

Ridgway Town Council  
Regular Meeting Agenda  
Wednesday, September 8, 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/87148785759?pwd=LzVEeFVJRmpCMlpEWC8xa3o1RVJaQT09>

Meeting ID: 871 4878 5759

Passcode: 485087

Dial by your location

+1 346 248 7799 US

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**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.

**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 August 11, 2021.
2. Register of Demands for September 2021.
3. Request for water leak adjustment from Voyager Youth Program/Act# 2180.4.
4. Renewal of restaurant liquor license for Provisions.
5. Request for water leak adjustment for Peele/Act# 7000.1.

**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.

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

6. Review of Memorandum of Understanding between Ouray County and Town of Ridgway regarding 2022 Operational Funding Requests, Road and Bridge Apportionment from County to Town, and Future Goals - Town Manager.

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

7. Proclamation declaring September 2021 as National Suicide Prevention Awareness and Recovery Month - Corinne Cavender with Tri-County Health Network.

8. Request for waiver of monthly sewer fees during construction - Kuno Vollenweider.
9. Request for letter of support for Ridgway Chatauqua Society application for Enterprise Zone Tax Credit Program with State of Colorado - Sheelagh Williams.
10. Annual presentation from EcoAction Partners regarding programs, projects and initiatives, and request for funding - EcoAction Partners.
11. Annual presentation from San Miguel Power Association regarding programs, projects and initiatives – Alex Shelley, San Miguel Power Association.
12. Annual presentation from Uncompahgre Watershed Partnership regarding programs, projects and initiatives, and request for funding - Tanya Ishikawa.

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

13. Extension request to meet conditions of approval of Preliminary Plat of property at SE corner of Sherman St./Hwy 62 and Railroad St.; Address: TBD Railroad St.; Zone: Historic Business; Applicant and Owner: Ridgway Cohousing, LLC - Town Manager.
14. Adoption of 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.

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

15. Emergency Ordinance No. 07-2021 Adopting Certain Additional and Amendments to Chapter 7 "Planning and Zoning" of the Ridgway Municipal Code - Town Attorney.
16. Request to close Clinton St. between N. Laura St. and Cora St. from 6:00 to 9:00 p.m. on September 23, 2021 for a toast to celebrate the start of construction of the Ridgway Space to Create Project - Mayor Clark.
17. Review and ratification of letter of support for the Old Ridgway Firehouse Project - Town Manager.
18. Discussion and direction regarding an initiative to support recognizing and implementing the inherent legal rights of nature - Mayor Clark.

**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.

19. 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, October 6, 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  
AUGUST 11, 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.

The Mayor called the meeting to order at 5:30 p.m. The Council was present in its entirety with Councilors Beck, Ferrelli, Grambley, Lakin, Schuyler, Mayor Pro Tem Meyer and Mayor Clark in attendance.

EXECUTIVE SESSION

The Town Attorney asked the Council to 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.

ACTION:

Councilmember Lakin moved to enter into closed session, Mayor Pro Tem Meyer seconded, and the motion carried unanimously on a roll call vote.

The Council entered into the closed session with the Town Attorney, Town Manager, Town Clerk and Town Engineer at 5:30 p.m.

The Council reconvened to open session at 5:55 p.m.

The meeting resumed at 6:00 p.m.

CONSENT AGENDA

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.

ACTION:

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

PUBLIC COMMENTS

Jim Nowak inquired into timing for completion of the water supply analysis. He stated the Town is experiencing "unprecedented growth" and encouraged the hiring of an "on staff planner", instead of using a planning consulting firm. He noted a planner on staff, and "part of the community", could assist in "looking into issues" and long term planning for the Town.

Gary Dick addressed the Council regarding “Dallas Ditch as it enters into the Uncompahgre River”. He explained on June 24<sup>th</sup> “we came very close to having a flash flood from Cottonwood Creek” at his home on Liddell Drive. He reported a bank of Dallas Ditch collapsed and sent water through Town down the creek, and the existing culvert under County Road 5 is “too small to accept additional runoff into the ditches”. He questioned who is responsible for the clearing of debris from Cottonwood Creek; removal of an abandoned culvert west of his home; and asked when a submittal of a Letter of Map Revision will be made to FEMA to address the 1984 Flood Map.

