

Ridgway Town Council
Regular Meeting Agenda
Wednesday, August 11, 2021

Due to COVID-19, and pursuant to the Town's Electronic Participation Policy, the meeting will be conducted both in person and via a virtual meeting portal. Members of the public may attend in person at the Community Center, located at **201 N. Railroad Street, Ridgway, Colorado 81432**, or virtually using the meeting information below.

Join Zoom Meeting

<https://us02web.zoom.us/j/82166999139?pwd=RmtDRzVEcHNybnNIMSM9kSVg2R01hQT09>

Meeting ID: 821 6699 9139

Passcode: 530825

Dial by your location

+1 346 248 7799 US

+1 253 215 8782 US

5:30 p.m.

ROLL CALL Councilors Adam Beck, Angela Ferrelli, Kevin Grambley, Beth Lakin, Terry Schuyler, Mayor Pro Tem Russ Meyer and Mayor John Clark.

EXECUTIVE SESSION The Town Council will enter into a closed session pursuant to Colorado Revised Statutes 24-6-402(4)(e) for a conference with the Town Attorney for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, regarding a Telluride Foundation workforce housing project.

6:00 p.m.

ADDITIONS & DELETIONS TO THE AGENDA

ADOPTION OF CONSENT CALENDAR All matters listed under the consent calendar are considered to be routine by the Town Council and enacted by one motion. The Council has received and considered reports and recommendations prior to assigning consent calendar designations. Copies of the reports are on file in the Town Clerk's Office and are available to the public. There will be no separate discussion on these items. If discussion is requested, that item will be removed from the consent calendar and considered separately.

1. Minutes of the Regular Meeting of July 14, 2021.
2. Register of Demands for August 2021.
3. Renewal of liquor store license for High Spirits.

PUBLIC COMMENTS Established time for the public to address the Council regarding any item not otherwise listed on the agenda. Comments will be limited to 5 minutes per person.

PUBLIC REQUESTS AND PRESENTATIONS Public comments will be limited to 5 minutes per person; discussion of each item may be limited to 20 minutes.

4. Update from the Ouray County Public Health Director - Tanner Kingery.
5. Presentation on the Ridgway Plastic Film Upcycling Program - Carry On Girls in partnership with Eco-Action Partners, Ridgway Hardware and Alpine Bank.

6. Request from Riversage Homeowners Association regarding road maintenance - Representatives of Riversage Homeowners Association.
7. Request to hold special event in Hartwell Park on September 5, 2021 for the Annual Ridgway Fire Department Labor Day Dance - Town Clerk.

PUBLIC HEARINGS Public comments will be limited to 5 minutes per person; discussion of each item may be limited to 20 minutes.

8. Final Plat for North Seal Subdivision, Lot 14, Parkside Subdivision - Planner.

POLICY MATTERS Public comments will be limited to 5 minutes per person; overall discussion of each item may be limited to 20 minutes.

9. Joint Work Session with the Ridgway Planning Commission to discuss a Telluride Foundation workforce housing project - Town Manager.
10. Appointment of members to the Creative Main Street Group - Community Initiatives Facilitator.
11. Review and direction on June 2021 Revision of Long-term Implementation Plan and Strategy for Strategic Master Plan for Ridgway Visitor Center and Heritage Park - Community Initiatives Facilitator.
12. Review and approval of submittal of SB21-252 Main Street: Open for Business Program Heritage Energy Grant Application - Town Manager.
13. Review and action on Revocable Encroachment Permit for use of Town property related to Ridgway Space to Create Project - Town Planner.
14. Review and action on Colorado Department of Local Affairs Use Covenant and Regulatory Agreement related to the Ridgway Space to Create Project - Town Attorney.
15. Ordinance No. 06-2021 Enacting a New Chapter 7-7 of the Ridgway Municipal Code Titled "Landscape Regulations" and Amending Chapter 6-1 "Building Regulations", Chapter 6-6 "Residential Design Standards", Chapter 7-3 "Zoning Regulations", and Chapter 7-4 Subdivision Regulations" - Planner.
16. Ratification or amendment of the rescission of Emergency Restrictions on burning and fires within the Town of Ridgway - Town Manager.
17. Discussion and potential appointment to the Colorado Municipal League Policy Committee - Town Manager.

WRITTEN AND VERBAL REPORTS Written reports may be provided for informational purposes prior to the meeting updating Council on various matters that may or may not warrant discussion and action.

18. Updated 2022 Fiscal Year Budget Preparation Schedule.
19. Progress report on the 2021 Strategic Plan.
20. Town Manager's Report.

COUNCIL COMMITTEE REPORTS Informational verbal reports from Councilors pertaining to the following committees, commissions and organizations:

Committees & Commissions:

Ridgway Planning Commission - Councilor Meyer and Mayor Clark
Ridgway Parks, Trails & Open Space Committee - Councilor Ferrelli
Ridgway Creative District Creative Advocacy Team - Councilor Grambley
Ridgway Scholarship Committee - Councilor Lakin and Mayor Clark

Board Appointments:

Ouray County Weed Board - Councilor Lakin; alternate - Town Engineer
Ouray County Joint Planning Board - Councilor Meyer, citizens Rod Fitzhugh & Tom McKenney;
alternate - Councilor Beck
Sneffels Energy Board - Councilor Lakin and Town Manager; alternate - Mayor Clark
Region 10 Board - Mayor Clark
WestCO Dispatch Board - Town Marshal; alternate - Town Manager
Gunnison Valley Transportation Planning Region - Town Manager
Ouray County Transit Committee - Public Works Services Administrator; alternate - Town Manager
Ouray County Water Users Association - Councilor Meyer
Water and Land Committee for the Uncompahgre Valley - Councilor Meyer; alternate - Town Manager

Liaisons:

Chamber of Commerce - Councilmember Lakin
Communities That Care Coalition - Mayor Clark
Ouray County Fairgrounds - Councilor Schuyler

ADJOURNMENT

Deadline for agenda items for next regular meeting, Wednesday, September 1, 2021 at 4:00 p.m.,
Town Clerk's Office, 201 N. Railroad Street, Ridgway, Colorado.

Consent Agenda

RIDGWAY TOWN COUNCIL
MINUTES OF REGULAR MEETING
JULY 14, 2021

CALL TO ORDER

The Town Council 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 Mayor called the meeting to order at 5:30 p.m. In attendance Councilors Beck, Ferrelli, Grambley, Schuyler, Mayor Pro Tem Meyer and Mayor Clark. Councilmember Lakin was absent.

CONSENT AGENDA

1. Minutes of the Regular Meeting of June 9, 2021.
2. Register of Demands for July 2021.
3. Renewal of restaurant liquor license for Eatery 66.
4. Renewal of hotel/restaurant liquor license for Star Saloon.
5. Modification of premises for Star Saloon LLC, to add an adjacent lot to south of lawn area.
6. Renewal of restaurant liquor license for El Agave Azul.

ACTION:

It was moved by Mayor Pro Tem Meyer, seconded by Councilmember Grambley and unanimously carried by a roll call vote to approve the consent agenda.

PUBLIC COMMENTS

Jim Nowak inquired into the timing for preparation of the water supply analysis, and if when it is received, the Town will consider revisiting the IGA with Ouray County which agreed to accept the growth for the County. He noted recently the Town installed "new sod and is watering it during the heat of the afternoon" at Heritage Park. He questioned the placement of grass instead of "xeriscape" landscaping, noting watering the area of 4,754 square feet would use 2,947 gallons of water a day. He asked, "is it the right message we want to send to people" during a time of drought.

Val Swartz reported the dark sky program will be participating in the upcoming Top of the Pines celebration and events.

PUBLIC REQUESTS AND PRESENTATIONS

7. Proclamation Supporting the Inaugural Ouray County Pride Celebration

Tera Wick explained the Voyager Youth Program is "taking the lead on organizing" the first annual pride celebration, and asked the Council to adopt a proclamation in support of the event to be held on July 25th.

The Mayor read the proclamation. Two participants from the Voyager Program addressed the importance of the event, and the need to address acceptance of “cultural differences and diversity”.

ACTION:

Councilor Schuyler moved to adopt the Proclamation Supporting the Inaugural Ouray County Pride Celebration. Councilor Ferrelli seconded the motion, and it carried unanimously on a roll call vote.

8. Recognition of members of the Ridgway Youth Advisory Council

Staff Report dated 7-8-21 from the Town Manager presenting a background on the formation of the Youth Advisory Council.

Manager Neill explained last July the Council formed a Youth Advisory Committee to offer students the opportunity to present input on projects, programs and events. In October Anna Bartschi, Emma Berwanger, Christian Lindler, Nerea McKnitt and Emmalee Taylor were appointed to the inaugural board. The group met monthly during the school year, and the meetings are posted on the Town's YouTube Channel.

The Council heard from members of the board on their individual experiences.

Mayor Clark noted the first year “was a huge success” and thanked the members for their service.

9. Presentation from Ridgway Area Chamber of Commerce

Hilary Lewkowitz, with the Ridgway Area Chamber of Commerce, presented a report dated 7-8-21 outlining activities and submitting financial reports for the past six months.

Ms. Lewkowitz reported on staffing and board of directors; regional and local partnerships; online media and visitors guide; infrastructure investments; visitor center, messaging and marketing; and financial reporting organized around the Town approved marketing plan. She stated the Chamber strategies include improving year round economic opportunities for local businesses, while considering sustainability for the Town and surrounding natural resources.

Val Swartz with the Dark Skies Committee, and Danielle Norman with Voyager Youth Program, thanked the organization.

10. Request to close N. Cora Street between Roundhouse and Railroad Streets for block party

The Town Clerk presented a request to close N. Cora Street between Roundhouse and Railroad from 4:00 to 9:00 p.m. on August 26, 2021 for a block party for business owners in the Industrial Park.

There was discussion by the Council.

ACTION:

Mayor Pro Tem Meyer moved to approve the application for use of N. Cora Street for a block party between Roundhouse and Railroad Streets on August 26th at 4:00 pm, Councilor Grambley seconded, and the motion carried unanimously on a roll call vote.

PUBLIC HEARINGS

11. Request for extension to meet conditions of approval for Replat of Block 12, Lots 1-3

Staff Report from the Town Manager dated 7-9-21 presenting a letter from applicant Ellen Hunter requesting an extension to meet the conditions for replat of Lots 1-3, Block 12, currently 953 Moffat Street.

The Town Manager explained some of the conditions placed by the Planning Commission and approved by the Council last July have been met, remaining conditions include placement of survey monuments, revising the plat map for easements and installing electrical service.

Applicant Ellen Hunter addressed the Council and explained she has scheduled with the area electric provider to place conduit across the street to reach the proposed property line.

ACTION:

It was moved by Councilmember Grambley to approve a three month extension for the Hunter Replat for Block 12, Lots 1 - 3, for owner Ellen Hunter, with the conditions assigned at the July 8, 2020 Council meeting to be met before the final plat can be recorded, seconded by Mayor Pro Tem Meyer, and carried unanimously on a roll call vote.

POLICY MATTERS

12. Professional Services Agreement with LRE Water for preparation of a Water Supply Assessment

Staff Report from the Town Manager dated 7-13-21 presenting a request to enter into an agreement with LRE Water for preparation of a water supply assessment.

The Town Manager reported the Town solicited requests for proposals to prepare a water supply assessment to assess current water rights and supplies; to determine the Town's total projected water supplies available during normal, single dry and multiple dry water years over a 30 year projection to determine if it will meet the projected water demand of future growth and changes in usage in the Town's service area. Two proposals were received and after interviews and review, staff is recommending hiring LRE Water. He noted the project is budgeted at \$40,000 and the proposal is \$53,893. Though the project cost is over the amount budgeted, he stated staff is comfortable with the expenditure.

There were questions from the Council.

ACTION:

Moved by Councilor Grambley, seconded by Mayor Pro Tem Meyer and unanimously carried by a roll call vote to authorize Mayor Clark to execute the Professional Services Agreement between the Town and LRE Water for the preparation of a Water Supply Assessment.

13. Professional Services Agreement with DHM Design for preparation of a River Corridor Assessment

Staff Report from the Town Manager dated 7-12-21 presenting a request to enter into an agreement with DHM Design for preparation of a river corridor assessment.

The Town Manager reported requests for proposals were solicited, and four bids received, to prepare an assessment of the river corridor to address riparian and river restoration. The companies were interviewed and the recommendation is to hire DHM Design. He noted the project was budgeted at \$20,000 and the proposal is \$31,933. Though the project cost is over the amount budgeted, staff is recommending moving forward with the project.

There were comments from the Council.

ACTION:

Moved by Mayor Pro Tem Meyer, seconded by Councilor Schuyler and carried unanimously on a roll call vote to authorize Mayor Clark to execute the Professional Services Agreement between the Town and DHM Design for the preparation of a River Corridor Assessment,

14. Mandatory Water Restrictions

Staff Report dated 7-8-21 from the Town Manager presenting background on the water restrictions promulgated by the Mayor on June 17th.

Manager Neill noted based on triggers in the Water Conservation and Water Management Plan the Mayor promulgated water restrictions outside of a meeting, and Council is being asked to ratify the action.

ACTION:

Councilor Ferrelli moved to confirm mandatory water restrictions for the Town of Ridgway, seconded by Mayor Pro Tem Meyer the motion carried unanimously on a roll call vote.

15. Emergency restrictions on burning and fires within the Town

Town Manager staff report dated 7-8-21 reporting on June 17th the Town Manager followed Ouray County and implemented Stage 1 Fire Restrictions.

Manager Neill requested the Council ratify the fire restrictions.

Mayor Clark left the meeting, and Mayor Pro Tem Meyer received the gavel.

ACTION:

Councilmember Schuyler moved to confirm the emergency restrictions on burning and fires within the Town of Ridgway, seconded by Councilor Ferrelli the motion carried unanimously on a roll call vote.

16. Resolution No. 21-06 Supporting the June 2021 Updates to the Colorado Communities for Climate Action Policy Statement

Mayor Clark returned to sit with the Council, and resumed chairing the meeting.

Staff Report dated 7-8-21 from the Town Manager presenting a request from Colorado Communities for Climate Action.

The Town Manager explained the Town is a member of Colorado Communities for Climate Action and at a recent meeting the policy statement was updated. Council is being asked to adopt a resolution ratifying the updated statement.

ACTION:

Councilor Schuyler moved to approve Resolution No. 2021-06 Supporting the June 2021 Updates to the Colorado Communities for Climate Action Policy Statement. The motion was seconded by Councilor Grambley and carried unanimously on a roll call vote.

17. Letter of support for the addition of lands to the Gunnison Public Lands Initiative

Mayor Clark reported a request has been received to support inclusion of a public land initiative into the Gunnison Public Lands Initiative.

Jennifer Cram presented a letter of support addressed to Senator Michael Bennet to add three new parcels, the Turret Ridge, Little Cimarron and Failes and Solider Creek additions, into the Gunnison Public Lands Initiative.

ACTION:

It was moved by Mayor Pro Tem Meyer, seconded by Councilor Schuyler and unanimously carried by a roll call vote to approve Mayor Clark signing the letter to Senator Michael Bennett to include the Gunnison Public Lands Initiative.

MISCELLANEOUS REPORTS

The Town Manager presented a calendar of meeting dates for discussions regarding preparation of the 2022 budget. Manager Neill highlighted some of the items contained in the monthly managers report.

Mayor Pro Tem Meyer presented a recap from the Land and Water Committee meeting.

ADJOURNMENT

The meeting adjourned at 7:35 p.m.

Respectfully Submitted,

Pam Kraft, MMC
Town Clerk

Town of Ridgway
Register of Demands
August 2021

Name	Memo	Account	Paid Amount
Kim's Housekeeping LLC		Alpine-Operating Account	
	July 2021	779POO · Janitorial Service - parks	-966.00
	July 2021	779PO1 · Janitorial Services - comm cntr	-322.00
	July 2021	545GOO · Janitorial Services	-322.00
TOTAL			-1,610.00
Verizon Wireless		Alpine-Operating Account	
		741POO · Telephone	-40.65
		943SOO · Telephone	-65.27
		943WOO · Telephone	-112.74
		843GO3 · Telephone	-162.60
		543GOO · Telephone	-91.30
		643GO2 · Telephone	-40.65
		552GOO · GIS Mapping - admin	-10.01
		952SOO · GIS Mapping - sewer	-10.00
		952WOO · GIS Mapping - water	-50.02
		830GO3 · Computer	-160.04
TOTAL			-743.28
Home Depot Credit Services		Alpine-Operating Account	
	refund remesh	931WOO · Maintenance & Repairs	71.35
	stain for benches	731POO · Maintenance & Repairs	-129.60
TOTAL			-58.25
Black Hills Energy-Lift Station		Alpine-Operating Account	
		942SOO · Utilities	-24.28
TOTAL			-24.28
Black Hills Energy-PW Office		Alpine-Operating Account	
		642GO2 · Utilities	-9.39
		942SOO · Utilities	-9.38
		942WOO · Utilities	-9.38
TOTAL			-28.15
Black Hills Energy-Broadband		Alpine-Operating Account	
	broadband building	5075GO1 · Region 10	-12.45
TOTAL			-12.45
Black Hills Energy-PW Building		Alpine-Operating Account	
		742POO · Utilities	-5.68
		642GO2 · Utilities	-5.68
		942SOO · Utilities	-5.68
		942WOO · Utilities	-5.68
TOTAL			-22.72

Town of Ridgway
Register of Demands
August 2021

Name	Memo	Account	Paid Amount
Black Hills Energy-Hartwell Park		Alpine-Operating Account	
		742POO · Utilities	-31.27
TOTAL			-31.27
Black Hills Energy-Town Hall		Alpine-Operating Account	
		742PO1 · Utilities - community center	-9.65
		842GO3 · Utilities	-9.64
		542GOO · Utilities	-9.65
TOTAL			-28.94
City of Delta		Alpine-Operating Account	
		918SOO · Testing & Permits - sewer	-40.00
TOTAL			-40.00
Pickin' Productions Inc.		Alpine-Operating Account	
	promoter - final payment	781POO · Events & Festivals	-4,000.00
	posters & banner	781POO · Events & Festivals	-1,144.78
	backline equipment	781POO · Events & Festivals	-200.00
	green room supplies	781POO · Events & Festivals	-2,952.84
TOTAL			-8,297.62
PureWater Systems		Alpine-Operating Account	
		914WOO · Consulting & Engineering Ser...	-2,632.50
		914SOO · Consulting & Engineering Servs	-2,632.50
TOTAL			-5,265.00
USABlueBook		Alpine-Operating Account	
	chlorine pump rebuild	931WOO · Maintenance & Repairs	-362.42
TOTAL			-362.42
Air Compressor Service		Alpine-Operating Account	
	air compressor parts	932WOO · Supplies & Materials	-67.31
TOTAL			-67.31
WestCo		Alpine-Operating Account	
	3rd qtr 2021	885GO3 · Dispatch Services	-10,400.19
TOTAL			-10,400.19
Colorado Org for Victim Assist...		Alpine-Operating Account	
	COVA Conf. - Elaine & Tabitha (to be re...	821GO3 · Workshops & Training	-800.00
TOTAL			-800.00

Town of Ridgway
Register of Demands
August 2021

Name	Memo	Account	Paid Amount
City of Grand Junction		Alpine-Operating Account	
		918SOO · Testing & Permits - sewer	-320.00
TOTAL			-320.00
Valvoline Instant Oil Change		Alpine-Operating Account	
		860GO3 · Gas & Oil	-67.12
TOTAL			-67.12
The Paper Clip LLC		Alpine-Operating Account	
		541GOO · Office Supplies	-24.44
		841GO3 · Office Supplies	-24.44
		541GOO · Office Supplies	-21.64
		541GOO · Office Supplies	-53.50
		941WOO · Office Supplies	-40.77
		941SOO · Office Supplies	-40.77
		941WOO · Office Supplies	-8.29
		941SOO · Office Supplies	-8.29
		841GO3 · Office Supplies	-83.60
		541GOO · Office Supplies	-55.35
		941WOO · Office Supplies	-34.84
		941SOO · Office Supplies	-34.84
TOTAL			-430.77
petpickups.com		Alpine-Operating Account	
	dog p/up mitts	732POO · Supplies & Materials	-1,816.86
TOTAL			-1,816.86
Mesa County HDR Laboratory		Alpine-Operating Account	
		990WOO · Testing - water	-20.00
TOTAL			-20.00
SGS Accutest Inc		Alpine-Operating Account	
		990WOO · Testing - water	-102.56
TOTAL			-102.56
UNCC		Alpine-Operating Account	
		915WOO · Dues & memberships	-15.18
		915SOO · Dues & Memberships	-15.18
TOTAL			-30.36
Pureline Treatment Systems		Alpine-Operating Account	
	Aug 2021	989WOO · Plant Expenses - water	-1,650.00
TOTAL			-1,650.00

Town of Ridgway
Register of Demands
August 2021

Name	Memo	Account	Paid Amount
Hartman Brothers Inc		Alpine-Operating Account	
		661GO2 · Vehicle & Equip Maint & Repair	-2.28
		961SOO · Vehicle & Equip Maint & Repair	-2.27
		961WOO · Vehicle & Equip Maint & Repair	-2.27
TOTAL			-6.82
True Value		Alpine-Operating Account	
		632GO2 · Supplies & Materials	-9.35
		732POO · Supplies & Materials	-114.12
		732PO1 · Supplies - community center	-39.56
		832GO3 · Equipment & Supplies	-9.19
		932SOO · Supplies & Materials	-9.36
		932WOO · Supplies & Materials	-29.73
TOTAL			-211.31
Western Paper Distributors		Alpine-Operating Account	
		732POO · Supplies & Materials	-40.76
		632GO2 · Supplies & Materials	-13.59
		932WOO · Supplies & Materials	-13.59
		932SOO · Supplies & Materials	-13.58
TOTAL			-81.52
Scott's Printing & Design		Alpine-Operating Account	
	embroidery	883GO3 · Uniforms	-34.73
TOTAL			-34.73
San Miguel Power Assoc, Inc.		Alpine-Operating Account	
	6/19/21-7/19/21	542GOO · Utilities	-75.49
	6/19/21-7/19/21	5075GO1 · Region 10	-127.19
	6/19/21-7/19/21	638GO2 · Street Lighting	-311.59
	6/19/21-7/19/21	642GO2 · Utilities	-44.16
	6/19/21-7/19/21	742POO · Utilities	-349.33
	6/19/21-7/19/21	742PO1 · Utilities - community center	-75.49
	6/19/21-7/19/21	842GO3 · Utilities	-75.48
	6/19/21-7/19/21	942SOO · Utilities	-3,890.54
	6/19/21-7/19/21	942WOO · Utilities	-785.01
TOTAL			-5,734.28
Pro Velocity		Alpine-Operating Account	
	Sept 2021 maintenance	556GOO · IT Services	-201.67
	Sept 2021 maintenance	615GO2 · IT Services	-201.66
	Sept 2021 maintenance	729POO · IT	-201.66
	Sept 2021 maintenance	820GO3 · IT Services	-201.67
	Sept 2021 maintenance	917WOO · IT Services	-201.67
	Sept 2021 maintenance	917SOO · IT Services	-201.67
TOTAL			-1,210.00

Town of Ridgway
Register of Demands
August 2021

Name	Memo	Account	Paid Amount
CDPHE		Alpine-Operating Account	
	7/1/21-6/30/22 drinking water	918WOO · Permits - water	-310.00
TOTAL			-310.00
Caselle Inc		Alpine-Operating Account	
	Sept 2021	914SOO · Consulting & Engineering Servs	-159.50
	Sept 2021	914WOO · Consulting & Engineering Ser...	-159.50
TOTAL			-319.00

AGENDA ITEM #4

AGENDA ITEM #5

AGENDA ITEM #6

Ridgway Town Council
Attn: Preston Neill
Ridgway Town Hall
201 N Railroad St
Ridgway, CO 81432

July 12, 2021

Dear Council Members,

We, the Riversage Homeowners Association, write to seek council from you on an evolving issue regarding the future use and ownership of our neighborhood streets within our PUD.

We know you are busy—particularly as you navigate your way through the largest growth cycle in our Town's history. Part of that growth has energized us to gain a deeper understanding of the "rules of the road" for our neighborhood. With more and more people visiting and using Riversage Drive as access to one of the Town's most visited parks, we can't help but think it might be worth discussing road maintenance and overall ownership/responsibility.

To our knowledge, we are the only subdivision in the Town of Ridgway in this situation; per our plat notes (below), we are custodians of a Town right of way/property. And, as a small HOA of 16 houses (currently 7), complete with highway access, a bridge, a park, 4 miles of hiking/biking trails and 1.5 miles of road, we see our plat-defined responsibility for road/bridge maintenance as potentially crippling. This does not include, but is worth discussing, the safety hazard associated with our community's access to/from Hwy 550—park goers and residents of the area alike have flagged the single lane turn off the 60mph highway as a high risk/dangerous hot spot.

Our community and the Council have enjoyed a deep history of collaboration and communication. We have, since the PUD's inception, been relentless stewards of the park, open space and roadways. Our homeowners having personally managed grading, plowing, signage; willow removal to improve road visibility and, in kind, the Town has helped in vast ways including our request for a port-o-potty for park visitors as well as patching asphalt on the entry road to Weaver Memorial Park (the first ½ mile of Riversage Drive).

In a time of increasing visitation, use and revenue, we thought it would be the right time to begin a conversation with Town Council, by way of a working session, to further understand the complexities and cost of road maintenance and to discuss the pursuit/path to create a more fair and equitable solution for our HOA.

Very best and we look forward to hearing from you!

The Members of the Riversage Homeowners Association
Riversage Homeowners Association
PO BOX 421
Ridgway CO 81432

9. ALL SUBDIVISION ROADS AND DRAINAGE STRUCTURES MAINTAINED AT HOME OWNERS' EXPENSE.

The roads, the bridge over the Uncompahgre River, and appurtenant drainage easements, although dedicated to the Town of Ridgway, shall be maintained by the RiverSage Home Owner's Association at the sole expense of the RSHOA. Maintenance shall include but not necessarily be limited to, snow removal, surface and subsurface replacement and repair necessitated by normal use and/or acts of God such as flooding, mitigation of noxious weeds and repair and upkeep of adjoining walkways (excluding the concrete bike path which is part of the Uncompahgre Riverway recreational trail system) shoulders and drainage structures. In the event the roads, the bridge, and/or the drainage structures are not properly maintained by the RSHOA, the Town may, deliver notice to the RSHOA declaring that it will repair and/or maintain the roads, the bridge and/or drainage improvements and/or control noxious weeds at the expense of the RSHOA and the Lot Owners if they do not perform the needed maintenance within thirty days of the Notice. In the event of an emergency or public health and safety concern, the Town may, but shall not be required to, enter upon the subject land without notice and perform maintenance deemed necessary by the Town in its sole discretion. The Lot Owners and the RSHOA shall be jointly and severally liable for all costs incurred by the Town maintaining said roads, bridge and drainage improvements. The Town may levy and collect all charges due and owing for said maintenance against the RSHOA and individual lot owners in the same manner state law allows for the collection of real property taxes.

AGENDA ITEM #7



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

Special Event Permit Application

Private Use of Public Property (RMC 14-3-3):

Parks, Facilities, Rights-of-Way, including the Hartwell Park Stage

Application Date:	August 4th, 2021	Event Name:	Ridgway Fire Labor Day Dance in the Park
Applicant Name:	Ridgway Volunteer Fire Department	Event Date:	September 5th, 2021
Applicant Phone:	970-626-5311	Event Time:	5 pm - 10 pm
Applicant Email:	admin@ridgwayfire.org	# Attendees:	500 ?
Organization Name:	Ridgway Volunteer Fire Department	# Participants:	2 bands plus up to 27 RVFD personnel
Mailing Address:	PO Box 181, Ridgway, CO 81432	Entry Fee(s):	
Contact Name (Event Day):	Katy LaSala	# of Vendors:	2-3 food; alcohol tent
Contact Mobile #:		# of Spectators:	up to 500

IMPORTANT: Inaugural and second annual events, must receive the express approval of the Ridgway Town Council. Subsequent annual events will be permitted administratively and include all conditions of approval and other Town Council requirements.

All event sponsors are required to provide proof of insurance listing the Town of Ridgway, officers and employees as additional insured and indemnifying the Town of Ridgway and its officers and employees.

Specify park, facility and/or public right-of-way for the event (check all that apply):

<input checked="" type="checkbox"/> Hartwell Park	<input checked="" type="checkbox"/> Performing Arts Stage	<input type="checkbox"/> Athletic Park
<input type="checkbox"/> Cottonwood Park	<input type="checkbox"/> Dennis Weaver Memorial Park	<input type="checkbox"/> Rollans Park
<input type="checkbox"/> Green Street Park	<input type="checkbox"/> Ouray County Fairgrounds	<input checked="" type="checkbox"/> Right-of-Way (specify below)
<input type="checkbox"/> Other (specify):		

If use of Right-of-Way (streets, alleys, sidewalks) specify exact location(s):

Town hall parking lot

Event Type (check all that apply):

<input checked="" type="checkbox"/> Fundraising Event	<input checked="" type="checkbox"/> Outdoor Concert	<input type="checkbox"/> Filming/ Production
<input type="checkbox"/> Run/Walk Event	<input type="checkbox"/> Bicycling Event	<input type="checkbox"/> Art Show
<input type="checkbox"/> Outdoor Market		
<input type="checkbox"/> Other (specify):		

AGENDA ITEM #8

To: Town of Ridgway Town Council
Cc: Preston Neill, *Ridgway Town Manager*
From: TJ Dlubac, AICP, *Community Planning Strategies, Contracted Town Planner*
Date: August 5, 2021
Subject: North Seal Subdivision Final Plat for August 11th TC Meeting

APPLICATION INFORMATION

Request: Approval of North Seal Subdivision creating three residential lots.
Legal: Lot 14, Parkside Subdivision
Address: N/A – N. Laura Street
General Location: North of and adjacent to N. Rail Road Avenue; west of and adjacent to N. Laura Street; and east of and adjacent to Green Street
Parcel #: 430508414014
Zone District: R Low Density Residential District
Current Use: Vacant
Applicant: Terese and Josh Seal
Owner: Terese and Josh Seal

PROJECT REVIEW

BACKGROUND

The parcel was originally platted as Parkside Subdivision (Rec. #197315). This plat created 23 residential lots and one open space tract. Six of the lots created were noted as allowing two or three single-family equivalents. A notation on Lot 14 states "3 Single Family Equivalents". This note is meant to allow up to three single family dwelling units on the parcel. The zoning district, R Low Density Residential, does not allow more than two dwelling units as a use by right and three units is a Conditional Use Permit. Therefore, the intent of this statement was to allow three units on this one parcel.

Lot 14 is bordered on three sides by streets; Laura Street to the east, North Rail Road Street to the south, and Green Street to the west. Furthermore, there is a drainage and utility easement (Rec. #197315) overlaying the southern 50' of this lot, an irrigation easement (Rec. #197315) along the western eight feet of the lot, and a utility easement (Rec. #197315) along the eastern 15' of the lot.

Lot 14 has a total lot area of 23,708 square feet (0.544 ac.). The minimum lot size for the R District is 6,000 square feet for single family and duplex uses and 10,000 square feet for all other uses.

Note 2 on the North Seal Subdivision states that the three proposed lots are subject to the original plat notes as recorded in Parkside Subdivision. A few of those notes to bring to the Town Council's attention related to this lot and request include:

- Note 2 states that “no lot bordering Green Street or Parkside Drive shall use these streets for driveway or construction access”. *Lot 14A borders Green Street.*
- Note 6 subjects Lot 14 to affordable housing provisions set forth in the note. *See additional discussion of this provision under the analysis section of this report.*
- Note 7 allows up to three dwelling units on Lot 14 provided that no occupancy permit will be approved unless all three units are under construction. *See additional discussion of this provision under the analysis section of this report.*

REQUEST

The applicant wishes to further subdivide Lot 14, Parkside Subdivision, into three separate lots so each of the three units permitted on the Lot 14 pursuant to Note 7 may be sold separately.

The applicant has submitted a hearing application, associated fees, final plat materials, and other required support materials for this public hearing to the Town. The property and hearing have been noticed and posted by the Town in accordance with RMC §7-3-23(D).

CODE REQUIREMENTS

RMC §7-4-10 REPLATS AND AMENDED PLATS

- (B) *Amended plats of subdivision plats previously approved by the Town, or parts of such plats, which do not make or require a material change in the extent, location, or type of public improvements and easements provided, and are consistent with the Design Standards of these Regulations may be submitted, approved and recorded in accordance with the provisions of this Subsection in lieu of other procedures provided for subdivision by these regulations, if all required improvements are in and available to serve each lot.*

The proposed amendments do not materially change the “extent, location, or type of public improvements and easements” since the parcel was contemplated for three single family homes upon the original plat and there are no proposed changes to the easements established with the Parkside Subdivision. Therefore, the requirements set forth in 7-4-10(C) apply to this application.

RMC §7-4-5(C)(9):

- (9) *The Town Council shall issue its decision approving, conditionally approving or disapproving the plat, based upon compliance with the provisions of these regulations. The Town Council may continue its consideration of the plat until such time as any proposed requirements for approval, are met by the subdivider. Consideration of the matter may also be continued upon the subdividers request. Except as otherwise expressly provided by the Town Council, all other conditions of approval shall be met within 90 days of such approval or the plat shall be deemed disapproved. Unless expressly authorized by the Town Council, the final plat shall not be recorded until all conditions of approval have been met. Following approval by the Town Council and compliance with any conditions of approval, the final plat shall be executed by Town Officials and recorded with the County Clerk and Recorder by the Town Clerk the cost of which shall be advanced by the subdivider.*



ANALYSIS

LAND USES

The property is currently vacant, however, the drainage channel within the 50' easement on the southern portion of the lot is constructed. Also, the adjacent infrastructure, including roadways, curb, gutter, and sidewalk are installed.

DIMENSIONAL STANDARDS

Section §7-3-15(A) sets forth the required dimensional standards which shall be met for various uses within each zone district. For the R Low Density Residential District, the following standards apply to single family uses:

<i>Standard</i>	<i>Requirement</i>	<i>Proposed</i>		
		<i>Lot 14A</i>	<i>Lot 14B</i>	<i>Lot 14C</i>
Min. Lot Width	50'	50'	50'	89'+/-
Min. Lot Size	6,000sf	9,212.29sf	6,658.96sf	7,837.07sf
Max. Lot Coverage*	50%	TBD	TBD	TBD
Min. Front Setback*	15'	N. Laura Street: 15'+	N. Laura Street: 15'+	N. Laura Street: 15'+
Min. Rear Setback*	8'	50'+	50'+	50'+
Min. Side Setback*	5'	TBD	TBD	TBD
Max. Side on Corner Lot*	7.5'	Green Street: 8'+	TBD	TBD
Structure Height*	27'	TBD	TBD	TBD

**These dimensional standards will be confirmed at time of building permit review.*

The proposed subdivision either meets or is able to meet all dimensional standards.

ACCESS

Each of the three proposed lots will have their own direct access onto N. Laura Street. The submitted sketch plan illustrates that all three proposed lots are providing driveways able to meet town parking requirements. Given the limited buildable area of the current lot, and each proposed subdivided lot (Lots 14A, 14B, and 14C), the proposed layout appears to strike a balance between access points, driveway locations, and building footprints. While the driveways will need to be defined better with a building permit, the accesses appear to be equally distanced from each other and laid out at points along N. Laura Street which appear to be a safe distance from the intersection with North Rail Road Avenue.

Encroachment Permit: Right-of-way encroachment permits must be obtained through the town for any work in the public right of way. This includes, but is not limited to, curb cuts, replacement of sidewalks, and water and/or sewer service connections to the main lines.



UTILITIES

Utilities were installed in conjunction with the original Parkside Subdivision, including water, sewer, and electrical services. Similarly, all financial surety requirements and agreements outlining obligations were tied to the original subdivision plat. Therefore, the applicant is responsible for the extension of service lines, but no additional main lines need to be extended. Since the main water and sewer lines are already in place and this is only a reconfiguration of a single lot, the town has not reviewed or approved any utility service alignment, concept, or design associated with the proposed three lots. At the time the applicant submits a building permit application, adequate water and sewer service lines shall be depicted on submitted plans and, if necessary, establishment of easement(s), payment of fees, or realignment(s) of service lines may be required before the Town is able to issue a building permit for this project.

Water Service: There are three water taps stubbed and located on the proposed Lot 14B. The owner will be responsible for extending those service lines to the final location of the proposed homes on each lot and providing adequate means for the service lines to be maintained and replaced, as necessary.

Sewer Service: No utility plan information was submitted in conjunction with this final plat and no cleanouts or sewer service lines were depicted on the final plat. Since the sewer has not been reviewed separately for this replat, staff recommends Note 9, which states the maintenance of the sewer line is the responsibility of the owners of Lots 14A, 14B, and 14C and not the Town's, be removed from the plat. We have not evaluated that statement, nor have we been able to discuss the specific section(s) of sewer line this statement is referring to for this application. This review will be accomplished at such time a building permit for each lot is submitted.

AFFORDABLE HOUSING PROVISIONS

The affordable housing provisions of Note 6 of the Parkside Subdivision are referenced and incorporated into this North Seal Subdivision. In general, these provisions require:

- The units be owned by Ouray County residents.
- The units be owner occupied unless and until the provisions terminate as provided in the provisions.
- The town waives excise tax required by RMC §3-4-1.
- At least one person in the household shall earn a majority of their income within Ouray County or from an employee based in Ouray County.
- The initial maximum sale of a unit shall meet the formula established in the note and be approved by the Town Manager prior to any transfer of property.

