.**

- (A) Any use, building or structure which at the effective date of this Section or at the time of annexation, if annexed subsequent to the effective date of this Section, was lawfully existing and maintained in accordance with the previously applicable County or Town Regulations and Ordinances but which does not conform or comply with all of the regulations provided for in these Zoning Regulations, may continue to be maintained and used as a lawful nonconforming use only in compliance with the provisions and limitations imposed by this Subsection. Uses, structures or buildings which were unlawful or illegal and not in compliance with previously applicable Regulations shall remain unlawful, illegal, and subject to abatement or other enforcement action.
- (B) If a use, building or structure is lawfully nonconforming in that it is not a "Use By Right", or a "Conditional Use" which has been approved pursuant to the review provisions of Subsection 7-3-~~1419~~, the following shall apply:
- (1) If the building, ~~mobile~~manufactured home or structure involved in the use is removed or if it is destroyed or damaged so that repair, replacement or reconstruction will cost more than fifty percent of the fair market value of the building, ~~mobile~~manufactured home or structure after repair, it shall no longer be lawful to use the building, ~~mobile~~manufactured home or premises except in compliance with the Use Regulations for the District within which it is located.

- (2) If the nonconforming use is abandoned or discontinued for a period of 6 months, then the premises may only be used in compliance with the Use Regulations for the District within which it is located.
  - (3) The use may be continued only substantially as it existed at the effective date of this Section or of annexation, and no material change in the type of use shall be allowed, unless the Planning Commission determines, following the hearing procedure provided in Subsection 7-3-~~1823~~, that the criteria set out in Subsection 7-3-~~1419~~ will be met, and that the new use is a more restrictive use than the existing nonconforming use. Any change in use allowed pursuant to this provision shall not affect the future status of the use as a nonconforming use for all purposes of this Subsection.
  - (4) The extent or area of the premises utilized for or by the nonconforming use, building or structure, may not be materially extended or enlarged, or substantially structurally altered, unless the Planning Commission determines, following the review procedure of Section 7-3-~~1823~~, that the criteria set out in Section 7-3-~~1419~~ will be met.
- (C) If the use, building or structure is nonconforming with respect to dimensional requirements, design and performance standards, or other provisions not related to "use", the following provision shall apply:
- (1) If the nonconformity of the building, use, or structure is abandoned, removed, or corrected, such nonconformity may not be reestablished.
  - (2) If the building, ~~mobile~~manufactured home or structure is damaged so that the cost of replacing or restoring it is greater than fifty percent of its fair market value after replacement, the building, ~~mobile~~manufactured home or structure may be repaired or replaced only in compliance with these Zoning Regulations.
  - (3) If the building or structure is damaged in such a way as to remove the nonconformity, the nonconforming feature may not be reestablished by any repair or reconstruction, unless it is unfeasible to repair the building without reestablishing the nonconforming feature.
  - (4) No alteration may be made to the use, building, or structure which would increase the amount or degree of the nonconforming feature. Changes in the use, building, or structure may be made which will decrease the degree or amount of deviation from the requirements of this Section.
- (D) This Subsection shall not apply to signs. Nonconforming signs shall be governed by the provisions of Subsection 7-3-~~1217~~.
- (E) Manufactured Homes and Factory Built Housing<sup>49</sup>
- (1) Notwithstanding the foregoing provisions of this Section, a lawful nonconforming ~~mobile~~manufactured home owned and occupied by the owner of the land upon which it sits may be replaced by another ~~mobile~~manufactured home to be owned and occupied by said owner if the Planning Commission determines following the review procedure of Section 7-3-~~1823~~ that the criteria set out in Section 7-3-~~1419~~ will be met, and that the replacement ~~mobile~~manufactured home will comply with all other applicable Town regulations including the provisions of Chapter 6-3.

---

<sup>49</sup> Subheading added for clarity.

- (2) Notwithstanding any of the foregoing provisions of this Subsection 7-3-~~1520~~ any Factory Built Housing, which is nonconforming as to restrictions on use or design and performance standards, which for a period of six months is either unoccupied or does not have any authorized use of Town supplied water occur on the premises, shall be removed from the premises unless the structure has previously been issued a permit pursuant to Subsection 6-3-2 and it is erected on a permanent foundation complying with the requirements of the Town Building Code.