#### PUBLIC REQUESTS AND PRESENTATIONS

4. Update from the Ouray County Public Health Department

Ouray County Public Health Director, Tanner Kingery, presented an update on COVID 19 and the Delta Variant, and county wide statistics.

5. Presentation on the Ridgway Plastic Film Upcycling Program

Student Willow Krois, representing The Carry On Girls, made a presentation to “raise awareness of helping the Town become plastic free”. She and Diedra Krois explained the NexTrex Recycling Program and the transfer of single use plastics collected at five local business location drop off centers, which is “diverting the plastic from landfills”, and into the recycling program. It was noted that since November 350 pounds of single use plastic has been collected in Town.

6. Request from Riversage Homeowners Association for Town road maintenance

Letter dated 7-12-21 from the Riversage Homeowners Association requesting Town maintenance of roads within the subdivision.

A representatives of the Riversage Homeowners Association (HOA) addressed the Council and noted there is a plat note on subdivision approval “which makes the HOA responsible” for road and bridge maintenance. He also noted the Weaver Memorial Park, located at the entry into the subdivision has had “increased visitation”. The HOA requested to place private road signage on the Town road, from the park to the subdivision; to meet with staff to discuss the Town assuming maintenance of the roads in the subdivision; be released from some of the requirements relative to HOA road and bridge maintenance under the subdivision plat notes.

There were comments by the Council. It was agreed staff should continue to meet with representatives of the HOA to discuss the requests, and then make recommendations to the Council regarding staffing and financial resources.

7. Request to hold special event in Hartwell Park for the Annual Labor Day Dance

The Town Clerk presented an application from the Ridgway Fire Department to use Hartwell Park and the stage for the annual labor day fundraiser on September 5<sup>th</sup>.

#### ACTION:

Mayor Pro Tem Meyer moved to approve the special event in Hartwell Park on September 5<sup>th</sup> for the Annual Ridgway Fire Department Labor Day Dance. Councilor Ferrelli seconded the motion, and it carried unanimously on a roll call vote.

## PUBLIC HEARINGS

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

Staff Report from TJ Dlubac with Community Planning Strategies dated 8-5-21 presenting a request from Terese and Josh Seal for subdivision of Lot 14 in Parkside Subdivision.

Planning Consultant TJ Dlubac presented a replat of Parkside Subdivision Lot 14 forwarded from the Planning Commission. He explained the notation on the plat map for Parkside Subdivision, notes allowing up to three single family equivalents on Lot 14. The lot has a total area of 23,708 square feet, and minimum lot size for Residential Low Density is 6,000 square feet. He reported the applicants are requesting to subdivide into three separate parcels, accessing on to N. Laura Street, and then sell each parcel separately. He stated the proposed subdivision meets all requirements of the Town, and at the hearing before the Planning Commission in July, the request was approved with four conditions.

#### ACTION:

Mayor Pro Tem Meyer moved to approve the final plat for North Seal Subdivision of Lot 14, Parkside Subdivision with the four conditions in the Staff Report dated August 5<sup>th</sup>, Councilor Lakin seconded, and the motion carried unanimously on a roll call vote.

## POLICY MATTERS

### 9. Joint Session with the Planning Commission to receive a presentation from the Telluride Foundation regarding a proposed workforce housing project

The Council met with all members of the Planning Commission to hear a presentation from Paul Major and David Bruce with the Telluride Foundation, regarding a proposed workforce housing project.

Paul Major presented a proposed project for “public benefit” which “gives tools” to the community “to solve the problem of affordable housing for workforce”. He noted the project can “deliver homes at the most affordable prices” through low cost capital financing at “below market rate”; the use of modular construction; constructing all electric homes with photovoltaic systems.

David Bruce presented two different approaches to “land use” and “conceptual construction scenarios” on a parcel of property at the end of S. Laura Street, which is zoned Historic Residential. The first option of 12 units would be six sets of double townhomes and the second option, 16 units in two sets of five plex townhomes and three sets of double townhomes. He noted construction costs are at the “most expensive” they have been and to assist in lowering costs the Town would be asked to “expedite the PUD process”, “support higher density” on the property, apply for grant funding for infrastructure use through House Bill 1271, which would require the Town to “change land use codes”.

There were questions from the Planning Commission, and discussion between the Town Council, Planning Commission and applicants. The Council and Planning Commission expressed concerns with the proposed option to construct 16 units on the parcel.