The applicant and the Town will have to coordinate on a number of these items as the project progresses to ensure the provisions are adequately met. This is no different than if Lot 14 were to develop as one parcel.

HOA APPROVAL

One concern the Planning Commission voiced at the April hearing was that the Parkside HOA had not provided written approval of the subdivision. Since the April meeting, the applicant was able to obtain HOA approval letter dated June 28, 2021. That approval letter is attached to this memo as Attachment C for the Council's review and consideration.

PUBLIC COMMENT



A number of public comments have been received via e-mail prior to the Town Council hearing. Each of the received notes are attached to this report for the Council's review. The following table identifies the names and general sentiment of each comment received.

<i>Name</i>	<i>Sentiment</i>
Amie Minnick Provisions at the Barber Shop	Supportive of application
Andrea Sokolowski Firehouse Investment Real Estate, LLC	Supportive of application
Elizabeth Dickerson 671 Golden Eagle Trail, Ridgway	Supportive of application
Jenny Williams Solar Ranch Residents	Supportive of application
Kit & Randy Cassingham Resident	Supportive of application
Lynn Kircher Doodles Designs	Supportive of application
Tim Stroh, AIA, Springboard Preservation Studio	Supportive of application
Doug Unfug 590 Marion Overlook, Ridgway	Supportive of application
John Burchmore 181 County Road 5, Ridgway	Supportive of application
Angela Hawse 1029 Clinton Street, Ridgway	Supportive of application
Vicki Hawse 30 South Elizabeth St, Ridgway	Supportive of application
Kerry Wilson 620 Tabernash Lane, Ridgway	Supportive of application
Brad Williams Principal of BTB Construction, LLC	Supportive of application

PC RECOMMENDATION

Upon holding a duly noticed public hearing, considering staff presentation and testimony given at the public hearing, the Town of Ridgway Planning Commission recommended the Town Council approve the North Seal Subdivision with the following conditions by unanimous vote:

1. A reproducible mylar properly executed by all parties except Town officials be submitted to the Town within 30 days of approval of the subdivision by the Town Council.
2. Note 9 stating that all three lots are to own the sewer line be removed.
3. Any water or sewer tap fees which have not been paid or waived pursuant to Note 6 of the Parkside Subdivision plat shall be paid in accordance with Section 9-1-9 of the Ridgway Municipal Code prior to issuance of the first building permit for any lot in this subdivision.
4. Amend the second line of the title of the subdivision to read: "An Amended Plat of Lot 14, Parkside Subdivision, Town of Ridgway"

STAFF RECOMMENDATION



Staff recommends that the Town of Ridgway Town Council approve the North Seal Subdivision with the following conditions:

1. A reproducible mylar properly executed by all parties except Town officials be submitted to the Town within 30 days of approval of the subdivision by the Town Council.
2. Note 9 stating that all three lots are to own the sewer line be removed.
3. Any water or sewer tap fees which have not been paid or waived pursuant to Note 6 of the Parkside Subdivision plat shall be paid in accordance with Section 9-1-9 of the Ridgway Municipal Code prior to issuance of the first building permit for any lot in this subdivision.
4. Amend the second line of the title of the subdivision to read: "An Amended Plat of Lot 14, Parkside Subdivision, Town of Ridgway"

ATTACHMENTS

- A. Application and Support Materials
- B. Parkside Subdivision Plat, Reception #197315
- C. Parkside HOA Approval Letter
- D. Public Comments



Attachment A

Application Materials

July 6, 2021

Town of Ridgway
Planning Commission
201 N. Railroad St.
Ridgway, CO 81432

Attention: TJ Dlubac, Planner

Dear Commissioners:

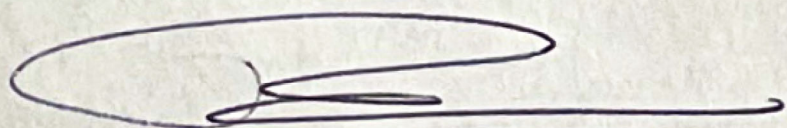
We are requesting approval of a subdivision of Lot 14, Parkside Subdivision. This application came before you in April, 2021 and there were a number of concerns expressed. We have worked with staff to address those concerns and are asking for approval, as amended.

1. We understand that staff has confirmed that final plat is the appropriate process to follow for this application as the original plat notes will be retained and the HOA has approved the application.
2. We have adjusted the lot boundary lines and deleted the need for and request for a variance. See revised proposed plat.
3. The Parkside Homeowners' Association approves of and supports this application. See attached letter.
4. We are renewing our request to subdivide Lot 14 into three (3) lots meeting the minimum dimensional standards of the zone district. We believe that this is the best configuration for the planned homes to be constructed for the following reasons:
 - Permitting three separate lots is consistent with the original plat note 6 which provides that "Lots 14 and 15 are required to have three units each (triplex, attached or detached)." Similarly, the Parkside Covenants provide that "(a) lot shown on the Plat with lot number 14 & 15 which shall consist of three separate Units and upon which three residences, *joint or separate*, may be constructed..." (emphasis added)
 - The homes constructed must still be "affordable" as also required by Plat Note 6, and so must still be owner-occupied and deed restricted. These will not be short term rental units, vacation units, or investment properties.
 - While a triplex was once less expensive to construct than three single homes,, new building code requirements have altered that. A triplex is now required to include an automatic interior sprinkler system. The Habitat triplex being currently constructed has expended approximately \$50,000 on just the sprinkler system. These additional costs are passed along to future owners and make the final homes less affordable.
 - One large foundation in the expansive soils found at the site will be more expensive than three smaller foundations.

- One large building is more massive visually than three smaller homes with individual yards and private spaces.
- Market demand is for single family homes rather than attached triplex units.
- A triplex would require a separate HOA, which involves additional costs, both at the inception, and continued additional monthly costs for new homeowners, as well as additional potential for building owner disputes.
- Single family units provide more privacy than attached units. Affordable housing does not need to scream that it is affordable and provide an image of lesser homeowner prestige.
- Three individual homes with their own yards and driveways provide a better transition into the neighborhood of larger and taller homes than a triplex.

Green Seal LLC is a very small, locally owned company in Ridgway that builds "smart." Josh and I have lived and worked in Ouray county for about twenty-five years. We have built quality homes over the years that are small, energy efficient, low maintenance, and attractive. The last three homes we built and sold in Ridgway were very popular and our buyers are all small business owners in Ouray County. Profits on affordable homes are limited to 15%, so this application is not simply an effort to increase profits. We believe in Ridgway, want what is best for the town, and believe that we are proposing homes that will be more affordable than triplex units, and will be desirable to future owners. Affordable housing should not be limited to apartments, condos and townhomes. Single family homes are sought after and desirable. The fact is, given current building codes, we can construct single family homes at a lower cost, which in turn makes them more affordable to the eventual purchaser. We believe these homes will be a long-term asset in the Town.

Sincerely,

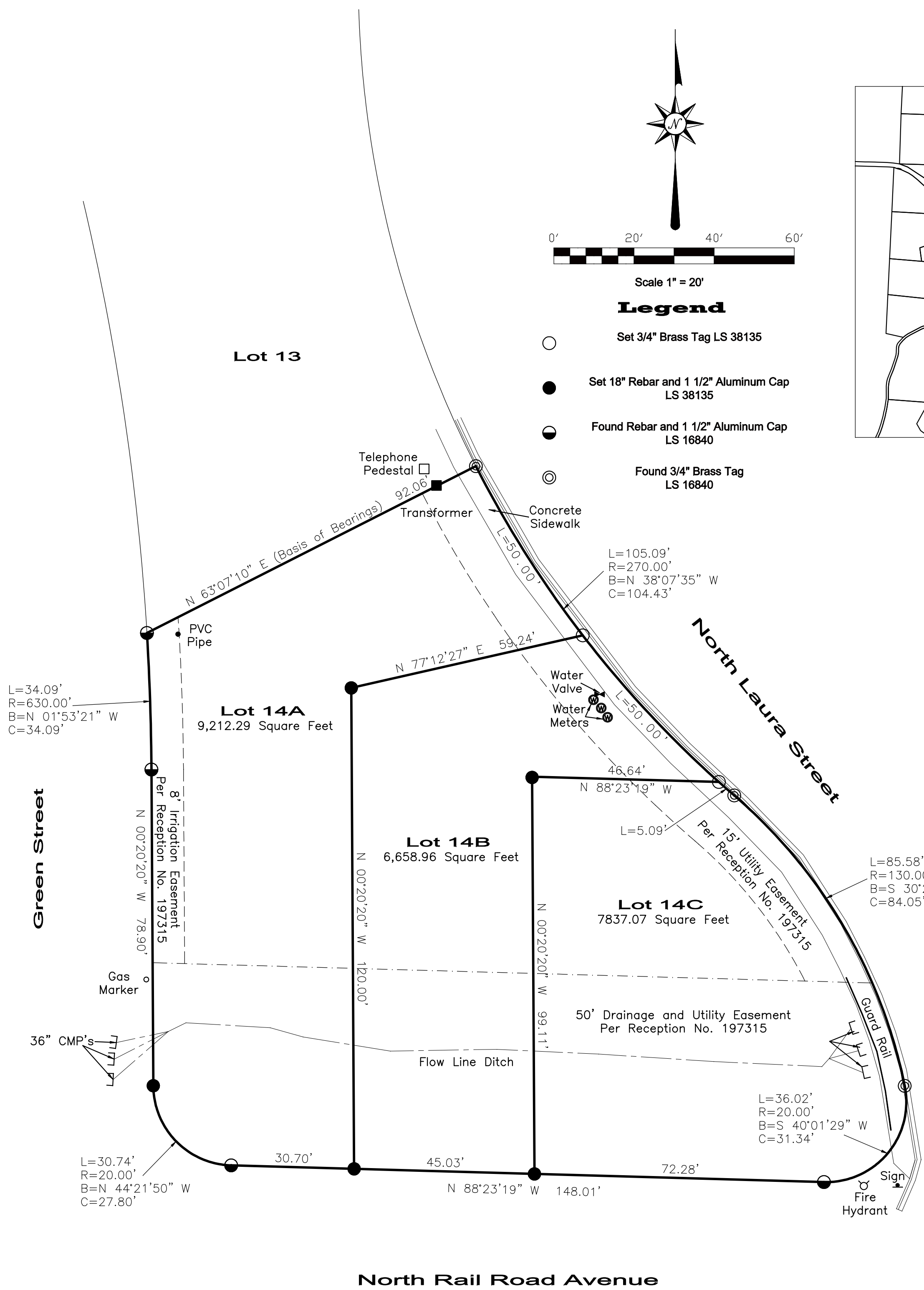
A handwritten signature in dark ink, appearing to read 'Terese Seal', with a long horizontal flourish extending to the right.

Terese Seal
Green Seal LLC

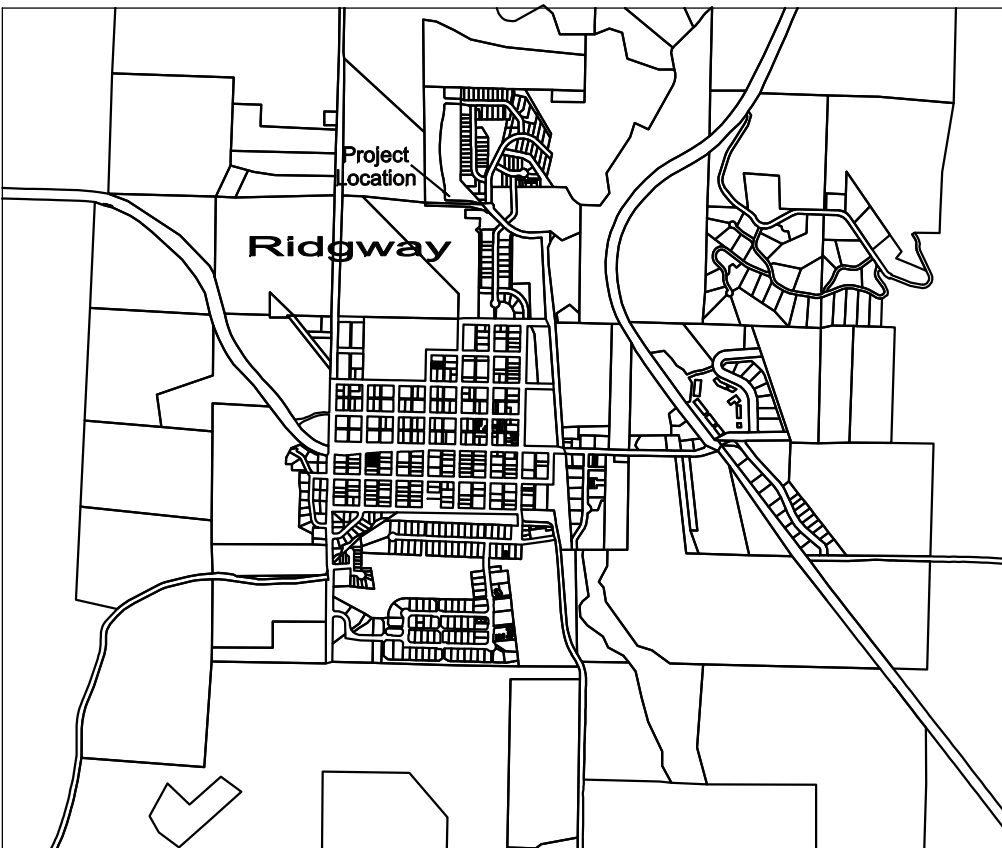
North Seal Subdivision

A Minor Subdivision of Lot 14, Parkside Subdivision, Town of Ridgway

Located in Southeast 1/4 Section 8, Township 45 North, Range 8 West, NMPM, Town of Ridgway, County of Ouray, State of Colorado



Vicinity Map
(Not to Scale)



CERTIFICATE OF DEDICATION AND OWNERSHIP

KNOW ALL MEN BY THESE PRESENTS that Joshua C. Seal and Terese M. Seal, being Joint Tenants, as the owners ("Owners") of certain lands in the Town of Ridgway, Colorado, to wit:

Lot 14, Parkside Subdivision, Town of Ridgway, County of Ouray, State of Colorado

have by these presents laid out, platted and subdivided the same into lots, as shown on this Plat under the name of North Seal Subdivision. Private easements are reserved or conveyed for the purposes as indicated on the plat.

Executed this ____ day of _____, A.D. 202____.

By: _____
Joshua C. Seal

By: _____
Terese M. Seal

NOTARIAL:

STATE OF _____)
COUNTY OF _____) ss.

The foregoing Certificate of Ownership and Dedication was acknowledged before me this ____ day of _____, 202____ by Joshua C. Seal.

Witness my hand and official seal.

My commission expires: _____

Notary Public

NOTARIAL:

STATE OF _____)
COUNTY OF _____) ss.

The foregoing Certificate of Ownership and Dedication was acknowledged before me this ____ day of _____, 202____ by Terese M. Seal.

Witness my hand and official seal.

My commission expires: _____

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 of all land herein platted and that title to such land is in the dedicator(s) and owners, and that the property dedicated hereon has been dedicated free and clear of all liens and encumbrances, except as follows:

Dated this ____ day of _____, A.D., 202____.

_____, Attorney at Law

SURVEYOR'S CERTIFICATE

I, Peter C Sauer, 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.

Peter C Sauer
License No. 38135

TREASURER'S CERTIFICATE:

I certify that as of the ____ day of _____ there are non 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: _____

Jill Mithelich, Ouray County Treasurer

NOTES

- All outdoor lighting fixtures to comply with town of Ridgway regulations.
- The property platted hereby is subject to the plat notes as recorded in PARKSIDE SUBDIVISION as recorded in the Ouray County Records at Reception No. 197315, and the DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS OF PARKSIDE SUBDIVISION as recorded in the Ouray County Records at Reception No. 197316 and as may be amended from time to time.
- The property platted hereon is subject to the prior easements as shown hereon.
- Easements for utilities shall include a blanket utility easement over and across all lots.
- BASIS OF BEARINGS: The noth line of LOT 14, PARKSIDE SUBDIVISION, TOWN OF RIDGWAY, COLORADO per the plat recorded at reception No. 197315 in the office of the Ouray County Clerk and Recorder is recorded as as being S 63°07'10" W
- Linear Units: US Survey Foot.
- Each lot is limited to one principal dwelling unit for which applicable excise tax has been paid.
- Lot 14A, 14B and Lot 14C are served by a commonly-owned sewer line that is connected to the Town of Ridgway sewer system. The owners of Lot 14A, 14B and 14C shall jointly and severally responsible for any maintenance, repair, and or replacement of the common sewer line. The town of Ridgway shall bear no responsibility for the repair and upkeep of this sewer line.

NOTICE

According to Colorado law you must commence any legal action based upon any defect in this survey within three 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 years from the date of the certification shown hereon.

TOWN COUNCIL:

Approved by the Ridgway Town Council this ____ day of _____, A.D. 202____.

by _____, Mayor.

PLANNING COMMISSION:

Approved by the Ridgway Planning Commission this ____ day of _____, A.D. 202____.

by _____, Chairman.

TOWN ATTORNEY'S CERTIFICATE:

Approved for recording this ____ day of _____, 202____.

Town Attorney

CERTIFICATE OF IMPROVEMENTS

The undersigned, Town Manager of the Town of Ridgway, certified that all required improvements are installed, available and adequate to serve each lot.

Date: _____

Preston Neill, Town Manager


RECORDER'S CERTIFICATE

This plat was filed for record in the office of Clerk and Recorder of Ouray County at ____ M. on the ____ day of _____, A.D. 202____, under

Reception No. _____

By
Michelle Nauer, Ouray County Clerk and Recorder

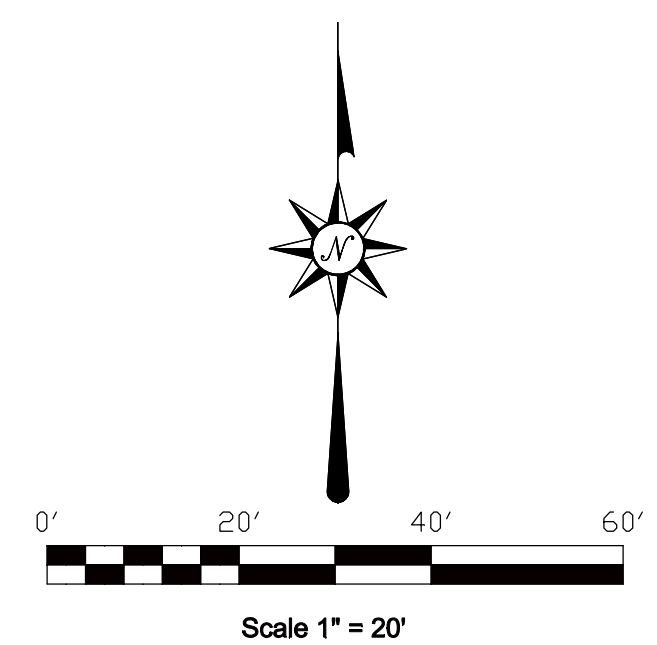
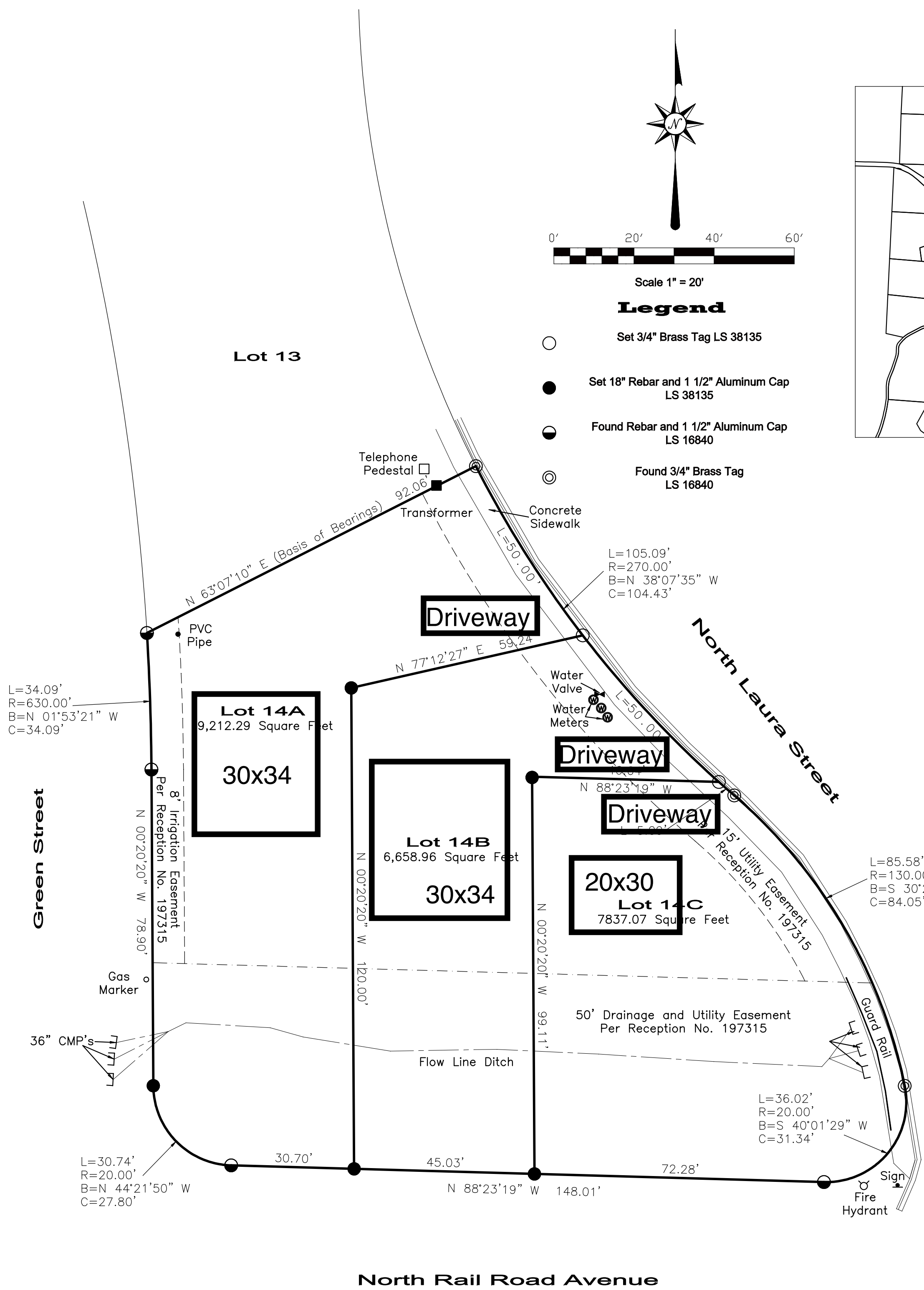
Deputy

PROJECT MANAGER: PS CADD TECH: PS CHECKED BY: PS START DATE: 3/4/21	REVISIONS	DATE	DESCRIPTION	BY
	1			
	2			
	3			
	4			
	5			
	OFFICE (970) 249-5349 CELL (970) 729-1289 23414 INCOMPAPRE ROAD MONTROSE, CO 81403 WWW.ORIONSURVEYING.COM			
	DRAWING PATH: Replat 3-21			
SHEET No. 1 OF 1		PROJECT: 20021		

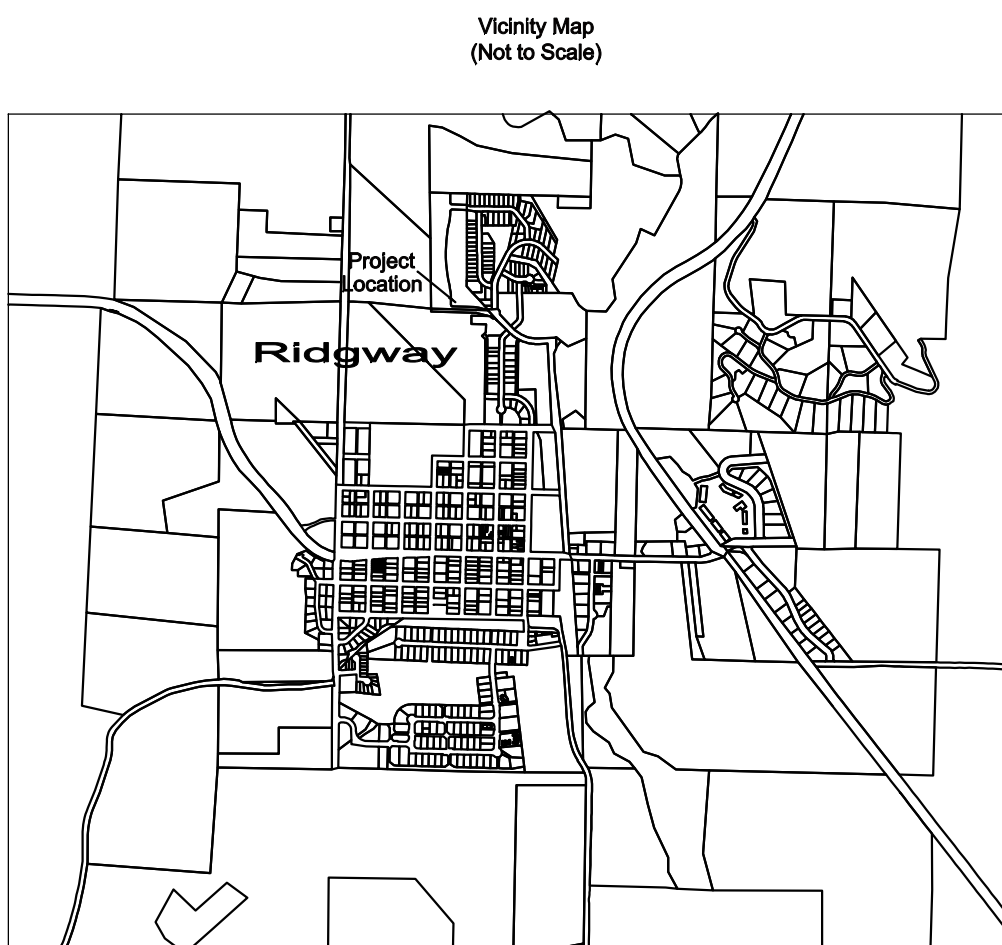
North Seal Subdivision

A Minor Subdivision of Lot 14, Parkside Subdivision, Town of Ridgway

Located in Southeast 1/4 Section 8, Township 45 North, Range 8 West, NMPM, Town of Ridgway, County of Ouray, State of Colorado



- Legend**
- Set 3/4" Brass Tag LS 38135
 - Set 18" Rebar and 1 1/2" Aluminum Cap LS 38135
 - Found Rebar and 1 1/2" Aluminum Cap LS 16840
 - ⊙ Found 3/4" Brass Tag LS 16840



CERTIFICATE OF DEDICATION AND OWNERSHIP

KNOW ALL MEN BY THESE PRESENTS that Joshua C. Seal and Terese M. Seal, being Joint Tenants, as the owners ("Owners") of certain lands in the Town of Ridgway, Colorado, to wit:

Lot 14, Parkside Subdivision, Town of Ridgway, County of Ouray, State of Colorado

have by these presents laid out, platted and subdivided the same into lots, as shown on this Plat under the name of North Seal Subdivision. Private easements are reserved or conveyed for the purposes as indicated on the plat.

Executed this ____ day of _____, A.D. 202____.

By: _____
Joshua C. Seal

By: _____
Terese M. Seal

NOTARIAL:

STATE OF _____)
COUNTY OF _____) ss.

The foregoing Certificate of Ownership and Dedication was acknowledged before me this ____ day of _____, 202____ by Joshua C. Seal.

Witness my hand and official seal.

My commission expires: _____

Notary Public

NOTARIAL:

STATE OF _____)
COUNTY OF _____) ss.

The foregoing Certificate of Ownership and Dedication was acknowledged before me this ____ day of _____, 202____ by Terese M. Seal.

Witness my hand and official seal.

My commission expires: _____

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 of all land herein platted and that title to such land is in the dedicator(s) and owners, and that the property dedicated hereon has been dedicated free and clear of all liens and encumbrances, except as follows:

Dated this ____ day of _____, A.D., 202____.

_____, Attorney at Law

SURVEYOR'S CERTIFICATE

I, Peter C Sauer, 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.

Peter C Sauer
License No. 38135

TREASURER'S CERTIFICATE:

I certify that as of the ____ day of _____ there are non 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: _____

Jill Mithelich, Ouray County Treasurer

NOTES

- All outdoor lighting fixtures to comply with town of Ridgway regulations.
- The property platted hereby is subject to the plat notes as recorded in PARKSIDE SUBDIVISION as recorded in the Ouray County Records at Reception No. 197315, and the DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS OF PARKSIDE SUBDIVISION as recorded in the Ouray County Records at Reception No. 197316 and as may be amended from time to time.
- The property platted hereon is subject to the prior easements as shown hereon.
- Easements for utilities shall include a blanket utility easement over and across all lots.
- BASIS OF BEARINGS: The noth line of LOT 14, PARKSIDE SUBDIVISION, TOWN OF RIDGWAY, COLORADO per the plat recorded at reception No. 197315 in the office of the Ouray County Clerk and Recorder is recorded as as being S 63°07'10" W
- Linear Units: US Survey Foot.
- Each lot is limited to one principal dwelling unit for which applicable excise tax has been paid.
- Lot 14A, 14B and Lot 14C are served by a commonly-owned sewer line that is connected to the Town of Ridgway sewer system. The owners of Lot 14A, 14B and 14C shall jointly and severally responsible for any maintenance, repair, and or replacement of the common sewer line. The town of Ridgway shall bear no responsibility for the repair and upkeep of this sewer line.

NOTICE

According to Colorado law you must commence any legal action based upon any defect in this survey within three 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 years from the date of the certification shown hereon.

TOWN COUNCIL:

Approved by the Ridgway Town Council this ____ day of _____, A.D. 202____.

by _____, Mayor.

PLANNING COMMISSION:

Approved by the Ridgway Planning Commission this ____ day of _____, A.D. 202____.

by _____, Chairman.

TOWN ATTORNEY'S CERTIFICATE:

Approved for recording this ____ day of _____, 202____.

Town Attorney

CERTIFICATE OF IMPROVEMENTS

The undersigned, Town Manager of the Town of Ridgway, certified that all required improvements are installed, available and adequate to serve each lot.

Date: _____


Preston Neill, Town Manager

RECORDER'S CERTIFICATE

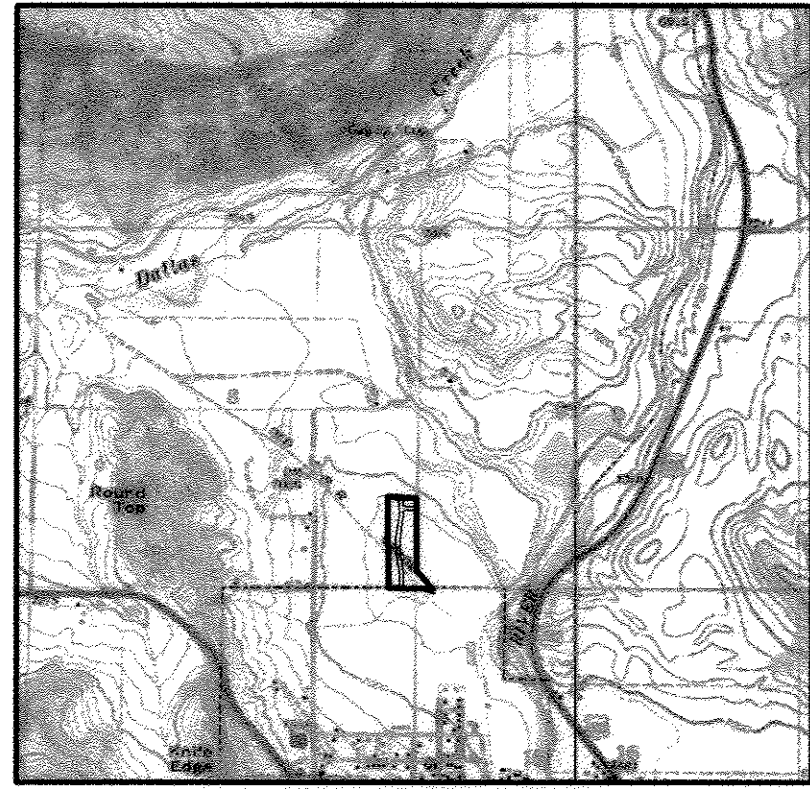
This plat was filed for record in the office of Clerk and Recorder of Ouray County at ____ M. on the ____ day of _____, A.D. 202____, under Reception No. _____

By _____
Michelle Nauer, Ouray County Clerk and Recorder

Deputy

PROJECT MANAGER: PS CADD TECH: PS CHECKED BY: PS START DATE: 3/4/21	REVISIONS	DATE	DESCRIPTION	BY
	1			
	2			
	3			
	4			
	5			
	OFFICE (970) 249-5349 CELL (970) 729-1289 23414 INCOMPAHRE ROAD MONTROSE, CO 81403 WWW.ORIONSURVEYING.COM			
	DRAWING PATH: Replat 3-21			
SHEET No. 1 OF 1		PROJECT: 20021		

Attachment B
Parkside Subdivision Plat



PARKSIDE SUBDIVISION
VICINITY MAP
N.T.S.

CERTIFICATE OF OWNERSHIP AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS that the undersigned, being the owner of certain lands in the Town of Ridgway, Colorado, to wit:

A parcel of land situated in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 9 and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8, Township 45 North, Range 8 West, New Mexico Principal Meridian, Town of Ridgway, Ouray County, Colorado more particularly described as follows:
BEGINNING at Northwest corner of Lot 311 of River Park Ridgway Business Park Filing No. 1, said corner being on the South right of way line of Marion Overlook from whence the Southeast corner of said Section 8 bears S00°22'57"W, 1152.71 feet; thence N88°26'51"W, 173.58 feet; Thence 32.06 feet along the arc of a curve to the left, with a radius of 20.00 feet, a central angle of 91°50'02" and a chord of S45°38'10"W, 28.73 feet; Thence 140.78 feet along the arc of a curve to the right, with a radius of 630.00 feet, a central angle of 12°48'13" and a chord of S06°07'14"W, 140.49 feet; Thence 727.28 feet along the arc of a curve to the left, with a radius of 1620.00 feet, a central angle of 25°43'20" and a chord of S00°20'20"E, 721.19 feet; Thence 141.42 feet along the arc of a curve to the right, with a radius of 630.00, a central angle of 12°51'40" and a chord of S06°46'10"E, 141.12 feet; Thence S00°20'20"E, 78.90 feet; Thence 30.74 feet along the arc of a curve to the left, with a radius of 20.00 feet, a central angle of 88°03'00" and a chord of S44°21'50"E, 27.80 feet; Thence S88°23'19"E, 160.83 feet; Thence S88°42'59"E, 91.77 feet; Thence 50.28 feet along the arc of a curve to the right, with a radius of 232.62 feet, a central angle of 12°23'07" and a chord of S82°31'26"E, 50.19 feet; Thence S76°19'53"E, 108.23 to a point on the Westerly line of Tract 05-4 of said River Park Ridgway Business Park Filing No. 1; Thence N42°07'17"W along said Westerly line of River Park Ridgway Business Park Filing No. 1, 365.42 feet to a point on the east line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8; Thence N00°22'57"E along said East line of Section 8, 882.82 feet to the Point Of Beginning.
Containing 6.185 acres, more or less.
Basis of bearings — Ouray County Control

A parcel of land situated in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8, Township 45 North, Range 8 West, New Mexico Principal Meridian, Town of Ridgway, Ouray County, Colorado more particularly described as follows:
BEGINNING at Southwest corner of Lot 125 of River Park Ridgway Business Park Filing No. 1 recorded at Reception No. 176459, said corner also being on the North right of way line of Marion Overlook from whence the Southeast corner of said Section 8 bears S00°22'57"W, 1212.72 feet; Thence N00°22'57"E, 130.03 feet to the Northwest corner of said Lot 125 of River Park Ridgway Business Park Filing No. 1, said corner also being on the south line of that property described in Warranty Deed recorded at Reception No. 180738; Thence N88°26'51"W along the South line of said property, 196.65 feet; Thence S00°20'20"E, 110.72 feet; Thence S07°36'10"E along the arc of a curve to the left, with a radius of 20.00 feet, a central angle of 88°06'31" and a chord of S44°23'35"E, 27.81 feet; Thence S88°26'51"E, 175.66 feet to the the Point Of Beginning.
Containing 0.583 acres, more or less.

Have by these presents laid out, platted and subdivided the same into lots, as shown on this plat, under the name of PARKSIDE SUBDIVISION, and does hereby dedicate, grant and convey to the Town of Ridgway, State of Colorado, for the use of the public North Laura Street and Parkside Place, together with OPEN SPACE as indicated on the plat as hereon shown. Also the following easements are dedicated, granted and conveyed to the Town of Ridgway, Colorado as shown: Utility, Drainage and Irrigation.

Executed this 29th day of December, A.D. 2007.

Marsim Development, LLC, a Colorado Limited Liability Company

by Spencer Simmons, Manager

STATE OF COLORADO)
) ss.
COUNTY OF Ouray)

The foregoing Certificate of Ownership and Dedication was acknowledged before me this 29th day of December, A.D. 2007 by Spencer Simmons, Manager of Marsim Development, LLC, a Colorado Limited Liability Company.

Witness my hand and official seal.
My Commission expires _____

My Commission Expires
8/12/11

Lien Holder: Alpine Bank

The undersigned holder of a lien pursuant to an instrument recorded in the Ouray County records at Reception No. 195124 on June 8, 2007, hereby joins in this subdivision, any applicable subdivision improvements agreement, and the dedication of easements, property and streets as shown hereon.