**7-3-~~187~~-3-21 VARIANCES AND APPEALS.**

- (A) The Planning Commission may grant a variance from the Dimensional Requirements, Sign Regulations, Design or Performance Standards and other provisions of these regulations not related to "use", and excluding Off-Street Parking Requirements, following the review procedure of Subsection 7-3-~~1823~~, provided that the criteria of this Subsection will be met. No variance shall be granted from the provisions governing "Uses By Right", and "Conditional Uses" within any zoning district. Variances shall be granted only if all the following criteria are met:
  - (1) There are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the Zoning Ordinance, and
  - (2) The spirit of the ordinance will be observed, the public health, safety and welfare secured and substantial justice done by granting the variance.
- (B) The Planning Commission may grant a variance from the Off-Street Parking Requirements for the Historic Business Zoning District, following the review procedure of Subsection 7-3-~~1823~~, provided that the criteria of this Subsection will be met. Variances shall be granted if the spirit of the ordinance will be observed, the public health, safety and welfare secured and substantial justice done by granting the variance and any one of the following criteria are met:
  - (1) The variance is requested for an addition to an existing building or the construction of a purely accessory structure and these modifications will have a de minimis effect on traffic and parking; or,
  - (2) The placement of on-site parking is not congruent with the goals and objectives of the downtown and as such will create an undesirable effect on the downtown streetscape, potentially interrupting, impeding or otherwise adversely affecting existing or future infrastructure such as pedestrian walkways and landscape areas; or,
  - (3) There are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the Off-Street Parking Requirements.
- (C) The burden shall be on the applicant to show that these criteria have been met.
- (D) No variance or appeal shall be granted with less than four concurring votes of the Planning Commission.

**7-3-~~197~~-3-22 AMENDMENTS AND ADDITIONS TO THE OFFICIAL ZONING MAP AND ZONING REGULATIONS.**

- (A) Rezoning:
  - (1) Amendments to the Official Zoning Map involving any change in the boundaries of an existing zoning district, or changing the designation of a district, shall be allowed only upon a determination following public hearing that the following criteria are met:

- (a) The amendment is not adverse to the public health, safety and welfare, and
- (b) Either:
  - (i) The amendment is in substantial conformity with the Master Plan, or
  - (ii) The existing zoning is erroneous, or
  - (iii) Conditions in the area affected or adjacent areas have changed materially since the area was last zoned.~~5-08~~
  - ~~(iv) Repealed by Ordinance 7-1999~~

(2) Rezoning may be requested or initiated by the Town, the Planning Commission, or the owner of any legal or equitable interest in the property or his representative. The area considered for rezoning may be enlarged by the Planning Commission on its own motion over the area requested in the application as part of its recommendation. Any person desiring an amendment to the Zoning Regulations shall submit an application on forms provided by the Town, accompanied by an application fee of \$200.00. The burden shall be on the applicant to show that the criteria of this Subsection have been met. No fee or formal application is required for action initiated by the Town or Planning Commission.

(B) Zoning of Additions:

- (1) The Planning Commission may recommend to the Town Council a zoning district designation for all property annexed to the Town not previously subject to Town zoning. Proceedings concerning the zoning of property to be annexed may be commenced at any time prior to the effective date of the Annexation Ordinance or thereafter.
- (2) The zoning designation for newly annexed property shall not adversely affect the public health, safety and welfare.

(C) Legislative Zoning:

Comprehensive review and reenactment of all or a significant portion of the Official Zoning Map shall be a legislative action and shall not be required to meet any criteria set out in this Subsection.

(D) Amendments to these regulations may be made only by ordinance.

(E) All proposals to amend the Official Zoning Map or these Zoning Regulations may be referred to the Planning Commission for recommendation.

(F) The Town Council shall review all proposals to amend the Official Zoning Map as the "Review Board" in substantial conformity with the review procedures set out in Subsection 7-3-~~18~~23.

~~(G) Repealed by Ordinance 19-1999~~

~~7-3-207-3-23~~ REVIEW PROCEDURE.

- (A) All requests for approval of an appeal, a variance, a conditional use, a change in a nonconforming use, or other action which is required to be reviewed pursuant to this Subsection by these Zoning Regulations or other Town Ordinances, shall be reviewed by the Planning Commission, or Board of Adjustment, as provided in these Regulations.