Mr. Major noted the homes would be deed restricted and managed by a housing authority; could not be rented; would have a three percent cap on resale; applicants would be chosen

through a lottery process to persons who live eight months of the year in Town, and work in the community, with an annual income of \$45,900.

There were questions, comments and concerns regarding the proposal to narrow the street to one lane, from audience members Jack Petruccili, Pat Willits, Tom McKenney, Jim Nowak and Ben Tisdal.

Mr. Bruce noted they are targeting submittal of application on December 1<sup>st</sup>, and “breaking ground by March 15<sup>th</sup>”.

10. Appointment of members to the newly formed Creative Main Street Group

Staff Report from Diedra Silbert, Community Initiatives Facilitator, presenting a request to appoint members to the newly formed Creative Main Street Group.

Facilitator Silbert reported members of the new proposed group would be Councilmember 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 and Clifford Pastor.

ACTION:

It was moved by Mayor Pro Tem Meyer to approve the creation of the Creative Main Street Group with the 14 members as presented, seconded by Councilor Lakin, and carried unanimously on a roll call vote.

11. Revision of Long-term Implementation and Master Plan for the Ridgway Visitor Center and Heritage Park

Staff Report dated 7-7-21 from the Community Initiatives Facilitator presenting recommendations, and a proposed implementation plan from the Heritage Park-Visitor Center Advisory Committee.

Facilitator Silbert explained the Council approved formation of a 15 member advisory committee to review the 2019 Master Plan for Heritage Park, including proposed improvements to the Visitors Center. A long term implementation plan and strategy revised as of June 2021, was presented to the Council including items to be addressed over the next seven years. These include addressing visitor center improvements, a public restroom, picnic shelter, storage space and design revisions.

ACTION:

Moved by Councilor Lakin, seconded by Councilmember Schuyler and unanimously carried by a roll call vote to adopt the Strategic Master Plan for the Ridgway Visitor Center and Heritage Park.

12. Submittal of application for Main Street Open for Business Energy Grant

Staff Report from the Town Manager dated 8-5-21 requesting Council approval to submit an application for SB21-252 Main Street Open for Business Program Heritage Energy Grant funds.

Manager Neill explained the Department of Local Affairs is offering grant funds for a pilot energy program to assist historic buildings with energy efficiency and sustainability. The funds can be used for energy efficiency improvements while preserving the building, and



application must be made by the local jurisdiction on behalf of private property owners. Staff is requesting Council approval to make application on behalf of The Bank Building on Clinton Street. The funds will be used to replace windows and doors, he explained, along with repairing brick on the outside of the building.

Speaking from the audience Jake Nice suggested that a full energy audit also be performed.

ACTION:

Moved by Mayor Pro Tem Meyer, seconded by Councilor Ferrelli and carried unanimously on a roll call vote to approve submittal of a SB21-252 Main Street Open for Business Program Heritage Energy Grant Application to the Department of Local Affairs.

13. Revocable Encroachment Permit for the Space to Create Project

Staff Report from the Town Manager dated 8-5-21 presenting a revocable encroachment permit for the Space to Create Project.

The Town Manager explained the requested encroachment permit will allow for a six inch water service line to be used for a fire suppression system to run parallel under the sidewalk for approximately 40 feet before entering the building. The request is being made after it was determined the original plan to extend the existing line into the building is not allowed under National Fire Protection Association regulations. He stated the approach is not desirable from staffs perspective, but is preferred to abandoning the existing water tap and cutting into the sidewalk to install a new water tap and service line.

ACTION:

Mayor Pro Tem Meyer moved to approve the revocable encroachment permit for the use of Town right-of-way. The motion was seconded by Councilor Ferrelli, and after a call for the vote, was approved unanimously on a roll call vote.

14. Colorado Department of Local Affairs Use Covenant and Regulatory Agreement relative to the Space to Create Project

Town Manager Staff Report dated 8-5-21 presenting a request from the Department of Local Affairs (DOLA) Division of Housing.

Manager Neill reported the Department of Local Affairs Division of Housing is requesting, as a condition to the disbursement of grant funds for the Space to Create Project, the Town to execute and record a covenant pertaining to the real property to ensure rental and occupancy limitations associated with the grant program are met. He noted the restrictions are also in conformance with the low income housing tax credit financing from the Colorado Housing and Finance Authority.