Alpine Bank

By Andrew A. Karow, President
(Print signatory's name and representative capacity)

STATE OF COLORADO)
) ss.
COUNTY OF OURAY)

The foregoing Certificate was acknowledged before me this 29th day of December, A.D. 2007 by Andrew A. Karow, President of Alpine Bank.
Witness my hand and official seal.
My Commission expires _____

My Commission Expires
8/12/11

AREA SUMMARY

LOTS	5.015 ACRES
ROAD DEDICATION	0.949 ACRES
OPEN SPACE	0.803 ACRES
TOTAL	6.767 ACRES

PARKSIDE SUBDIVISION

SITUATED IN THE SE $\frac{1}{4}$ SECTION 8 AND THE SW $\frac{1}{4}$ SECTION 9, TOWNSHIP 45 NORTH, RANGE 8 WEST, NEW MEXICO PRINCIPAL MERIDIAN, PART OF THE SCHOOL ADDITION TO THE TOWN OF RIDGWAY, RECEPTION NO. 180714, COUNTY OF OURAY, STATE OF COLORADO

FINAL PLAT

Parkside Plat Notes

- All structures within Parkside Subdivision shall require an engineered foundation. Soils throughout the Ridgway area have been found to have swell potential and produce radon gas. Therefore the improvements should be designed to ventilate radon gas away from living spaces. All owners, contractors, and engineers are encouraged to investigate soil and groundwater conditions on a particular lot prior to deed to real property located in this subdivision, the owners of land herein agree to hold the Town of Ridgway harmless from any claim related to soils conditions present in the subdivision.
- No lot bordering Green Street or Parkside Drive shall use these streets for driveway or construction access.
- The tract of land marked OPEN SPACE shall be dedicated to the Town of Ridgway for ownership. Maintenance of the Open Space shall be the obligation of the Parkside Subdivision Homeowner's Association created under the covenants for this subdivision. The HOA agrees to maintain OPEN SPACE in, at minimum, native grasses and vegetation, free of noxious and invasive weeds, and agrees to maintain drainage ditches and culverts in good operating condition. The owners of Lots 1 through 23 within this subdivision shall also be jointly and severally liable for said maintenance. In the event that said maintenance is not properly performed, the Town of Ridgway may cause the work to be done, assess the cost to the said owners, may certify such charges as delinquent charges to the County Treasurer to be collected similarly to taxes, may record a lien on said lots which may be foreclosed in any lawful manner, or may pursue any other remedy available in order to collect such charges. These obligations shall run with the land and be binding upon all successors in interest to the said lot(s).
- By accepting a deed to this real estate, Owner agrees to be subject to the Parkside subdivision Covenants, Conditions and Restrictions as recorded and amended in the future, and agrees to avail design, siting and construction of improvements to the Parkside Subdivision Design Review Process, and agrees to abide by the findings and decisions of that process without recourse.
- Outdoor Lighting: All outdoor lighting shall conform to Ridgway Municipal Code Section 6-5 "Outdoor Lighting Regulations."
- AFFORDABLE HOUSING PROVISION: Lots 14 and 15 are required to have three units each (triplex, attached or unattached) subject to the following Affordable Housing restrictions:
 - On the date of application, the prospective owner of an affordable unit shall maintain his/her sole residence and abode in Ouray County, Colorado, or provide written intent of his/her desire and intent to do so within 30 days of purchasing the affordable unit. Proof of this must be presented to the Town in advance of any transfer of property. Proof shall include written documentation verifying residency within Ouray County, or residency within 30 days of application.
 - The above referenced affordable housing units shall be owner occupied until and unless these covenants terminate pursuant to plat note 6(c) and 6(i) below.
 - The re-sale price of each affordable unit shall be limited to an annual price appreciation cap of 3.2% of the initial gross purchase price for the first five years, commencing on the date of legal occupancy of the unit and then subject to the following annual appreciation caps: 5% in year six; 6% in year 7, 7% in year 8, 8% in year 9 and 9% in year 10. After the tenth year, the cap shall terminate entirely and, provided that a single owner has resided in the property for ten consecutive years, these covenants stated here in this plat note shall terminate and no longer apply to that specific unit. In the event a unit owner sells the unit prior to living in the unit for ten years or more, the lot shall continue to be burdened by these price cap and affordable housing restrictions and the time period regarding the annual price cap increase shall restart and begin to run anew on the date of acquisition by a new owner based upon the new owner's gross purchase price. If an owner of a unit makes any capital improvements requiring a building permit to the property during his/her term of ownership, the cost of those capital improvements as indicated on the building permit shall be added to the gross purchase price of the property for the purpose of computing the annual price appreciation cap created herein. Any costs of capital improvements to be added to the gross purchase price of the property, including but not limited to upgrades during construction, shall require the prior, written approval of the Town.
 - The Town hereby waives development excise tax RMC 3-4-1, et. seq., all six units.
 - Notwithstanding any other provision to the contrary, Declarant and successor Declarant reserves the right to sell such lots to another developer or an affordable housing developer at any time hereafter, subject to these restrictions. For the purpose hereof, "developer" shall mean any person or nonprofit or for profit entity that receives a significant part of their income from real estate development, home building, construction, plumbing, electrical, carpentry, etc. that is in the business of providing housing or who has current license to sell real estate in the State of Colorado.
 - At the time of purchase, at least one person in the household shall earn the majority of their income in Ouray County or from an employer based in Ouray County. Proof of this must be presented to the Town in advance of any transfer of property. Proof shall include written documentation verifying employment within Ouray County.
 - The Town waives all "plan check fees" and building permit fees charged by the Town on all affordable housing units.
 - In the event of Public Trustee's foreclosure or a Judicial foreclosure by a beneficiary of a deed of trust and or holder of a mortgage on a lot governed by these affordable housing covenants contained in this plat note, the covenants stated herein shall terminate and hence forth not burden the specific unit which was the subject matter of the foreclosure. In the event of foreclosure, the Town of Ridgway shall have a 30 day right of first refusal to purchase the note for the remaining balance plus costs incurred by the bank as a result of non-payment by debtor. The beneficiary of the deed of trust and/or holder of a mortgage, is required to provide written notice to the Town Clerk as a condition precedent to filing and/or commencing a foreclosure action. The written notice shall state the cause and amount of the borrower's default and state an offer by the lien holder to sell the town its rights as lien holder for the stated amount. The notice shall provide the Town 30 days to accept the offer. The Town's acceptance must provide a closing date no later than 30 days from the date of the Town's letter of acceptance. If the Town fails to respond and/or declines to accept the offer contained in the lien holder's letter, the Town shall have no further rights under this provision and, upon consummation of the foreclosure proceeding, the covenants state herein shall terminate with respect to said unit. In no way shall these covenants be read to terminate if the owner of the foreclosed unit successfully exercises its redemption rights and/or otherwise cures its default in foreclosure.
 - Any owner subject to the above stated covenants may apply to the Town Planning Commission for a waiver from the strict application of any one or more of these provisions. A waiver from the strict application of these provisions may be granted at the discretion of the Planning Commission and may only be granted if the applicant can establish that the following criteria are substantially met:
 - There are practical difficulties or unnecessary hardships caused to the individual lot owner if these provisions are strictly applied. Any such practical difficulty and/or unnecessary hardship must be of such a nature as to create an individually differentiated situation from any and all other owners' of units burdened by these regulations; and
 - The spirit of these provisions will be observed, the public health safety and welfare secured and substantial justice done by granting the waiver.The burden shall be on the applicant to establish by a preponderance of the evidence that these criteria have been met. No waiver under this provision shall be granted with less than four (4) concurring votes of the Planning Commission.
 - There shall be an initial maximum sales price on every unit of affordable housing built by a developer on these affordable housing lots. The initial maximum sales price of a housing unit on any of the lots burdened by these covenants which house is built by a developer shall be equal to the developer's cost of acquiring and developing the lot and building the housing unit, plus fifteen (15%) profit. Evidence of the Developer's cost shall be submitted to the Town Manager who shall review the Developer's computation of cost and approve, in writing, the proposed initial maximum sales price. The documents establishing the developer's cost must be approved by the Town Manager prior to any transfer of property. The guiding principal in determining initial sales price of any unit is that the Developer should be constructing and selling these units without exceeding the prescribed profit. In no manner should this covenant be read to require a Developer of units on these lots to lose money by establishing an initial maximum sales price which causes the developer to lose money in the construction and sales of these units.
 - Lots 14 and 15 shall be deed restricted in accordance with the terms of this plat note 6, and any instrument of conveyance shall contain such restriction by an appropriate reference approved by the Town.
- All lots platted hereon are limited to a maximum of one dwelling unit, except for Lots 14 and 15 which have 3 dwelling units each and Lots 4, 5, 6, and 13 which may have two dwelling units each. No occupancy permit will be approved on either Lot 14 or Lot 15 unless all three required units for said lot are under construction.
- The drainage easement(s) shown hereon shall be maintained by an owner's association, or until such time as an owner's association is lawfully formed for such purposes, by the owners of all lots encumbered by the easement, jointly and severally in a manner that preserves the grade as originally established and so as to not impede the free flow of water in any way, including but not limited to the construction of fencing and other improvements, or the planting or encroachment of trees and shrubs and other impeding vegetation. The Town is not responsible or liable in any manner for the maintenance, repair, or operation of any pipelines, ditches or improvements as located within said easements. Upon failure to properly maintain the drainage easement(s) shown hereon, or in the need to abate a nuisance or public hazard, the Town may cause the maintenance or repair to be performed and assess the costs thereof to such owners, and may certify such charges as a delinquent charge to the County Treasurer to be collected similarly to taxes or in any lawful manner.
- The irrigation easement(s) shown hereon shall be maintained by an owner's association, or until such time as an owner's association is lawfully formed for such purposes, by the owners of all lots encumbered by the easement, jointly and severally and shall not be impeded or altered in any way as to impact the delivery of water. The irrigation easement that lies between Lots 20 and 21 shall also serve as a connecting irrigation line to the adjoining River Park Ridgway Business Park Filing No.s 1 and 2. The Town is not responsible or liable in any manner for the maintenance, repair, or operation of any irrigation pipelines, improvements or ditches as located within said easements. Upon failure to properly maintain the irrigation easement(s) shown hereon, or in the need to abate a nuisance or public hazard, the Town may cause the maintenance or repair to be performed and assess the costs thereof to such owner(s), and may certify such charges as a delinquent charge to the County Treasurer to be collected similarly to taxes or in any lawful manner.

Attorney's Certificate

I, Michael J. Lyew, Attorney at law duly licensed to practice before the courts of record of Colorado, do hereby certify that I have examined the title of all land herein platted and that title to such land is in the dedicator(s) and owners, and that the property dedicated hereon has been dedicated free and clear of all liens and encumbrances, except as follows: ALPINE BANK (state record name of lienholder, nature of lien and recording data) LOAN #
Dated this 29 day of DECEMBER, A.D., 2007.
Michael J. Lyew Attorney at Law
REPT. No. 195124
6-08-07 OURAY COUNTY
COLORADO

Certificate of Improvements Completion

The undersigned, Town Manager of the Town of Ridgway, do 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: street lights, street signs, mail boxes
drainage, as-built

Date: 2-4-08

Gary Culp
Town Manager

Approval of Planning Commission

Approved by the Ridgway Town Planning Commission this 24th day of April, A.D. 2007,
by [Signature] Chairman.

Approval of Town Council

Approved by the Town Council this 9th day of MAY, AD, 2007,
by [Signature] Mayor.

Approval of Town Attorney

Approved for recording this 4 day of FEBRUARY, AD, 2008, by
John Kappa, Town Attorney

[Signature] Attorney

ENGINEERS CERTIFICATE

I, LARRY M. RESCHKE, 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: 01/09/08

[Signature]
Larry M. Reschke
P.E. 19691
[Stamp]

SURVEYORS CERTIFICATE

I, Merlin Rawson, do hereby certify that I am a Registered Land Surveyor of the State of Colorado and that this plat accurately represents a survey made by me or under my supervision and conforms to all applicable Ouray County and State regulations and I further certify that the monuments shown actually exists and their positions are as shown.

[Signature] Date 12/08
Merlin Rawson
R.L.S. 16840
[Stamp]

Recorder's Certificate

This plat was filed for record in the office of the Clerk and Recorder of Ouray County at 9:45 AM a.m. on the 19 day of MARCH, AD, 2008, under
Reception No. 197315

by Michelle Nauer
County Clerk & Recorder

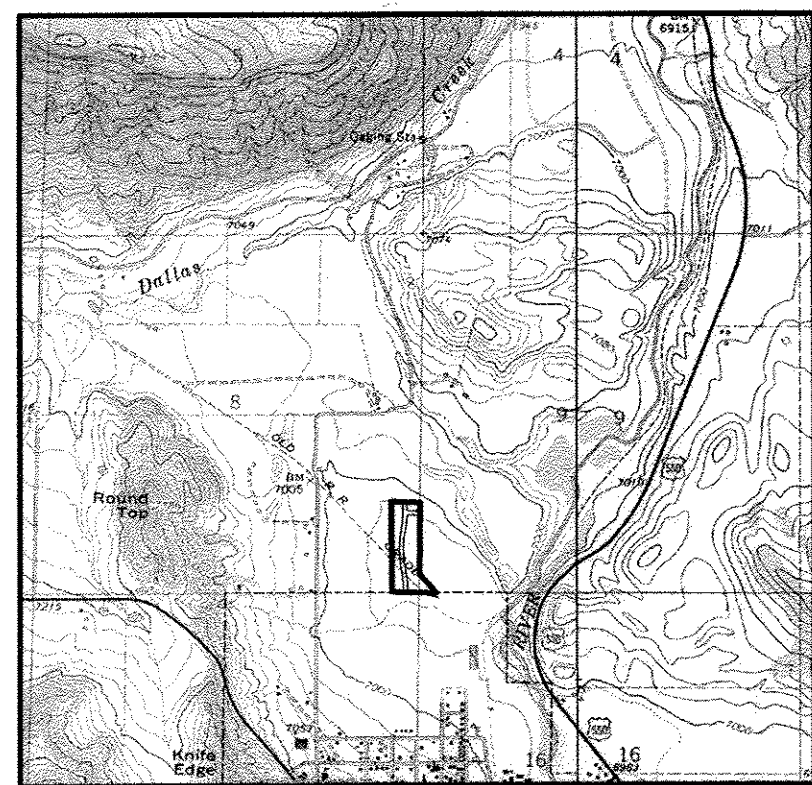
[Signature]
Deputy

Page 1 of 2

TITLE:	PARKSIDE SUBDIVISION FINAL PLAT
CLIENT:	MARSIM, LLC
DEL-MONT CONSULTANTS, INC	ENGINEERS - SURVEYORS MONTROSE, COLORADO - PH. 249-2251
DRAWN BY: ARL/JH	DATE: 12/26/07
FILE:0456-PLAT-FINAL	JOB NO.: 0456

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:
SHEET:
1 OF 2



PARKSIDE SUBDIVISION
VICINITY MAP
N.T.S.

PARKSIDE SUBDIVISION

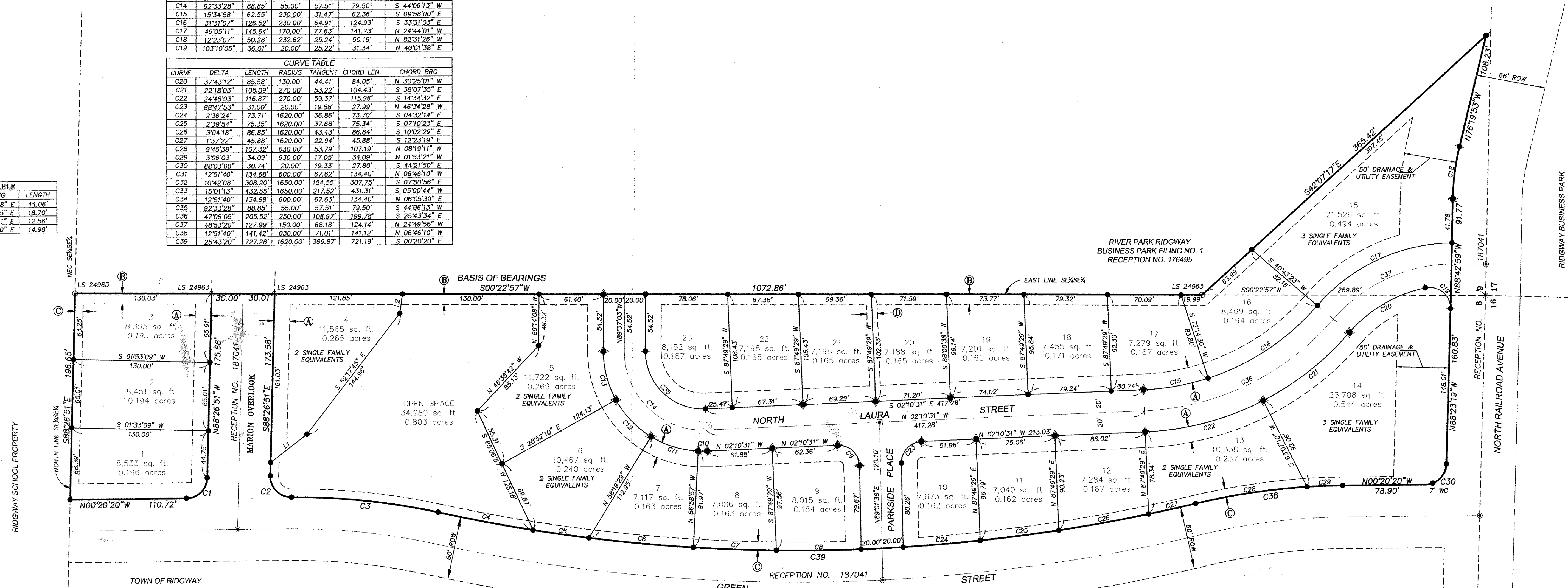
SITUATED IN THE SE1/4 SECTION 8 AND THE SW1/4 SECTION 9, TOWNSHIP 45
NORTH, RANGE 8 WEST, NEW MEXICO PRINCIPAL MERIDIAN, PART OF THE
SCHOOL ADDITION TO THE TOWN OF RIDGWAY, RECEPTION NO. 180714,
COUNTY OF OURAY, STATE OF COLORADO

FINAL PLAT

CURVE TABLE					
CURVE	DELTA	LENGTH	RADIUS	TANGENT	CHORD LEN.
C1	88°06'31"	30.76'	20.00'	19.35'	27.81'
C2	91°50'02"	32.06'	20.00'	20.65'	28.73'
C3	12°48'13"	140.78'	630.00'	70.69'	140.49'
C4	31°15'10"	91.97'	1620.00'	46.00'	91.96'
C5	1°54'19"	53.87'	1620.00'	26.94'	53.87'
C6	3°31'53"	99.85'	1620.00'	49.94'	99.83'
C7	2°47'46"	79.06'	1620.00'	39.54'	79.05'
C8	2°51'19"	80.73'	1620.00'	40.37'	80.72'
C9	91°12'07"	31.84'	20.00'	20.42'	28.58'
C10	51°11'34"	8.61'	95.00'	4.31'	8.61'
C11	28°39'29"	47.52'	95.00'	24.27'	42.02'
C12	29°27'19"	48.84'	95.00'	24.97'	43.30'
C13	29°15'07"	48.50'	95.00'	24.79'	42.98'
C14	92°33'28"	88.85'	55.00'	57.51'	79.50'
C15	15°34'58"	62.55'	230.00'	31.47'	62.36'
C16	31°31'07"	126.52'	230.00'	64.91'	124.93'
C17	49°05'11"	145.64'	170.00'	77.63'	141.23'
C18	12°23'07"	50.28'	232.62'	25.24'	50.19'
C19	10°31'05"	36.01'	20.00'	25.22'	31.34'

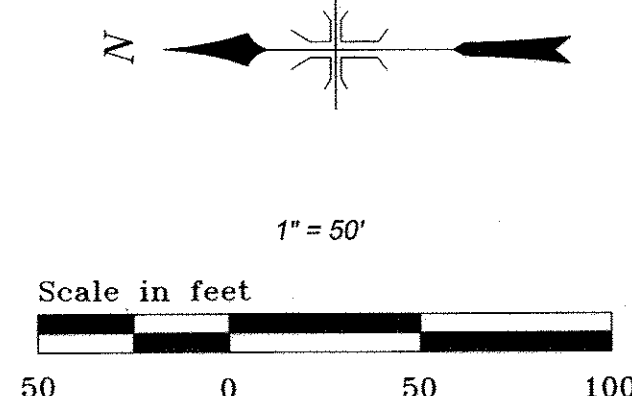
CURVE TABLE					
CURVE	DELTA	LENGTH	RADIUS	TANGENT	CHORD LEN.
C20	37°43'12"	85.58'	130.00'	44.41'	84.05'
C21	22°18'03"	105.09'	270.00'	53.22'	104.43'
C22	24°48'03"	116.87'	270.00'	58.37'	115.96'
C23	88°47'53"	31.00'	20.00'	18.58'	27.99'
C24	2°36'24"	73.71'	1620.00'	36.86'	73.70'
C25	2°39'54"	75.35'	1620.00'	37.68'	75.34'
C26	3°04'18"	86.85'	1620.00'	43.43'	86.84'
C27	1°37'22"	45.88'	1620.00'	22.94'	45.88'
C28	9°45'38"	107.32'	630.00'	53.79'	107.19'
C29	3°06'03"	34.09'	630.00'	17.05'	34.09'
C30	88°03'00"	30.74'	20.00'	19.33'	27.80'
C31	12°51'40"	134.68'	600.00'	67.62'	134.40'
C32	10°42'08"	308.20'	1650.00'	154.55'	307.75'
C33	15°01'13"	432.55'	1650.00'	217.52'	431.31'
C34	12°51'40"	134.68'	600.00'	67.63'	134.40'
C35	92°33'28"	88.85'	55.00'	57.51'	79.50'
C36	47°06'05"	205.52'	250.00'	108.97'	199.78'
C37	48°53'20"	127.99'	150.00'	68.18'	124.14'
C38	12°51'40"	141.42'	630.00'	71.01'	141.12'
C39	25°43'20"	727.28'	1620.00'	369.87'	721.19'

LINE TABLE		
LINE	BEARING	LENGTH
L1	S 37°42'48" E	44.06'
L2	S 81°43'05" E	18.70'
L3	S 88°26'51" E	12.56'
L4	S 16°07'50" E	14.98'



- (A) 15' UTILITY EASEMENT
- (B) 10' DRAINAGE & UTILITY EASEMENT
- (C) 8' IRRIGATION EASEMENT
- (D) 10' DRAINAGE AND IRRIGATION EASEMENT

NOTE:
BUILDING SETBACK AND
HEIGHT SUBJECT TO
CURRENT MUNICIPAL CODE



NOTE:
THIS PLAT CONTAINS TWO PAGES. ON THE COMPANION PAGE,
THERE ARE IMPORTANT PLAT NOTES THAT AFFECT THE USE
OF THE PROPERTY.

LEGEND:

- = FD. REBAR & CAP (L.S. AS NOTED)
- = FD. REBAR & CAP IN MONUMENT WELL (L.S. 16840)
- = SET REBAR & CAP IN MONUMENT WELL L.S. 16840
- = SET 5/8"x18" REBAR W/ 1 1/2" CAP, LS 16840
- ◆ = SET 5/8"x18" REBAR W/ 1 1/2" CAP, LS 16840
- = CENTERLINE (CL)
- - - = EASEMENT AS NOTED

Reception 197315
Pg 2 of 2

TITLE:
PARKSIDE SUBDIVISION
FINAL PLAT

CLIENT:
MARSIM, LLC

DEL-MONT CONSULTANTS, INC
ENGINEERS - SURVEYORS
MONTROSE, COLORADO - PH. 249-2251
DRAWN BY: ARL/JH DATE: 12/26/07
FILE: 0456-PLAT-FINAL JOB NO.: 0456

FIELD BOOK:
SHEET:
2 OF 2

Attachment C

HOA Approval Letter

PARKSIDE RIDGWAY COMMUNITY ASSOCIATION

June 28, 2021

Re: Lot 14 Triplex - Subdivided

To The Town of Ridgway,

The Board of Directors of Parkside Ridgway Community Association have discussed and reviewed the intent of the owners of Lot 14. The Board agreed to approve the subdivision of Lot 14 because of several issues that should help create more affordable housing such as, the elimination of a fire sprinkler system, lower interest rates for a single family dwelling, a single HOA fee for each home and a lower overall cost to the future home owner. Other things we like about their plan is it creates lower density housing with individual yards and it creates better view corridors for the other members. We are in favor of the Town granting Josh and Terese Seal's wishes to subdivide Lot 14.

Thank you.

Jack Petruccelli
Parkside HOA President

Tim Malone
Parkside HOA VP

Brittany Martin
Parkside HOA Sec/Tres

Attachment D

Public Comment



TJ Dlubac <tdlubac@planstrategize.com>

RE: Green Seal Affordable Housing Project

1 message

Preston Neill <pneill@town.ridgway.co.us>

Tue, Jul 13, 2021 at 11:29 AM

To: Amie Minnick <amieminnick@gmail.com>, Karen Christian <kchristian@town.ridgway.co.us>, "tdlubac@planstrategize.com" <tdlubac@planstrategize.com>

Hi Amie,

This confirms receipt of your email. It will be relayed to members of the Planning Commission in advance of the July 27th Planning Commission meeting, when they are scheduled to consider the North Seal Subdivision Final Plat. Thank you for taking the time to pen your thoughts on this matter.

Preston Neill, Town Manager

970-626-5308 ext. 212 (O) | 970-318-0081 (C)

pneill@town.ridgway.co.uswww.colorado.gov/ridgway

From: Amie Minnick <amieminnick@gmail.com>**Sent:** Tuesday, July 13, 2021 11:25 AM**To:** Preston Neill <pneill@town.ridgway.co.us>; tdlubac@planstragize.com; Karen Christian <kchristian@town.ridgway.co.us>**Subject:** Green Seal Affordable Housing Project

town of ridgway:

i am writing in support of the lot 14 parkside affordable housing project proposed by green seal llc. as three single dwelling units.

as a business owner in this community, i have witnessed the struggle with the lack of community based affordable housing for my own labor force

over the past 6 years.

the town of ridgway needs to address this situation with urgency and terese & josh have proposed a reasonable & affordable start to solving the towns problem with their three single family unit homes.

i personally have experience with the quality of their construction and i can say with confidence that these proposed dwellings will be of the highest standards and visually pleasing.

i ask that you please approve the subdivision for the lot 14 project at the planning meeting on july 27th, 2021.

kind regards,

amie minnick

provisions at the barbershop

amie minnick

provisions at the barber shop

owner/chef

970-708-7154

www.provisionschef.com

7/21/2021

Community Planning Strategies, LLC Mail - RE: Green Seal Affordable Housing Project



TJ Dlubac <tdlubac@planstrategize.com>

Lot 14 Parkside Subdivision1 message

Andrea Sokolowski <dreasoko@gmail.com>

Wed, Jul 21, 2021 at 2:12 PM

To: "pneill@town.ridgway.co.us" <pneill@town.ridgway.co.us>, tdlubac@planstrategize.com, kchristian@town.ridgway.co.us

Cc: Terese Seal <joshterese@yahoo.com>

Hi,

Just wanted to say that I am in support of subdividing the Parkside triplex lot (Lot 14) being developed by Josh and Terese Seal.

Because they are building three individual homes, rather than a triplex, it makes sense to subdivide.

As long as they have HOA approval, which it looks like they do, then I support the town of Ridgway in allowing this subdivision.

Andrea Sokolowski

Firehouse Investment Real Estate LLC

Ridgway, CO

dreasoko@gmail.com

(970)309-9314



TJ Dlubac <tdlubac@planstrategize.com>

Re: Letter in support of subdividing Lot 14, Parkside

1 message

Elizabeth Dickerson <elizabetheric@msn.com>
To: TJ Dlubac <tdlubac@planstrategize.com>

Tue, Jul 13, 2021 at 8:53 AM

Thanks for the response.

Our address:

Elizabeth and Eric Dickerson
671 Golden Eagle Tail
Ridgway, CO 81432

From: TJ Dlubac <tdlubac@planstrategize.com>
Sent: Monday, July 12, 2021 8:53 PM
To: Elizabeth Dickerson <elizabetheric@msn.com>
Cc: Preston Neill <pneill@town.ridgway.co.us>; Karen Christian <kchristian@town.ridgway.co.us>
Subject: Re: Letter in support of subdividing Lot 14, Parkside

Thank you for your letter of support for this project. Would you mind including your address for the record? Thank you!

TJ Dlubac, AICP
Community Planning Strategies, LLC
970-744-0623

From: Elizabeth Dickerson <elizabetheric@msn.com>
Sent: Monday, July 12, 2021 8:41:41 PM
To: tdlubac@planstrategize.com <tdlubac@planstrategize.com>
Subject: Fwd: Letter in support of subdividing Lot 14, Parkside

Begin forwarded message:

From: Elizabeth Dickerson <elizabetheric@msn.com>
Date: July 12, 2021 at 6:03:39 PM MDT
To: pneill@town.ridgway.co.us, tdlubac@planstragize.com, kchristian@town.ridgway.co.us
Subject: Letter in support of subdividing Lot 14, Parkside

We would like to share out FULL support of the subdivision of Lot 14 in Parkside. The proposed three separate housing lots will be more manageable, more affordable, and infinitely more attractive.

Green Seal LLC builds interesting, quality homes that are an asset to our town. Please continue to support the good work of this fine, local small business.

Elizabeth & Eric Dickerson



TJ Dlubac <tdlubac@planstrategize.com>

RE: Support for subdivision of Lot 14, Parkside Subdivision

1 message

Preston Neill <pneill@town.ridgway.co.us>

Tue, Jul 13, 2021 at 8:55 AM

To: Jenny Williams <jennydwilliams@gmail.com>, Karen Christian <kchristian@town.ridgway.co.us>, "tdlubac@planstrategize.com" <tdlubac@planstrategize.com>

Hi Jenny,

This confirms receipt of your email. It will be relayed to members of the Planning Commission in advance of the July 27th Planning Commission meeting, when they are scheduled to consider the North Seal Subdivision Final Plat. Thank you for taking the time to pen your thoughts on this matter.

Preston Neill, Town Manager

970-626-5308 ext. 212 (O) | 970-318-0081 (C)

pneill@town.ridgway.co.us

www.colorado.gov/ridgway



From: Jenny Williams <jennydwilliams@gmail.com>**Sent:** Tuesday, July 13, 2021 8:14 AM**To:** Preston Neill <pneill@town.ridgway.co.us>; Karen Christian <kchristian@town.ridgway.co.us>; tdlubac@planstrategize.com**Subject:** Support for subdivision of Lot 14, Parkside Subdivision

Hello,

I'm writing to express my support for the subdivision of Lot 14, Parkside Subdivision, a request brought to you by Terese Seal. Our community is in desperate need of affordable housing--which shouldn't have to mean *inferior* housing. I own and live in a duplex, and while I appreciate the flexibility of a multi-unit property, single-family housing offers much greater privacy and comfort; if it can be achieved at the same cost, the shift can only bring good things to our neighbors and our neighborhoods.

Please consider the strong support that's already been expressed and approve this request.

Best,
Jenny Williams

Homeowner & resident, Solar Ranch



TJ Dlubac <tdlubac@planstrategize.com>

RE: Lot 14 Triplex - Subdivided proposal

1 message

Karen Christian <kchristian@town.ridgway.co.us>

Mon, Jul 19, 2021 at 10:25 AM

To: Kit Cassingham <kitcassingham@gmail.com>

Cc: Preston Neill <pneill@town.ridgway.co.us>, TJ Dlubac <tdlubac@planstrategize.com>

Hi Kit,

This confirms receipt of your email. It will be relayed to members of the Planning Commission in advance of the July 27th Planning commission meeting, when they are scheduled to consider the North Seal Subdivision Final Plat. Thank you for taking the time to pen your thoughts on this matter.

Karen Christian
Deputy Clerk

RIDGWAY TOWN HALL
PO Box 10 | 201 N. Railroad Street | Ridgway, Colorado 81432
970.626.5308 ext. 213 | kchristian@town.ridgway.co.us

-----Original Message-----

From: Kit Cassingham <kitcassingham@gmail.com>

Sent: Friday, July 16, 2021 5:32 PM

To: Karen Christian <kchristian@town.ridgway.co.us>Cc: joshterese@yahoo.com

Subject: Lot 14 Triplex - Subdivided proposal

July 16, 2021

Re: Lot 14 Triplex - Subdivided

Town Council
Town of Ridgway

Dear Counselors:

Ridgway desperately needs affordable housing, as you know. While a triplex sounds like a good idea and would address the problem, because of it's increased expense over three single-family homes, it detracts from the affordability concept Ridgway needs.

Josh and Terese Seal have presented a good solution to this triplex vs three single-family homes conundrum. They need the town's approval to subdivide Lot 14 in the Parkside Subdivision to accomplish their proposal.

I want to voice my support for the change of how Lot 14 in the Parkside Subdivision is developed as proposed by Josh and Terese Seal.

Affordable housing is at a critical low, as I believe everyone sees. That shortage is impacting the community in many ways, including teachers who are leaving the area because they can't find homes to live in; that impacts our children's educations.

Having three single-family homes on a lot that is subdivided into three lots seems like a brilliant solution to getting the much-needed affordable housing in the area. The deed restriction that these homes be only sold to and occupied by local residents, that will help ease the situation. The Seal's reputation for build quality,

environmentally-friendly homes is another plus, in my opinion. They can build an affordable home that is affordable to operate, just what people on a tight budget want and need. I further believe that the environmentally-friendly component of the Seal's construction style will help put Ridgway on the map as a green town and thus great place for people to live in and visit.

Approving this subdivided Parkside lot will help ease the affordable housing shortage. You owe it to your constituents to approve this well-considered proposal and request.

Sincerely,
Kit and Randy Cassingham

--

-Kit

Kit Cassingham, L.I.F.E. Coach * * * +01.970.626.6057

Transform Your Life:

Create a plan.

Thrive in confidence.

Live your plan.

I'd love to help you accomplish this. * Live In Focused Energy, live a long, vibrant life: <https://LiveInFocusedEnergy.com>



TJ Dlubac <tdlubac@planstrategize.com>

FW: Lot 14 Parkside Subdivision

1 message

Karen Christian <kchristian@town.ridgway.co.us>
To: TJ Dlubac <tdlubac@planstrategize.com>

Mon, Jul 19, 2021 at 10:29 AM

I forgot to copy you this one, assuming all these emails will make it to the packet.

**Karen Christian**

Deputy Clerk

RIDGWAY TOWN HALLPO Box 10 | [201 N. Railroad Street](#) | [Ridgway, Colorado 81432](#)970.626.5308 ext. 213 | kchristian@town.ridgway.co.us

From: Karen Christian
Sent: Wednesday, July 14, 2021 10:11 AM
To: Lynn Kircher <lynnkircherdesigns@gmail.com>
Subject: RE: Lot 14 Parkside Subdivision

Hi Lynn,

This confirms receipt of your email. It will be relayed to members of the Planning Commission in advance of the July 27th Planning Commission meeting, when they are scheduled to consider the North Seal Subdivision Final Plat. Thank you for taking the time to pen your thoughts on this matter.

**Karen Christian**

Deputy Clerk

RIDGWAY TOWN HALL

PO Box 10 | [201 N. Railroad Street](#) | [Ridgway, Colorado 81432](#)

970.626.5308 ext. 213 | kchristian@town.ridgway.co.us

From: Lynn Kircher <lynnkircherdesigns@gmail.com>
Sent: Wednesday, July 14, 2021 10:04 AM
To: Karen Christian <kchristian@town.ridgway.co.us>
Cc: Lynn Kircher <lynnkircherdesigns@gmail.com>
Subject: Lot 14 Parkside Subdivision

dear Deputy Clerk:

As presented by the owners, Green Seal, LLC, I support the proposed subdivision of Lot 14, Parkside Subdivision, into three lots. My thinking is based upon these factors:

- they state that the three lots are consistent with the original plat which means there is no need for a variance.
- they also state that the plat requires that these houses must be affordable and be owner-occupied and deed restricted.
- their research shows that by building three separate homes on the lots, for a multiple of reasons, the cost can be kept down. Very important fact.
- I am an architectural designer and in my studies of housing desired, all across our county in both rural and urban areas, people like to have their own detached space. Where affordable housing is provided, for example for veterans and released prisoners, they want their own home, even if it is small and it results in their piece of land being minimal. Another example, a development was built several years back in Telluride, which had many apartment units and only three "tiny houses". Those were most asked for on their waiting list.
- I have long stated that Ridgway has been a town with individual homes that are attached to their own piece of land. The birth of condominiums is a move in the direction of being a resort town. Most often the scale of such structures do not fit in our Town.
- If an applicant can meet the requirements of not needing a variance, creating housing that is affordable and owner occupied, and meets the needs for the workforce of our community, I am in support of the three individual homes rather than a triplex on the same piece of land.

Thank you for listening to my thoughts. Creating together.

7/21/2021

Community Planning Strategies, LLC Mail - FW: Lot 14 Parkside Subdivision

Lynn Kircher,
Doodles Designs, LL.