- (B) The applicant requesting approval of a variance, appeal, conditional use, change in a nonconforming use, or other action required to be reviewed pursuant to this Subsection shall submit an application upon forms supplied by the Town accompanied by any other required information or information which he may desire to submit. A single application may contain a request for more than one action. The application shall be accompanied by application fees as set by Subsection 7-3-~~2025~~. No formal application need be submitted or fee paid for action initiated by the Town or Planning Commission.
- (C) A hearing shall be set before the appropriate Board after receipt by the Town of a properly completed application form and all other required information.
- (D) Notice of the hearing shall be posted at Town Hall 10 days before the hearing and posted, visible from each street frontage abutting the property, for at least 10 days prior to the hearing in addition to any other notice required by Town regulations.
- (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.
- (F) The Reviewing Board shall announce its decision within 20 days of the completion of the hearing. It shall not be necessary for the Reviewing Board to provide written findings or conclusions, except upon the request of the applicant, or other party appearing or participating in the hearing. The decision of the Reviewing Board with respect to requests for approval of a variance, conditional use, or change in a nonconforming use, or appeal shall be final, subject only to review by certiorari in the courts. The Town shall have the right to appeal any such decision to the courts. Upon the filing of an appeal or request for review in the courts, 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 his expense.
- (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 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.

**7-3-~~217~~-3-24 ENFORCEMENT AND ADMINISTRATION.**

- (A) The Building Official shall be responsible for the interpretation, administration and enforcement of the provisions of these Regulations, as amended, the Official Zoning Map, as amended, and of any decisions entered by the Planning Commission, Board of Adjustment or Town Council, pursuant to this Section.



## Ridgway Municipal Code

7-3-25

- (B) No building permit, occupancy permit, or other permit or license shall be issued, nor shall any other action of approval be taken or allowed by the Town for any property which is not in compliance with the provisions of these Zoning Regulations, and any decision issued pursuant hereto.
- (C) Whenever necessary to make an inspection to enforce any of the provisions of these Zoning Regulations, or any provision of a decision entered, pursuant to this Section, or whenever there is reasonable cause to believe that a violation of any provision of these Zoning Regulations, or of any decision issued, pursuant to this Section exists, the Marshal, Building Inspector, or their authorized representative, shall have the right to enter upon such building or premises at all reasonable times for purposes of inspection or to perform any other duty imposed by this Section. Prior to entry, he shall identify himself and request permission to enter from the occupant or person in charge of the premises if they can be found by reasonable efforts. If entry is refused, he shall have recourse to any remedy provided by law to secure entry.
- (D) The Town may maintain an action in a court of competent jurisdiction to enjoin any violation of these Zoning Regulations or of the terms of any decision entered pursuant to this Section.
- (E) Any action which reduces the area of any site, lot or tract in violation of the minimum dimensional requirements of these regulations shall be unlawful.
- (F) It shall be unlawful to violate any of the provisions of these Zoning Regulations, or the terms of any decision entered pursuant to this Section. Any person convicted of such a violation may be punished by a fine of up to \$300 dollars. Each day any violation continues shall constitute a separate violation.
- (G) Continuing violations of this Section, the terms of any decision issued pursuant to this Section, or any subdivision plat restrictions, are hereby declared to be a nuisance and may be abated in any lawful manner.

### ~~7-3-227-3-25~~ FEES AND COSTS.

- (A) The following fees shall be submitted with respect to the indicated application, request or action:
  - (1) Temporary Use Permit pursuant to 7-3-~~13~~18(C): \$150.00
  - (2) Conditional Use Permit pursuant to 7-3-~~14~~19: \$250.00
  - (3) Change in a Nonconforming Use pursuant to 7-3-~~15~~20(B)(3) and (4): \$150.00
  - (4) Variances and Appeals pursuant to 7-3-~~16~~21: \$250.00
  - (5) Rezoning pursuant to 7-3-~~17~~22(A) and (B): \$250.00
  - (6) Other Reviews conducted pursuant to the 7-3-~~18~~23 Review Procedure: \$250.00
  - (7) Variance from Flood Plain Regulation pursuant to 6-2-5: \$150.00
  - (8) Master Sign Plan pursuant to 7-3-~~12~~17: \$150.00
    - (a) Minor Change to Master Sign Plan: \$ 50.00
    - (b) Major Change to Master Sign Plan: \$150.00
    - (c) Appeal to Master Sign Plan: \$250.00

