

PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING
JANUARY 10, 2023

CALL TO ORDER

The Planning Commission convened both in-person at 201 N. Railroad Street, Ridgway, Colorado and via Zoom Meeting, a virtual meeting platform, pursuant to the Town's Electronic Participation Policy, due to the COVID-19 pandemic.

The Chairperson called the meeting to order at 5:30 p.m. Commissioners Franz, Liske, Nelson, Petruccelli, Mayor Pro-Tem Meyer, Mayor Clark and Chairperson Montague were in attendance.

PUBLIC HEARING

1. Continuance Request: Application for Sketch Plan; Location: McChesney Minor Subdivision, Lot 2; Zone: Residential and Future Development; Applicant: Chris Hawkins DBA/Alpine Planning, LLC; Owner: Four Winds Ranch, LLLP and Estate of Bernadine C. Endicott

Staff Report dated January 6, 2023, presenting background, analysis and recommendation prepared by TJ Dlubac, AICP of Community Planning Strategies. Included in the hearing packet were Public comments received from Matt Gawlowski, Stephen McComb, Jack and Karen Fay.

Planner Dlubac noted this is the third request for a continuance for this project. He explained the development team has actively been working with staff to address the outstanding issues as outlined in the Staff Report, but they have not been able to fully address all topics. Dlubac further explained the Colorado Department of Transportation (CDOT) has been included in most conversations which has lengthened the time to resolve the issues. He recommended the hearing be continued to the January 31 Regular Planning Commission Meeting as requested by the applicant.

The Chairperson opened the hearing for public comment and there was none.

ACTION:

Mayor Pro-Tem Meyer moved to approve the Applicant's request to continue the Application for Sketch Plan; Location: McChesney Minor Subdivision, Lot 2; Zone: Residential and Future Development; Applicant: Chris Hawkins DBA/Alpine Planning, to the January 31, 2023, Regular Planning Commission Meeting. Commissioner Nelson seconded the motion and it carried unanimously.

2. Application for Amended Plat; Location: Parkside Subdivision, Lot 15; Address: 702, 704, and 706 N. Laura St.; Zone Residential; Applicant: Amanda Gerhardt; Owner: Habitat for Humanity of the San Juans
3. Application for Variance to Side Setbacks; Location: Parkside Subdivision, Lot 15; Address: 702, 704 and 706 N. Laura St.; Zone: Residential; Applicant: Amanda Gerhardt; Owner: Habitat for Humanity of the San Juans

Staff Reports for agenda items 2 and 3 dated January 6, 2023, presenting background, analysis and recommendation prepared by TJ Dlubac, AICP of Community Planning Strategies.

Mr. Dlubac recommended discussion of both agenda items simultaneously because each variance request and the plat amendment would need to be approved to move forward with the parcel being split into 3 individual lots that are currently under a single ownership. He explained both requests would ready the affordable housing parcel into individual lots for the purpose of resale. The Planner noted the minimum off-

street parking requirements are met with the proposed lot split, and the landscaping requirements were approved prior to the current revisions to the Ridgway Municipal Code. He recommended approval of both requests *with the conditions intended to tie each of the approvals together so no one request is approved unless all are approved.*

The Commissioners discussed the applications with the Planner. They noted neighbors have expressed concerns regarding fencing impeding the drainage easement on the east side of the parcel. Dlubac explained plans to install a fence are not included in either request from the applicant.

Applicant Amanda Gerhardt stated there are no plans to build a fence as part of the approved landscape plan and the landscape requirements would be completed in the Spring. She noted the price-point for the sale of each unit will not be determined until the construction is completed.

The Planning Commission discussed the applications with Dlubac and Ms. Gerhardt. Discussion regarding fencing near the drainage ditch continued. Mr. Dlubac noted code standards do not allow structures or fencing in drainage easements. Ms. Gerhardt said a plat note would be added to reiterate restricting fencing or structures in the easement to ensure awareness of future qualified buyers.

The Chairperson opened the hearing for public comment.

Comments regarding landscaping, fencing and access were received from residents Jennifer Cram, Tom Heffernan, Terese Seal, Dan Quigley and Nicole Guck.

The Chairperson closed the hearing for public comment.

The Planning Commission agreed a note should be added to the amended plat for clarification of access, maintenance and restrictions for the drainage easement and drainage ditch.