ACTION:

Councilor Lakin moved to authorize Mayor Clark to sign the DOLA Use Covenant and Regulatory Agreement, seconded by Mayor Pro Tem Meyer the motion carried unanimously on a roll call vote.

15. Presentation of Ordinance amending Landscape Regulations

Staff Report from Planning Consultants TJ Dlubac and Katie Schwarz presenting background and proposed changes to landscape regulations.

Katie Schwarz with Community Planning Strategies presented proposed updates to the landscape regulations. She reported one of the goals of the comprehensive plan update was to update the landscape regulations, which will change several sections of the municipal code. She presented the proposed changes to the Council, noting they have been reviewed by the Planning Commission.

There were comments by the Council.

ACTION:

Mayor Pro Tem Meyer moved to introduce 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". Councilor Lakin seconded. The motion carried unanimously on a roll call vote.

16. Recession of emergency restrictions on burning and fires within the Town

The Town Manager explained on July 23<sup>rd</sup> the Town joined other local agencies and jurisdictions in the region and transitioned out of fire restrictions. The recession requires confirmation of the Town Council, he noted.

ACTION:

Mayor Pro Tem Meyer moved to confirm the recession of emergency restrictions on burning and fires within the Town of Ridgway, seconded by Councilor Beck the motion carried unanimously on a roll call vote with Councilor Lakin abstaining.

17. Change of water restrictions from mandatory to voluntary

The Town Manager reported staff feels comfortable in changing water restrictions from mandatory to voluntary based on lessened demands on the water system.

ACTION:

Mayor Pro Tem Meyer moved to confirm the recession of mandatory water restriction back to voluntary. The motion was seconded by Councilor Ferrelli and carried unanimously on a roll call vote.

18. Appointment to the Colorado Municipal League Policy Committee

The Town Manager reported the Colorado Municipal League Policy Committee is requesting a representative from the Town to participate in virtual platform meetings.

It was agreed the Town Manager would represent the Town, and the Town Attorney serve as the alternate.

### MISCELLANEOUS REPORTS

The Town Manager presented a written progress report on the 2021 Strategic Plan; and noted the date of the budget retreat has ben changed to October 23<sup>rd</sup>. Manager Neill highlighted some of the items contained in the monthly managers report.

Councilor Schuyler reported on the Fairgrounds Committee.

### ADJOURNMENT

The meeting adjourned at 9:50 p.m.

Respectfully Submitted,

Pam Kraft, MMC  
Town Clerk

**Town of Ridgway**  
**Register of Demands**  
September 2021

Name	Memo	Account	Paid Amount
<b>Consolidated Consulting Servi...</b>		<b>Alpine-Operating Account</b>	
	engin - Telluride Foundation (to be reimb)	519GOO · Contractual Services	-1,125.00
	engin - misc	914WOO · Consulting & Engineering Ser...	-1,750.00
	engin - misc	914SOO · Consulting & Engineering Servs	-5,790.00
	engin - Triangle off site	914SOO · Consulting & Engineering Servs	-1,225.00
	engin - Lena St line replacement	914WOO · Consulting & Engineering Ser...	-157.50
	engin - Lena St line replacement	914SOO · Consulting & Engineering Servs	-157.50
	engin - Space to Create	519GOO · Contractual Services	-875.00
	engin - Triangle Lot 1 PUD (to be reimb)	519GOO · Contractual Services	-8,370.00
	engin - McIsaac 6plex (to be reimb)	519GOO · Contractual Services	-1,125.00
	engin - Vista Commons (to be reimb)	519GOO · Contractual Services	-1,215.00
TOTAL			-21,790.00
<b>Community Planning Strategie...</b>		<b>Alpine-Operating Account</b>	
	planner - July 2021 - North Seal S/D	513GOO · Planning Consulting	-280.00
	planner - July 2021 - Ironrail Townhomes	513GOO · Planning Consulting	-1,160.00
	planner - July 2021 - general	513GOO · Planning Consulting	-3,701.25
	planner - July 2021 - landscape regs	513GOO · Planning Consulting	-212.50
	planner - July 2021 - McIsaac S/D	513GOO · Planning Consulting	-405.00
	planner - July 2021 - Triangle Lot 1	513GOO · Planning Consulting	-1,957.50
	planner - July 2021 - bldg permit	513GOO · Planning Consulting	-382.50
	planner - July 2021 - 540 Clinton TUP	513GOO · Planning Consulting	-65.00
TOTAL			-8,163.75
<b>Southwestern Systems Inc.</b>		<b>Alpine-Operating Account</b>	
	jet sewer lines	931SOO · Maintenance & Repairs	-3,554.75
TOTAL			-3,554.75
<b>Ouray County</b>		<b>Alpine-Operating Account</b>	
	county WENS; emergency mgmt	834GO3 · Program Participation	-6,000.00
TOTAL			-6,000.00
<b>SGS Accutest Inc</b>		<b>Alpine-Operating Account</b>	
		990WOO · Testing - water	-381.74
TOTAL			-381.74
<b>City of Grand Junction</b>		<b>Alpine-Operating Account</b>	
		918SOO · Testing & Permits - sewer	-380.00
TOTAL			-380.00
<b>Mesa County HDR Laboratory</b>		<b>Alpine-Operating Account</b>	
		990WOO · Testing - water	-20.00
TOTAL			-20.00