- (9) Zoning or Land Use Compliance letters: \$50.00
- (10) Deviation to Single Family Home Design Standards pursuant to 6-6: \$175.00
- (B) In addition to the above fees, the applicant shall reimburse the Town for all out-of-pocket costs incurred during the review including legal fees, postage, notice and publishing costs, map costs, engineering fees, etc., together with wages and associated payroll costs for contract employees, plus ten percent to cover overhead and administration. The Town shall bill the applicant periodically as such costs are incurred. Payment is due within 30 days. Bills not paid by the due date shall accrue interest at the rate of one and one-half percent per month or part thereof. No plat shall be recorded, improvement accepted, lien released, building permit issued, tap approved or other final approval action taken until all fees then due are paid to the Town. Such fees may be certified to the County Treasurer for collection as delinquent charges against the property concerned.
- (C) The Town Council, in its sole discretion, may defer, reduce and/or waive certain land use fees within this Chapter 7 for projects demonstrating significant public benefit such as perpetual, deed-restricted affordable or workforce housing projects.

## CHAPTER 6

## SECTION 6

Single Family Home Residential Design Standards**Subsections:**

- 6-6-1 Legislative Declaration.
- 6-6-2 Applicability.
- 6-6-3 Exceptions.
- 6-6-4 Development Standards.
- 6-6-5 Architectural Standards.
- 6-6-6 Deviations.
- 6-6-7 Enforcement and Administration.

**6-6-1 LEGISLATIVE DECLARATION.**

Ridgway is defined in part by eclectic architecture and neighborhoods that 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 ensure that this will not be detrimental to the character of the neighborhoods or to property values in general.

**6-6-2 APPLICABILITY.<sup>1</sup>**

(A) Unless otherwise excepted, the regulations set out in this Section 6-6 shall apply to ~~all newly constructed or installed single family residences;~~

- (1) Construction of any residential building, including without limitation construction of Single Family, Duplex, Townhome, Triplex, Fourplex, Cluster Housing, Co-Housing, Multiple Family structures, and ~~Subsection 6-6-3(K)~~ shall apply to Accessory Dwelling Units;
- (2) New residential subdivisions;
- (3) Major additions, ~~in addition to other applicable ordinances and regulations. Provided, however, these regulations shall not be applicable to mobile homes, as defined in Subsection 6-3-1(A), placed~~

---

<sup>1</sup> Proposed changes are intended to broaden the applicability of the standards to apply to all residential development, rather than just single family detached as is implied in the Legislative Declaration. While some communities develop detailed design standards for specific types of residential development (e.g., single family detached, townhomes, multifamily), as drafted, Ridgway's existing standards provide a reasonable level of guidance on the key issues that would typically be addressed.

## Ridgway Municipal Code

6-6-3

within designated mobile home overlay districts, or on spaces within or renovations to an existing residential structure;<sup>2</sup>

~~(1)(4)~~ Structures that contain only residential uses that are included as part of a licensed mobile home park, except as specifically applied mixed use development.

(B) Once subjected to these requirements, all ~~single family residences~~ residential development and appurtenant sites shall thereafter be maintained in conformity ~~herewith~~ thereafter with these requirements.

### 6-6-3 EXCEPTIONS.

(A) These regulations shall not be applicable to manufactured homes, as defined in Subsection 7-3-2 and subject to supplemental standards in Subsection 7-3-18(K).

### ~~6-6-36-6-4~~ DEVELOPMENT STANDARDS.<sup>3</sup>

(A) Foundations:

~~These requirements shall apply in addition to any applicable provisions of Subsection 6-3-2:~~

- (1) ~~(a)~~ The foundation must enclose the space beneath the perimeter of the structure. Foundations may be constructed of masonry or concrete.
- (2) ~~(b)~~ Perimeter foundations and all supports under the structure must meet the frost depth as required in subsection 6-1-~~3(K)~~.
- (3) ~~(c)~~ All foundations and interior supports shall be poured on undisturbed or compacted soil
- (4) ~~(2)~~ All portions of foundations that are above the adjacent finished grade by more than 6 inches shall be finished using the same siding materials as the dwelling or complementary materials such as stucco, stone or brick. Cosmetically equivalent split faced block or other block with design finish or other materials may be allowed with prior approval of the Town.
- (5) ~~(3)~~ Unfinished masonry blocks, plywood, other materials or earth backfill that exceeds a grade of 2 foot horizontal for each 1 foot of raise are not ~~acceptable~~ permitted.
- (6) ~~(4)~~ Exceptions to the above standards may be allowed where foundations must be stepped to address a slope in the natural grade of the site. However, such deviations to these standards shall be kept to the minimum required to address the specific site condition.