ACTION:

Chairperson Montague moved to approve an 8 ft. variance to allow a zero ft. side setback on the south property line for the to-be Lot 15A, Amended Plat of Lot 15 Parkside Subdivision in the Low-Density Residential District, finding that the criteria set forth in the Ridgway Municipal Code (RMC), Section 7-3-21 have been met with the following conditions: 1.) Address all comments in the Planning Review Comment Letter dated January 6, 2023, to the satisfaction of Town Staff prior to the Amended Plat being recorded with the Ouray County Clerk and Recorder 2.) The Town Council approves the Amended Plat of Lot 15, Parkside Subdivision. Mayor Clark seconded the motion and it carried unanimously.

ACTION:

Chairperson Montague moved to approve an 8 ft. variance to allow a zero ft. setback on the north and south property line for to-be Lot 15B, Amended Plat of Lot 15 Parkside Subdivision in the Low-Density Residential District finding that the criteria set forth in RMC, Section 7-3-21 have been met with the following conditions: 1.) Address all comments in the Planning Review Comment Letter dated January 6, 2023, to the satisfaction of Town Staff prior to the Amended Plat being recorded with the Ouray County Clerk and Recorder 2.) The Town Council approves the Amended Plat of Lot 15, Parkside Subdivision. Mayor Pro-Tem Meyer seconded the motion and it carried unanimously.

ACTION:

Mayor Pro-Tem Meyer moved to approve an 8 ft. variance to allow a zero ft. setback on the north property line for to-be Lot 15C, Amended Plat of Lot 15 Parkside Subdivision in the Low-Density Residential District finding that the criteria set forth in RMC, Section 7-3-21 have been met with the following conditions: 1.) Address all comments in the Planning Review Comment Letter dated January 6, 2023, to the satisfaction of Town Staff prior to the Amended Plat being recorded with the Ouray County Clerk and Recorder 2.) The Town Council

approves the Amended Plat of Lot 15, Parkside Subdivision. Commissioner Franz seconded the motion and it carried unanimously.

ACTION:

Mayor Clark moved to recommend approval of the Amended Plat of Lot 15 Parkside Subdivision to the Town Council, finding that the criteria set forth in RMC Section 7-4-5 and Section 7-4-10 have been met with the following conditions: 1.) Address all comments in the Planning Review Letter dated January 6, 2023, 2.) Add a note to the Amended Plat pointing out that there can be no construction, or plantings into the drainage easement on each side of the proposed lots, 3.) The Town Attorney and Town Staff will review the plat note for the drainage easement and ditch prior to the Amended Plat being recorded with the Ouray County Clerk and Recorder. Mayor Pro-Tem Meyer seconded the motion and it carried unanimously.

The Commission paused for a break at 6:38 p.m. and resumed at 6:42 p.m.

WORK SESSION

4. Staff Update regarding modifications to Ridgway Municipal Code Chapter 7, *Planning and Zoning*

Staff Report dated January 6, 2023, presenting background, analysis and recommendation prepared by TJ Dlubac, AICP and Katie Kent, AICP of Community Planning Strategies.

Katie Kent provided a general overview of the proposed updates to Chapter 7 that included feedback received from the Planning Commission and Town Staff after the November 29 Regular Planning Commission Meeting. She reviewed newly proposed zoning applications that would streamline the application process and assist applicants in determining what is needed to receive approval. Ms. Kent presented scenarios to demonstrate how an applicant would move forward through Town Staff reviews, Planning Commission consideration, and/or Town Council approval, based on the requests. There were questions from the Commissioners throughout the presentation. The Planning Commission agreed with the Chapter 7 updates as presented.

Planner Dlubac encouraged continued comments from the Commissioners regarding the presentation and explained one or two more work sessions would be needed before presenting the final draft. Revisions to the Municipal Code from this work session will be incorporated into the proposed Chapter 7 updates and will be presented at the January 31 Regular Planning Commission Meeting via work session. Town Staff and the Commissioners will determine the next steps in the process at that meeting, which may affect the expiration date of the Emergency Ordinance dated August 10, 2022, that postpones submittal of certain zoning applications. The Planning Commission agreed the Chapter 7 updates should move forward as necessary regardless of Emergency Ordinances' timeline.

APPROVAL OF THE MINUTES

5. Approval of the Minutes from the Regular Meeting of November 29, 2022

ACTION:

Mayor Clark moved to approve the Minutes from November 29, 2022. Mayor Pre-Tem Meyer seconded the motion and it carried unanimously.

OTHER BUSINESS

6. Updates from Planning Commission Members

Mayor Clark said the Town is seeking a Council or Commission member to sit on the Home Trust of Ouray County's Board of Directors.

Planner Dlubac noted he will present a resolution at the January 11 Town Council Regular Meeting that will provide the opportunity to amend the Town's Master Plan.

ADJOURNMENT

The meeting adjourned at 8:30 p.m.

Respectfully submitted,

Karen Christian
Deputy Clerk