# Town of Ridgway

## Register of Demands

### September 2021

Name	Memo	Account	Paid Amount
<b>Pureline Treatment Systems</b>		<b>Alpine-Operating Account</b>	
	Sept 2021	989WOO · Plant Expenses - water	-1,650.00
TOTAL			-1,650.00
<b>Scott's Printing &amp; Design</b>		<b>Alpine-Operating Account</b>	
	badge embroidery (5)	883GO3 · Uniforms	-212.93
TOTAL			-212.93
<b>The Paper Clip LLC</b>		<b>Alpine-Operating Account</b>	
		541GOO · Office Supplies	-193.69
		941WOO · Office Supplies	-58.86
		941SOO · Office Supplies	-58.86
		841GO3 · Office Supplies	-42.95
		541GOO · Office Supplies	-242.05
		941WOO · Office Supplies	-65.07
		941SOO · Office Supplies	-65.07
TOTAL			-726.55
<b>Western Paper Distributors</b>		<b>Alpine-Operating Account</b>	
		732PO1 · Supplies - community center	-248.66
		732POO · Supplies & Materials	-248.66
TOTAL			-497.32
<b>Sunset Automotive</b>		<b>Alpine-Operating Account</b>	
	tire repair - F150	961WOO · Vehicle & Equip Maint & Repair	-15.00
	tire repair - F150	961SOO · Vehicle & Equip Maint & Repair	-15.00
	power steering sensor - Chevy	661GO2 · Vehicle & Equip Maint & Repair	-449.00
TOTAL			-479.00
<b>Clear Networx, LLC</b>		<b>Alpine-Operating Account</b>	
	Sept 2021	543GOO · Telephone	-56.00
	Sept 2021	643GO2 · Telephone	-56.00
	Sept 2021	843GO3 · Telephone	-61.00
	Sept 2021	943WOO · Telephone	-56.00
	Sept 2021	943SOO · Telephone	-56.00
	Sept 2021	530GOO · Computer	-50.00
	Sept 2021	630GO2 · Computer	-50.00
	Sept 2021	730POO · Computer	-50.00
	Sept 2021	830GO3 · Computer	-50.00
	Sept 2021	930WOO · Computer	-50.00
	Sept 2021	930SOO · Computer	-50.00
	Sept 2021	930WOO · Computer	-50.00
	Sept 2021	930SOO · Computer	-25.00
	Sept 2021	630GO2 · Computer	-25.00
	Sept 2021	843GO3 · Telephone	-55.00
TOTAL			-740.00