<sup>2</sup> Most communities establish reasonable thresholds for the application of standards to additions. A definition has been added to 7-3-2 for this purpose.

<sup>3</sup> The current requirement that the shape of the building footprint be able to contain a 21 ft. x. 24 ft. square was deleted to allow builders and developers greater flexibility to adapt building footprints to fit different sized lots, rather than meeting an arbitrary set of dimensions. Removed exterior lighting section because it is repetitive of RMC 6-5.

(B) Exterior Siding:

- (1) Exterior siding shall be made of non-reflective metal or vinyl lap, wood, simulated wood grain products, painted or colored stucco, brick, stone, or any combination of these materials, or other cosmetically equivalent materials with prior approval of the Town.
- (2) Materials intended to be painted or finished in any manner, such as wood products or stucco, shall not be acceptable until painted or finished.

(C) Roof Structure:<sup>4</sup>

~~————— (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.~~

(1) Provide varied roof forms or roof forms that are compatible with those used on adjacent homes.<sup>5</sup>

~~(2)~~ (2) 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-façade on which they are located. Flatter roofs are permitted only if contained within a parapet that is higher than any equipment on the adjacent roof is screened from view from each street on which the lot fronts, and from abutting lots, provided, however, that screening that would interfere with the efficient operation of rooftop solar equipment shall not be required.

(3) Mansard roofs and A-frame designs are not permitted; provided, however, mansard.

~~(2)~~ (4) Mansard roofs are only permitted if the base of the roof is above the second story of the structure.

~~————— (D) Repealed by Ordinance 10-2003~~

~~————— (E) Minimum Width:~~

~~————— The building footprint may be any shape, but must be able to fully enclose a 24-ft. x 21-ft. rectangle within the perimeter, exclusive of any attached garage.~~

(D) ~~(F)~~ Sidewalks:

Sidewalks shall be installed in accordance with Town specifications along the adjoining street frontages prior to issuance of a Certificate of Occupancy unless the Town allows execution of a recordable

<sup>4</sup> Clarified this section to allow more flexibility.

<sup>5</sup> Moved to here from architectural standards and updated for clarity and flexibility.

## Ridgway Municipal Code

6-6-4

covenant to participate in an assessment district, in cases where immediate construction is not practical.

### (E) ~~(G)~~ Mechanical Equipment:

- (1) Propane storage tanks shall not be placed in the front or street side yard unless placed underground. Propane tank placement must also meet applicable code requirements, which in most cases require that the tank be no less than ten feet from any property line and ten feet from any building.
- (2) Swamp coolers, AC units, heat pumps and other mechanical equipment shall not be placed in the front yard. When placed in the street side yard, mechanical equipment should be screened from view from the street using landscaping, walls or fences which are complimentary to the building design.

### (F) ~~(H)~~ Street Address Number:

Each residence shall display the street address number in a location that is easily visible from the street in letters not less than 4 inches nor more than 8 inches in height.

### (G) ~~(I)~~ Landscaping:

In addition to the requirements of Subsection 6-1-11, the site shall be landscaped to meet the following minimum standards:

- (1) Trees: A minimum of one tree per 2000 square feet of gross lot area shall be provided in all zones except Historic Business. Trees shall have a minimum caliper of 1 1/2 inch for deciduous trees and a five foot minimum height for evergreens.
- (2) In residential zoning districts, trees and shrubs may be placed in any landscape configuration and arranged to compliment the structure. However, of the required trees, a minimum of one tree shall be located in the front yard for each 25 foot of street and on corner lots, one tree shall be located in the street side yard for each 50 foot of street side yard frontage. Landscape elements shall not be located where, at mature size, they will block vehicular sight lines at corners or to public roadways. Where possible, trees should be located in such a way, or be a type, that they will not infringe on solar access and view of the adjoining properties.
- (3) Shrubs: The front and street side yard shall include a minimum of one shrub (5 gallon size) per 10 feet of front and side street frontage.
- (4) In the case of fractional requirements for the number of trees and shrubs, the number required shall be rounded to the nearest whole number.