July 14, 2021

Attn: Town of Ridgway
Planning Staff: TJ Dlubac
Planning Commission
201 N. Railroad St.
Ridgway, CO 81432



Re: Approval of a subdivision of Lot 14, Parkside Subdivision

July 22nd, 2021

Dear Commissioners,

Please find this letter of support for the above project. I have served as a planning commissioner, worked at the State of Colorado for both the Department of Local Affairs/Main Street program and History Colorado as a Deputy State Preservation Officer and the Director of the State Historical Fund. During that time I was involved in the creation of the Space to Create program, worked with housing agencies and private developers at the State and regional levels who were trying to find solutions to our current housing issues.

I live and work in the area as an architect and am involved in a number of local Ridgway projects. Recently, I have had the pleasure of working directly with Green Seal LLC and cannot say enough about their ethics and philosophy as a builder. Communities across the State of Colorado are desperate to find the small developer willing to take on projects with only a few units at a time. Most incentives for housing are only available to bigger projects with the density of units to achieve large incentives and make the numbers work for the developer - similar to the Space to Create project. This leave smaller local developers like Green Seal LLC, with few resources to create feasible project and very little in the way of incentives.

Local municipalities are actively removing barriers in the process of planning and permitting is an incentive. Smaller developers are able to make projects more feasible by keeping up front development costs and time from design to construction low. They do not have the resources or financial backing for lengthy planning and permitting processes.

Recent Colorado legislation, House Bill 21-1117 has started to address guidance for local jurisdictions to help in regulating development for the promotion of constructing new affordable housing. This legislation provides actions to promote zoning or land use policies, to help increase housing being created and create incentives for construction of affordable housing.

Ridgway has always been held as a Statewide model of success and I hope the application by Green Seal LLC is wholeheartedly supported as another example of community success. I would also recommend this project could be used as a starting point to find more local incentives for the smaller housing developer. Incentives could be through more streamlined zoning and permitting process for affordable housing, reduction or elimination of utility charges or taxes imposed by local jurisdiction for the small housing developer. You have a committed local developer who I'm sure would be a good precedent and partner.

There are so few developers who are willing to take on affordable housing development projects. Ridgway is fortunate to have this team!

I can be reached directly and excited to see Green Seal LLC and Ridgway succeed in this effort.
Cell: 970-302-7730

Sincerely,

Timothy J. Stroh, AIA
Owner, Principal
Springboard Preservation Studio

springboard preservation studio

www.springboardpreservation.com

532 north tejon street **colorado springs** colorado 80903 719-581-3225 ext 2
64669 ranger road **montrose** colorado 81403 719-581-3225 ext 1

July 21 ,2021

Re: Lot 14 submission

To the Town of Ridgway,

I am writing in support of the proposal for Parkside lot 14.

We live at 590 Marion Overlook, and we have been living full-time in Ridgway since Last December.

While we are 'newbies', I also spent many summers here in the '70's and 80's. We really appreciate the mix of housing types and families that are in the neighborhood, especially the families with young kids. We have a son enrolled at Ridgway Secondary School, and we are committed to being contributing members of the town.

Additionally, my brother Scott owns lot 1 in Parkside. He did not have time to write a letter, but he wishes to express his support for the application, as it will be less impactful to his view.

I have met Josh and Terese through playdates our new dog, Samantha. I am an architect, and we have talked about the importance of quality design. We also talked about the urgent need for affordable/attainable housing. They have been here for a long time and have a track record of responsible development projects in this area.

I support their application, and echo the reasons cited in the letter from the HOA, and in the belief that the best affordable housing project is the one that gets built. I believe it supports the mix of housing we need in Ridgway, and while I am not opposed to multi-family housing, I think their application provides a more flexible solution to this multi-faceted problem of affordable housing.

Thank you for your consideration,


Douglas Unfug

590 Marion Overlook

Ridgway

From: John Burchmore <skiburch@gmail.com>

Sent: Saturday, July 10, 2021 2:39 PM

To: Preston Neill <pneill@town.ridgway.co.us>; tdubac@planstragize.com; Karen Christian <kchristian@town.ridgway.co.us>

Subject: Subdivision of Lot 14, Parkside Subdivision.

Greetings,

As a neighbor in the county and after having reviewed the application for the proposed development and subdivision of Lot 14, Parkside Subdivision, I wanted to lend my support to the applicant.

Please provide this email to the Town of Ridgway Planning Commission. I have a background in serving nearby communities as a member of Town Council and Design Review Board (Mountain Village, CO) and after a review of the plan for the Lot 14 application, it makes good sense to me. I believe the community will be well served by the plan presented by the applicant and without objection from the HOA, I do hope that the Planning Commission and the Town approves the plan presented by the Green Seal LLC. I think it's a good one.

Thank you for your consideration,

John Burchmore

--

John Burchmore

181 County Road 5
Ridgway, CO 81432

From: Angela Hawse <alpinist007@mac.com>

Sent: Sunday, July 11, 2021 6:20 AM

To: Preston Neill <pneill@town.ridgway.co.us>; tdubac@planstragize.com; Karen Christian <kchristian@town.ridgway.co.us>

Subject: Support for affordable housing project

Town of Ridgway,

I am writing in support of affordable housing in Ridgway and in River Park that is designated to be a detached or attached triplex that will be deed restricted affordable housing owned and occupied by Ouray residents. The developers are proposing 3 separate homes on their own plots of land and I am very much in favor of supporting this effort.

Thank you,
Angela Hawse
1029 Clinton Street
Ridgway
970-318-9000

-----Original Message-----

From: Vicki Hawse <vickihawse@gmail.com>

Sent: Sunday, July 11, 2021 7:00 AM

To: Preston Neill <pneill@town.ridgway.co.us>; tdlubac@planstragize.com;

kchristian@townridgway.co.us

Cc: joshterese@yahoo.com

Subject: Affordable housing project

Greetings all,

I just got wind of Josh and Terese's proposal for three affordable housing units in Parkside. Josh and Terese have consistently built quality houses that add to the the community of Ridgway both in terms of a small and intelligent footprint as well as aesthetic assets to the community. I want to express my support for their project.

Thank you for your consideration

Vicki Hawse

30 South Elizabeth street

Ridgway, Co

81432

Vicki.hawse.massagetherapy.com

970-318-0341

From: Kerry Wilson <kgwenwilson@gmail.com>

Sent: Sunday, July 11, 2021 7:30 AM

To: Preston Neill <pneill@town.ridgway.co.us>

Subject: Separate but Equal

I have lived in Ouray county Since 2005 and in Colorado since I was born. I am a homeowner in Solar ranch and recently retired. I am writing in regards to Green Seals LLC proposal to provide three separate homes in Parkside rather than one large triplex. I understand that the original plans for the plot allows for separate as well as attached style housing. I agree with Teresa that restricted houses do not have to "scream" low income, That the sprinkler system would pass on higher cost to the new owner, and that having separate houses allows a modicum of privacy as well as their own separate yards, Provides pride and self respect.

I did not come to this area retired with a large income but I arrived as a single female sole wage earner and even in 2005 housing prices were high but within reach. Now, we all realize the price

Of housing will limit a variety of county residence to those that can afford the astronomical prices we currently are experiencing. I am saddened to think that we will be unable to house our teachers, our tradesmen, our librarians, or even medical professionals.

If affordable housing is the goal, Then I would strongly recommend: separate but equal small houses not a large triplex! Thank you for your time and consideration.

Sincerely,

Kerry Wilson

620 Tabernash Ln., Ridgway, CO 81432

----- Forwarded Message -----

From: Brad Wallis <grandcanyonwally@yahoo.com>

To: tdlubac@planstragize.com <tdlubac@planstragize.com>

Sent: Sunday, July 11, 2021, 11:36:51 AM MDT

Subject: Green Seal LLC proposal for Parkside development

TJ Dlubac
Planner

I would like to express my support of the requested revision which has been submitted by Green Seal LLC to divide the existing tri-plex lot in Parkside Subdivision into three single family units. I concur that three single family homes would be more desirable than another large tri-plex in the neighborhood.

I applaud the efforts of Green Seal LLC to develop deed restricted affordable properties in the community.

Thank you for your consideration.

Brad L. Wallis, Principal of BTB Construction LLC

AGENDA ITEM #9



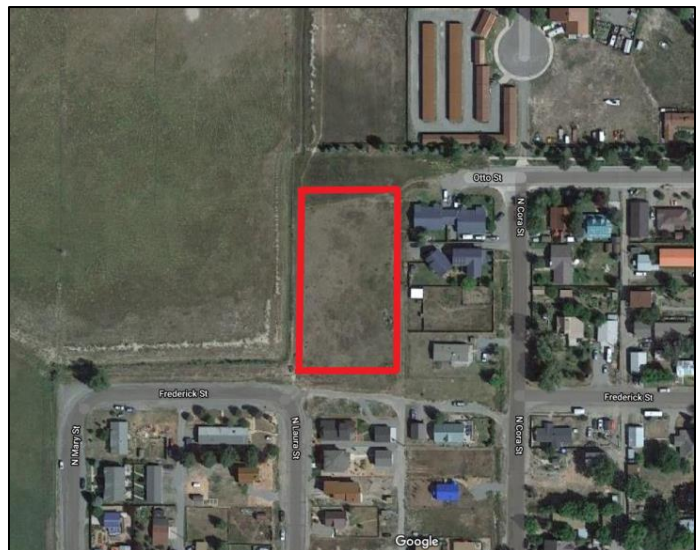
To: Ridgway Town Council and Ridgway Planning Commission
From: Preston Neill, Town Manager
Date: August 6, 2021
Agenda Topic: **Joint Work Session with the Ridgway Planning Commission to discuss a Telluride Foundation workforce housing project**

SUMMARY:

Paul Major and David Bruce with the Telluride Foundation will attend Wednesday's joint work session to present updated concepts for a workforce housing project on a parcel located in the Historic Residential Zone District. Direction may be requested depending on outcomes of the presentation and the subsequent discussion.

BACKGROUND:

The Telluride Foundation is under contract to purchase the western half of Block 30, which is a parcel that is approximately one acre and has 12 lots platted. It's located northeast of what is considered to be the intersection of Frederick St. and N. Laura St. They are looking to deploy their "Rural Homes: For Sale, For Locals" model that they touted earlier this year when they asked the Ridgway School District to donate their ball field for a workforce housing project.



Staff has been in conversation with Paul and David about what they would like to accomplish on the parcel and two informal meetings took place on July 9th and July 28th. Staff has provided Paul and David with a substantial number of high-level comments on what they've proposed based on the Town's zoning/land use regulations, as well as the density guidelines depicted in the Ridgway Master Plan. Also discussed was the process for bringing a project like this to fruition, especially given that roads need to be constructed and infrastructure/utilities need to be put in place according to Town standards.

Since the most recent informal meeting on July 28th, Paul and David have refined their proposal and have produced the concepts and narratives that are appended to this memo (Rural Homes: For Sale, For Locals). In it, you'll see the following two concepts that will be presented and for you all to discuss and consider:

Scheme A: 12 units in 6 sets of double townhomes

Scheme B: 16 units in 2 sets of 5-plex townhomes and 3 sets of double townhomes

STAFF ANALYSIS:

Staff is of the opinion that this project should go through a PUD process, as depicted in RMC 7-3-16, or at the very least through the Town's Subdivision Procedure, as depicted in RMC 7-4-5. There is not a precedent for a project of this nature or magnitude transpiring without going through the Town's Subdivision Procedure. Understandably, Paul and David have made it clear that they want to make this project happen as quickly as



possible and are not in favor of having to be put through any sort of subdivision process that would inevitably slow the project down.

With the Telluride Foundation eager to get something constructed, staff has discussed the possibility of developing an aggressive timeline for getting this proposed development through the subdivision procedure. It hinges on the Telluride Foundation meeting milestone dates and producing deliverables (e.g., producing construction-level documents). There may also be potential to hold a Sketch Plan public hearing at the Planning Commission level in conjunction with the Preliminary Plat public hearing.

ATTACHMENT:

Rural Homes: For Sale, For Locals

Rural Homes: For Sale, For Locals

Yellow Brick Lane

Ridgway, CO

Rural Homes: Project Narrative

Rural Homes: For Sale, For Locals is an initiative of the Telluride Foundation.

Our goal is to address the challenge of building workforce housing in Rural Colorado, where it is so expensive to build new homes and get them to be sold to the workforce at prices they can afford. We hope to add new homes to a community that otherwise has old, beaten-up buildings, or properties that are inflated by markets for vacation home-owners. A well-built home is essential for long term public health and economic sustainability in the region. This is a community building project led by a non-profit community foundation, not led by a developer. These homes will be built for, and sold to, locals.

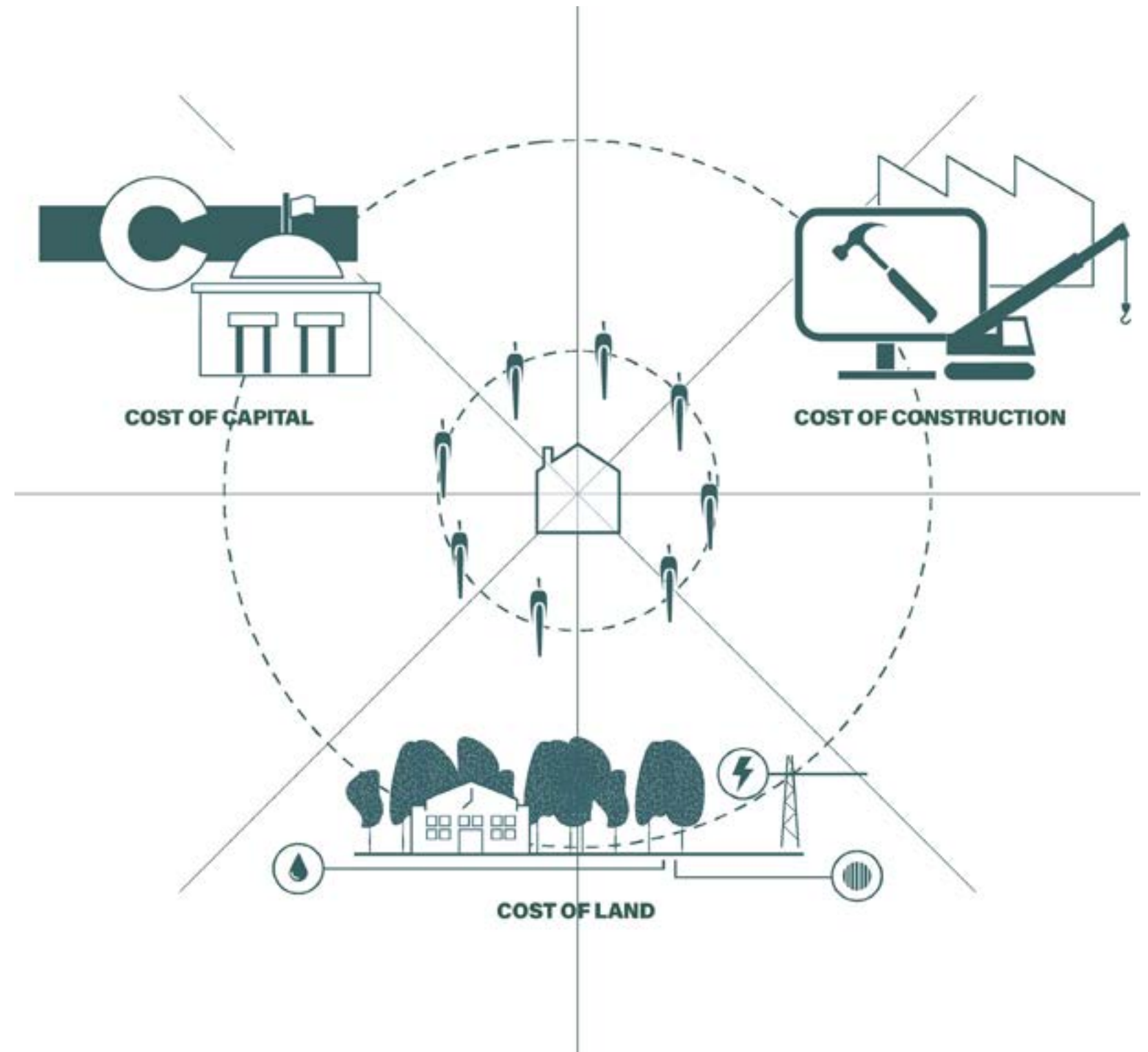
In order to accomplish the goal of building affordable housing, we have to attack the major costs of construction. These costs include the cost of land, by finding parcels that are contributed towards the project. Second, we are attacking the cost of capital, by getting low interest loans from philanthropic foundations across the state. Finally, we are tapping into innovation in design and construction, using a pre-fabricated approach to building that helps us reduce the on-site costs of materials and labor. We hope that this pilot can become a model for how to build homes for the rural workforce that earns between 60-120% of Area Median Income (AMI).

An additional component that is crucial to keeping this development affordable is density. Given the fixed costs of infrastructure development, we can reduce the per-unit cost of the homes. The less we spend on construction, the less we can sell the homes for. The proposed development is contingent on being affordable.

These homes will be permanently deed restricted. The factors for qualification will require working full time, earning within the income threshold, living in the house as your primary residence, having the home be your only owned property, and falling within the net assets qualification. The initial sale of all Housing Units shall be in accordance with applicable lottery, wait list or other selection procedures as determined by the HA. More information about the deed restriction and lottery process will become available as we move forward with this process.

Attacking the major costs:

- (1) Cost of Land: donated land
- (2) Cost of Capital: low-interest loans from Foundations
- (3) Cost of Construction: pre-fabricated homebuilding



Rural Homes: Building for Public Benefit

How can we package an approach to home-building that results in sales prices that are affordable to the local & essential workforce?

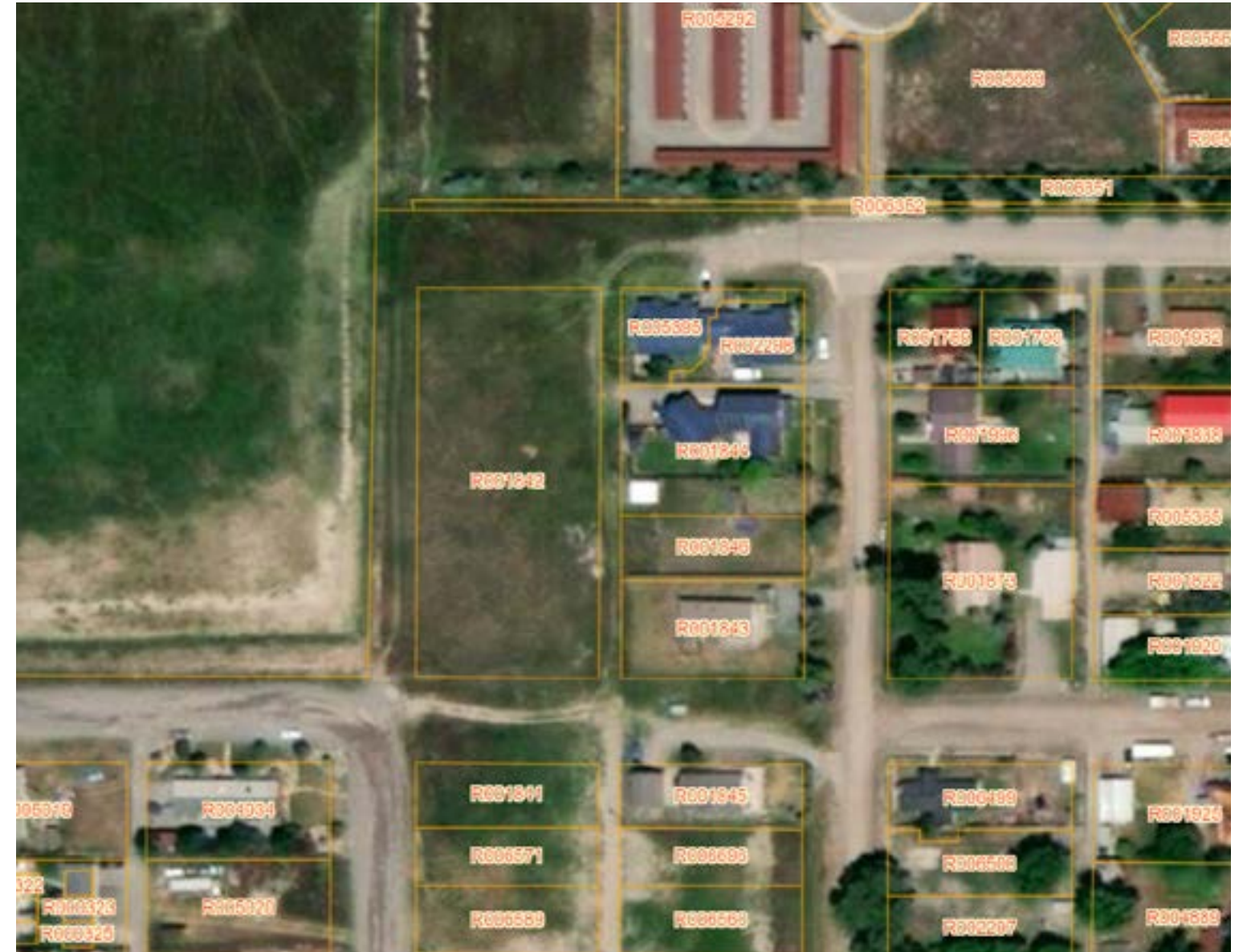
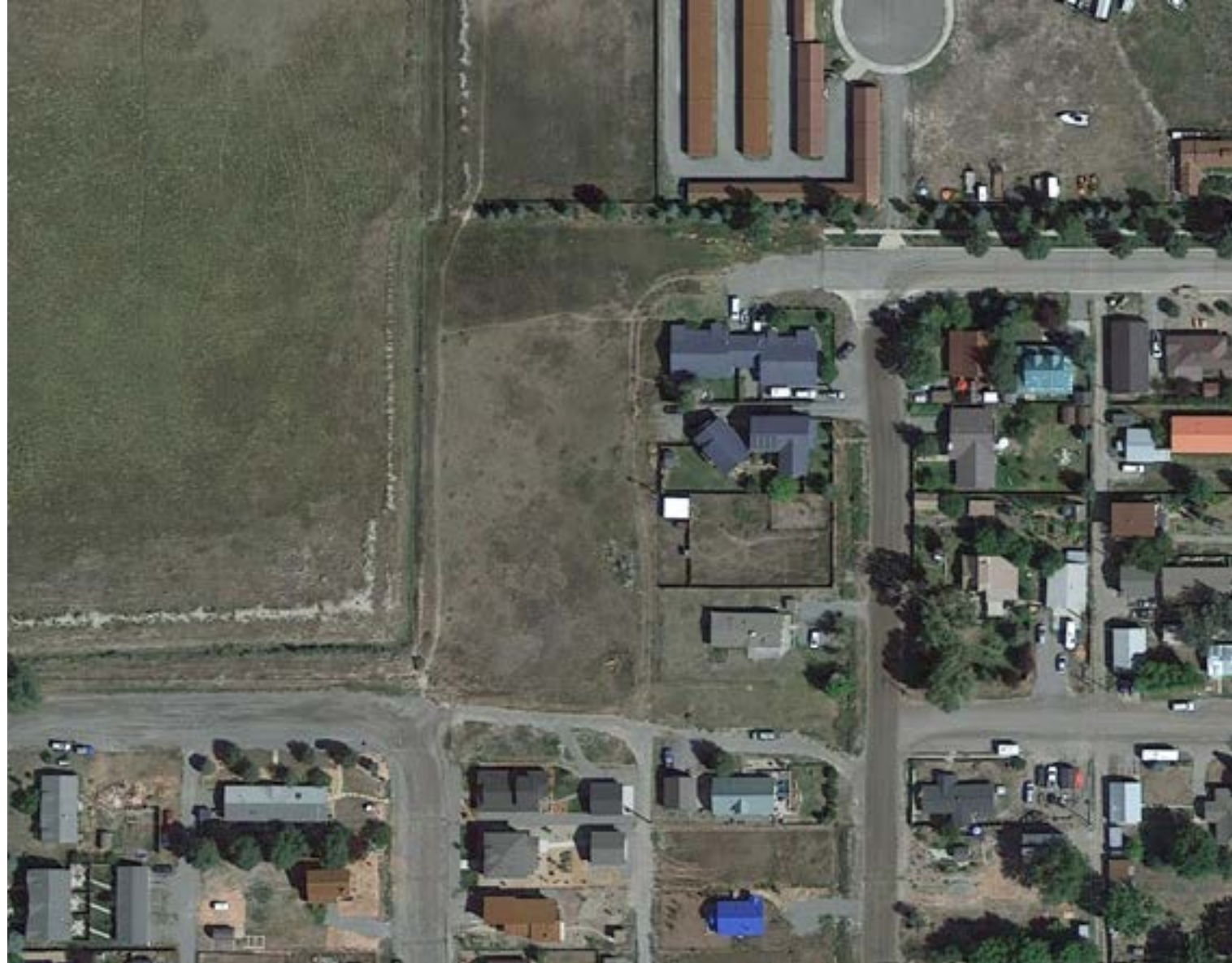
Our goal:

\$	244,637	60% of AMI	25% of units
\$	326,183	80% of AMI	41% of units
\$	364,810	100% of AMI	16% of units
\$	437,772	120% of AMI	16% of units

*These home sale prices are based off of the Department of Housing & Urban Developments income limits for a family of 4. These home sale prices are calculated from of 30% of monthly income going towards a mortgage payment. Please see the appendix for the full chart of Ouray County’s AMI.

Site: Western 1/2 Block 30

Parcel R001842



Two Schemes: Contextual & High Density

A: 12 units in 6x double townhomes

B: 16 units in 2x 5-plex townhomes & 3x double townhomes

FOR SALE: Home Definition

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, 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, 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, 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, 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.

District	Min. Lot			Max. Lot Coverage (%)	Min. Setbacks (ft)				Structure Height (ft) ⁽⁵⁾
	Use	Width (ft) ⁽⁵⁾	Size (sf)		Front	Rear ⁽¹⁾	Side ⁽¹⁾	Max. Side on Corner Lot	
R	Single Family and Duplex	50	6,000	50	15	8	5	7.5	27
	TOWNHOUSE?	50	10,000	40	15	8	8	7.5	27
HR	Single Family and Duplex	25	3,000	60	15	8	3 ⁽⁷⁾	7.5	27
	Residential uses with three or four dwelling units	35	5,000	60	15	8	3 ⁽⁷⁾	7.5	35
	All others	70	10,000	50	15	8	5	7.5	35

(5) Lot width shall be measured at the frontage of that abutting public street which provides actual access to the lot.

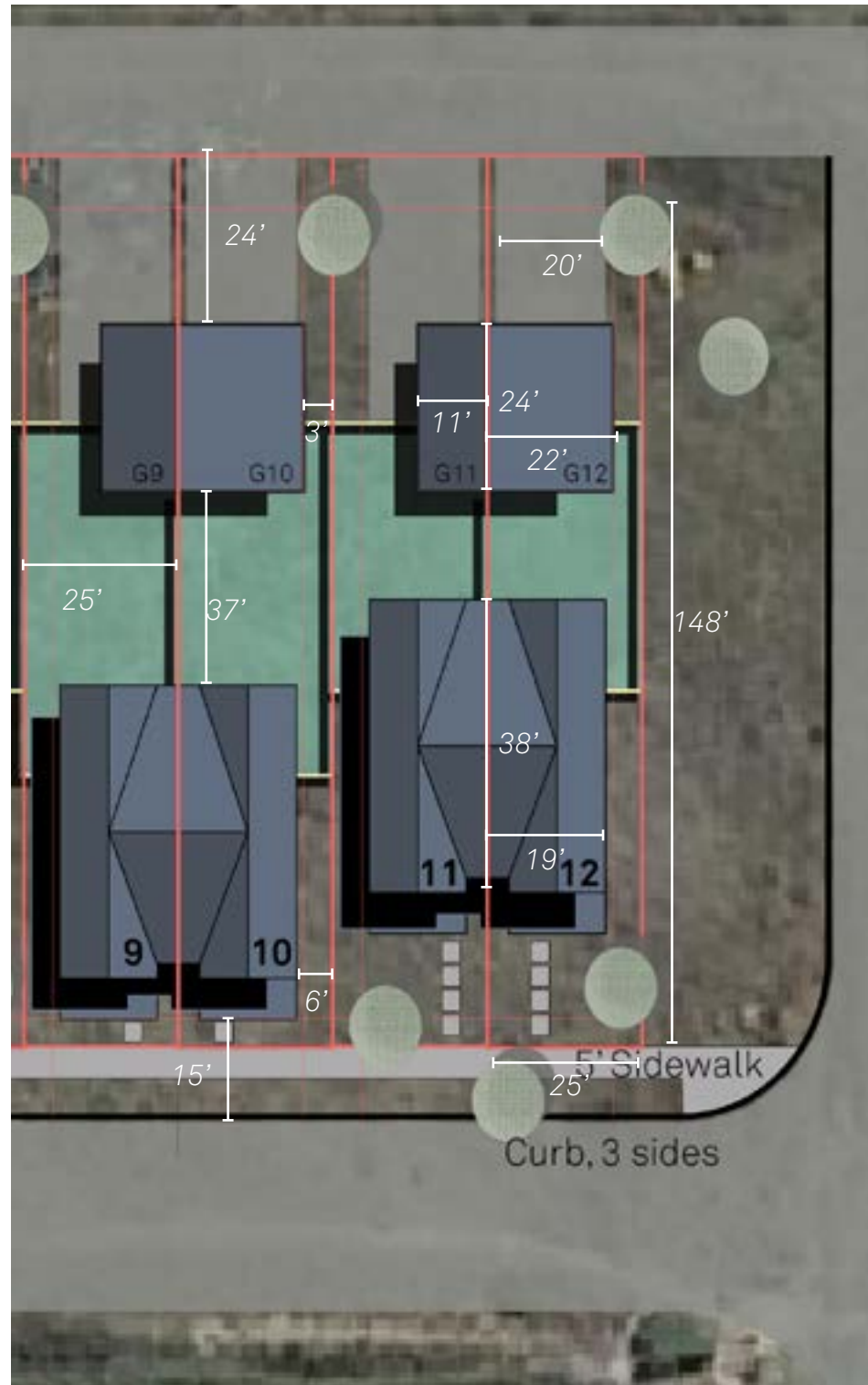
Given Ridgway’s Municipal code, this project is best suited for a **Planned Unit Development**



Option A: 12 dwelling units

* Dimensions included on next page

Option A: 12 dwelling units



Dimensional Table for the Double Townhome:

12 Unit Plan

Lot Dimensions (L x W)	148' x 25'	
Lot Square Footage	3,700	sf
Sideway Setback	6'	*demising wall 0' setback
Frontyard Setback	15'	*30' every other
Rearyard Setback	18'	to garage door
House Dimensions	38' x 19'	
House squarefootage	1,444	sf
Backyard dimensions (L x W)	37' x 25'	
Lot Coverage of house	20%	
Lot Coverage with garage	34%	
Driveway size (L x W):	24' x 20'	
Parking Spaces	1 to 2	car garage, per unit, with 18' within the setback
Garage Dimensions (L x W):	24' x 11'	one car
	24' x 22'	two car

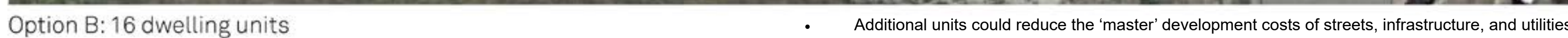
Design Core Principals:

- Create a varied streetscape by staggering front yard setbacks, Simultaneously providing solar insolation to the southern elevations.
- The front elevations will have vibrant color schemes
The massing will suggest an independent identity to each side of the shared townhome
- . Zero-scaping or very low maintenance water requirements in the yards
Instead of grass, there could be decks, patios, or Astroturf.
- EV ready & PV ready homes, wired so that the homeowner can choose to install an Electric Vehicle charger or PV panels
- Build a dignifying neighborhood for Ridgway's full-time workforce
- ADA compliant accessible layout



Option A: 12 dwelling units

Option B: 16 units in 2x 5-plex townhomes & 3x double townhomes



Site plan of the proposed 16-unit residential building at 1600 S. 1st St. The plan shows a rectangular building footprint with a red outline. The building is divided into four horizontal sections, numbered 6, 7, 8, and 9 from top to bottom. The total width of the building is 70 feet, and the total depth is 90 feet. The sections are 18 feet high each. The building is situated on a lot with a 5-foot sidewalk and a curb on three sides. The lot is bounded by a street to the north and a street to the east. The building is located on the south side of the lot. The plan also shows existing structures, including a building labeled G16 and a building labeled 16. The plan includes dimensions for the building footprint, the sidewalk, and the lot boundaries. The plan also shows the location of the building relative to the streets and the lot boundaries.

Dimensional Table for the 5-plex:

16 Unit Plan			
5-plex	Lot Dimensions (L x W)	65' x 18'	
	Lot Square Footage	1170	sf. PUD REQUIREMENT PUD REQUIREMENT
	Sidyard Setback	0'	
	Frontyard Setback	15'	
	Rearyard Setback	18'	
	Building Dimensions	90' x 18'	
	Building Squarefootage	3240	sf
	Unit Dimensions (L x W)	18' x 38'	
	Unit Squarefootage	1,368	sf
	Lot Coverage	58%	
	Parking Spaces	one	PUD REQUIREMENT
	Parking Stall (L x W)	22' x 12'	

*for the double townhome dimensional table, please refer back to page 8.

Design Core Principals:

- Create a varied streetscape by staggering front yard setbacks, Simultaneously providing solar insolation to the southern elevations.
- The front elevations will have vibrant color schemes
The massing will suggest an independent identity to each side of the shared townhome
- Zero-scaping or very low maintenance water requirements in the yards
Instead of grass, there could be decks, patios, or AstroTurf.
- PV ready homes, wired so that the homeowner can choose to install PV panels
- Build a dignifying neighborhood for Ridgway's full-time workforce
- ADA compliant accessible layout



Option B: 16 dwelling units

- Additional units could reduce the 'master' development costs of streets, infrastructure, and utilities.

Conceptual Pricing from a local GC:

Phase I, Survey, Civil Engineering Design, Geotechnical	\$	85,000	
Road, Curb, Gutter & Sidewalk Construction	\$	289,000	
Utility trenching, sewer & water main extention, fire hydrant	\$	98,800	
All other.. utiltiies to units, finish grading, SMPA, Black Hills, Contingency	\$	276,700	
	\$	749, 500	
Vertical Construction			
Average Unit Size		1444	sf
\$/sf	\$	207	
\$/unit	\$	298,908	per unit
Average Garage Size		792	sf
\$/sf garage	\$	75	
\$/garage	\$	59,400	per garage
GSHP/unit (Ground Source Heat Pump Buy-in)	\$	18,000	per unit
Town of Ridgway Permits, Tap Fees, legal Fees, Engineering Fees	\$	30,000	per unit

*more detail on next slide

CONSTRUCTION COSTS

	12 unit plan			16 unit plan		
Horizontal TOTAL	\$	749,500	horizontal	\$	749,500	horizontal
Horizontal per unit	\$	62,458	per unit	\$	46,844	per unit
Vertical TOTAL	\$	4,321,296	Vertical	\$	4,741,349	Vertical
Vertical per unit	\$	360,108	per unit	\$	296,334	per unit
Project Construction Defects Insurance (\$50,000)	\$	50,000		\$	50,000	
Project Management Consultant Fee (4%)	\$	202,832		\$	219,634	
Contingency (10%)	\$	507,080		\$	549,085	
TOTAL			TOTAL	TOTAL		
			\$ 485,892 per unit	\$ 394,348 per unit		

*1 FINANCIAL OFFSETS

Grants - DOLA & Telluride Foundation	\$	500,000	\$	444,226	per unit	\$	363,098	per unit
*2 Alleviate Municipal Permits & Fees	\$	250,000	\$	423,392	per unit	\$	347,473	per unit
*2 Partnership on Horizontal Development	\$	200,000	\$	406,726	per unit	\$	334,973	per unit
Value Engineer to 185\$/sf	\$	1,115,616	\$	313,758	per unit	\$	265,247	per unit

AFFORDABILITY IMPACT

\$	244,637	60% of AMI	\$	265, 247	72% AMI
\$	326,183	80% of AMI	\$	313, 758	86% AMI
\$	364,810	100% of AMI			
\$	437,772	120% of AMI			

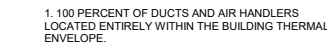
*1 These values were picked by David Bruce, just to exemplify the point

*2 We think that there is financing that could be applied towards permits, tap fees & civil infrastructure construction through DOLA’s planning & affordable housing incentives grant program put forward in House Bill 1271 or in American Rescue Plan funding.

Simple Homes: *Panelized Manufacturing Process*



3/8/2021 11:59:39 AM



Fading West: Competitive Bid/Alternative



AGENDA ITEM #10



To: Ridgway Town Council
From: Diedra Silbert, Community Initiatives Facilitator
Date: August 5, 2021
RE: Member Appointments to Ridgway Creative Main Street Group

Background

In April 2021, an outreach flyer and application packet to attract applicants for the new Ridgway Main Street Group were publicized. This Group merges citizen engagement efforts into one volunteer body for both the Town's Ridgway Creative District (RCD) and Ridgway Main Street, further merging the two initiatives administratively and in the community. Fifteen applications were received, and a series of three externally facilitated orientation meetings took place through technical assistance from Colorado Main Street.

Fourteen of the fifteen individuals intend to continue as members of the group, in one form or another. Four were prior RCD Creative Advocacy Team members, including Kevin Grambley representing Town Council. Members of the group now officially and unofficially represent nonprofits, Chamber, businesses, building owners, Creatives, advocates for the arts, and residents living both in and out of town boundaries. Some are new to Ridgway; others have been here for years. Some are retired, and others are working.