**Town of Ridgway**  
**Register of Demands**  
September 2021

Name	Memo	Account	Paid Amount
<b>Ouray County Road &amp; Bridge</b>		<b>Alpine-Operating Account</b>	
	Aug 2021	560GOO · Gas & Oil	-92.65
	Aug 2021	660GO2 · Gas & Oil	-501.83
	Aug 2021	760POO · Gas & Oil	-1,521.56
	Aug 2021	960WOO · Gas & Oil	-509.28
	Aug 2021	960SOO · Gas & Oil	-391.34
	Aug 2021	860GO3 · Gas & Oil	-2,064.17
TOTAL			-5,080.83
<b>Xerox Financial Services</b>		<b>Alpine-Operating Account</b>	
	Xerox lease - Aug 2021	948SOO · Office Equipment - Leases	-7.63
	Xerox lease - Aug 2021	948WOO · Office Equipment - Leases	-15.26
	Xerox lease - Aug 2021	548GOO · Office Equipment - Leases	-129.75
TOTAL			-152.64
<b>USABlueBook</b>		<b>Alpine-Operating Account</b>	
	rotary drum pumps (2)	932WOO · Supplies & Materials	-257.23
	rotary drum pumps (2)	932WOO · Supplies & Materials	-429.98
TOTAL			-687.21
<b>Black Hills Energy-Hartwell Park</b>		<b>Alpine-Operating Account</b>	
		742POO · Utilities	-32.24
TOTAL			-32.24
<b>Black Hills Energy-Town Hall</b>		<b>Alpine-Operating Account</b>	
		742PO1 · Utilities - community center	-9.97
		842GO3 · Utilities	-9.97
		542GOO · Utilities	-9.98
TOTAL			-29.92
<b>Black Hills Energy-Broadband</b>		<b>Alpine-Operating Account</b>	
	broadband building	5075GO1 · Region 10	-13.37
TOTAL			-13.37
<b>Black Hills Energy-PW Office</b>		<b>Alpine-Operating Account</b>	
		642GO2 · Utilities	-9.72
		942SOO · Utilities	-9.71
		942WOO · Utilities	-9.71
TOTAL			-29.14
<b>Black Hills Energy-Lift Station</b>		<b>Alpine-Operating Account</b>	
		942SOO · Utilities	-25.25
TOTAL			-25.25

**Town of Ridgway**  
**Register of Demands**  
September 2021

Name	Memo	Account	Paid Amount
<b>Black Hills Energy-PW Building</b>		<b>Alpine-Operating Account</b>	
		742POO · Utilities	-5.73
		642GO2 · Utilities	-5.73
		942SOO · Utilities	-5.73
		942WOO · Utilities	-5.73
TOTAL			-22.92
<b>Kim's Housekeeping LLC</b>		<b>Alpine-Operating Account</b>	
	Aug 2021	779POO · Janitorial Service - parks	-819.00
	Aug 2021	779PO1 · Janitorial Services - comm cntr	-273.00
	Aug 2021	545GOO · Janitorial Services	-273.00
TOTAL			-1,365.00
<b>Verizon Wireless</b>		<b>Alpine-Operating Account</b>	
		741POO · Telephone	-40.65
		943SOO · Telephone	-65.23
		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			-743.24

**STAFF REPORT**

Subject: Request for water leak adjustment - Account #2180.4/Voyager Youth Program  
Initiated By: Pam Kraft, Town Clerk  
Date: August 26, 2021

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**BACKGROUND:**

Attached is a request for a water leak adjustment from Voyager Youth Program. A stuck valve in the irrigation system ran water continuously at 280 N. Cora Street. Excess usage of 85,300 gallons was tracked by meter in the month of July. The valve was replaced as soon as the organization released the sprinklers were running continuously.

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**ANALYSIS:**

Pursuant to Municipal Code Section 9-1-23 the Council has the authority to make water leak adjustments. The language is as follows:

**9-1-23: WATER BREAK ADJUSTMENTS.**

(A) The Town Council shall have authority to make an equitable adjustment to a water bill when the bill is extraordinarily high due to an undiscovered break downstream of the customer's meter if the break was not caused by the customer's negligence and the customer did not have a reasonable opportunity to discover the break more quickly than it was discovered.

(B) No adjustment shall be allowed unless the customer submits a written request for the adjustment within fifteen days of the mailing of the bill in question and unless the leak has been repaired.

(C) The adjustment shall not reduce the customer's bill below the cost to the Town of producing the water supplied through the meter.

The customer used 90,300 gallons in July and was billed \$1295.50. This calculates to 85,300 gallons over the base allotment; based on the leak adjustment rate of \$11.00 for each 1,000 gallons between 5,000 and 10,000 gallons; \$13.00 between 10,000 and 18,000 gallons; and \$15.00 over 18,000 gallons, the customer can be awarded a water leak adjustment credit of \$347.85.

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**FINANCIAL CONSIDERATIONS:**

There is a loss in revenue when the water rate is decreased.