- (5) Groundcover: Groundcover must be adequate to ensure that dust cannot blow from the property and that the soil is stabilized to ensure that erosion is kept to a minimum. A minimum of 50% of the front and street side yard shall be covered with live vegetation. The remaining area can be vegetative materials, organic or inorganic mulch, flowerbeds, or other acceptable landscape material. River rock, stone or cobbles, if used, shall not exceed 10% of the front or street side yard area. (Driveway area of minimum length and width to provide access and parking shall not be included in the 10% calculation of stone or rock covered area).

~~(J) Exterior Lighting:~~

~~In addition to the requirements of Section 6-5, all exterior lighting shall be directed downward and designed so as not to directly illuminate areas off the premises.~~

(H) ~~(K)~~ Additions to Existing or New Homes:

Any additions or exterior remodeling shall respect the architectural character, detailing, lines and proportions of the existing structure. Additions shall be so integrated into the existing structure that they are difficult to identify as being added and shall appear to have been a part of the original design of the structure. A "face lift" on the existing building may be used in accomplishing this result. Attached or detached garages, carports, patio covers or walls should be designed in the same architectural style as the main structure and be built of similar or compatible materials.<sup>6</sup>

~~(L) Development Density:~~

~~(1) No more than two non-site built homes shall be located in the same block. Existing and new non-site built homes shall be counted towards the maximum of two per block.~~

~~(2) When more than two non-site built homes exist within the same block at the time of annexation or as of January 1, 2000, those existing non-site built homes shall be permitted to be replaced, if damaged too extensively for economical repairs, with another non-site built home, provided the replacement meets the requirements of this Subsection 6-6.~~

~~(3) No two homes of substantially similar elevations shall be located adjacent to each other.~~

~~(M) Repealed by Ordinance 05-2004~~

~~(N) Repealed by Ordinance 05-2004~~

**6-6-46-6-5 ARCHITECTURAL STANDARDS.<sup>7</sup>**

<sup>6</sup> The section on development density is proposed to be deleted. Definitions of factory built housing and manufactured housing have been added to be clearer on what regulations apply to what kind of housing. Manufactured dwellings are mobile homes and subject to the overlay district and RMC 6-3. Factory building dwellings are treated just like site built dwellings. Therefore, there is no need to limit factory built housing to 2 per block.

<sup>7</sup> Language clarifications in this section are intended to clarify intended outcomes and reduce the need for variances.

## Ridgway Municipal Code

6-6-6

(A) The design of ~~each newly constructed or installed~~ all new residential ~~structure, development and major additions, and/or exterior remodeling~~ shall meet each of the following ~~four~~ architectural design objectives. Corner lots shall meet these objectives on both the front and side street ~~side~~ elevations.

(1) Provide relief and contrast to the ~~building street~~ building's front and ~~street~~ side street elevations incorporating solids and voids to break up plain wall surfaces.

~~(2) Variation of building mass.~~

~~(3) Variation in roof lines or use of historic roof pitch (8:12 or greater).~~

(2) Provide variation of building mass and height, responding to the existing development context and adjacent zoning districts.

~~(2)(3)~~ (3) Garage doors shall not dominate the front elevation.

(4) No two detached Single family dwellings, Duplex dwelling structures, Townhome, Triplex dwelling structures, or Fourplex dwelling structures of substantially similar elevations shall be located adjacent to each other.<sup>8</sup>

(B) The Town Manager or his/her designee shall promulgate design guidelines to provide assistance in meeting these requirements.

### ~~6-6-56-6-6~~ 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 structure will be compatible and harmonious with structures in the immediate vicinity; and either

~~(1)(2)~~ (2) The proposed architecture or construction standards provide compensating features that meet the intent and objectives of these standards; or

~~(2)(3)~~ (3) The proposed structure ~~will be compatible and harmonious with structures in(s) support(s) the immediate vicinity.~~ expansion of workforce housing options within the Town of Ridgway.<sup>9</sup>

(B) Requests for deviations shall be reviewed pursuant to the procedures of Subsection 7-3-~~1823~~ of the Ridgway Municipal Code, subject to the fees set in Subsection 7-3-~~2025~~.