Action Requested

Town Council serves as the governing body for both the RCD and Main Street initiatives. Therefore, these fourteen people are being recommended for your approval as members of a standing Town Council committee, the Ridgway Creative Main Street Group, replacing the prior standing committee of the RCD Creative Advocacy Team:

Kevin Grambley
Brenda Ratcliff
Joan Chismire
Amanda Gabrielson
Hilary Lewkowitz
Sue Husch
Tammee Tuttle
Vanessa Backer
Michi Countryman
Guthrie Castle
Jill McCord
Alison Etheridge
Arielle Bielak
Clifford Pastor

AGENDA ITEM #11



To: Ridgway Town Council
From: Diedra Silbert, Community Initiatives Facilitator
Date: July 7, 2021
RE: Recommendations and Proposed Implementation Plan from Heritage Park – Visitor Center Advisory Committee

Background

The Ridgway Visitor Center and Heritage Park Strategic Master Plan was adopted by Town Council in June of 2019 and funded by a grant from the Colorado Tourism Office to the Ridgway Area Chamber of Commerce. The Plan identified and detailed improvement options and site design concepts for this critical gateway to Ridgway's downtown. The community process during outreach and engagement on the Plan resulted in an ambiguous result related to whether to build a new Visitor Center or to utilize renovated shipping containers as information kiosks without a separate visitor center building. Also, after 2019, the railroad car which had served as a focal point in the Strategic Master Plan was moved from the site to the new Ridgway Railroad Museum location.

Therefore, an additional community process was required to address these particular issues, and the Visitor Center-Heritage Park Advisory Committee was established in January 2021, composed of representatives from Town Council, the Ridgway Area Chamber of Commerce board of directors, the business and nonprofit sectors, and citizens at large. This committee met 4 times between February and June 2021, utilizing an outside facilitator paid for by Colorado Main Street technical assistance. As a result of thorough and thoughtful discussions, the Visitor Center-Heritage Park Advisory Committee unanimously presents the following recommendations, which would amend the Strategic Master Plan for Ridgway Visitor Center and Heritage Park.

Recommendations from the Advisory Committee

Community stakeholders who participated in the Visitor Center – Heritage Park Advisory Committee meeting process concurred that the following recommendations would provide the best outcomes for this important site for the most efficient use of public funds:

1. **Visitor Information Services:** Rather than building a new Visitor Center building at high cost, the group recommends remodeling two shipping containers, per 2019 plan, and using these as kiosks for year-round information distribution, potentially accommodating staffing during the warmer months.
2. **Accessible Restrooms:** The site will require the construction of an ADA-accessible restroom facility and pathway, which can be accessed from its exterior and facilitates easy cleaning and maintenance.
3. **Existing Visitor Center Building:** The group recommends removal of the existing building, after remodeled shipping containers and accessible restrooms are available for utilization.



The historic nature of the building was taken into consideration, but its location on the site and its mediocre condition significantly detracted from the benefits that might arise from its preservation.

4. **Picnic Shelter:** The stakeholder group recommends a new picnic shelter be constructed, further away from Highway 62 than the current building, preferably to include representation of themes and interpretive information about Ridgway's Ute heritage.
5. **Public Art:** If space allows, an iconic and attention-getting piece of art could be installed.
6. **Storage:** The group recommends adding a storage space for supplies needed to maintain the facilities and the park, preferably connected to the new restroom building.
7. **Revised Design:** The stakeholder group acknowledges that the design concept needs to be updated with regard to these recommendations. The group did not specify where each of these items should be constructed, but would rely on professional expertise for the layout. Professional expertise will help with decisions for the additional space created by the removal of the building and the departure of the railroad car which had been central to the original design.

Implementation Plan

The Advisory Committee reviewed the Heritage Park Implementation Plan, developed and revised by Town and Chamber staff to reflect the above recommendations and known funding sources.

Direction Requested

Town Council (and the Ridgway Area Chamber of Commerce board) requested this stakeholder process to clarify future plans for the Visitor Center and Heritage Park. Since the recommendations do make changes to a Town plan adopted by Town Council, staff is requesting that Town Council discuss the implications of these recommendations for the site and the community and provide guidance regarding these recommendations which would amend/revise the Visitor Center-Heritage Park Strategic Master Plan.

Once all guidance is received from Council, the proposed motion is as follows: "I move to adopt the recommendations from the Visitor Center-Heritage Park Advisory Committee [with or without modifications], thereby amending the Strategic Master Plan for Ridgway Visitor Center and Heritage Park."

Long-term Implementation Plan and Strategy

June 2021 Revision

Ridgway Visitor Center and Heritage Park Master Plan

The purpose of this document is to guide the 2019 Ridgway Visitor Center and Heritage Park Strategic Master Plan implementation process. This revised document incorporates recommendations made to Ridgway Town Council that emerged from a facilitated community stakeholder process during the first half of 2021. Plan estimates listed below originated from pages 32-33 of the plan. Since 2019, construction costs and materials have increased, so new estimates are needed. Funding sources are a product of reviewing “Grant Funding Sources” listed on page 35 of the plan. See next section (page 4) for a detailed review of grant funding sources. This is a fluid document to be used between the Town and Chamber. We anticipate editing and adding to this document as new funding opportunities arise.

Recommendations from the community stakeholder process, January – June 2021, include the following:

1. **Visitor Information Services:** Rather than building a new Visitor Center building at high cost, the group recommends remodeling two shipping containers, per 2019 plan, and using these as kiosks for year-round information distribution, potentially accommodating staffing during the warmer months.
2. **Accessible Restrooms:** The site will require the construction of an ADA-accessible restroom facility and pathway, which can be accessed from its exterior and facilitates easy cleaning and maintenance.
3. **Existing Visitor Center Building:** The group recommends removal of the existing building, after remodeled shipping containers and accessible restrooms are available for utilization.
4. **Picnic Shelter:** The stakeholder group recommends a new picnic shelter be constructed, further away from Highway 62 than the current building, preferably to include representation of themes and interpretive information about Ridgway’s Ute heritage.
5. **Public Art:** If space allows, an iconic and attention-getting piece of art could be installed.
6. **Storage:** The group recommends adding a storage space for supplies needed to maintain the facilities and the park.
7. **Revised Design:** The stakeholder group acknowledges that the design concept needs to be updated with regard to these recommendations. The group did not specify where each of these items should be constructed, but would rely on professional expertise for the layout. Professional expertise will help with decisions for the additional space created by the removal of the building and the departure of the railroad car which had been central to the original design.

Completed Projects 2019 – 2021:

Project Title	Project Summary	Funding/Manager	Cost	Timeframe
Ridgway Heritage Park and Visitor Center Construction and Bid Plans for Irrigation and Landscaping and Contract Implementation	1) Irrigation system, 2) plant trees, sod and 3) Landscape planting -- in two stages, – surrounding Visitor Center and along Highway 62	Colorado Main Street Mini-Grant Funding/Town (\$10K/year, 2020-2025)	\$115,000 [\$20K construction docs (paid by COMS); implementation \$35K (COMS), \$5K (AARP), \$2K (CCI), \$53K est. (Town)]	Fall 2020 – July 2021
Info signage and photo opportunity area design & construction plans	Construction plans completed for self-standing info signage and revised design of photo opportunity area	Colorado Main Street Technical Assistance/Town	\$10,000 (paid by COMS)	2019
Temporary informational signage	The RACC created temporary window signage to represent the 5 themes and other services available in Ridgway. These signs will be hung in the RVC windows during the off-peak season when the building is closed.	RACC Budget	\$800	Summer 2020
New Visitor Center and Heritage Park sign	Sign needed to be updated to remove Railroad Museum	Town/Chamber	\$300	Winter 2021
Visitor Center remodel (not listed in master plan)	Remodel the current visitor center so bathrooms can be accessed from outside. New southside dutch door. Converted railroad museum into meeting space and storage. Interior and exterior paint.	Town/Chamber/CAR ES ACT	\$11,500	Spring 2021
		COMPLETED PROJECTS TOTAL	\$137,600	

Short-term (0-4 years):

Project Title	Project Summary	Funding/Manager	Plan Estimate	Timeframe
ADA accessible restrooms and garbage/recycle receptacles	New location in Southwest corner; possibility of tapping into existing water/sewer lines for flush toilets (add in cost estimate)	CDOT Revitalizing Main Street grant	10% match (\$100K total cost) + cost to connect to plumbing	Fall 2021
Update Heritage Park Concept Design	Revise concept to include 2021 recommendations	COMS Technical Assistance/Town	\$10,000	2021-22
New fencing	Replace fence removed in 2021 during irrigation and landscaping phases	Town	\$xxxx	2022
Develop Construction Plans	Contract to develop construction plans for Restrooms, Remodeling of Shipping Containers, Picnic Shelter (already have construction plans for Photo Opportunity Space and Self-Standing Signage)	COMS Technical Assistance/Town, Additional funding needed	\$20,000	2022
Installation of Self-Standing Themed Informational Signage	Content and layout 5 EA \$ 12,000.00 = \$60,000.00, plus hardscaping and site work	DOLA , CTO, Town & Chamber	\$72,000	2-4 years
Installation of New Visitor Center Kiosks (Retrofitted Containers)	2 x \$50,000	Gates Family Foundation / RACC (need 30% down)	\$100,000	2-4 years
Incorporate elements of Ute heritage into site design (picnic shelter, interpretive signage)	Collaborate with Ute Indian Museum and/or other Ute representatives to define and design appropriate Ute elements for site	Town	Staff time	3-4 years
		SHORT-TERM PHASE TOTAL	\$302,000	

Medium-term (5-7 years):

Project Title	Project Summary	Funding/Manager	Amount	Timeframe
Installation of picnic area	Construct picnic shelter with heritage-related interpretation, and garbage/recycle receptacles, if not already installed.	Potentially move to short-term if utilizing CDOT funding	\$38,460	5-7 years
Install pathways through site + Hardscape	Concrete sidewalk, concrete mow edge, steel edge, landscape boulders, earth work, lighting and electrical.	GOCO Grant 1/ Town (25% match)	84,520	5-7 years
Demolition of existing Visitor Center	Estimated cost unknown; to be completed after shipping container kiosks and accessible restrooms are installed	Funding source unknown	---	6-7 years
Placeholder for Construction Plans and Implementation of Revised Concept Design Elements	Construction plans and implementation, most likely of additional landscaping where building was removed and possibly public art	Colorado Creative Industries (public art); DoLA (construction plans); installation??	\$50,000	6-7 years
Historic Map and historical interpretation signage/exhibits	Design/install all history-related interpretation materials in info kiosks and picnic shelter. Need storage container construction first or concurrently.	History Colorado Competitive Grant / (25% match) Town & RACC	\$17,000	5-7 years
Photo Opportunity Area	Photo opportunity area includes photo monument structure, hardscaping and site work, and plantings.	GOCO Grant 2/ Town (25% match)	\$40,000	5-7 years
Heritage Park & Ridgway Visitor Center sign	Sign includes park amenity icons such as the restroom, picnic, and camera symbols, so all elements must be completed before this sign is installed.	Gates Family Foundation / RACC	\$6,000	5-7 years
		PHASE 2 TOTAL	\$235,710	

Long-term (8+ years):

Project Title	Project Summary	Funding/Manager	Amount	Timeframe
New gateway sign	Finalize design, develop construction plans, and install new gateway sign	DOLA/Town	\$75,000	8+ years
Remove existing pergola and replace with Climbing Boulder & safety surfacing	Large and small climbing boulder installation with safety features	GOCO Grant 2/ Town (25% match)	\$85,000	8+ years
Nature Play-Themed Tot Lot play area	Design and install tot lot play area features	GOCO Grant 1/ Town (25% match)	49,342	8+ years
Crusher fines plaza area and secondary crusher fines pathways (partially done in 2021) and remaining sod/landscaping areas	Complete areas in plan that remain unfinished, including additional crusher fines, sod and/or landscaping, as needed per plan.	GOCO Grant 2/ Town (25% match)	\$29,700	8+ years
Site Furnishings	Bollards, benches, bike racks, water fountain, trash/recycle, dog waste station	GOCO Grant 2/ Town (25% match)	\$26,460	8+ years
Xeric planting areas & demonstration gardens	Shrubs, grasses, mulch, soil amendment, topsoil, ornamental grasses.	GOCO Grant / Town (25% match)	\$14,210	8+ years
		PHASE 3 TOTAL	\$279,712	

Grant Opportunities

This section is a review of “Grant Funding Sources” listed on page 35 of the Visitor Center and Heritage Park Strategic Master Plan. Green = potential application to project, Yellow = potential but needs more exploration, and Red = not applicable to project. Grants that can be potentially applied to the project (green) are added above to the Implementation Plan. For more exploration into federal grant opportunities, go to [Reconnecting America](#).

This section does not include the exploration of private donors and foundations or future grant opportunities from public entities.

Funding Source	Potential Funding	Budget	Summary/Notes	Grant Cycle
GOCO Mini Grant/LPOR (website)	restrooms, trails within parks, safety surfacing with the exception of pea gravel, nature play areas, traditional playgrounds.	Mini Grant to \$45,000 and LPOR to \$350K	25% match required, in-kind and design/engineering costs can count for match. See notes on call with GOCO contact.	Application period closes October
History Colorado Competitive Grant (website)	Educational signage related to town history - Interpretive signage (\$15K), historic map (\$2K).	Mini grant to \$35K and large grant up to \$200K	* 25% cash match. Eligibility - Providing information about historic sites or historic preservation to the public through interpretation, curriculum development, public outreach, or other educational opportunities that pertain to a site(s).	Deadlines for mini grant June 1 and Dec. 1
Colorado Tourism Office (website & application)	- 5 marketing themes signage design and content	Grant up to \$15K (25% match)	CTO grants only fund design plans and content creation. No physical construction can be covered in these grants.	Fall application deadline

DOLA Community Development Block (website)			Worth reaching out to regional contact - Eligible uses of funds include acquisition, design/engineering, construction, reconstruction, rehabilitation or installation of public improvements or public facilities. Examples of projects include sewer and water systems, commercial streetscape improvements, community centers, food banks, shelters, health clinics etc. The funds must be used for activities that either benefit low- and moderate-income persons, or prevent or eliminate slums or blight.	Application closes February.
DOLA Rural Economic Development Initiative (application & website)	Infrastructure or construction/engineering plans	\$100K (no match required).	This might be a stretch since this is geared more towards direct economic development (e.g., expanding work facilities).	Applications open in
Gates Family Foundation - Capital Grants (website)	Buildings, signage	Budget based on need. (30% match required)	Could be a really great match. A couple caveats - nonprofits must apply and need 30% of project total upfront before project starts.	
Kaboom (website)	Playground equipment	Varies. Minimum \$15K	Must use Kaboom partner playground equipment.	Spring deadlines
Colorado Health Foundation (website)	Playground equipment and demonstration garden		Could be some opportunities in the 'Physical Health' category to fund playground equipment. However, might not because "Proposed projects must reflect the Foundation's cornerstones ,	Fall deadlines

			as our work is grounded in serving Coloradans who have low income and historically have had less power or privilege, putting the creation of health equity at the center of everything we do, and being informed by the community and those we exist to serve.”	
USDA Grants (website)	TBD	Contact local office for more info	Grants are 25% match required. Rural Community Facilities Grant could be used for a construction/design of portions of the plan. Also, Rural Business Development grant program.	Contact local office
National Endowment for the Arts - Our Town grant program (website)	Any historical/culture related components	Up to \$200K	Our Town is the National Endowment for the Arts’ creative placemaking grants program. These grants support projects that integrate arts, culture, and design activities into efforts that strengthen communities by advancing local economic, physical, and/or social outcomes.	August application deadline
Rural Community Assistance Program (website)	n/a	n/a	Currently no relevant grant programs, but worth checking in the future.	n/a
National Energy Technology Laboratory (website)	Energy efficiency technologies (not in MP)		Only applicable if solar energy or other energy efficiency technologies will be integrated into the project.	
Colorado Department of Transportation (website)	n/a	n/a	No applicable grant programs.	n/a

Colorado Office of Economic Development (website)	n/a	n/a	A wide variety of funding opportunities exist that are not relevant to the project. Of most relevance is the Rural Funding. However, all current opportunities relate to small business development programs. I can't find any funding that is applicable, but worth checking again in the future.	n/a
BEST Grant Program (website)	n/a	n/a	Not applicable to project. BEST provides an annual amount of funding in the form of competitive grants to school districts, charter schools, institute charter schools, boards of cooperative educational services, and the Colorado School for the Deaf and the Blind. BEST funds can be used for the construction of new schools as well as general construction and renovation of existing school facility systems and structures.	n/a
Colorado Brownfields Program (website)	n/a	n/a	Not applicable to project. Colorado also offers financial incentives in the form of grants for cleaning up contaminated land where there's no other federal or state program that can accomplish the cleanup.	n/a
Colorado Department of Health and Environment (website)	n/a	n/a	Not applicable to project. Grant funding available for: health and wellness (not related to parks/recreation) plus water quality.	n/a
Department of Commerce and	n/a	n/a	Current and past grant programs are not relevant.	n/a

Economic Development (website)				
Federal Transit Administration (website)	n/a	n/a	Current grant programs are not relevant.	n/a
National Science Foundation (website)	n/a	n/a	Current grant programs are not relevant.	n/a
The Daniels Fund	n/a	n/a	Grant programs not relevant.	n/a

AGENDA ITEM #12



To: Honorable Mayor Clark and Ridgway Town Council
From: Preston Neill, Town Manager
Date: August 5, 2021
Agenda Topic: Review and approval of submittal of SB21-252 Main Street: Open for Business Program Heritage Energy Grant Application

ACTION BEFORE COUNCIL:

Council is asked to consider approving the submittal of a SB21-252 Main Street: Open for Business Program Heritage Energy Grant Application to the Department of Local Affairs (DOLA).

SUMMARY:

Local architect Sundra Hines, working with the new owner of the Bank Building on Clinton Street, applied in a statewide competition through Colorado Main Street for the Heritage Energy Pilot Program. The Bank Building application was selected for this new State effort to increase energy efficiency and sustainability in a historic building. Assistance will be directly available to plan for energy efficiency improvements while preserving the building and maximizing available incentives and resources in a coordinated local and State effort.

With funding from SB21-252, DOLA is looking to support efforts by local governments and regional collaborations to engage in small business relief through “Main Street: Open for Business.” This initiative is intended to support façade improvements and energy efficiency projects for businesses in the state’s traditional downtowns.

Because of the direct alignment with the Heritage Energy Pilot Program, \$750,000 of these funds are dedicated to the already competitively selected Heritage Energy Pilot Projects. The three selected projects are 1) Fox Theatre in Trinidad, 2) Herald-Democrat Building in Leadville, and **3) Bank Building in Ridgway.**

A total of \$750,000 is available for the three Heritage Energy Pilot Projects. Eligible entities (the City of Leadville, City of Trinidad, and the **Town of Ridgway**) can each request up to \$250,000 with a scalable match for the Heritage Energy Pilot Projects identified in their downtowns. The match requirement is 20% of the individual project costs and the match can be from the awarded entity, business owner or combination of both.

Eligible entities are encouraged to apply by August 23, 2021. All eligible expenses must directly relate to facade improvements and energy efficiency and all work must be completed and invoices paid by no later than June 30, 2022. For more information on the Program, please refer to the attached MSOB Heritage Energy Grant Program Guidelines.



Please note that the grant application is still being prepared by the Bank Building development team and their aim is to send it to the Town for review and input by early next week. The goal is to submit the application through the Town's DOLA Grants Portal at some point next week, pending application finalization and Town Council approval.

FINANCIAL IMPLICATIONS:

For the Bank Building to be eligible for this grant opportunity, the Town of Ridgway must formally apply. In essence and if awarded, the Town would serve as a fiscal agent and would simply pass through the grant funds to the Bank Building development team. The owner of the Bank Building is planning to fund the match requirement.

Payment of grant funds to granted entities for approved projects will be set-aside and distributed on a percentage basis, with 50% of the funds distributed to granted entities upon request following award and execution of the grant agreement. The remaining 50% of the grant funds can be requested when the project is approximately 50% complete and the grantee has provided invoices and proof of payment for the first 50% draw.

If awarded, the Town will need to establish a process that allows for the Bank Building to request and receive their funding. The Town would also need to provide an Internal Revenue Service Form 1099 to the Bank Building team as they would be responsible for taxes on their award. Finally, the Town would be responsible to work with the Bank Building team to develop and submit quarterly reports to DOLA providing status of the project including percent of project completion, funds distributed (including invoices and proof of payment) and estimated time to completion. A final report of the project, including before and after photos, is due by July 7, 2022.

RECOMMENDED MOTION:

"I move to approve submittal of a SB21-252 Main Street: Open for Business Program Heritage Energy Grant Application to the Department of Local Affairs."

ATTACHMENT:

MSOB Heritage Energy Grant Program Guidelines



MAIN STREET: OPEN FOR BUSINESS - HERITAGE ENERGY GRANT APPLICATION GUIDELINES

1. Main Street Open for Business (MSOB) Program and Purpose

- A. Funding
- B. Timing

2. Eligible Entities and DOLA Grant Details

- A. Funding Evaluation and Selection
- B. Administration
- C. Requirements of Recipients

3. Sub-Grant Eligibility and Requirements

- A. Eligibility Requirements of Building/Business Owners
- B. Application and Project Requirements of Building/Business Owners
- C. Reporting Requirements of Building/Business Owners
- D. Projects Eligible for Reimbursement

1. Main Street: Open for Business (MSOB) Heritage Energy Program Purpose

The Colorado Department of Local Affairs (DOLA) with funding from SB21-252 will support efforts by local governments and regional collaborations to engage in small business relief through “Main Street: Open for Business.” This Initiative supports façade improvements and energy efficiency projects for businesses in the state’s traditional downtowns.

Because of the direct alignment with the Heritage Energy Project Pilot, \$750,000 of these funds will be dedicated to these already competitively selected projects.

A. Funding

- A total of \$750,000 is available for Heritage Energy Pilot Projects, competitively selected by a multi-agency committee earlier in 2021.
 - Note: An additional \$5.97 million is available in grant funding for general applications, which will be taken on a rolling basis and awarded on merit until funds are depleted. Program details are available on the DOLA website (cdola.colorado.gov/open-for-business).
- Eligible entities (the City of Leadville, Town of Ridgway, and City of Trinidad) can each request

up to \$250,000 with a scalable match for the Heritage Energy Pilot Projects identified in their downtowns (the Herald-Democrat Building in Leadville, the Bank Building in Ridgway, and the Fox/West Theatre in Trinidad).

- Granted entities may either sub-grant funds to local business owners for improvements on commercial buildings within a traditional commercial district or partner with contractors to complete projects on behalf of businesses.
- Granted entities are encouraged to partner with local Main Street programs, economic development districts, chambers of commerce, or other such organizations to help with outreach or administration of the program.
- Allocation of funds to granted entities and approved projects will be set-aside, and distributed on a percentage basis as projects are completed.
- The match requirement is 20% of the individual project costs, or possibly less with demonstrated need from the awardee (general fund balance, total fund balance, total outstanding debt, unassigned federal funds). Match can be from the awarded entity, business owner or combination of both.
- **Expenses incurred before a grant agreement is fully executed are NOT eligible for reimbursement.**

B. Timing

The grant program information will be published and the application will open in July. Eligible entities are encouraged to apply for these funds by **August 23, 2021, or sooner**, to ensure all work is completed and invoices paid by no later than June 30, 2022. All paperwork must be submitted by July 7, 2022.

Note: Grant agreements may take up to 60 days for execution before availability of funds.

2. DOLA Grant Application Details

A. Application Requirements

As the Heritage Energy Pilot Projects have already been identified through a competitive, multi-agency review process, the application simply requires standard contact information, TABOR compliance, and official action, along with a scope of work, cost estimates, and timeline.

B. Administration

- DOLA will make awards to and work with granted entities to administer funds.
- Granted entities can use up to 5% of the funds for administration costs. (Administration can be subcontracted.)
- Payment of grant funds to granted entities for approved projects will be set-aside and distributed on a percentage basis, with 50% of the funds distributed to granted entities upon request following award and execution of the grant agreement. The remaining 50% of the grant funds can be requested when the project is approximately 50% complete and the grantee has provided invoices and proof of payment for the first 50% draw.

- Granted entities can provide upfront funding or forgivable loans to eligible businesses throughout the process, eliminating the business owners' need for capital, or may choose to run their sub-grant program by reimbursing subgrantees' paid invoices.
- Granted entities must collect and maintain completed Internal Revenue Service Form 1099. Building owners will be responsible for paying taxes on their award.
- DOLA will assist granted entities and/or business owners by hiring technical consultant(s) to help with compliance on historic building renovations, local design guidelines, design schematics, and recommended best practices. Colorado Main Street and its partners will collaborate with other agencies on augmenting and leveraging these funds.
- Granted entities should be aware that any federal funding used as a match (for example, ARPA) will require historic eligibility review. The technical assistance mentioned above may be available to help with this review. NOTE: If buildings are already on the National Register or contributing to a National District, this review is not required since their eligibility has already been determined.

C. Requirements of Recipients

- Granted entities shall establish a process that allows for businesses to apply for and receive either upfront funding, forgivable loans, or reimbursement payments.
- Granted entities shall collect sufficient information from the business applicants to enable issuance of an Internal Revenue Service Form 1099. Granted entities shall provide an Internal Revenue Service Form 1099 to businesses that receive funding as each will be responsible for taxes on their award.
- Granted entities shall retain documentation on all uses of funds, including invoices, and any other documentation for up to five (5) years after final payment of grant funds is made. Such information shall be provided to DOLA upon request.
- Funds not spent within the statutory intent or by June 30, 2022, must be returned to DOLA by June 30, 2022.
- Granted entities shall provide DOLA with quarterly reports describing current project(s) status, percent completion, funds distributed, and estimated time to completion. A final report shall be provided to DOLA including how funds were distributed to businesses and how much of the funds were used for administrative costs, as well as photos of completed projects.

3. Sub-Grant Eligibility and Requirements

Eligible buildings/businesses have been identified in the competitive, multi-agency Heritage Energy Pilot Project process. (See above for eligible entities.)

A. Eligibility Requirements of Building/Business Owners

- Property must remain free of all municipal and county liens, judgments or encumbrances of any kind for the duration of the term of the agreement.

B. Application and Project Requirements of Building/Business Owners

- Completed application, with commitment to implement the project, signed by the building and business owner(s).
- Compliance with all local design guidelines and local protocol for all building improvements

including obtaining any required permits and approval of desired improvements (such as Historic Preservation Commission and/or Design Committee).

- Photo(s) of the structure showing the current condition.
- Drawings/sketches of proposed improvements (e.g., replacement of windows, doors, etc).
- Cost estimates for proposed improvements following local procurement guidelines. Cost estimates should be in a line-by-line format for each modification.
- Building owners shall agree at the time of application to maintain the improved façade for a two-year period of time.
- Work must be approved by the granted entity before work begins or no funds will be reimbursed.
- No funds spent prior to the execution of the grant agreement will be reimbursed.
- All project work to be reimbursed must be completed by June 30, 2022.

C. Reporting Requirements of Building/Business Owners

During the project, to the municipality, county, or council of government:

- Quarterly reports (October, January, April) providing status of the project including percent of project completion, funds distributed (including invoices and proof of payment) and estimated time to completion. A final report of the project, including before and after photos, is due by July 7, 2022.
- Completed Internal Revenue Service Form 1099. Building owners will be responsible for paying taxes on their award.

After project completion, starting July 1, 2022, to the Colorado Main Street program (information will be aggregated and kept confidential):

- For projects that involve energy improvements, businesses will provide the Colorado Main Street program 12 months of utility bills before renovations; during 2022-2023, businesses will provide the 12 months of utility bills post-renovations to track energy improvements quarterly (October, January, April, July).
- For projects that involve facade improvements, businesses will provide the Colorado Main Street program simple confidential quarterly reports on percentage of sales increases and number of FT/PT jobs in the year after project completion compared to the same quarters of 2019 and 2020 (October, January, April, July).
- Building/business owners will provide the Colorado Main Street program information on any additional private investment in the building facade or energy efficiency upgrades made during the grant agreement.

D. Projects Eligible for Reimbursement

Improvements and/or rehabilitations must comply with all state and local regulations, including obtaining any required building permits and design and/or historic preservation approvals. All project work on historic buildings shall follow the Secretary of the Interior's Standards for Rehabilitation of Historic Structures and applicable local regulations. Businesses are encouraged to work with their local preservation commission (if any), or contact the Colorado Main Street Program's staff architect for project recommendations, review, and technical assistance related to improvements listed in this document. All eligible expenses must directly relate to facade improvements and energy efficiency.

- Engineering and design that supports a physical project (Note: Implementation of project must be completed by June 30, 2022).

- Building permits for construction.
- Examples of Eligible Façade Improvements: *
 - Removal of non-historical false fronts
 - Repair or replacement of windows, doors, and cornices
 - Repair or replacement of façade materials
 - Repair or replacement of character defining architectural features
 - Masonry maintenance including tuck-pointing and gentle cleaning of and paint removal from brick (NOT power-washing of brick)
 - New awnings or canopies
 - Permanent signage for business/building
 - Landscaping and parking area improvements that enhance building aesthetics
 - Increased access to businesses (doors, windows, sidewalks) through back alleyway activation
 - Exterior lighting
 - Exterior painting
 - Design and construction costs
 - Exterior access to building (ie. sidewalks, ADA ramps, stairs)
- Examples of Eligible Energy-Efficiency Upgrades: *
 - HVAC equipment, particularly electrification
 - Windows, doors and awnings, including restoring inoperable doors/windows to full function
 - Roofing
 - Lighting
 - Insulation. Roof deck insulation must be installed under a new roofing membrane.
 - Solar panels
 - High efficiency and electric water heaters
 - Energy-efficient lighting (example LEDs)

* EXAMPLES OF INELIGIBLE EXPENSES: Removal of historic elements; replacement of historic elements with non-historic alternatives; power washing or sandblasting of brick; new adobe/stucco/false fronts; painting of unpainted brick or other historic material, topically-applied roofing insulation. Fire suppression, electrical panels, rewiring of the building electrical systems not associated with an improvement.

AGENDA ITEM #13



To: Honorable Mayor Clark and Ridgway Town Council
From: Preston Neill, Town Manager
Date: August 5, 2021
Agenda Topic: **Review and action on Revocable Encroachment Permit for use of Town property related to the Ridgway Space to Create Project**

SUMMARY:

Council is asked to review and take action on the attached Revocable Encroachment Permit for the Space to Create Project. According to Section 14-3 of the Ridgway Municipal Code, the Town Council may approve the use of Town property. This permit, if approved, will allow for the 6-inch water service line for the fire suppression system to run parallel under the Town right-of-way (sidewalk) for approximately 40 feet before turning and entering the building. Please refer to Exhibit A of the Revocable Encroachment Permit for a visual of the encroachment.

According to the National Fire Protection Association (NFPA), the original plan of extending the existing service line into the building and then angling it to get over to the water room, is not allowed. The NFPA does not allow a fire suppression service line to run more than 10 feet into a building.

The contractor, Stryker & Company, and Town staff have thoroughly evaluated alternatives and while this option is certainly not a desirable approach from staff's perspective, this option is preferred to abandoning the existing water tap and cutting into the right-of-way to install a new water tap and service line. There is no precedent for a private water service line running parallel in the Town right-of-way and it goes against the Town's standards.

The permit fee is \$75 and, if desired by Council, this fee can be waived.

PROPOSED MOTION:

"I move to [approve or deny] the Revocable Encroachment Permit for use of Town right-of-way."

ATTACHMENT:

Revocable Encroachment Permit and Exhibit A of the permit



REVOCABLE ENCROACHMENT PERMIT
Parks, Facilities and Rights-of-Way

☒ Right of Way
☐ Park
☐ Facilities

The Town of Ridgway, Colorado hereby grants to Artspace (“Permittee”), a permit to utilize the following public property:

A portion of Clinton Street right-of-way abutting Block 28, Lots 6 through 10, as shown on Exhibit A.

subject to the conditions set forth herein, as follows:

1. Permittee agrees to indemnify and hold harmless the Town of Ridgway, its officers, employees, insurers, and self-insurance pool, from and against all liability, claims, and demands, on account of injury, loss, or damage, including without limitation claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever, which arise out of or are in any manner connected with this Permit, including the sale and consumption of alcoholic beverages, if such injury, loss, or damage is caused in whole or in part by, or is claimed to be caused in whole or in part by, the act, omission, error, professional error, mistake, negligence, or other fault of the Permittee, or any employee of the Permittee, or which arise out of any worker's compensation claim of any employee of the Permittee. The Permittee agrees to investigate, handle, respond to, and to provide defense for and defend against, any such liability, claims or demands at the sole expense of the Permittee, or at the option of the Town, agrees to pay the Town or reimburse the Town for the defense costs incurred by the Town in connection with, any such liability, claims, or demands. The Permittee also agrees to bear all other costs and expenses related thereto, including court costs and attorney fees, whether or not any such liability, claims, or demands alleged are groundless, false, or fraudulent.
2. Permittee hereby agrees to waive any claim against the Town, its officers or employees for damage to their persons or property arising out of this Permit, the exercise of rights granted under this Permit, or the use of the public property granted herein by the Town.
3. Permittee shall maintain and use the public property at all times in conformity with Town ordinances, regulations and other applicable law, keep it in a safe and clean condition and allow no nuisance to be created by virtue of the Permit, and not allow any traffic or safety hazard to exist. Permittee shall not construct any buildings or improvements upon the public property except as authorized by this permit.
4. To the extent the encroachments are reduced, removed or discontinued, the extent of this permit shall be deemed reduced. Permittee shall not restore a reduced encroachment or expand the existing encroachment(s) in any way.



5. The following conditions shall also apply:

Permittee is permitted to use Town property as shown on Exhibit A for the depicted water service line for the Space to Create Project.

This Permit is for a 40-foot segment of the water service line to exist in the Town right-of-way prior to entering the building.

Any changes in the plan, from what is defined and attached hereto, shall be submitted to the Town for review and approval prior to commencement of the plan. No further encroachment or expansion of the encroachment into the right of way is permitted without prior approval of the Town.

6. The Permittee will be using Town power: ☐ Yes ☒ No

Location of designated power source: N/A

7. Insurance required: ☒ Yes ☐ No

8. Type and amount of coverage, if required: General liability: \$1,000,000 each occurrence; with the Town, its officers and employees as Additional Insured; General Aggregate: \$2,000,000 per insured club or insured individual; Damage to Premises \$100,000; Workers Compensation: \$150,000 for any one person, \$600,000 for any one accident, and public property damage insurance with a minimum limit of \$100,000 for any one accident (see RMC 14-5-8), or "to cover obligations imposed by applicable laws for any employee engaged in the performance of work for Permittee".

9. The Permittee shall be responsible to reimburse the Town for all out-of-pocket costs incurred by the Town in the issuance, administration and enforcement of this permit, including reasonable attorney's fees. Permittee shall reimburse the Town for any damage caused to Town property as a result of this permit and Permittee's activities hereunder. If such amounts are not paid when billed by the Town, the Town may collect such amounts as an assessment against Permittee's abutting property or other property to wit:

Block 28, Lots 6 through 10

and certify it to the County Treasurer to be collected similarly as taxes, or collect it in any other lawful manner.

10. This permit may be revoked all or in part by the Ridgway Town Council following reasonable notice and hearing if it finds the Permittee is in material violation of the terms hereof, and the encroachments shall thereafter be removed at Permittee's expense.

The undersigned hereby accepts this Permit and all conditions above, this ____ day of



August, 2021.

11. Total Fees are as follows:

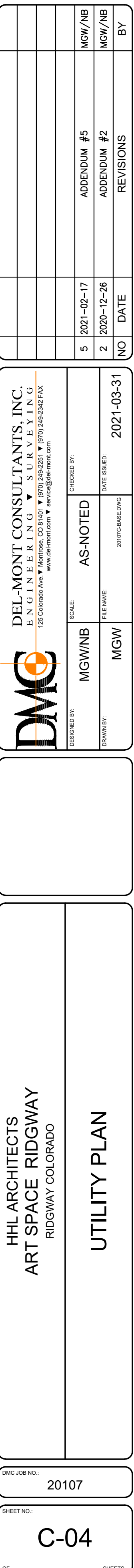
Permit Fee:	<u>\$75</u>
Electricity Use Fee:	<u>\$0</u>
Outdoor Concert Cash Bond:	<u>\$0</u>
Outdoor Concert License Fee:	<u>\$0</u>
Law Enforcement Fee:	<u>\$0</u>
Film/ Production Fee:	<u>\$0</u>
Total Fees Due:	<u>\$0</u>

TOWN OF RIDGWAY

PERMITTEE

By _____
John Clark, Mayor

By _____
_____, _____
Printed name Title



AGENDA ITEM #14



To: Honorable Mayor Clark and Ridgway Town Council
From: Preston Neill, Town Manager
Date: August 5, 2021
Agenda Topic: **Review and action on Colorado Department of Local Affairs Use Covenant and Regulatory Agreement related to the Ridgway Space to Create Project**

SUMMARY:

Council is asked to review and take action on the attached Colorado Department of Local Affairs (DOLA) Use Covenant and Regulatory Agreement. Since financial closings, Artspace has been working with DOLA Division of Housing to finalize the various grant documents for the money they have committed to the project.

DOLA Division of Housing is requesting that as a condition precedent to the disbursement of the grant funds, the Town execute and record this covenant with the real property records at the office of the Ouray County Clerk and Recorder to ensure that the rental and occupancy limitations associated with the Division of Housing's Development Grant Program are met. It's worth noting that these restrictions are in line the commitments made with the acceptance of the Low-Income Housing Tax Credit financing from the Colorado Housing and Finance Authority.