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ATTACHMENT: Email from Danelle Hughes Norman



## Pam Kraft

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**From:** Danelle Hughes Norman <info@voyageryouthprogram.org>  
**Sent:** Friday, August 13, 2021 4:20 PM  
**To:** Pam Kraft  
**Subject:** Water Leak adjustment  
**Attachments:** DOC\_20210813143225.pdf

Hi Pam,

I am writing to request a water leak adjustment for Voyager's July water bill. On the morning of August 2<sup>nd</sup>, we discovered that the sprinklers in one of the zones was running. The Rainmaker control panel was blank but the alarm light was on. I immediately turned it to off, but the water did not shut off; so I closed the main valve to the system and called Rainmaker. The contractor had never seen this issue before, and we both speculated that the system was struck by lightning. All we needed to get back online was a reset with valve and solenoid checks. I am assuming that the strike must have happened Thursday night—the same night the concert was shut down, and, because the weekend was so stormy, no one noticed that the sprinkler was running.

At any rate, I am requesting town make an adjustment to our bill since we have been conservative with our water usage and this leak was most likely an "act of God." While we are using more water as our summer programs encourage a lot of handwashing, we have limited our irrigation to twice a week for 15 minutes.

Thank you for considering,

Danelle Hughes Norman, CPSII  
She, her, hers  
Program Manager  
Voyager Youth Program  
PO Box 709  
280 N. Cora  
Ridgway, CO 81432  
970-626-4279 office, 970-626-4279 cell  
Voyageryouthprogram.org

**STAFF REPORT**

Subject: Request for water leak adjustment - Account #7000.1/Chad Peele  
Initiated By: Pam Kraft, Town Clerk  
Date: September 1, 2021

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**BACKGROUND:**

Attached is a request for a water leak adjustment from Chad Peele. A break in a landscape irrigation system at 502 Sabeta Drive Unit D. Excess usage of 52,000 gallons was tracked by meter in the month of July. The break was repaired immediately after the owner saw the water coming from the broken line.

---

**ANALYSIS:**

Pursuant to Municipal Code Section 9-1-23 the Council has the authority to make water leak adjustments. The language is as follows:

**9-1-23: WATER BREAK ADJUSTMENTS.**

(A) The Town Council shall have authority to make an equitable adjustment to a water bill when the bill is extraordinarily high due to an undiscovered break downstream of the customer's meter if the break was not caused by the customer's negligence and the customer did not have a reasonable opportunity to discover the break more quickly than it was discovered.

(B) No adjustment shall be allowed unless the customer submits a written request for the adjustment within fifteen days of the mailing of the bill in question and unless the leak has been repaired.

(C) The adjustment shall not reduce the customer's bill below the cost to the Town of producing the water supplied through the meter.

The customer used 57,000 gallons in July and was billed \$745.50. This calculates to 52,000 gallons over the base allotment; based on the leak adjustment rate of \$11.00 for each 1,000 gallons between 5,000 and 10,000 gallons; \$13.00 between 10,000 and 18,000 gallons; and \$15.00 over 18,000 gallons, the customer can be awarded a water leak adjustment credit of \$198.00.

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**FINANCIAL CONSIDERATIONS:**

There is a loss in revenue when the water rate is decreased.

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ATTACHMENT: Email from Chad Peele

**Pam Kraft**

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**From:** Chad Peele  
**Sent:** Tuesday, August 31, 2021 1:24 PM  
**To:** Pam Kraft  
**Subject:** Water leak 502 Sabeta dr unit D #7000.1

Pam,

Thank you for meeting with me the other day. As I stated earlier I had a pipe malfunction over the weekend outside the property that connected to the irrigation system. I physically noticed the pouring water and immediately shut the water supply off stopping the flow and did a property sweep to make sure no other leaks or damage was present.

On the following Monday, Wanda informed me of the increase and a town employee helped me confirm that the leak was contained. He even came into the crawl space and helped me inspect and look for any additional issues. Basically, the town staff was incredibly helpful during this very unfortunate equipment failure! Thank you to all!

With that said, I am asking for any potential help from the town to help me offset the cost of this water failure as the cost was significant and by no means intentional nor due to lack of care on my part. I have put many years into upgrading this property and am proud to be center stage on the soccer field for our community and others. Any help or forgiveness you can offer would be greatly appreciated.