### ~~6-6-66-6-7~~ ENFORCEMENT AND ADMINISTRATION.

<sup>8</sup> Moved from Subsection 6-6-4(K) Development Density, above. It is fairly routine for communities to apply this type of standard to single family development.

<sup>9</sup> New criteria to support Master Plan priorities.

- (A) The Town Manager or ~~other designated employee~~his/her designee shall be responsible for the interpretation, administration and enforcement of the provisions of these regulations, as amended, and of any decisions entered by the Planning and Zoning Commission, Board of Adjustment or Town Council, pursuant to such section.
- (B) No building permit, occupancy permit, or other permit or license shall be issued, nor shall any other action of approval be taken or allowed by the Town for any property which is not in compliance with the provisions of these regulations and any decision issued pursuant hereto.
- (C) Whenever necessary to make an inspection to enforce any of the provisions of these regulations or any provision of a decision entered, pursuant to this Subsection, or whenever there is reasonable cause to believe that a violation of any provision of these regulations or of any decision issued pursuant to this Subsection exists, the Marshal, Town Manager, or their authorized representative shall have the right to enter upon such building or premises at all reasonable times for purposes of inspection or to perform any other duty imposed by this Subsection. Prior to entry, he shall identify himself and request permission to enter from the occupant or person in charge of the premise if they can be found by reasonable efforts. If entry is refused, he shall have recourse to any remedy provided by law to secure entry.
- (D) The Town may maintain an action in a court of competent jurisdiction to enjoin any violation of these regulations or of the terms of any decision entered pursuant to this Subsection.
- (E) It shall be unlawful to violate any of the provisions of these regulations, or the terms of any decision entered pursuant to this Subsection. Any person convicted of such a violation may be punished by a fine of up to three hundred (\$300) dollars. Each day any violations continues shall constitute a separate violation.
- (F) Continuing violations of this Subsection, or the terms of any decision issued pursuant to this Subsection, are hereby declared to be a nuisance and may be abated in any lawful manner.
- (G) In addition to the fees contained in this Chapter 6, the applicant shall reimburse the Town for all out-of-pocket costs incurred during the review including legal fees, postage, notice and publishing costs, map costs, engineering fees, etc., together with wages and associated payroll costs for contract employees, plus ten percent to cover overhead and administration. The Town shall bill the applicant periodically as such costs are incurred. Payment is due within 30 days. Bills not paid by the due date shall accrue interest at the rate of one and one-half percent per month or part thereof. No plat shall be recorded, improvement accepted, lien released, building permit issued, tap approved or other final approval action taken until all fees then due are paid to the Town. Such fees may be certified to the County Treasurer for collection as delinquent charges against the property concerned.

PLANNING COMMISSION  
MINUTES OF THE REGULAR MEETING  
FEBRUARY 25, 2020

CALL TO ORDER

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

PUBLIC HEARINGS

1. Application for Variance to relocate building envelope; Location: RiverSage Planned Unit Development (PUD), Filing 1, Lot 4; Address: TBD RiverSage Drive; Zone: Residential; Applicants: David and Ellie Kehmeier; Owner: Kehmeier 2000 Living Trust

Staff Report dated February 25, 2020 presenting background, analysis and staff recommendation prepared by the Town Planner.

Town Planner Shay Coburn presented an application for variance to relocate the building envelope. She explained the Planning Commission already approved this at the January 2020 Regular Meeting. However, the placement of the building envelope changed on the plat map when submitted to staff for review, though the size remained the same. The Applicant did not understand the approval was for the exact position of the building envelope and criteria has still been met with this application she continued.

The Applicants said the civil engineers suggested relocating the building envelope so that the drainage from the residence would be more compatible with the grade of the land and the solar panels will be more efficient because of the increase in elevation by moving the building envelope to the northern aspect of the lot. They noted the owner of Lot 5 submitted a letter of approval for the action and the views for that lot will improve with the change.

The Chairperson opened the hearing for public comment and there was none.

ACTION:

Mayor Clark moved to approve the Variance for Building Envelope Relocation; Location: RiverSage PUD, Filing 1, Lot 4. Commissioner Liske seconded the motion, and it carried unanimously.