PROPOSED MOTION:

"I move to authorize Mayor Clark to sign the DOLA Use Covenant and Regulatory Agreement."

ATTACHMENT:

DOLA Use Covenant and Regulatory Agreement

COLORADO DEPARTMENT OF LOCAL AFFAIRS USE COVENANT AND REGULATORY AGREEMENT

THIS USE COVENANT AND REGULATORY AGREEMENT (“Covenant”) is made by Town of Ridgway, a Colorado municipality (“Grantor”), whose business address is 201 North Railroad Street, Ridgway, CO 81432 as fee simple owner of the real property described below, and is effective as of the date appearing beneath Grantor’s signature at the end of this Covenant.

Grantor owns certain parcels of land located at 675 Clinton Street (Block 28, Lots 6, 7, 8, 9, and 10) in the Town Ridgway, County of Ouray, State of Colorado, all as more fully described on Attachment 1, annexed hereto (the “Land”). Grantor has leased the Land to Artspace Ridgway Limited Partnership (“Ground Lessee”) pursuant to that certain Ground Lease made and entered into as of the 21st day of May, 2021 for the purpose of developing, constructing renovating, owning and operating a mixed-use affordable live/work project for individuals and their families (the “Project”).

Grantor is a beneficiary of funds through Grant Agreement #H2HDG31166 (the “Funding Agreement”) from the State of Colorado (“State”), by and through the Department of Local Affairs (“DOLA”), for the benefit of the Division of Housing (“DOH”) and Artspace Projects, Inc. (“Grantee”), which funds are being loaned by Grantee to Ground Lessee for use in the construction of the Project.

As a condition precedent to the disbursement of the grant funds, Grantor shall promptly record this Covenant with the real property records at the clerk and recorder’s office in the county in which the Property is located to ensure that certain rental and occupancy limitations associated with DOH’s Housing Development Grant (“HDG”) program are met regardless of ownership.

NOW, THEREFORE, the following is established as a covenant running with the land:

1. **Use Restriction.** For the term of this Covenant, the Property shall be used primarily to provide housing for Eligible Beneficiaries at Affordable Rents. Grantor shall not demolish any part of the Project or permit any residential unit in the Project to be used for any purpose other than affordable rental housing.
2. **Change in Use.** No change in use is permitted without the express written consent of DOH.
3. **Affordability Period.** This Covenant shall encumber the Property, without regard to the term of any mortgage or any transfer of ownership, for a period of thirty (30) years following the date the Project is complete (the “Project-Close Out Date”) as identified in writing to the original recipient of the funds. This period is the “Affordability Period”. Repayment of HDG funds shall not terminate the Affordability Period.
4. **HDG-Assisted Units.** Grantor shall designate four (4) rental housing units at the Project as HDG-assisted units. The HDG-assisted units shall have the number of bedrooms and be occupied by households whose income is at or below the percentage of Area Median Income (“AMI”) identified in the table in §5. The HDG-assisted units shall be floating units over the Affordability Period, meaning that the units at the Property designated by Grantor as HDG-assisted units may change from time-to-time. Grantor shall ensure that the HDG-assisted units are, at all times, comparable in terms of number of bedrooms, square footage, and amenities to those units originally designated as HDG-assisted. Whenever the income of a household

occupying an HDG-assisted unit increases beyond the applicable income limit during the term of the tenancy Grantor shall re-designate the next available unit at the Property as an HDG-assisted unit. Grantor shall keep records of all re-designation actions including, without limitation, the effective date of each such action, and make such records available to DOH upon request.

5. **Eligible Beneficiaries.** Each HDG-assisted listed in the table below shall be affordable to and occupied by an Eligible Beneficiary. “Eligible Beneficiary” means a household whose annual income (as defined at 24 CFR 5.609) is less than or equal to the applicable income limit in effect at the time such household initially occupies their unit. Income limits are published annually by the Colorado Housing and Finance Authority (“CHFA”) based on indexes published by HUD. If such indexes are no longer published income limits shall be based on an equivalent index designated by the DOH.

Unit Type	1-BR	2-BR	Total	Income Limit
HDG-Assisted	3	1	4	≤ 30% of AMI
Other Affordable	3	1	4	≤ 40% of AMI
	6	1	7	≤ 50% of AMI
	9	2	11	≤ 60% of AMI
	3	1	4	≤ 80% of AMI
Total Units	24	6	30	

6. **Lawful Presence.** [Reserved].
7. **Income Eligibility Determinations.** Grantor shall determine that each household occupying an HDG-assisted unit is income eligible by determining the household’s annual income (as defined in 24 CFR §5.609) in a manner consistent with the requirements of 24 CFR 92.203.
 - 7.1. **Initial Income Determination.** Prior to initially serving such household, Grantor shall examine at least two (2) months of source documents evidencing annual income (e.g. wage statement, interest statement, unemployment compensation statement, etc.) for the household.
 - 7.2. **Subsequent Income Determinations.** In each year during the Affordability Period, Grantor shall re-examine the annual income of each household occupying an HDG-assisted unit. For subsequent annual income determinations, Grantor shall:
 - 7.2.1. Determine the household’s income according to the method described at §7.1, or
 - 7.2.2. Obtain from the household a written statement of the amount of the household’s annual income and household size, along with a certification that the information is complete and accurate. The certification must state that the household will provide source documents upon request. If Grantor accepts the tenant’s statement and certification of income, Grantor is not required to further examine the income of the tenant for that year unless there is evidence that the tenant’s written statement failed to completely and accurately state information about the household’s size or income, or
 - 7.2.3. Obtain a written statement from the administrator of a government program under which the household receives benefits and which examines the annual income of the household each year. The statement must indicate the tenant’s

household size and state the amount of the household's annual income. Alternatively, the statement must indicate the dollar amount of the current applicable income limit for the tenant household's family size and state that the household's annual income does not exceed this limit.

8. **Affordable Rents.** The rents for the HDG-assisted units shall not exceed the lesser of fair market rents and the rents shown in table below, less any utility allowance ("Affordable Rents"). Rent limits are published annually by CHFA based on indexes published by HUD. If such indexes are not available rent limits shall be based on an equivalent index designated by DOH.

The foregoing paragraph notwithstanding, if an HDG-assisted unit receives state or federal project-based rental subsidy, and the household pays no more than 30 percent of its adjusted income toward rent and utilities, then the maximum rent (tenant contribution plus project-based rental subsidy) shall be the maximum rent allowable under the state or federal project-based rental subsidy program. Should Grantor opt out of the project-based subsidy during the period of affordability, the HDG-assisted units shall have rents that do not exceed the Affordable Rents.

Regardless of changes in Affordable Rents over time, the HDG rents for this Project shall not be required to be lower than those in effect on the date the Funding Agreement was executed. The Affordable Rents in effect on the date the Funding Agreement was executed are as follows:

Ouray County Effective: May 16, 2021		
Rent Limits	1-Bedroom	2-Bedroom
30% AMI	\$445	\$534

- 8.1. **Utility Allowance.** If there are any tenant-paid utilities, Grantor shall calculate an allowance (the "Utility Allowance") and deduct such allowance from the applicable Affordable Rent to determine the maximum tenant-paid rent for each HDG-assisted unit. The Utility Allowance for HDG-assisted units shall be determined using the Local Housing Authority Utility Allowance Schedule. Grantor shall update the Property's Utility Allowance schedule annually. If Grantor desires to alter the method by which the Utility Allowance is calculated during the Affordability Period, Grantor shall notify DOH in writing, and such alteration shall be subject to DOH's prior, written approval, which DOH shall not unreasonably deny.

- 8.2. **Changes in Rents.** [Reserved].

9. **Tenant Selection.** Grantor shall follow written tenant selection policies and criteria that:

- 9.1. Limit the housing to income-eligible households;
- 9.2. Are reasonably related to the applicants' ability to perform the obligations of the lease;
- 9.3. Do not exclude applicants with Housing Choice Vouchers (pursuant to 24 CFR Part 982), participating in a HOME tenant-based rental assistance program (pursuant to 24 CFR Part 92), or with State Housing Vouchers because of the status of those prospective tenants as holders of such vouchers or comparable HOME tenant-based assistance documents;

- 9.4. Provide for the selection of tenants from a written waiting list in chronological order, to the greatest extent practicable;
- 9.5. Notwithstanding §9.4, maximize the occupancy of accessible units by persons with disabilities who need the features of such units;
- 9.6. Give prompt written notification to any rejected applicants of the grounds for their rejection; and
- 9.7. Limit eligibility or give a preference to low income families and individuals, pursuant to the Funding Agreement.

10. **Tenant Protections.** Reserved.

11. **Violence against Women Act (“VAWA”).** Reserved.

12. **Ongoing Property Condition Standards.** Grantor shall maintain the Property as decent, safe, and sanitary housing in good repair. Throughout the Affordability Period, Grantor shall ensure that the Property is suitable for occupancy, and complies with all applicable health, safety and other codes, ordinances, and requirements, including:

- 12.1. All applicable State and local code requirements and ordinances,
- 12.2. HUD’s Housing Quality Standards as defined at 24 CFR 982.401, and
- 12.3. All accessibility standards of the Fair Housing Act (42 USC 3601-20).
- 12.4. Comply with DOH’s ongoing property condition standards in effect at the time this Covenant is executed, which DOH shall make available by request and on DOH’s website.

13. **Affirmative Marketing.** [Reserved].

14. **Recordkeeping.** Grantor shall maintain records documenting compliance with this Covenant for the most recent six-year period, until six years after the completion of the Affordability Period.

15. **Monitoring.** Grantor shall timely respond to and cooperate with all requests from DOH, or its designee, for information, or to conduct on-site inspections, for the purpose of determining whether the Property is in compliance with the terms of this Covenant.

16. **Annual Audit.** [Reserved].

17. **Enforcement.** DOH, or its designee, may take legal action to enforce the terms of this Covenant and shall be entitled to all available remedies in law or in equity including, without limitation, specific performance and injunctive relief.

18. **Noncompliance.** Grant funds invested in housing that does not meet affordability requirements for the full Affordability Period must be repaid to the DOH. If the Property is not used to house Eligible Beneficiaries at Affordable Rents for the full term of the Affordability Period, Grantor shall repay to the State, within sixty days of the State’s request, the full amount of the funds disbursed pursuant to the Funding Agreement. Repayment of grant funds shall not terminate the Affordability Period.

19. **Transfers.** This Covenant is a covenant running with the land and shall be binding on Grantor’s successors, assigns, heirs, grantees and lessees. Grantor shall take all steps reasonable and necessary to ensure that the requirements and restrictions of this Covenant are

binding on any successor to Grantor who acquires an interest in the Property. Grantor hereby covenants to include the requirements and restrictions of this Covenant in any document to be executed in connection with the transfer of any interest in the Property to another person or entity to ensure that such transferee has notice of, is bound by, and agrees to abide by the terms of this Covenant. Grantor shall not, without the prior written consent of DOH, transfer the Property or any interest in the Property.

20. Release. Upon satisfaction of the terms of this Covenant, and the written request of Grantor or the then owner of record, DOH will execute a release of this Covenant.

21. Termination. This Covenant shall terminate upon the date the Property is acquired by foreclosure or transfer in lieu of foreclosure, unless such acquisition is part of an arrangement with the Grantor a purpose of which is the termination of this Covenant or the entity or entities acquiring the Property through foreclosure have business ties to the Grantor or family ties to a principal of Grantor.

21.22. Ongoing Fiscal Obligation. Notwithstanding the term of this Covenant, and the obligations contained herein, this Covenant shall not constitute a multiyear fiscal obligation of the Town of Ridgway.

22.23. Changes in Law. Until such time as this Covenant is released, Grantor shall comply with all laws, regulations, and ordinances applicable to Grantor under this Covenant, as such laws, regulations, and ordinances may change from time to time.

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ATTACHMENT 1

LOTS 6, 7, 8, 9, AND 10 IN BLOCK 28, TOWN OF RIDGWAY, COUNTY OF OURAY, STATE OF COLORADO.

AGENDA ITEM #15

To: Town of Ridgway Town Council

Cc: Preston Neill, *Ridgway Town Manager*

From: TJ Dlubac, AICP, *Community Planning Strategies, Contracted Town Planner*
Katie Schwarz, AICP, *Community Planning Strategies, Contracted Town Planner*

Date: August 11th, 2021

Subject: Landscape Regulation Updates for August 11th TC Meeting

PROJECT OVERVIEW

REQUEST

The current landscape regulations are not adequate in addressing the Town's water conservation goals, and they do not create flexibility for landscaping private properties. Updates to the landscape regulations have been a priority for Town Council (TC) and the Planning Commission (PC), and both the 2019 Master Plan and the 2020 Strategic Plan state that water conservation and low water usage are primary issues that need to be addressed. This project entails updating the current landscape regulations to sufficiently address water conservation, promote flexibility, and provide consistency and clarity for community members in understanding their property requirements. With this report, CPS is providing a copy of the draft landscape regulation updates, along with explanation of how they address the Town's current needs.

BACKGROUND

Starting in 2019, Shay Coburn, the Town's previous Town Planner, conducted thorough research on landscaping requirements nearby jurisdictions had used, as well as regional water conservation efforts. CPS evaluated and expanded on this research, and then applied that research to draft language in the code to address landscape regulations needed currently. These draft landscape regulation updates have been presented to PC on two separate occasions. The first meeting was held on May 25th, 2021, and PC decided to continue the item after providing insightful comments and feedback. Then, on June 29th, 2021, PC reviewed the revised landscape regulation updates, and voted to recommend approval to TC with additional conditions.

IMPLEMENTATION

The recommended landscape regulation updates being presented will be implemented in a few different locations. First and foremost is the Ridgway Municipal Code (RMC). These updates will mainly occur within Title 7, Planning and Zoning, of the RMC, which will make them requirements that are enforceable by staff and elected officials. Secondly, updates are recommended for the Town's Commercial Design Guidelines, to be able to address goals and policies related to landscaping requirements. Updating language in both the RMC and the Commercial Design Guidelines will alleviate any inconsistencies, as well as provide a comprehensive and clear overview of the Town's landscaping requirements.

TOWN COUNCIL DISCUSSION

This report is supplemented by a presentation by CPS to present the landscape regulation updates. The following section provides a detailed account of how the existing code was evaluated, where updates would occur, and how they would address the Town's current needs. Because there are a multitude of changes, the analysis and recommendations are broken out into major themes that will help for

discussion purposes. In the attachments of this report, you will find a comprehensive list of the recommended updates, as well a clean draft of the new landscape regulations. We would like to present the updates and discuss whether Town Council feels this appropriately address the Town's needs in providing flexibility and clarity to community members and the development community, as well as addressing much-needed water conservation.

The ordinance included with these landscape regulation updates only addresses amendments to the RMC. Changes to other applicable guidelines, such as the Commercial Design Guidelines, are identified in Exhibit B and will be amended through the proper process once the ordinance is approved by Town Council.

ANALYSIS & RECOMMENDATIONS

CODE STRUCTURE

Analysis: The regulations are currently split up in various locations within the RMC and Commercial Design Guidelines. Most notably, the current regulations can be found in RMC 6-1-11 and 6-6-4(G). Title 6 deals with Building Regulations, which is not the most appropriate location for landscape regulations. Because of the regulations being located in various places, they end up being duplicative and confusing to follow.

Recommendation: We are recommending that the new landscape regulations be consolidated into one location within the RMC. This will make it easier to locate and will prevent any duplication or inconsistencies. We would like to propose removing the landscape regulations where they are currently located in the code and adding a new chapter, which would be 7-7, Landscape Regulations. This would live under the Planning and Zoning title, which makes more sense than having them located in the Building Regulations title.

Analysis: The regulations are outdated and not intuitive or clear for those looking to understand their landscaping requirements. There are landscaping standards located in a variety of code sections creating difficulty in applying the standards.

Recommendation: Based on our evaluation of the current landscape regulations, along with the notes Shay had created based on past PC reports, we decided to start fresh in creating a new chapter within Title 7, Zoning Regulations, that would address the updated landscape regulations. The main purpose for this approach is to elevate the landscape regulations in importance by having a Chapter devoted to them. Also, we were able to house all standards, calculations, requirements, and regulations within this one chapter with applicability and exemption sections to clearly delineate all applicable regulations in one location. This will allow for increased understanding and administration of these regulations.

WATER CONSERVATION

Analysis: Section 6-1-11(G) of the RMC discusses that one of the main priorities for the Town is to include low-water, regionally appropriate plants and that drought-tolerant / water-saving plants are to be used whenever possible. While the intent is clear that the Town prioritizes water conservation, the current language in the code is not strong enough and does not specify a clear way of implementing this.

Recommendation: Given that a main goal for the Town is addressing water conservation, one of our main areas of focus was to update language that would ensure water wise standards. We are proposing a substantial reduction to the minimum requirements intended to be able to lower water usage. We've also proposed a series of changes to the language to address water conservation and low-water planting requirements more strongly.

MINIMUM REQUIREMENTS

Analysis: As the regulations are currently written, the minimum landscape requirements are not broken out by zoning district. Therefore, all uses and properties have the same landscape requirements. The only distinction is that residential zoning districts have tree and shrub location requirements: 1 front yard tree is required for each 25-ft of street and 1 side yard tree is required for each 50-ft of street side frontage. Based on our understanding in previous discussion, this is not an efficient way to apply landscaping standards.

Recommendation: We are proposing to add a landscaping requirements table to the new landscape regulations chapter. This table will break out minimum requirements by zoning district and will establish the minimum percent of live and non-live ground cover (while defining each to be clear), as well as minimum tree and shrub requirements. For purposes of calculating required landscaping, we've chose 1-acre to be the maximum lot size so that anything larger than 1 acre will require the same as a 1-acre lot. The strategy behind the minimum percentages for each zoning district is to use to the inverse of the maximum lot coverage per zoning district. For example, a property zoned "R" is currently required to have a maximum 50% lot coverage. Therefore, this property would be required to have minimum 50% landscaped area. And, based on the minimum landscaped area, the property will be required to have 20% live ground cover and 30% non-live ground cover. In addition, 1 tree will be required for every 2,000 square feet, and 2 shrubs will be required for every 3,000 square feet. We believe these calculations provide an equitable solution in balancing water conservation and community aesthetics.

We're also proposing another section within the new landscape regulations chapter that will cover general landscape standards. This section will cover specifications on items such as required tree and shrub planting size, species diversity, screening and buffering, and existing plantings.

LANDSCAPE PLAN AND APPLICABILITY

Analysis: In our analysis, we've found that the current requirements for a landscape plan submittal are lacking information that is needed to be able to conduct a thorough review and analysis. The code also currently requires that all applications for a building permit for new construction or exterior work on any existing structure are required to submit a landscape plan and follow the minimum landscape requirements. While it is understandable that any new development or construction shall be required to adhere to minimum landscape regulations, it seems excessive to require this of minor exterior work.

Recommendation: To help ensure the Town receives adequate submittals, we are proposing an update to the landscape plan requirements. This is detailed in a new section that includes a comprehensive list of information that is required to be on the landscape plan. In addition, the landscape regulations have been updated to clearly state what activities trigger the need for a landscape plan, therefore, requiring adherence to the minimum landscaping requirements.

REQUIRE VS. RECOMMEND

Analysis: Language in the current code includes passive words such as "encourage" and "recommend". While the intent may be to implement landscape regulations as mandates, it does not read as such.

Recommendation: Based on notes of previous discussions with PC, our understanding is that a majority felt that the landscape regulations should be required, not just recommended. We are proposing to update the regulations to include stronger language to be able to enforce them and require that property owners follow the rules set forth in this new chapter.

DEVIATIONS

Analysis: The current code only has one mention of an exception or deviation, which is that the Historic Business zoning district does not have to meet the minimum tree requirement. There is no mention about whether the shrub requirement is also void, or if there are any other exceptions for this zoning district.

Recommendation: We are proposing to add a new section for exceptions or deviations. In this section, it will be clear when an exception can apply and what the process is for receiving approval from the Town. We've also proposed updates to this section to make it very clear what the exceptions apply to the Historic Business zoning district, since this is a zoning district that encourages full lot coverage.

In our review of past discussions with PC, we also noted that there is a need to include an exception for affordable housing. This is now included with the landscape regulation updates, along with a general request for up to 10% deviation allowed by the Town Manager through an administrative approval.

DISCUSSION TOPICS

The following list of discussion topics is intended to support feedback about the recommended landscape regulation updates. While these are set to garner fruitful discussion, we expect and are very open to any additional topics that need to be addressed.

- 1) How does Town Council feel about the proposed reformatting of the code?
- 2) With water conservation being one of the main catalysts for these updates, does Town Council feel these updates have achieved the Town's goal to be more water-wise with landscaping?
- 3) What does Town Council think about the new minimum landscape requirements?

PC RECOMMENDATION

At the PC Meeting, held on June 29th, 2021, the commission decided to recommend that the landscape regulations proceed to Town Council, provided that the following items were addressed by CPS:

- 1) Tree Requirement: Increase the number of trees required. Initially the proposal was to have 1 tree required for every 3,000sqft. After discussion, PC felt it was more appropriate to require 1 tree for every 2,000sqft, for all residential & GC, and 2,500sqft for I-1 & I-2. (*Ref. new regs in 7-7-6*)
- 2) Turf references: Remove any references to specific turfs or grasses, such as Kentucky Blue Grass. (*Ref. new regs in 7-7-7(D)*)
- 3) Irrigation: Updated regs to require drip irrigation. (*Ref. new regs in 7-7-5(a) and 7-7-7(F)*)

CPS RECOMMENDATION

Staff recommends that Town Council adopt the landscape regulation updates as they are presented in this Staff Report. Below is a list of options available to Town Council to consider after tonight's presentation and discussion.

- 1) Approve the landscape regulation updates as presented in this Staff Report on 1st reading and set the public hearing.
- 2) Approve the landscape regulation updates as presented in this Staff Report on 1st reading with conditions and set the public hearing.
- 3) Continue this item for future Town Council hearing to discuss any issues or concerns.

ATTACHMENTS

- A. **Attachment 1:** Ordinance No. 06-2021 and Exhibit A (Clean Version of Updated Landscape Regulations)
Attachment 2: Suggested Edits to the RMC and Commercial Design Guidelines
Attachment 3: Staff Report from PC Meeting on 6/29/2021 (including scenarios)

Attachment 1

TOWN OF RIDGWAY, COLORADO ORDINANCE NO. 06-2021

AN ORDINANCE OF THE TOWN OF RIDGWAY, COLORADO ENACTING A NEW CHAPTER 7-7 OF THE RIDGWAY MUNICIPAL CODE TITLED “LANDSCAPE REGULATIONS” AND AMENDING CHAPTER 6-1 “BUILDING REGULATIONS”, CHAPTER 6-6 “RESIDENTIAL DESIGN STANDARDS”, CHAPTER 7-3 “ZONING REGULATIONS”, AND CHAPTER 7-4 “SUBDIVISION REGULATIONS”

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

WHEREAS, implementation of water efficient landscaping regulations will fulfill certain recommendations identified in the Town of Ridgway Master Plan, specifically Action ENV-3c “Update the Town’s landscaping regulations to require low water usage landscaping or xeriscaping”; and

WHEREAS, water conservation and proactively managing and protecting Ridgway’s water resources have been identified as an important components of the Master Plan; and

WHEREAS, these updates to the Town’s landscaping regulations will provide policies, guidelines, and minimum landscaping design, installation, maintenance, and management criteria to design professionals, private developers, community groups, and homeowners for new development and significant remodels; and

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

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

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

Section 2. Enactment of Chapter 7-7 – Landscape Regulations. A new Chapter 7-7 of the Ridgway Municipal Code is hereby enacted to read as set forth in *Exhibit A: Chapter 7-7 Landscape Regulations*, attached hereto and incorporated herein.

Section 3. Amendment of Section 6-1-11 – Landscaping. Section 6-1-11 of the Ridgway Municipal Code is hereby amended to read as follows:

“6-1-11 (A) A landscaping plan pursuant to RMC 7-7-4, shall be submitted for all building permits required by 7-7-3.”

Section 4. Amendment of Section 6-6-4(G) - Landscaping. Section 6-6-4(G) of the Ridgway Municipal Code is hereby amended to read as follows:

“6-6-4 (G) A landscaping plan pursuant to RMC 7-7-4, shall be submitted for all new residential plans as required by 7-7-3.”

Section 5. Amendment of Section 7-3-2 - Definitions. Section 7-3-2 of the Ridgway Municipal Code is hereby amended to include the following definitions:

YARD, FRONT: A yard extending between the side lot lines across the full width of the lot and lying between the front lot line and any portion of any structure on the lot. In those instances where a lot abuts two (2) streets, such as a corner lot or a double frontage lot, the town manager shall designate which yard constitutes the front yard based on the existing development patterns within the neighborhood.

YARD, REAR: A yard extending between the side lot lines across the full width of the lot and lying between the rear lot line and any portion of any structure on the lot.

YARD, SIDE: A yard extending between the front and rear lot lines along the full length of the lot and lying between the side lot line that abuts a public way or private street and any portion of any structure on the lot.

NATIVE VEGETATION: Vegetative species that occur naturally in a particular region, ecosystem, and habitat.

Section 6. Amendment of Section 7-3-11 – “GC” General Commercial District. Section 7-3-11(C)(4) and Section 7-3-11(C)(5) of the Ridgway Municipal Code are hereby amended to read as follows:

“7-3-11(C)(4) All uses shall follow screening requirements as described in 7-7-7(G).

7-3-11(C)(5) All outdoor storage areas must follow the screening requirements as described in 7-7-7(G).”

Section 7. Amendment of Section 7-3-13 – “I-2 Light Industrial - 2 District. Section 7-3-13(D)(4) of the Ridgway Municipal Code is hereby amended to read as follows:

“7-3-11(D)(4) Landscaping requirements for properties zoned I-2 are set forth as required by section 7-7-6.”

Section 8. Amendment of Section 7-4-5 – Subdivision Procedure. Section 7-4-5(B)(6)(k) of the Ridgway Municipal Code is hereby amended to read as follows:

“7-4-5(B)(6)(k) A landscaping plan pursuant to RMC 7-7-4(A), shall be submitted for all preliminary plats as required by 7-7-3.”

Section 9. Codification of Amendments. The Town Clerk, as the codifier of the Town’s Municipal Code, is hereby authorized to make such numerical and formatting changes as may be necessary to incorporate the provisions of this Ordinance within the Ridgway Municipal Code. The Town Clerk is authorized to correct, or approve the correction by the codifier, of any typographical error in the enacted regulations, provided that such correction shall not substantively change any provision of the regulations adopted in this Ordinance. Such corrections may include spelling, reference, citation, enumeration, and grammatical errors.

Section 10. Severability. If any provision of this Ordinance, or the application of such provision to any person or circumstance, is for any reason held to be invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable. The Town Council

hereby declares that it would have passed this Ordinance and each provision thereof, even though any one of the provisions might be declared unconstitutional or invalid. As used in this Section, the term “provision” means and includes any part, division, subdivision, section, subsection, sentence, clause or phrase; the term “application” means and includes an application of an ordinance or any part thereof, whether considered or construed alone or together with another ordinance or ordinances, or part thereof, of the Town.

Section 11. Effective Date. This Ordinance shall take effect thirty (30) days after the date of final passage in accordance with Article 3-7 of the Ridgway Charter.

Section 12. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Ridgway, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained.

Section 13. No Existing Violation Affected. Nothing in this Ordinance shall be construed to release, extinguish, alter, modify, or change in whole or in part any penalty, liability or right or affect any audit, suit, or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing which may have been incurred or obtained under any ordinance or provision hereby repealed or amended by this Ordinance. Any such ordinance or provision thereof so amended, repealed, or superseded by this Ordinance shall be treated and held as remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings and prosecutions, for the enforcement of such penalty, liability, or right, and for the purpose of sustaining any judgment, decree or order which can or may be rendered, entered, or made in such actions, suits or proceedings, or prosecutions imposing, inflicting, or declaring such penalty or liability or enforcing such right, and shall be treated and held as remaining in force for the purpose of sustaining any and all proceedings, actions, hearings, and appeals pending before any court or administrative tribunal.

Section 14. Publication. The Town Clerk is ordered to publish this Ordinance in accordance with Article 3-7 of the Ridgway Charter.

[Execution Page follows]

INTRODUCED AND REFERRED TO PUBLIC HEARING on August 11, 2021 and setting such public hearing for September 8, 2021 at Ridgway Town Hall, located at 201 N. Railroad Street, Ridgway, Colorado.

BY:

ATTEST:

John Clark, Mayor

Pam Kraft, Town Clerk

ADOPTED on September 8, 2021.

BY:

ATTEST:

John Clark, Mayor

Pam Kraft, Town Clerk

APPROVED AS TO FORM:

Bo James Nerlin, Town Attorney

EXHIBIT A

RIDGWAY MUNICIPAL CODE

Title 7

CHAPTER 7

Landscape Regulations

7-7-1 **INTENT**

(A) This purpose of this Section is to provide clear landscaping requirements that will contribute to high quality development and sustainable, water-saving practices. Landscaping is an important element of the character of the Town of Ridgway that is both functional and aesthetic and the Town's top objective is to prioritize low-water use and regionally appropriate design for materials and vegetation. These landscaping regulations will endeavor to achieve the following: *[Existing language used from RMC 6-1-11(G)]*

- (1) Preserve and enhance a well-maintained landscape that preserves the overall quality and character of the community. *[RMC 6-1-11(G)]*
- (2) Conserve water resources. *[RMC 6-1-11(G)]*
- (3) Provide visual buffers and screening. *[RMC 6-1-11(G)]*
- (4) Provide separation between pedestrian and vehicular uses. *[RMC 6-1-11(G)]*
- (5) Mitigate adverse effects of drainage and weeds. *[RMC 6-1-11(G)]*
- (6) Allow residents creativity and flexibility and landscape design.

(B) Drought-tolerant, water-wise plants are to be used whenever possible and appropriate. Water wise is a term used throughout this chapter to describe the method of planting which works to promote water conservation by minimizing the amount of native vegetation removed, limiting new vegetation to native and drought tolerant species, limiting the amount and type of irrigation, and other related measures to conserve water and create a native landscape. *[RMC 6-1-11(G)]*

(C) Landscaping should be used to promote the visual aesthetic of the development from main travel corridors, as well as the pedestrian experience within, through shade trees, plantings, context-appropriate public art and seating. Buffers and medians facilitate drainage during storm events and provide valuable areas for snow storage during the winter. Landscaping that is sustainable, visually appealing, and regionally appropriate is required for all new development. *[RMC 6-1-11(G)]*

7-7-2 **DEFINITIONS**

All terms defined in Section 7-3-2, Definitions, shall apply to the words and phrases used in this Chapter.

7-7-3 **APPLICABILITY**

- (A) This chapter establishes minimum landscaping standards which apply to all residential and non-residential properties within the Town of Ridgway.
- (B) The following projects shall comply with the landscaping standards set forth in this chapter:
- (1) Projects which require a site plan review;
 - (2) New commercial, residential, or mixed use construction;
 - (3) New landscape projects and rehabilitation projects that exceed 25% of the lot size;
 - (4) Change of use; or
 - (5) Public rights-of-way improvements.
- (C) A building permit for new construction or landscape improvements shall not be issued until a conforming Landscape Plan is approved by the Town. A permanent Certificate of Occupancy will not be issued until the Town determines that the landscaping contemplated by the approved plan has been properly installed. A temporary Certificate of Occupancy may be issued if completion of landscaping improvements is delayed by winter weather. *[RMC 6-1-11(D) and (E)]*
- (D) All standards and policies adopted within the Town of Ridgway Water Conservation and Management Plan, Master Plan, and Commercial Design Guidelines should be implemented with the landscape regulations of this chapter.

7-7-4 SITE AND LANDSCAPE PLAN DEVELOPMENT

(A) Landscape Plan Requirements

- (1) A landscape plan, as set forth in this Section, shall be required for all projects identified in 7-7-3(B) and shall be submitted to the Town for approval.
- (2) The landscape plan shall be drawn to scale of 1 inch = 40 feet, or larger, and may be included on the Site Plan. The landscape plan shall include the following information:
[RMC 6-1-11(A)(1)]
 - i. Property lines and dimensions;
 - ii. Building footprint, driveways, and vehicle circulation; *[RMC 6-1-11(A)(2)]*
 - iii. Existing and finished grade;
 - iv. North arrow and scale;
 - v. Name of applicant and landscape consultant or architect (*if applicable*);
 - vi. Legend indicating all proposed plant materials with common and botanical names, indication of drought tolerant plants, sizes, maximum spacing, caliper size, and quantities;
 - vii. Method of establishing and maintaining plant materials;
 - viii. Surface drainage characteristics and any proposed structures, including, but not limited to, inlets, retention/detention ponds, swales, permeable surfaces, down spouts; *[RMC 6-1-11(A)(3)]*

- ix. Location of all plant material, other natural features, including but not limited to wetlands, water bodies, rock outcroppings, detention areas, retaining walls, and buildings and paved areas (*existing and proposed*);
- x. Plantings should be shown as they would be at full maturity;
- xi. Identification and percentage of ground surfaces and materials by types, such as paving, sod, mulch, edger, seed mixes, shrubs, and flower beds;
- xii. Clearly labeled locations and calculations for amounts of required landscaping, including the square footage and percentage of required landscape area, living materials, and non-living materials as well as required and provided number of trees, drought tolerant plantings, and any required landscaping, including islands and trees, within parking areas;
- xiii. Identify any existing trees, shrubs, or live groundcover that will remain on the property and how they will be protected from damage during construction;
- xiv. The location and square footage of all areas;
- xv. Identify construction debris storage and staging areas; and
- xvi. Additional information as may be required by the Town.

7-7-5 WATER CONSERVATION

- (A) Water conservation planting: All landscaping should be designed to incorporate water conservation materials and techniques through application of water wise landscape principles. In general, water wise landscaping and drip irrigation are required while large irrigated areas requiring spray heads are strongly discouraged. [*RMC 6-1-11(C)(2)*]
- (B) Regionally appropriate: All landscaping should be regionally appropriate and materials shall be suitable for local soil conditions and climate. To help guide plant selection, a list of recommended and prohibited species is included in Section 7-7-11, Species List.

7-7-6 LANDSCAPING REQUIRED

- (A) Purpose: The purpose of this section is to establish minimum landscaping requirements for residential, non-residential and mixed uses.
- (1) All areas on a lot must be treated with landscaping.
 - (2) Landscaped area may include a combination of trees, shrubs, groundcovers (live and non-live), decorative landscape stone or rock, or other landscaping material that does not conflict with other provisions of this Chapter.
 - i. Live ground cover is considered to be material such as native grasses wildflowers, turf and planting beds.
 - ii. Non-live ground cover is considered to be material such as bark mulch, flagstone, rock, gravel, artificial turf or the like.

- (3) The minimum live and non-live ground cover percentages, as seen in the landscaping requirements table, count as part of the overall minimum landscaped area, not in addition to.

(B) At least 25% of the required landscape area shall be provided in the front yard of the property. The landscaping requirements table below demonstrates the required landscape area for all parcels in all zoning districts.

Landscaping Requirements					
Zoning District	Min. Required Landscaped Area ²	Min % of Required Landscaped Area Live Ground Cover	Min % of Required Landscape Area Non-Live Ground Cover	Min. # of Trees for Required Landscape Area ³ [RMC 6-1-11(A)(2)]	Min. # of Shrubs for Required Landscape Area ⁴ [RMC 6-6-4(G)]
Residential Uses					
R	50%	20%	30%	1 for every 2,000sqft	2 for every 3,000sqft
HR	40%	20%	20%	1 for every 2,000sqft	2 for every 3,000sqft
MR	30%	20%	20%	1 for every 2,000sqft	2 for every 3,000sqft
FD ¹	50%	20%	30%	1 for every 2,000sqft	2 for every 3,000sqft
DS	50%	20%	30%	1 for every 2,000sqft	2 for every 3,000sqft
Non-Residential or Mixed Uses					
HB	See 7-7-6(C) Below				
GC	30%	10%	20%	1 for every 2,000sqft	2 for every 3,500sqft
I-1	30%	5%	15%	1 for every 2,500sqft	2 for every 4,000sqft
I-2	30%	5%	15%	1 for every 2,500sqft	2 for every 4,000sqft

¹ See Section 7-7-8(B) for exemptions for uses that are non-residential in the FD zoning district.

² For all residential uses that are single-family and duplex dwellings, a maximum of one acre of area shall be used to calculate the minimum required landscape area.

³ The minimum number of trees are a sum total of all required trees. Any additional tree requirements (such as street trees) shall be counted as part of this minimum number of required trees.

⁴ Four shrubs can be counted for one required tree. A minimum of one tree is always required per lot.

(C) Historic Business (HB) District: This district is intended to provide for zero lot lines and full lot coverage. Therefore, there is no minimum required landscaped area as defined in this chapter. However, the following shall apply: *[RMC 6-1-11(A)(2) and 6-6-4(G)(1)]*

- (1) Right-of-way landscaping shall be required pursuant to Section 7-7-9.
- (2) If a parking lot is provided on-site, parking lot landscaping shall be required pursuant to Section 7-7-8.
- (3) Required landscaped area for properties zoned HB is required for any area not used for a building or parking lot.