OTHER BUSINESS

2. Informal Discussion – Triangle Subdivision, Lot 1

Project Summary and Concept Site Plan submitted by Charles Cuniffe Architects

Sundra Hines of Hines Designs presented the project Team and noted that the building placements on the parcel have changed after determining the terrain's health. Jim Kehoe of Charles Cuniffe Architects reviewed the philosophy and layout for the project. He explained the

project is now proposed to include 10 townhouse units, 24 multifamily and 4 mixed use units. The residential units will range from 500 sq. ft. – 1,850 sq. ft. with a mix of garage and uncovered parking. The building placement will optimize sunlight, pedestrian walkways will connect the subdivision to town and tree plantings will soften the transition from commercial to residential. The commercial buildings will be placed along the highway frontage road to buffer the residential buildings from noise.

DHM Design conducted an ecological character study because a section of the parcel is located in the Uncompahgre River Overlay Zone. Walker Christensen of DHM Design reviewed a proposed vegetative riparian zone that would ensure stabilization of the river and act as a buffer between the parcel and the wetlands.

Builder John Simone, representing the owner of Lot 1, said the owner is committed to providing high quality housing options in Ridgway as well as providing environmental restoration and creating recreational opportunities. Four deed restricted units will be arranged in various areas of the residential buildings. The buildings' outside surfaces will be of low maintenance, high durability materials; short term rentals would be limited and the creation of swells in the landscape will capture run-off. Well water located on the parcel will be used for landscape. The Planning Commission reminded Mr. Simone the well water could not be used for domestic purposes pursuant to the Town's Municipal Code.

The Commission expressed concerns about access in and out of the parcel, including left turn difficulties for north bound traffic. They discussed growing concerns over the past decade regarding pedestrian traffic crossing the highway near the current entry point of the lot. It was suggested the applicants provide an easement or initiate some type of connectivity in the site plan so that adjacent landowners and CDOT might build on the concept for future development. There were concerns about residential use in a general commercial zone, but the Planning Commission agreed the development makes sense for the unusually shaped parcel.

#### SPEAKING FROM THE AUDIENCE:

Resident Jenifer Cram expressed concerns about river contamination, traffic volumes once the parcel is developed, residential units in close proximity to the marijuana shops, bar and gas station and limited pedestrian and vehicle access in and out of the parcel.

The applicant confirmed that the current access from the highway would be abandoned and a frontage road would be placed along the north/south easement with a new access to the lot.

#### 3. Project Update for Master Plan Implementation: Land Use Code Updates Phase 1, Address Housing.

Memorandum dated February 25, 2020 regarding project update from the Town Planner.

Planner Coburn updated the Commissioners about the Joint Workshop held on February 10. She explained resident's comments were received for edits to the code. The comments will be complied and sent to the consultants for review. Reconciled comments will be incorporated into a revised draft that will be presented at the Planning Commission's Regular Meeting in March.

#### 4. Legal and Administrative Updates to Sign Regulations, Ridgway Municipal Code 7-3-12

Memorandum dated February 25, 2020 regarding legal and administrative updates to Ridgway Municipal Code 7-3-12 from Town Planner Coburn.

The Town Planner said the sign regulations need to be updated to *clarify confusing or contradicting language* and to comport with the 2015 ruling in case of Reed v. Town of Gilbert which contemplates content-based restrictions on signage. It is not a comprehensive update of the sign code. Planner Coburn and the Commissioners discussed how the changes would affect enforcement. The Commissioners agreed temporary signs should be allowed to be up to 4 sq. ft. instead of 3 sq. ft.

ACTION:

Commissioner Emilson moved to recommend approval to the Town Council for the changes to Ridgway Municipal Code 7-3-12 as proposed with the modification of 7-3-12(B)(9) to allow temporary signs up to 4 square feet, and that Staff draft an ordinance addressing the edits. Mayor Clark seconded the motion and it carried.

APPROVAL OF THE MINUTES

5. Approval of the Minutes from the Meeting of January 28, 2020

ACTION:

Mayor Clark moved to approve the Minutes from January 28, 2020. Commissioner Nelson seconded the motion, and it carried unanimously.

ADJOURNMENT

The meeting adjourned at 7:05 p.m.

Respectfully submitted,

Karen Christian  
Deputy Clerk