7-7-7 GENERAL LANDSCAPE STANDARDS

- (A) Trees: Trees shall have a minimum caliper of 1 ½ inches for deciduous trees and a 5 foot minimum height for evergreens. In the case of fractional requirements for the number of trees, the number required shall be rounded up to the next whole number. Existing trees that are in good health, as determined by the Town Manager, shall be counted as 1 ½ trees for the minimum tree requirement. *[RMC 6-1-11(A)(2) and 6-6-4(G)(1) and ((4))]*
- (B) Shrubs: Shrubs shall be a minimum 5 gallon size. Decorative grasses are to be counted as shrubs. In the case of fractional requirements for the number of shrubs, the number required shall be rounded up to the next whole number. *[RMC 6-6-4(G)(3) and (4)]*
- (C) Groundcover: Area can be made up of vegetative materials, organic or inorganic mulch, flowerbeds, or other acceptable landscape material. 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, it must also remain free of noxious weeds as defined as Ouray County Weed Manager. *[RMC 6-1-11(B)(1) and 6-6-4(G)(5)]*
- (D) Turf: No more than 1500 square feet or 10% of the required landscaped area, whichever is less, can be high water turf. High water turf should only be used in areas of high use. Native, non-irrigated grass may be used in area of low use, low visibility areas.
- (E) Species Diversity: To prevent uniformity and insect or disease susceptibility, species diversity is required, and extensive monocultures of trees are prohibited. Species diversity does not apply to existing trees. The following requirements shall be met:

Number of required trees on site	Maximum percentage of any one species
1-5	No diversity
6-19	33%
20 or more	25%

- (F) Irrigation: To ensure best practices for water conservation, all new landscaping shall comply with the following irrigation standards:

- (1) Irrigation should be limited to between the hours of 6:00 P.M. and 9:00 A.M.

- (2) All irrigation systems shall be automatic and have moisture sensors installed.
- (3) Where possible, non-potable irrigation systems should be used to irrigate landscape.

(G) Screening and Buffering:

- (1) Screening and landscape buffers soften the less desirable impacts of development and can provide a certain element of safety in commercial areas where significant pedestrian interactions are more likely to occur. Buffers should be constructed to mitigate the view, light pollution (including light trespass and glare), noise, heat, and odor impacts of vehicles, pavement, and higher intensity uses, and other potential negative effects of development. [*Commercial Design Guidelines Section I(e) and II(e)*]
 - (2) Buffering shall be provided when a non-residential use is adjacent to a residential use. It shall be the responsibility of the non-residential use to provide the adequate buffer from the residential use in a manner consistent with these regulations. The buffer should include a mix of trees, fencing, landscape berms, and other materials appropriate to mitigate visual, audible, and other impact the non-residential use may have on the residences.
 - (3) Mechanical Equipment: Ground mounted or rooftop equipment, shall be screened from public rights-of-way on all sides to its full height. Ground level mechanical equipment shall be screened with landscaping, berms, fences, or architectural walls. Rooftop units shall be screened with materials and colors to match the building. [*RMC 6-6-4(E)(2)*]
 - (4) Storage Areas: All open storage areas shall be screened from public rights-of-way and adjacent property by use of landscaping, berms, fencing, or a combination of landscaping and other structural elements to a height of 6 feet.
 - (5) Fencing can be used as a method for screening and buffering, provided the fencing meets the requirements of Chapter 6-4.
 - (6) Additional landscape screening above the minimum requirements of this Section may be required when it is determined by the Town Manager, Town Manager's designee, Planning and Zoning Commission, or Town Council to be in the best interest of the affected properties.
- (H) Sight Triangles: All plant material, walls, fences, berms and/or structures shall not exceed 24 inches in height when located on any corner within a triangular area formed by the curb lines and a line connecting them at points 15 feet from the intersection of the curb lines.
- (I) Existing Plantings: Existing trees, shrubs, and live groundcover that are in good health should be retained and not destroyed during the construction process. The health of the trees shall be determined by the Town Manager. These plants will be counted towards the required landscaping. [*RMC 6-1-11(C)(1)*]
- (J) Revegetation: Development activities should only disturb, clear, or grade the area necessary for construction. All areas disturbed by grading or construction, not being formally landscaped, shall be revegetated with native seeding and/or other approved plant materials in a method acceptable to the Town.
- (K) Slopes: Removal of existing vegetation, including ground cover and trees, is strongly discouraged on slopes greater than 30%. Development on slopes greater than 15% shall maintain the maximum vegetative cover possible to protect soils, prevent land slippage, and retain wildlife

habitat and open space resources. A minimum of 50% of vegetation on slopes greater than 15% shall not be disturbed during development.

7-7-8 PARKING LOT LANDSCAPE STANDARDS

- (A) Islands or Rain Gardens: A landscape island and/or rain garden shall be provided in parking lots along the ends of the parking rows. Islands for parking lots in residential uses shall be used to separate rows of 6 or more parking spaces and shall include a minimum of one tree. For non-residential uses, islands shall be used to separate rows of 12 or more parking spaces and shall include a minimum of 2 trees. Islands shall be a minimum of 6 feet wide and as long as the adjacent parking space(s).
- (B) Trees shall be incorporated with parking lot design as to provide parking lot shading. [*Commercial Design Guidelines Section II(b)(8)*]
- (C) Catchment areas: Landscaped or grassed catchments areas and similar designs should be used for managing, controlling and filtering parking lot and site drainage and should be included as part of an overall site drainage plan. [*Commercial Design Guidelines Section II(b)(9)*]

7-7-9 RIGHT-OF-WAY LANDSCAPE STANDARDS

- (A) Street trees: A landscape area shall be established along the public right-of-way for all non-residential uses and shall be a minimum of 5 feet wide. Such trees shall be placed in the center of the landscape area, not within the site triangle, and 20 feet away from any streetlight. A minimum of one tree per 50 linear feet of right-of-way is required. Street trees shall have a minimum caliper of 2 ½ inches for deciduous trees and a 6 foot minimum height for evergreens.

7-7-10 EXCEPTIONS OR DEVIATIONS

- (A) Affordable Housing: Landscaping requirements for affordable housing projects may be reduced, based on the determination of the Town Manager. Whenever possible, deviations from these standards for the purpose of preserving affordable housing or deed restricted housing should be identified and provided for in the appropriate document establishing the affordability and/or deed restricted provisions for the projects.
- (B) Non-Residential Uses on Properties Zoned FD: If the proposed use in the FD zone district is intended to be permanent, these landscape standards shall apply. If, however, an existing use is intended to be redeveloped, the Town Manager may waive these requirements until such time the property redevelops. Such decision is the sole discretion of the Town Manager.
- (C) High-Water Turf: High-water turf may be allowed in areas of high-water use such as drainages, swales, or downspout locations.
- (D) Administrative approval for deviations from a required standard: Deviations from the landscape requirements for up to 10% may be considered for administrative approval by the Town. To request a deviation, a letter explaining the unique situation or hardship preventing the project from meeting the minimum landscape requirements shall be submitted to the Town Clerk and will be at the sole discretion of the Town Manager for approval.

7-7-11 SPECIES LIST

(A) Preferred Species: A list of recommended species for use in Colorado is available from the Ouray Country Weed Manager and the Colorado State University Extension Service. The lists are not all inclusive but do recommend a variety of plants known to do well in our region of Colorado. In general, plants that are not recognized as hardy or suited to the local climate should be kept to a minimum. Water wise, drought-tolerant plants are to be used whenever possible and appropriate and regionally appropriate species are preferred. [\[RMC 6-1-11\(G\)\]](#)

(B) Prohibited Species

- (1) Siberian elm and Chinese elm (*Ulmus*); Cottonwoods that bear cotton (*Populus*); Purple Loosestrife (*Lythrum slaicaria*); Russian Olive (*Elaeagnus angustifolia*); and Kentucky Blue Grass (*Poa pratensis*) are prohibited. [\[RMC 6-1-11\(C\)\(3\)\]](#)
- (2) The Town Manager is authorized to prohibit additional species with similar nuisance properties. [\[RMC 6-1-11\(C\)\(4\)\]](#)

7-7-12 INSTALLATION STANDARDS

(A) Living materials shall be adequately watered and maintained to become established. Once established watering requirements should be minimized.

(B) Trees should also be installed in such a way that they will not infringe on solar access, views from the adjoining properties, or block a sight distance triangle. [\[RMC 6-1-11\(B\)\(2\)\]](#)

(C) Easements shall remain clear of all obstacles which may prevent such easement from operating within its intended purpose.

- (1) Retaining walls are prohibited from being located in any established easement.
- (2) Trees may only be permitted in utility easements upon written approval of the easement holder.

7-7-13 MAINTENANCE REQUIREMENTS

(A) Following completion of the landscaping, the owner or occupant of the property shall maintain it in good condition thereafter. Failure to so maintain the landscaping is unlawful and is hereby declared to create a nuisance. [\[RMC 6-1-11\(F\)\]](#)

(B) Where approved trees, shrubs, or other landscaping materials die or are removed, it shall be the responsibility of the property owner to replace them with materials of a comparable nature and size to those originally approved. This continuing obligation shall continue until the property is redeveloped at which time the redeveloper shall comply with the requirements of this Chapter as they apply to the proposed development at that time.

7-7-14 ENFORCEMENT

(A) Any violation of this Chapter shall be a violation of the Ridgway Municipal Code and shall be enforced pursuant to Chapter 2 Section 4, Administrative Enforcement of the Ridgway Municipal Code.

Attachment 2

REQUIRED AMENDMENTS TO CODE SECTIONS OF THE RIDGWAY MUNICIPAL CODE (RMC) AND COMMERCIAL DESIGN GUIDELINES

Legend:

Existing Code Language

New Code Language

~~Existing Code Language Removed~~

Section 1. *RMC 6-1-11 is amended as follows:*

6-1-11

- (A) A landscaping plan pursuant to RMC 7-7-4, shall be submitted for all building permits required by 7-7-3. ~~All applications for a building permit for new construction or exterior work on any existing structure shall submit a Landscape Plan for the premises meeting the following requirements:~~
- ~~(1) The Landscape Plan shall be drawn to scale of 1 inch = 40 feet, or larger, and may be included on the Site Plan.~~
 - ~~(2) The Building footprint, driveways and vehicle circulation shall be shown and located to scale.~~
 - ~~(3) Surface drainage characteristics and proposed structures must be shown.~~
 - ~~(4) Existing and all proposed groundcover, including shrubs and lawns shall be shown.~~
- (B) The plan must provide for the following minimum landscaping elements:
- ~~(1) 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.~~
 - ~~(2) A minimum of one (1) tree per 2,000 square feet of gross lot area in all zones except Historic Business shall be provided. Trees shall have a minimum caliper of 1-1/2" for deciduous trees and five foot minimum height for evergreens. Trees should be located in such a way that they will not infringe on solar access and views of the adjoining properties or block vehicular sight lines to public roadways.~~
- (C) Landscaping Guidelines are as follows:
- ~~(1) Existing trees and groundcover on the property are encouraged to be retained and not destroyed during the construction process. These plants will be counted towards the minimum standards.~~
 - ~~(2) Xeriscape landscaping and drip irrigation are encouraged. Large irrigated areas are discouraged.~~
 - ~~(3) Siberian elm and Chinese elm (Ulmus); Cottonwoods that bear cotton (Populus); Purple Loosestrife (Lythrum slaicaria); Russian Olive (Elaeagnus angustifolia) are prohibited.~~
 - ~~(4) The Town Manager is authorized to prohibit additional species with similar nuisance properties.~~
- (D) The building permit shall not be issued until a conforming Landscape Plan is approved by the Town.
- (E) A permanent Certificate of Occupancy will not be issued until the Town determines that the landscaping contemplated by the approved plan has been properly installed. A temporary Certificate of Occupancy may be issued if completion is delayed by winter weather.

- (F) ~~Following completion of the landscaping, the owner or occupant of the property shall maintain it in good condition thereafter. Failure to so maintain the landscaping is unlawful and is hereby declared to create a nuisance.~~
- (G) ~~Intent: Landscaping is an important element of the experience of the Town of Ridgway that is both functional and aesthetic. Priorities for Landscaping include: low water use, regionally appropriate design for materials and vegetation. These landscaping regulations will endeavor to provide for an attractive, well-maintained landscape that preserves the overall quality and appeal of the community; provides visual buffers and screens; achieves pedestrian and vehicular separation; preserves and enhances the existing visual character of the community; mitigates adverse effects of drainage and weeds, and conserves water resources. A list of recommended species for use in Colorado is available from the Ouray County Weed Manager and the Colorado State University Extension Service. The lists are not all inclusive but do recommend a variety of plants known to do well in our region of Colorado. In general, plants that are not recognized as hardy or suited to the local climate should be kept to a minimum. Xeriscaping and drought tolerant and water-saving plants are to be used whenever possible and appropriate. Within the General Commercial District landscaping is important to the drainage, circulation and aesthetic of commercial developments. With larger sites and several buildings, there is the opportunity to create cohesive, appealing and efficient landscape plans that elevate the site as a whole. Landscaping should be used to promote the visual aesthetic of the development from main travel corridors, as well as the pedestrian experience within, through shade trees, plantings, context appropriate public art and seating. Buffers and medians facilitate drainage during storm events and also provide valuable areas for snow storage during the winter. Landscaping that is visually appealing, functional, and sustainable is desirable for all new development within the General Commercial District.~~

Section 2. *RMC 6-6-4(G) is amended as follows:*
6-6-4

- (G) Landscaping: A landscaping plan pursuant to RMC 7-7-4, shall be submitted for all new residential plans as required by 7-7-3. 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 ½ 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).~~

Section 3. RMC 7-3-2 is amended as follows:
7-3-2

YARD, FRONT: A yard extending between the side lot lines across the full width of the lot and lying between the front lot line and any portion of any structure on the lot. In those instances where a lot abuts two (2) streets, such as a corner lot or a double frontage lot, the town manager shall designate which yard constitutes the front yard based on the existing development patterns within the neighborhood.

YARD, REAR: A yard extending between the side lot lines across the full width of the lot and lying between the rear lot line and any portion of any structure on the lot.

YARD, SIDE: A yard extending between the front and rear lot lines along the full length of the lot and lying between the side lot line that abuts a public way or private street and any portion of any structure on the lot.

NATIVE VEGETATION: Vegetative species that occur naturally in a particular region, ecosystem, and habitat.

Section 4. RMC 7-3-11(C)(4) and 7-3-11(C)(5) are amended as follows:
7-3-11(C)(4)

- (4) All uses shall follow screening requirements as described in 7-7-7(G). ~~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.~~

7-3-11(C)(5)

- (5) All outdoor storage areas must follow the screening requirements as described in 7-7-7(G). ~~by means of fencing, landscaping or other methods.~~

Section 5. RMC 7-3-13(D)(4) is amended as follows:
7-3-13(D)(4)

- (4) Landscaping requirements for properties zoned I-2 are set forth as required by section 7-7-6. ~~Street frontages and street side yards are to be fully landscaped from the curb to the building.~~

Section 6. RMC 7-4-5(B)(6)(k) is amended as follows:
7-4-5(B)(6)(k)

- (k) A landscaping plan pursuant to RMC 7-7-4(A), shall be submitted for all preliminary plats as required by 7-7-3. ~~Landscape plans and, as appropriate, irrigation plans. (Ord 12-2008)~~

Section 7. Section II(b)(8) of the Town of Ridgway Commercial Design Guidelines is amended as follows:

- 8. ~~Trees should be incorporated to provide parking lot shading.~~ Bollard and/or street lighting should, where appropriate, be used to provide lighting at critical points in the parking lot without over lighting, glare or lighting trespass.

Section 8. *Section II(b)(9) of the Town of Ridgway Commercial Design Guidelines is amended as follows:*

9. Use of landscape/grassed catchment areas shall follow the requirements of Ridgway Municipal Code 7-7-8(C) ~~and similar designs should be used for managing, controlling and filtering parking lot/site drainage and is part of an overall site drainage plan.~~

Section 9. *Section II(e) of the Town of Ridgway Commercial Design Guidelines is amended as follows:*

Screening and landscape buffers shall follow the screening and buffering requirements as described in Ridgway Municipal Code 7-7-7(G). ~~soften the negative impacts of development and can provide a certain element of safety in commercial areas where significant pedestrian interactions are more likely to occur. Buffers should be constructed to mitigate the view, light pollution (including light trespass and glare), noise, heat, and odor impacts of vehicles, pavement, and higher intensity uses, and other potential negative effects of development.~~

~~Buffering may be achieved through a variety of means including but not limited to plantings, fences, walls, site planning, and berming with live vegetation.~~

Parking areas, outside trash receptacles, large utility boxes, open storage areas, conflicting land uses, mechanical systems and other unattractive views should be screened from the street and public right of way.

Screening of utility boxes, trash enclosures, and similar uses should be around all sides except for those required for access, which will be screened with a gate on the access side.

Section 10. *Section III(e) of the Town of Ridgway Commercial Design Guidelines is amended as follows:*

Screening and landscape buffers shall follow the screening and buffering requirements as described in Ridgway Municipal Code 7-7-7(G). ~~soften the less desirable impacts of development and can provide a certain element of safety in commercial areas where significant pedestrian interactions are more likely to occur.~~

~~Buffers should be constructed to mitigate the view, light pollution (including light trespass and glare), noise, heat, and odor impacts of vehicles, pavement, and higher intensity uses, and other potential negative effects of development.~~

~~Buffering may be achieved through a variety of means including but not limited to plantings, fences, walls, site planning, and berming with live vegetation.~~

Parking areas, outside trash receptacles, large utility boxes, open storage areas, conflicting land uses, mechanical systems and other unattractive views should be screened from the street and public right of way.

Screening of utility boxes, trash enclosures, and similar uses should be around all sides except for those required for access, which will be screened with a gate on the access side.

Attachment 3

PLANNING COMMISSION MEETING (6/29/2021) STAFF REPORT

To: Town of Ridgway Planning Commission
Cc: Preston Neill, *Ridgway Town Manager*
From: TJ Dlubac, AICP, *Community Planning Strategies, Contracted Town Planner*
Katie Schwarz, AICP, *Community Planning Strategies, Contracted Town Planner*
Date: June 23rd, 2021
Subject: Landscape Regulation Updates for June 29th PC Meeting

Background

This is the fifth public meeting being held to discuss updating the Town's landscaping regulations. The last meeting on this topic was held to present and discuss the draft landscape regulation updates with Planning Commission, which took place on May 25th, 2021. During this meeting, several items were identified that PC felt needed to be re-evaluated before recommending approval. PC also provided written comments after the meeting. This memo identifies each item that was discussed in the meeting, along with any follow-up comments from PC and provides a summary of how the item/comment was addressed in the newly revised landscape regulation updates. These newly revised updates help to provide more flexibility in general from the existing regulations and also make the regulations clearer and more enforceable for Staff to administer. Please see below for more detailed discussion on what was updated most recently.

Major Updates Based on PC Meeting (5/25) and Individual PC Comments

DISCUSSION ITEM #1: REPLACING THE TERM "XERISCAPE" WITH "WATER WISE".

COMMENT: Although xeriscaping is the industry standard, this term still seems to cause confusion with the general public thinking it means "zero"scaping. Suggested use of the term "water wise" to help clear up any confusion. Susan Carter, with CSU Extension in Grand Junction, recommended avoiding the term xeriscape as well.

UPDATE: The term "xeriscape" has been removed from the landscape regulations and has been replaced with the term "water wise".

DISCUSSION ITEM #2: ESTABLISHING A CLEARER TRIGGER FOR WHEN A LANDSCAPE PLAN IS REQUIRED.

COMMENT: Code language should be clear about what triggers the need for a landscape plan submittal. Proposed language still seems to leave this open to interpretation.

UPDATE: The regulations will be updated to be very clear about when a landscape plan needs to be submitted. Below are a couple examples of language that could be used for section 7-7-3(B), which is the applicability section. Please review and we can discuss at the meeting which language works best for this section to be able to establish clear language for when a landscape plan is required.

- 1) "All existing lots and uses, at the time of the adoption of these regulations, will be considered legal nonconforming. Any new construction or change of use will need to meet the landscaping standards of this chapter."
- 2) "THE FOLLOWING PROJECTS SHALL COMPLY WITH THE LANDSCAPING STANDARDS SET FORTH IN THIS CHAPTER:
 - a. PROJECTS WHICH REQUIRE A SITE PLAN REVIEW;
 - b. NEW COMMERCIAL, RESIDENTIAL, OR MIXED USE CONSTRUCTION;
 - c. NEW LANDSCAPE PROJECTS WITH AN AGGREGATE LANDSCAPE AREA EQUAL TO 500 SQUARE FEET OR GREATER;
 - d. REHABILITATION PROJECTS WITH AN AGGREGATE LANDSCAPE AREA EQUAL TO 1,000 SQUARE FEET OR GREATER;
 - e. CHANGE OF USE; OR
 - f. PUBLIC RIGHTS-OF-WAY IMPROVEMENTS."

DISCUSSION ITEM #3: REQUIRING ALL AREAS OF LOT TO BE TREATED TO PREVENT DIRT LOTS.

COMMENT: Need to ensure all areas of a lot are treated with some type of landscaping, so as not to allow areas to be left as uncovered, untreated dirt. In addition, the notes defining built and non-built area need to be refined to help clarify the landscaped area lot coverage provision.

UPDATE: Added a provision to 7-7-6(A) stating that, "All areas on a lot must be treated with landscaping or remain native." Also, defining built vs. non-built to describe lot coverage seems to have caused more confusion, so those definitions were removed. It's now clear what is considered to be "landscaped area" in 7-7-6.

DISCUSSION ITEM #4: CATEGORIZING GRASSES APPROPRIATELY.

COMMENT: Need further clarification on live vs. non-live landscaped area and where low water, native grasses fit into these categories.

UPDATE: Revised 7-7-6(A)(2) to clarify what is considered to be live vs. non-live groundcover. Then, updated 7-7-7(B), which is the section that talks about shrubs, to state that decorative grasses are to be counted as shrubs. Also updated 7-7-7(D), which discusses turf, to state that "Native, non-irrigated grass (such as prairie grasses) may be used in areas of low use, low visibility areas." With these revisions, it is now clear where different types of grasses apply within the landscaping requirements.

DISCUSSION ITEM #5: CLARIFYING INTENT AND INTERPRETATION OF LANDSCAPE AREA BEING VIEWABLE IN FRONT YARD.

COMMENT: Unclear what the intent of this provision is and what is considered "viewable from adjacent rights-of-way".

UPDATE: Seems the intent of this provision is to prevent people from putting all the required landscaping in the backyard and requiring that the front yard (which is typically viewable from the street) be landscaped. To clear things up, this provision was updated to remove the term "adjacent rights-of-way" and simply state "front yard". The definition of front yard will be included with these code updates to help in administering where the front yard is on a lot. The minimum required landscape area in the front yard was also reduced from 50% to 25% to allow more flexibility in 7-7-6(A)(3).

DISCUSSION ITEM #6: REDUCING MINIMUM # OF TREES AND SHRUBS IN LANDSCAPING REQUIREMENTS TABLE.

COMMENT: The minimum number of trees and shrubs seems excessive when trying to achieve an update that focuses on water conservation.

UPDATE: Agreed that these minimums are too high, and scenarios definitely show this. So the landscaping requirements table has been updated to decrease the minimum number of trees and shrubs required for all residential uses. The shrub requirement was also decreased for all non-residential uses, but because the minimum number of trees was already reduced in the previous draft, that number did not change. The table in 7-7-6 was also updated to include a footnote that states that, "four shrubs can be counted for one required tree" which may help to alleviate cost constraints while also providing flexibility.

DISCUSSION ITEM #7: ALLOWING EXISTING TREES TO COUNT TOWARDS THE REQUIRED LANDSCAPING.

COMMENT: Need to incentivize keeping existing trees that are in good health.

UPDATE: Clarified the regulations to state who makes the determination about what is considered "good health". Also updated the regulations to say that one existing tree in good health may count as 1 ½ trees towards the minimum tree requirement, which should help to incentivize keeping existing trees. This will also help to reduce water usage since lots of irrigation is required to establish new trees.

DISCUSSION ITEM #8: ALLOWING ARTIFICIAL TURF AND INCREASING PERCENTAGE OF HIGH-WATER TURF ALLOWED.

COMMENT: Concern about prohibiting artificial turf. PC feels it can be done appropriately and that it should be allowed for flexibility.

UPDATE: Removed provision about prohibiting artificial turf and doubled the amount of high-water turf, such as Kentucky Blue Grass, that can be allowed. Kept statement about recommending high-water turf that can be used in areas of high use, and native grasses to be used in areas of low use, to encourage more water wise options for the required landscaped area.

DISCUSSION ITEM #9: REMOVING STREET TREE REQUIREMENT FOR RESIDENTIAL USES.

COMMENT: Concern about requiring street trees for residential properties. PC feels it's only appropriate to require street trees for non-residential properties.

UPDATE: Revised regulations to state that only non-residential uses are required to establish street trees.

DISCUSSION ITEM #10: UPDATING SPECIES LIST.

COMMENT: Need to ensure the list included in the current code is accurate and up-to-date.

UPDATE: Had a discussion with Tyler Shultz, with Telluride Arborist. It sounds like there was a recommended planting list or species list that was developed a few years ago. While Tyler wasn't intimately involved, he said he may be able to find this list to be able to share with me so that we can compare to what's in the existing species list and where updates may be necessary.

DISCUSSION ITEM #11: SCENARIOS.

COMMENT: Would be helpful to update scenarios to see how the regulations would look in real-time.

UPDATE: We have developed new scenarios that cover several different lots and zoning districts that we will walk through in detail during the meeting. The scenarios are attached as Exhibit C.

DISCUSSION TOPICS

The following are questions we have of PC to better understand how we can best draft the appropriate scope of landscape regulations to meet the Town's desired outcomes. We hope to use these questions to initiate discussion.

- 1) What does flexibility mean to you and what do you see in the current table that is not flexible?
- 2) Does the landscaping requirements table make sense to you and does it provide the flexibility you're looking for? If not, what is it that needs to be fixed?
- 3) Do you feel this achieves the goal of being more water conscientious?
- 4) Does the reduction of trees and shrubs seem more appropriate? *This will be discussed more with scenarios in the presentation.*
- 5) There was a comment about the 1-acre limit. To clarify, is this something PC feels needs to be limited to ½ acre instead of 1-acre? Or does the maximum 1-acre lot limit seem appropriate?

CPS Recommendation

Staff recommends that the Planning Commission recommend approval to the Town Council for the proposed landscape regulations updates as they are presented in this Staff Report. Below is a list of options available to the Planning Commission to consider after tonight's presentation and discussion.

- 1) Recommend approval of the landscape regulation updates as presented in this Staff Report.
- 2) Recommend approval with conditions.
- 3) Continue this item for further discussion at a future Planning Commission hearing to discuss any issues or concerns.

ATTACHMENTS

- 1) **Exhibit A:** Landscape Regulation Updates ~~[Clean]~~ Removed for TC 8/11/2021 Meeting, not relevant because of new changes.
- 2) **Exhibit B:** Landscape Regulation Updates [Track Changes]
- 3) **Exhibit C:** Scenarios Updated for TC 8/11/2021 Meeting

(EXHIBIT B) OF 6/29/2021 PC STAFF REPORT

LANDSCAPE REGULATION UPDATES [WITH TRACK CHANGES]

RIDGWAY MUNICIPAL CODE Title 7 CHAPTER 7 Landscape Regulations

7-7-1 INTENT

(A) This purpose of this Section is to provide clear landscaping requirements that will contribute to high quality development and sustainable, water-saving practices. Landscaping is an important element of the character of the Town of Ridgway that is both functional and aesthetic and the Town's top objective is to prioritize low-water use and regionally appropriate design for materials and vegetation. These landscaping regulations will endeavor to achieve the following: *[Existing language used from RMC 6-1-11(G)]*

- (1) Preserve and enhance a well-maintained landscape that preserves the overall quality and character of the community. *[RMC 6-1-11(G)]*
- (2) Conserve water resources. *[RMC 6-1-11(G)]*
- (3) Provide visual buffers and screening. *[RMC 6-1-11(G)]*
- (4) Provide separation between pedestrian and vehicular uses. *[RMC 6-1-11(G)]*
- (5) Mitigate adverse effects of drainage and weeds. *[RMC 6-1-11(G)]*
- (6) **Allow residents creativity and flexibility and landscape design.**

(B) Drought-tolerant, water-wise plants are to be used whenever possible and appropriate. **Water wise** is a term used throughout this chapter to describe the method of planting which works to promote water conservation by minimizing the amount of native vegetation removed, limiting new vegetation to native and drought tolerant species, limiting the amount and type of irrigation, and other related measures to conserve water and create a native landscape. *[RMC 6-1-11(G)]*

(C) Landscaping should be used to promote the visual aesthetic of the development from main travel corridors, as well as the pedestrian experience within, through shade trees, plantings, context-appropriate public art and seating. Buffers and medians facilitate drainage during storm events and provide valuable areas for snow storage during the winter. Landscaping that is sustainable, visually appealing, and regionally appropriate is required for all new development. *[RMC 6-1-11(G)]*

7-7-2 DEFINITIONS

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Commented [KS1]: Group discussion.

Commented [KS2R1]: CPS: PC felt it was important to state that people have freedom in creativity.

Deleted: Xeriscaping

Commented [KS3]: John Clark.

Commented [KS4R3]: CPS: Replaced xeriscaping with water wise throughout this new chapter.

All terms defined in Section 7-3-2, Definitions, shall apply to the words and phrases used in this Chapter.

7-7-3 APPLICABILITY

- (A) This chapter establishes minimum landscaping standards which apply to all residential and non-residential properties within the Town of Ridgway.
- (B) All building permit applications for new construction, major exterior work on a structure **remodels**, or landscape improvements on any existing property shall meet the landscaping standards of this chapter. *[RMC 6-1-11(A)]*
- (C) A building permit for new construction or landscape improvements shall not be issued until a conforming Landscape Plan is approved by the Town. A permanent Certificate of Occupancy will not be issued until the Town determines that the landscaping contemplated by the approved plan has been properly installed. A temporary Certificate of Occupancy may be issued if completion of landscaping improvements is delayed by winter weather. *[RMC 6-1-11(D) and (E)]*
- (D) All standards and policies adopted within the Town of Ridgway Water Conservation and Management Plan, Master Plan, and Commercial Design Guidelines should be implemented with the landscape regulations of this chapter.

Commented [KS5]: Russ Meyer

Commented [KS6R5]: For discussion at PC meeting: Come up with a few options for this for our discussion. "...landscape improvements such as..."

7-7-4 SITE AND LANDSCAPE PLAN DEVELOPMENT

- (A) Landscape Plan Requirements
- (1) A landscape plan, as set forth in this Section, shall be required for all new homes or new development and any major remodel projects and shall be included with the plans submitted to the Town for approval.
- (2) The landscape plan shall be drawn to scale of 1 inch = 40 feet, or larger, and may be included on the Site Plan. The landscape plan shall include the following information: *[RMC 6-1-11(A)(1)]*
- Property lines and dimensions;
 - Building footprint, driveways, and vehicle circulation; *[RMC 6-1-11(A)(2)]*
 - Existing and finished grade;
 - North arrow and scale;
 - Name of applicant and landscape consultant or architect *(if applicable)*;
 - Legend indicating all proposed plant materials with common and botanical names, indication of drought tolerant plants, sizes, maximum spacing, caliper size, and quantities;
 - Method of **establishing and maintaining plant materials**;

Commented [KS7]: Russ Meyer.

Commented [KS8R7]: CPS: Revised to not specifically require, or even insinuate irrigation is required, but that they just need to show how plants will be established and maintained.

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Deleted: irrigation including before and after establishment...

- viii. Surface drainage characteristics and any proposed structures, including, but not limited to, inlets, retention/detention ponds, swales, permeable surfaces, down spouts; [RMC 6-1-11(A)(3)]
- ix. Location of all plant material, other natural features, including but not limited to wetlands, water bodies, rock outcroppings, detention areas, retaining walls, and buildings and paved areas (*existing and proposed*);
- x. Plantings should be shown as they would be at full maturity;
- xi. Identification and percentage of ground surfaces and materials by types, such as paving, sod, mulch, edger, seed mixes, shrubs, and flower beds;
- xii. Clearly labeled locations and calculations for amounts of required landscaping, including the square footage and percentage of required landscape area, living materials, and non-living materials as well as required and provided number of trees, drought tolerant plantings, and any required landscaping, including islands and trees, within parking areas;
- xiii. Identify any existing trees, shrubs, or live groundcover that will remain on the property and how they will be protected from damage during construction;
- xiv. The location and square footage of all areas;
- xv. Identify construction debris storage and staging areas; and
- xvi. Additional information as may be required by the Town.

7-7-5 WATER CONSERVATION

- (A) Water conservation planting: All landscaping should be designed to incorporate water conservation materials and techniques through application of **water wise** landscape principles. In general, **water wise** landscaping and drip irrigation are required while large irrigated areas requiring spray heads are strongly discouraged. [RMC 6-1-11(C)(2)]
- (B) Regionally appropriate: All landscaping should be regionally appropriate and materials shall be suitable for local soil conditions and climate. To help guide plant selection, a list of recommended and prohibited species is included in Section 7-7-11, Species List.

7-7-6 LANDSCAPING REQUIRED

- (A) Purpose: The purpose of this section is to establish minimum landscaping requirements for residential, ~~non-residential~~ **and mixed** uses.

- (1) **All areas on a lot must be treated with landscaping or remain native.**
- (2) **Landscaped area may include** a combination of trees, shrubs, groundcovers (**live and non-live**), decorative landscape stone or rock, or other landscaping material that does not conflict with other provisions of this Chapter.

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Commented [KS9]: Group discussion.

Commented [KS10R9]: CPS: Included provision to disallow people from just having dirt lots.

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i. Live ground cover is considered to be material such as **native grasses**, wildflowers, **turf** and planting beds.

ii. Non-live ground cover is considered to be material such as **bark mulch**, flagstone, rock, gravel, **artificial turf** or the like.

(3) The minimum live and non-live ground cover percentages, as seen in the landscaping requirements table, count as part of the overall minimum landscaped area, not in addition to.

(B) **At least 25%** of the required landscape area shall **be provided in the front yard of the property**. The landscaping requirements table below demonstrates the required landscape area for all parcels in all zoning districts.

Landscaping Requirements					
Zoning District	Min. Required Landscaped Area ²	Min % of Required Landscaped Area Live Ground Cover	Min % of Required Landscaped Area Non-Live Ground Cover	Min. # of Trees for Required Landscaped Area ¹ [RMC 6-1-11(A)(2)]	Min. # of Shrubs for Required Landscaped Area ⁴ [RMC 6-6-4(G)]
Residential Uses					
R	50%	20%	30%	1 for every 3,000sqft	2 for every 3,000sqft
HR	40%	20%	20%	1 for every 3,000sqft	2 for every 3,000sqft
MR	30%	20%	20%	1 for every 3,000sqft	2 for every 3,000sqft
FD ¹	50%	20%	30%	1 for every 3,000sqft	2 for every 3,000sqft
DS	50%	20%	30%	1 for every 3,000sqft	2 for every 3,000sqft
Non-Residential or Mixed Uses					
HB	See 7-7-6(C) Below				
GC	30%	10%	20%	1 for every 3,000sqft	2 for every 3,500sqft
I-1	30%	5%	15%	1 for every 3,500sqft	2 for every 4,000sqft
I-2	30%	5%	15%	1 for every 3,500sqft	2 for every 4,000sqft

Commented [KS11]: Group discussion.

Commented [KS12R11]: CPS: Lots of discussion about low water or native grasses. Included to specify these are to be included in the live groundcover category. Decorative grasses are called out in 7-7-7(B) which deals with shrubs.

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Commented [KS13]: John Clark.

Commented [KS14R13]: CPS: Moved to the front ... [1]

Deleted: mulch,

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Commented [KS15]: Group discussion.

Commented [KS16R15]: CPS: Updated to minim ... [3]

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¹ See Section 7-7-9(B) for exemptions for uses that are non-residential in the FD zoning district.

² For all residential uses that are single-family and duplex dwellings, only one acre of area shall be used to calculate the minimum required landscape area.

³ The minimum number of trees are a sum total of all required trees. Any additional tree requirements (such as street trees) shall be counted as part of this minimum number of required trees.

⁴ Four shrubs can be counted for one required tree. A minimum of one tree is always required per lot.

(C) Historic Business (HB) District: This district is intended to provide for zero lot lines and full lot coverage. Therefore, there is no minimum required landscaped area as defined in this chapter. However, the following shall apply: [RMC 6-1-11(A)(2) and 6-6-4(G)(1)]

(1) Right-of-way landscaping shall be required pursuant to Section 7-7-9.

(2) If a parking lot is provided on-site, parking lot landscaping shall be required pursuant to Section 7-7-8.

(3) Required landscaped area for properties zoned HB is required for any area not used for a building or parking lot.

7-7-7 GENERAL LANDSCAPE STANDARDS

(B) Trees: Trees shall have a minimum caliper of 1 ½ inches for deciduous trees and a 5 foot minimum height for evergreens. In the case of fractional requirements for the number of trees, the number required shall be rounded up to the next whole number. Existing trees that are in good health, as determined by the Town Manager, shall be counted as 1 ½ trees for the minimum tree requirement. [RMC 6-1-11(A)(2) and 6-6-4(G)(1) and (4)]

(C) Shrubs: Shrubs shall be a minimum 5 gallon size. Decorative grasses are to be counted as shrubs. In the case of fractional requirements for the number of shrubs, the number required shall be rounded up to the next whole number. [RMC 6-6-4(G)(3) and (4)]

(D) Groundcover: Area can be made up of vegetative materials, organic or inorganic mulch, flowerbeds, or other acceptable landscape material. 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, it must also remain free of noxious weeds as defined as Ouray County Weed Manager. [RMC 6-1-11(B)(1) and 6-6-4(G)(5)]

(E) Turf: No more than 2500 square feet or 20% of the required landscaped area, whichever is less, can be high water turf. High water turf (such as Kentucky Blue Grass) should only be used in areas of high use. Native, non-irrigated grass (such as prairie grasses) may be used in area of low use, low visibility areas.

(F) Species Diversity: To prevent uniformity and insect or disease susceptibility, species diversity is required, and extensive monocultures of trees are prohibited. Species diversity does not apply to existing trees. The following requirements shall be met:

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Commented [KS19]: Doug Canright.

Commented [KS20R19]: For discussion: Are we looking to cap this at 1/2 acre instead of 1 acre?

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Commented [KS21]: Group Discussion.

Commented [KS22R21]: CPS: We heard that intent is to allow flexibility and help with affordability. Knowing that new trees are pricey, this is a way for people to decrease their financial costs towards landscaping.

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Commented [KS24R23]: CPS: Will incentive keeping existing, good trees. Lots of irrigation is required to establish trees, so this is a way to reduce water use.

Commented [KS25]: Group discussion.

Commented [KS26R25]: CPS: Revised to help clarify that decorative grasses are counted as shrubs, whereas native, low water grasses are considered live groundcover.

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Commented [KS27]: Group discussion.

Commented [KS28R27]: CPS: Revised to account for noxious weeds.

Commented [KS29]: Group discussion.

Commented [KS30R29]: CPS: Revised to increase amount of high water turf allowed.

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Commented [KS34R33]: CPS: Removed as PC ... [17]

Deleted: Artificial turf is only permitted for recrea ... [15]

Number of required trees on site	Maximum percentage of any one species
1-5	No diversity
6-19	33%
20 or more	25%

(G) Irrigation: To ensure best practices for water conservation, all new landscaping shall comply with the following irrigation standards:

- (1) Irrigation should be limited to between the hours of 6:00 P.M. and 9:00 A.M.
- (2) All irrigation systems shall be automatic and have moisture sensors installed.
- (3) ~~Where possible, non-potable irrigation systems should be used to irrigate landscape.~~

(H) Screening and Buffering:

- (1) Screening and landscape buffers soften the less desirable impacts of development and can provide a certain element of safety in commercial areas where significant pedestrian interactions are more likely to occur. Buffers should be constructed to mitigate the view, light pollution (including light trespass and glare), noise, heat, and odor impacts of vehicles, pavement, and higher intensity uses, and other potential negative effects of development. *[Commercial Design Guidelines Section I(e) and II(e)]*
- (2) Buffering shall be provided when a non-residential use is adjacent to a residential use. It shall be the responsibility of the non-residential use to provide the adequate buffer from the residential use in a manner consistent with these regulations. The buffer should include a mix of trees, fencing, landscape berms, and other materials appropriate to mitigate visual, audible, and other impact the non-residential use may have on the residences.
- (3) Mechanical Equipment: Ground mounted or rooftop equipment, shall be screened from public rights-of-way on all sides to its full height. Ground level mechanical equipment shall be screened with landscaping, berms, fences, or architectural walls. Rooftop units shall be screened with materials and colors to match the building. *[RMC 6-6-4(E)(2)]*
- (4) Storage Areas: All open storage areas shall be screened from public rights-of-way and adjacent property by use of landscaping, berms, fencing, or a combination of landscaping and other structural elements to a height of 6 feet.
- (5) Fencing can be used as a method for screening and buffering, provided the fencing meets the requirements of Chapter 6-4.
- (6) Additional landscape screening above the minimum requirements of this Section may be required when it is determined by the Town Manager, Town Manager's designee, Planning and Zoning Commission, or Town Council to be in the best interest of the affected properties.

Commented [KS35]: Russ Meyer.

Commented [KS36R35]: CPS: Revised to state that "where possible" non-potable irrigation should be used, but doesn't require it outright so think it makes sense to keep it in.

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Commented [KS37]: Russ Meyer.

Commented [KS38R37]: CPS: This applies to all properties, but is only enforced on existing lots when they apply for a building permit or when a complaint is issued. All existing lots that don't conform won't be enforced to meet this, but they would be considered legal nonconforming.

- (I) Sight Triangles: All plant material, walls, fences, berms and/or structures shall not exceed 24 inches in height when located on any corner within a triangular area formed by the curb lines and a line connecting them at points 15 feet from the intersection of the curb lines.
- (J) Existing Plantings: Existing trees, shrubs, and live groundcover that are in good health should be retained and not destroyed during the construction process. **The health of the trees shall be determined by the Town Manager.** These plants will be counted towards the required landscaping. *[RMC 6-1-11(C)(1)]*
- (K) Revegetation: Development activities should only disturb, clear, or grade the area necessary for construction. All areas disturbed by grading or construction, not being formally landscaped, shall be revegetated with native seeding and/or other approved plant materials in a method acceptable to the Town.
- (L) Slopes: Removal of existing vegetation, including ground cover and trees, is strongly discouraged on slopes greater than 30%. Development on slopes greater than 15% shall maintain the maximum vegetative cover possible to protect soils, prevent land slippage, and retain wildlife habitat and open space resources. A minimum of 50% of vegetation on slopes greater than 15% shall not be disturbed during development.

Commented [KS40R39]: CPS: Revised so that it's less likely to sound like a negotiating tactic.

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Commented [KS41]: Group discussion.

Commented [KS42R41]: CPS: Added provision about who determines the health of the tree.

7-7-8 PARKING LOT LANDSCAPE STANDARDS

- (A) Islands or Rain Gardens: A landscape island and/or rain garden shall be provided in parking lots along the ends of the parking rows. Islands for parking lots in residential uses shall be used to separate rows of 6 or more parking spaces and shall include a minimum of one tree. For non-residential uses, islands shall be used to separate rows of 12 or more parking spaces and shall include a minimum of 2 trees. Islands shall be a minimum of 6 feet wide and as long as the adjacent parking space(s).
- (B) Trees shall be incorporated with parking lot design as to provide parking lot shading. *[Commercial Design Guidelines Section II(b)(8)]*
- (C) Catchment areas: Landscaped or grassed catchments areas and similar designs should be used for managing, controlling and filtering parking lot and site drainage and should be included as part of an overall site drainage plan. *[Commercial Design Guidelines Section II(b)(9)]*

Deleted: <#>Built area: Any area disturbed by construction. ¶

Non-built area: Non-built area shall mean any area on a property that is not developed, but does not include paved surfaces such as driveways, parking, sidewalks, alleys, or walkways. ¶

7-7-9 RIGHT-OF-WAY LANDSCAPE STANDARDS

- (A) Street trees: A landscape area shall be established along the public right-of-way **for all non-residential uses** and shall be a minimum of 5 feet wide. Such trees shall be placed in the center of the landscape area, not within the site triangle, and 20 feet away from any streetlight. A minimum of one tree per 50 linear feet of right-of-way is required. Street trees shall have a minimum caliper of 2 ½ inches for deciduous trees and a 6 foot minimum height for evergreens.

Commented [KS43]: Group discussion.

Commented [KS44R43]: CPS: Group felt that ROW trees shouldn't apply to residential uses.

7-7-10 EXCEPTIONS OR DEVIATIONS

- (A) Affordable Housing: Landscaping requirements for affordable housing projects may be reduced, based on the determination of the Town Manager. Whenever possible, deviations from these standards for the purpose of preserving affordable housing or deed restricted housing should be identified and provided for in the appropriate document establishing the affordability and/or deed restricted provisions for the projects.
- (B) Non-Residential Uses on Properties Zoned FD: If the proposed use in the FD zone district is intended to be permanent, these landscape standards shall apply. If, however, an existing use is intended to be redeveloped, the Town Manager may waive these requirements until such time the property redevelops. Such decision is the sole discretion of the Town Manager.
- (C) High-Water Turf: High-water turf, such as Kentucky Blue Grass, may be allowed in areas of high-water use such as drainages, swales, or downspout locations.
- (D) Administrative approval for deviations from a required standard: Deviations from the landscape requirements for up to 10% may be considered for administrative approval by the Town. To request a deviation, a letter explaining the unique situation or hardship preventing the project from meeting the minimum landscape requirements shall be submitted to the Town Clerk and will be at the sole discretion of the Town Manager for approval.

7-7-11 SPECIES LIST

- (A) Preferred Species: A list of recommended species for use in Colorado is available from the Ouray Country Weed Manager and the Colorado State University Extension Service. The lists are not all inclusive but do recommend a variety of plants known to do well in our region of Colorado. In general, plants that are not recognized as hardy or suited to the local climate should be kept to a minimum. Water wise, drought-tolerant plants are to be used whenever possible and appropriate and regionally appropriate species are preferred. [RMC 6-1-11(G)]
- (B) Prohibited Species
- (1) Siberian elm and Chinese elm (Ulmus); Cottonwoods that bear cotton (Populus); Purple Loosestrife (Lythrum slaicaria); Russian Olive (Elaeagnus angustifolia) are prohibited. [RMC 6-1-11(C)(3)]
 - (2) The Town Manager is authorized to prohibit additional species with similar nuisance properties. [RMC 6-1-11(C)(4)]

7-7-12 INSTALLATION STANDARDS

- (A) Living materials shall be adequately watered and maintained to become established. Once established watering requirements should be minimized.
- (B) Trees should also be installed in such a way that they will not infringe on solar access, views from the adjoining properties, or block a sight distance triangle. [RMC 6-1-11(B)(2)]
- (C) Easements shall remain clear of all obstacles which may prevent such easement from operating within its intended purpose.

Moved up [1]: <#>Historic Business (HB) District:
This district is intended to provide for zero lot lines and full lot coverage. Therefore, there is no minimum required landscaped area as defined in this chapter. However, the following shall apply: [RMC 6-1-11(A)(2) and 6-6-4(G)(1)]¶
Right-of-way landscaping shall be required pursuant to Section 7-7-9.¶
If a parking lot is provided on-site, parking lot landscaping shall be required pursuant to Section 7-7-8.¶
Required landscaped area for properties zoned HB is required for any area not used for a building or parking lot. ¶

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Commented [KS45]: Russ Meyer.

Commented [KS46R45]: CPS: Waiting on list from Tyler Shultz, Telluride Arborist, to see what evaluation has occurred on Cottonwoods. Cottonwoods aren't listed in any of the CSU/Ouray County reference materials, so maybe we remove it as a prohibited but don't include it as preferred.

- (1) Retaining walls are prohibited from being located in any established easement.
- (2) Trees may only be permitted in utility easements upon written approval of the easement holder.

7-7-13 MAINTENANCE REQUIREMENTS

(A) Following completion of the landscaping, the owner or occupant of the property shall maintain it in good condition thereafter. Failure to so maintain the landscaping is unlawful and is hereby declared to create a nuisance. *[RMC 6-1-11(F)]*

(B) Where approved trees, shrubs, or other landscaping materials die or are removed, it shall be the responsibility of the property owner to replace them with materials of a comparable nature and size to those originally approved. This continuing obligation shall continue until the property is redeveloped at which time the redeveloper shall comply with the requirements of this Chapter as they apply to the proposed development at that time.

7-7-14 ENFORCEMENT

(A) Any violation of this Chapter shall be a violation of the Ridgway Municipal Code and shall be enforced pursuant to Chapter 2 Section 4, Administrative Enforcement of the Ridgway Municipal Code.

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Commented [KS48R47]: CPS: Developed new section on enforcement tying it back to the code's administrative enforcement section.

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Page 9: [1] Commented [KS14R13] Katie Schwarz 6/12/2021 8:10:00 PM

CPS: Moved to the front and updated to say bark mulch to help encourage this as a non-live groundcover option as it promotes better water conservation.

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Page 9: [2] Deleted Katie Schwarz 6/8/2021 2:34:00 PM

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(B)

Page 9: [3] Commented [KS16R15] Katie Schwarz 6/8/2021 1:23:00 PM

CPS: Updated to minimize front yard landscaping requirement and changed wording to "front setback area" to help clarify what this means.

Page 9: [4] Commented [KS17] Katie Schwarz 6/8/2021 11:51:00 AM

Russ Meyer and Michelle Montague.

Page 9: [5] Commented [KS18R17] Katie Schwarz 6/8/2021 12:57:00 PM

CPS: Agree. Revised to account for less trees/shrubs required for residential uses, and less shrubs for non-residential. Trees were already minimized for non-residential, which is why they weren't updated yet again.

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Page 10: [16] Commented [KS32R31] **Katie Schwarz** **6/8/2021 12:57:00 PM**

CPS: This type of thing is likely too minute to enforce after-the-fact, but it will be reviewed at the time of building permit review. Like many other regulations, enforcement after a permit is issued (or before a permit is required) will be complaint-driven or when a site inspection or other building permit review identifies incompliance.

Page 10: [17] Commented [KS34R33] **Katie Schwarz** **6/8/2021 12:57:00 PM**

CPS: Removed as PC agrees artificial turf is okay.

(EXHIBIT C) OF 6/29/2021 PC STAFF REPORT

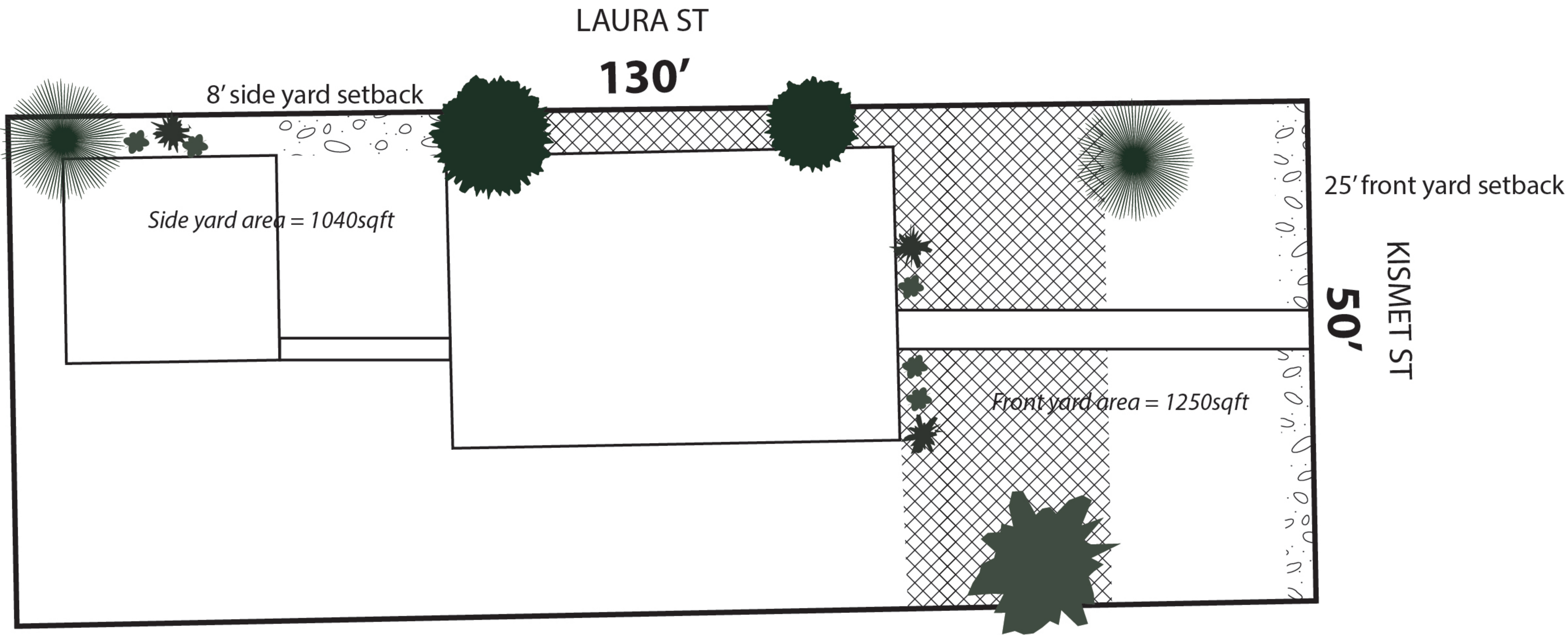
SCENARIOS
[UPDATED BASED ON DISCUSSION WITH PC AT 6/29/2021 MEETING]

Scenario #1a (Existing Regulations)

"R" Zoning Designation

6,500sqft / Corner Lot

CATEGORY		CODE REQUIREMENT		CALCULATION
Min. # of Trees	=	1 per 2,000sqft of gross lot area	=	4
Min. # Trees in Front Yard	=	1 for each 25' of front street	=	2
Min. # of Trees on Street Side Yard (for coner lots)	=	1 for each 50' of side street	=	3
Min. # Shrubs in Front Yard	=	1 for each 10' of front street	=	5
Min. # of Shrubs on Street Side Yard	=	1 for each 50' of side street	=	3
Min. Front Yard Groundcover	=	50%	=	625sqft
Min. Side Yard Groundcover	=	50%	=	520sqft
Max. Front Yard Stone or Rock Cover	=	10% of front street area	=	135sqft
Max. Side Yard Stone or Rock Cover	=	10% of side street area	=	77sqft



LEGEND

Min. Groundcover =

Max. Rock Cover =

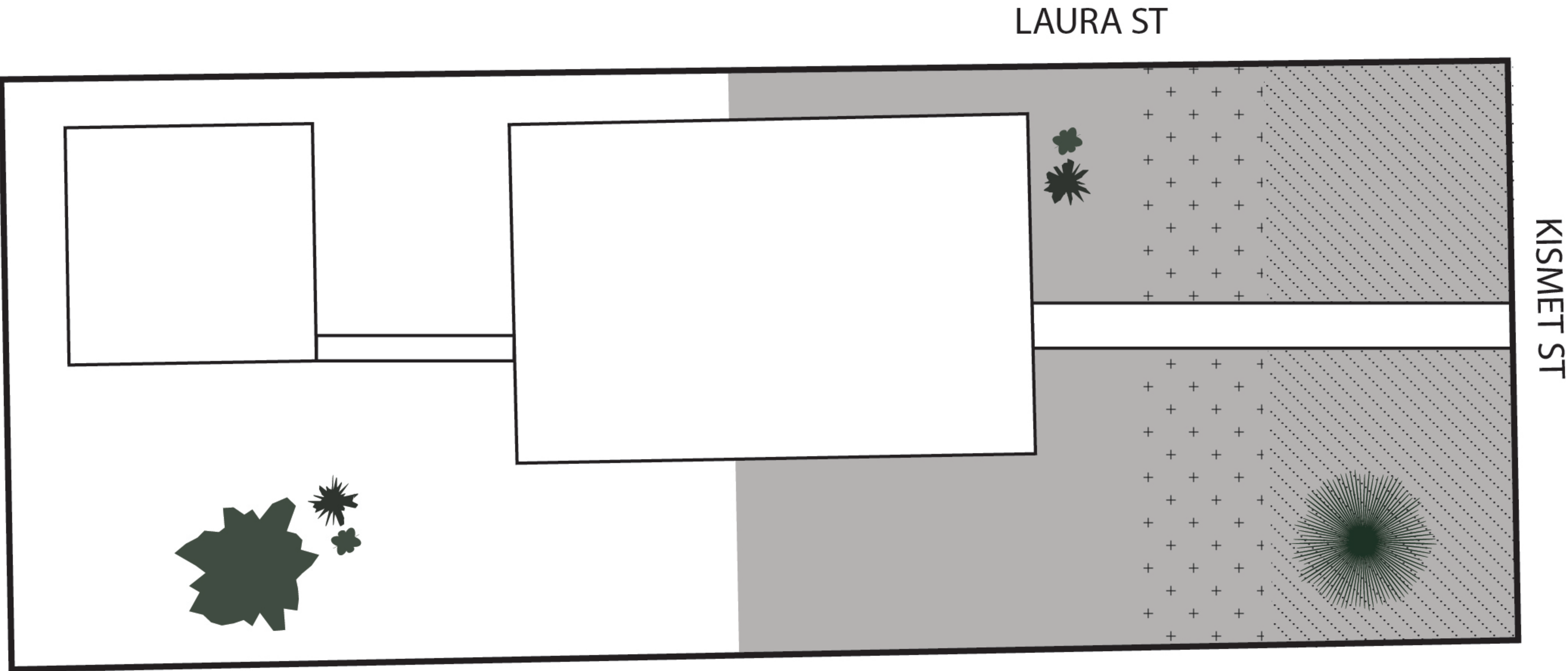
Not part of minimum required area =
Required to have live ground cover

Scenario #1b (Proposed Regulations)

"R" Zoning Designation

6,500sqft / Corner Lot

CATEGORY		CODE REQUIREMENT		CALCULATION
Max. Lot Coverage	=	50%	=	3,250sqft
Min. Landscaped Area	=	50%	=	3,250sqft
Min. Live Groundcover	=	20%	=	650sqft
Min. Non-live Groundcover	=	30%	=	975sqft
Min. # of trees	=	1 per 2,000sqft	=	2
Min. # of shrubs	=	2 per 3,000sqft	=	4



LEGEND

Minimum Landscaped Area =

Min. Live Groundcover =

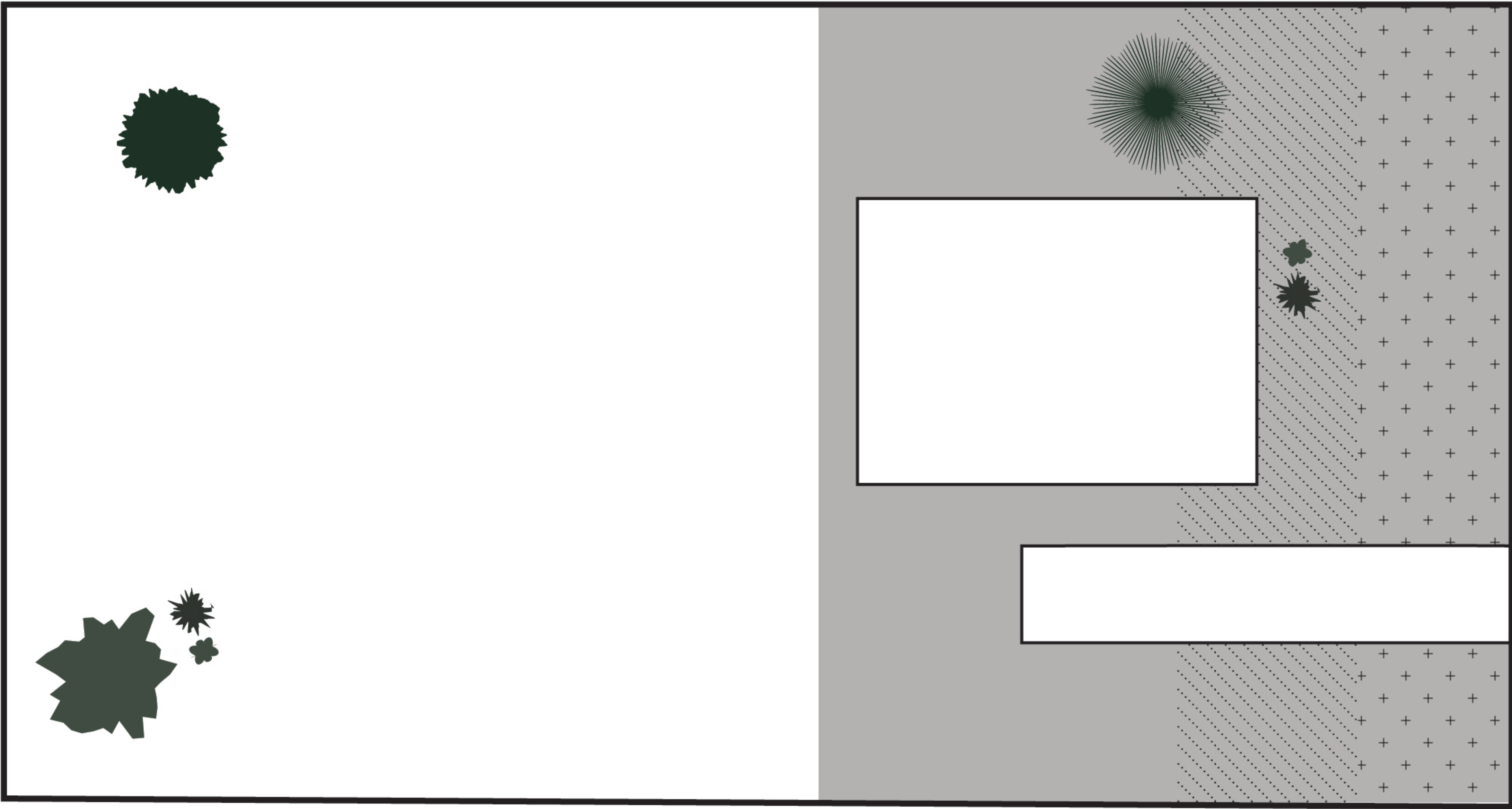
Min. Non-live Groundcover =

Lot Coverage Minus Min. Landscaped Area =





Scenario #2

"HR" Zoning Designation
10,650sqft

CATEGORY		CODE REQUIREMENT		CALCULATION
Max. Lot Coverage	=	60%	=	6,390sqft
Min. Landscaped Area	=	40%	=	4,260sqft
Min. Live Groundcover	=	20%	=	852sqft
Min. Non-live Groundcover	=	20%	=	852sqft
Min. # of trees	=	1 per 2,000sqft	=	3
Min. # of shrubs	=	2 per 3,000sqft	=	4



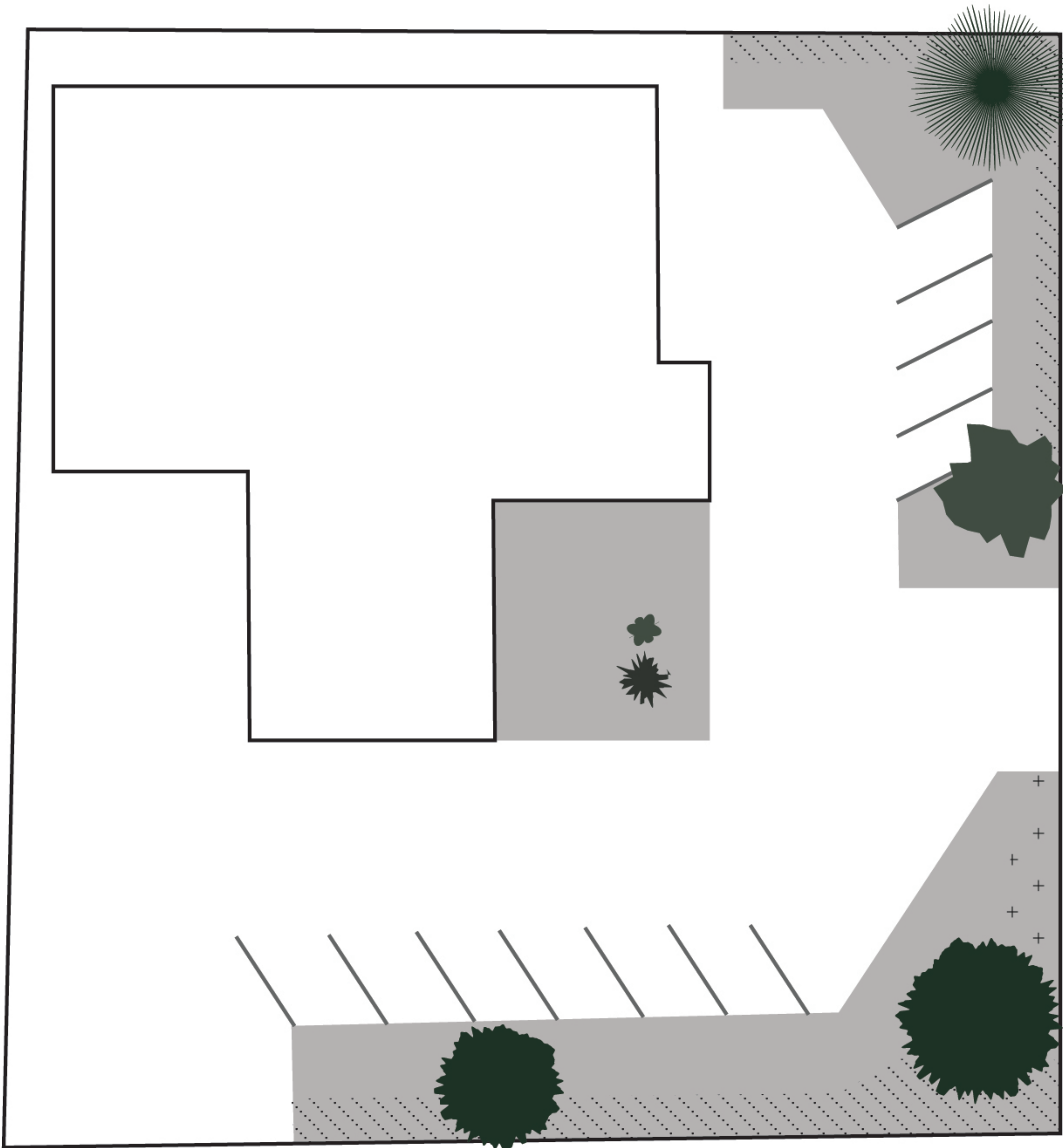
LEGEND

- Minimum Landscaped Area = 
- Min. Live Groundcover = 
- Min. Non-live Groundcover = 
- Lot Coverage Minus Min. Landscaped Area = 

Scenario #3

"GC" Zoning Designation
4,456sqft

CATEGORY		CODE REQUIREMENT		CALCULATION
Max. Lot Coverage	=	70%	=	3,119sqft
Min. Landscaped Area	=	30%	=	1,336sqft
Min. Live Groundcover	=	10%	=	134sqft
Min. Non-live Groundcover	=	20%	=	267sqft
Min. # of trees	=	1 per 2,000sqft	=	2
Min. # of shrubs	=	2 per 3,500sqft	=	2
Parking Lot Landscape Island Trees	=	2 trees per island	=	4



LEGEND

Minimum Landscaped Area =

Min. Live Groundcover =

Min. Non-live Groundcover =

Lot Coverage Minus Min. Landscaped Area =

+

+

+

+

+

Scenario #4

"R" Zoning Designation

1.34 acres/ 58,370.4sqft

CATEGORY		CODE REQUIREMENT		CALCULATION
Max. Lot Coverage	=	50%	=	29,185sqft
Min. Landscaped Area	=	50%	=	29,185sqft
		<i>*Reduction for 1acremax</i>	=	21,780sqft
Min. Live Groundcover	=	20%	=	4,356sqft
Min. Non-live Groundcover	=	30%	=	6,534sqft
Min. # of trees	=	1 per 3,000sqft	=	8
Min. # of shrubs	=	2 per 3,000sqft	=	16



LEGEND

Minimum Landscaped Area =

Min. Live Groundcover =

Min. Non-live Groundcover =

Lot Coverage Minus Min. Landscaped Area =

+

+

+

+

+

+ Reduction for 1acremax

AGENDA ITEM #16



To: Honorable Mayor Clark and Ridgway Town Council
From: Preston Neill, Town Manager
Date: August 5, 2021
Agenda Topic: Ratification or amendment of the rescission of Emergency Restrictions on burning and fires within the Town of Ridgway

SUMMARY:

On July 23rd, the Town of Ridgway joined Ouray County, Grand Mesa, Uncompahgre and Gunnison (GMUG) National Forests, and other jurisdictions in our region in transitioning out of fire restrictions. The rescission of fire restrictions is now subject to “confirmation or amendment by the Town Council”, as described in Section 12-2-1(C) of the Ridgway Municipal Code.

Fire managers based their decision on specific moisture measurements in vegetation and other risk factors such as predicted weather and amount of current fire activity.

PROPOSED MOTION:

“I move to confirm the rescission of emergency restrictions on burning and fires within the Town of Ridgway.”

AGENDA ITEM #17



To: CML Member Mayors, Managers, and Clerks
Cc: Prior year's CML Policy Committee Members (VIA EMAIL)
From: Meghan Dollar, CML Legislative Advocacy Manager
Date: July 29, 2021
Subject: Appointment/Reappointment to CML's 2021-2022 Policy Committee

It is again time for member municipalities to make appointments to the League's Policy Committee and determine whether your municipality will make any legislative or policy proposals for the committee to consider. Members of the 2020-2021 committee are presumed to carry over unless League staff is otherwise informed. A committee roster current as of July is attached for verification.

Committee composition and responsibilities

The Policy Committee is an important part of the policy development process at CML, and all members are encouraged to take advantage of the opportunity to be represented. A description of the appointment procedure and the Policy Committee process is below.

Each member municipality of CML is entitled to designate one representative to the League's Policy Committee. One alternate may also be designated, and that alternate should attend only if the appointed member is unable to attend. (Cities over 100,000 population are entitled to designate two representatives and one alternate.) In addition, CML Section chairs are automatically appointed as non-voting members of the Committee.

Appointments/reappointments to the Policy Committee occur following the CML Annual Business Meeting in June, and members serve for a one-year period. Kathi Meyer, CML Board President and Steamboat Springs Councilor, will appoint a committee chair for 2021-2022 prior to the first meeting of the committee.

The Policy Committee has significant policy development responsibilities. The committee is responsible for:

1. Reviewing of requests from member municipalities for CML-initiated legislation and recommending specific positions to the CML Board
2. Reviewing of requests for policy positions from member municipalities and recommending specific positions to the CML Board
3. Review of known or potential legislative issues or bills, consideration of staff recommendations, and recommending specific positions to the CML Board.
4. Review of the League's Annual Policy Statement that guides League positions on policy issues affecting municipalities and proposing revisions, if necessary. (Any recommended changes are voted on by CML members at the Annual Business Meeting that takes place as part of CML's Annual Conference.)

To ensure time for members to prepare and consider legislative and policy position recommendations, the committee will meet twice before the end of 2021. In 2022, the committee will be scheduled to meet once in February, which is during the legislative session.

Committee membership

As mentioned above, **existing members & alternates will automatically carry over unless CML is provided with the name of a different individual to represent your municipality.** (Please check the attached roster to verify current members and alternates) If your municipality is not currently represented but would like a member on the committee, please appoint an official (or two if your municipality is over 100,000 population) who will be willing to serve. Your representative(s) may be elected, appointed, or an employee. **If you have additions or changes, please e-mail them to Meghan Dollar at mdollar@cml.org before August 27th.**

Committee process and your municipality's role

Each municipality can propose policy positions or proposed legislation to the full committee for consideration. Your policy committee member should be prepared to present consensus proposals from your municipality and will later be asked to represent your municipality in consideration of the proposals of others. The first step in this process is solicitation of proposals from member municipalities.

How to: Legislative/Policy Position Proposals

In order to submit a proposal, committee members will need to go to the following website:

<https://www.surveymonkey.com/r/DZYVNQM>

This will allow you to directly enter a proposal for specific legislation your municipality (or section) would like CML to initiate or policy positions on specific issues not already specified in the CML 2021-2022 Policy Statement.

The Policy Statement can be found at https://www.cml.org/docs/default-source/uploadedfiles/legislative/policy-development/cml-policy-statement.pdf?sfvrsn=e870df61_20.

If, for some reason, you are unable to fill out a proposal online, please email mdollar@cml.org.

In September, CML will distribute the proposals to each committee member for review and discussion within that member's municipality. Committee members should review proposals with their municipality or constituency and be prepared to discuss and debate proposals on behalf of their respective municipality at the October meeting. CML staff may also submit suggested policy and/or legislative items for the committee's consideration.

Proposals are due no later than COB Wednesday, September 15.

2021-2022 Meeting dates*

- Friday, October 8, 2021, 10:00 am– 1:30 pm
- Friday, December 3, 2021, 10:00 am– 1:30 pm
- Friday, February 11, 2022, 10:00 am– 1:30 pm
(CML Legislative Workshop is on Feb. 10)

****At this time CML will continue to hold the Policy Committee in a virtual format. More information will be distributed as we get closer to the meeting.***

More details on committee responsibilities and October and December meeting activities will be included in the meeting announcement. If you have any questions about the process, please call or email mdollar@cml.org , (303) 831-6411 or (239) 222-3051.

AGENDA ITEM #18



2022 Fiscal Year Budget Preparation Schedule

Date	Description	Responsible Parties
August 23 – September 10, 2021	Meetings with Town staff: <ul style="list-style-type: none">• Strategic Plan• Town-wide initiatives• Levels of service• Fees• Goals and objectives• Personnel requests• Capital Outlay requests• Line item justifications	Preston, Pam
October 13, 2021	Draft 2021 Fiscal Year Budget Submitted to Council	Preston, Pam
October 23, 2021 9:00 a.m. – 2:00 p.m.	Budget Retreat: <ul style="list-style-type: none">• Introduction of Draft 2021 Fiscal Year Budget• Introduction of Draft 2021 Strategic Plan Outcomes: <ul style="list-style-type: none">• Council direction for revisions• Council direction for Capital Improvement Projects• Council direction for revenue projections• Council requests for additional information, analysis or options	Council, Preston, Pam
November 10, 2021	Council Budget Hearing: <ul style="list-style-type: none">• Staff Presentation of 2021 Fiscal Year Proposed Budget• Presentation of 2021 Strategic Plan• Follow-up on any Council directions or requests• Council discussion and public comment	Council, Preston, Pam
November 18, 2021	Council Budget Workshop: <ul style="list-style-type: none">• Overview of 2021 Fiscal Year Proposed Budget• Follow-up on any Council directions or requests• Council discussion and public comment	Council, Preston, Pam
December 8, 2021	Council Budget Hearing: <ul style="list-style-type: none">• Adoption of 2021 Fiscal Year Budget, including Capital Projects Plan and 2021 Strategic Plan• Approval of Resolution Certifying Mill Levy	Council, Preston, Pam