Sincerely,

Chad Peele

AMGA certified Rock & Alpine Guide

~~XXXXXXXXXXXXXXXXXXXX~~  
~~XXXXXXXXXXXXXXXXXXXX~~

## AGENDA ITEM #6



To: Honorable Mayor Clark and Ridgway Town Council  
From: Preston Neill, Town Manager  
Date: September 2, 2021  
Agenda Topic: Review of Memorandum of Understanding between Ouray County and Town of Ridgway regarding 2022 Operational Funding Requests, Road and Bridge Apportionment from County to Town, and Future Goals

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**SUMMARY:**

In 2020, the Town of Ridgway and Ouray County entered into a Memorandum of Understanding (MOU) regarding 2021 Operational funding requests, Road and Bridge apportionment from the County to the Town, and future goals. The executed MOU is appended to this memo as Attachment 1.

As specified in the MOU, the parties agreed to review the MOU in September 2021 for revision and reconsideration for the 2022 budget year. Appended to this memo as Attachment 2 is a draft MOU for the 2022 budget year. Ouray County Commissioners plan to attend Wednesday's meeting to participate in this discussion.

**ATTACHMENT:**

Attachment 1 – 2021 MOU  
Attachment 2 – Draft 2022 MOU

ATTACHMENT 1

**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
OURAY COUNTY and TOWN OF RIDGWAY**

**RE: 2021 Operational Funding Requests,  
Road and Bridge Apportionment from County to Town, and  
Future Goals**

**THIS MEMORANDUM OF UNDERSTANDING** is entered into this 3<sup>rd</sup> day of November, 2020, by and between the Town of Ridgway, State of Colorado; hereinafter referred to as "Town" and the County of Ouray, State of Colorado, hereinafter referred to as "County".

**WHEREAS**, the Town and the County agree that it is in the best interest of the constituency to work together on various efforts; and

**WHEREAS**, the Town and the County are authorized by C.R.S. 29-1-203 to enter into agreements to provide or share and cooperate on functions, services and facilities; and

**WHEREAS**, the Town and the County recognize that the tasks and objectives of this Memorandum of Understanding are aspirational in nature rather than binding contractual commitments; and

**WHEREAS**, the collaborative efforts listed here may not all be accomplished in 2021 and may be multi-year efforts for the Town and the County.

**NOW THEREFORE**, the Town and County agree to share and cooperate on the following matters, in consideration of the mutual budget request listed below:

**1. OPERATIONAL FUNDING REQUESTS:**

**The Town is requesting funding from the County for the following:**

Ridgway Mosquito Control: \$8,000.00 (cash payment)

The Town will provide the County a written report indicating the locations treated, dates, etc.

**The County is requesting funding from the Town for the following:**

Wireless Emergency Notification System (WENS)/Emergency Management Services and Emergency Public Telecommunications (Repeater/Antenna Mgt. and Repair): \$6,000 (cash payment)

**2. ROAD AND BRIDGE APPORTIONMENT TO TOWN FROM COUNTY:**

Road and Bridge Apportionment Payment: \$26,277.20

**3. FUTURE GOALS:**

**Both parties agree to work together in good faith towards the following:**

**The Town desires:**

- The ability to continue purchasing aggregate material from the County in future years. Aggregate cost may be deducted from the Road and Bridge Apportionment or billed by the County to the Town.
- To work collaboratively with the County to pursue and implement the goals and action items identified for Town and County collaboration in the Town's 2019 Master Plan.

## ATTACHMENT 1

### **The County desires:**

- Support from the Town for Ouray County's Conceptual Plan and improvements to Ouray County's 37-acre property located adjacent to the Town of Ridgway. Such improvements include: water line upgrades to the existing water service line to improve water quality and water flow, the ability to connect to the Town's sewer system in the future for future facility improvements and construction of a satellite County facility.

### **2021 Collaborative Efforts:**

- Support each entity's grant efforts
- Have Town/County meetings as needed
- Collaborate on regional environmental sustainability, including participation on the Sneffels Energy Board
- Affordable Housing: Work together on affordable housing, including the Town's efforts on the Space to Create Program and collaborating on affordable, workforce housing efforts, including but not limited to establishing goals, partnerships, funding, and communications, and consider incorporating workforce housing into future public buildings and facilities
- Affordable Housing: Collaborate with other jurisdictions in the region to inform state leadership (legislators and governor) of the significantly limited resources in the region and the need to develop state-level legislative solutions, such as removing existing restrictions on the use of real estate transfer tax (RETT) and/or removing rent control restrictions in state statute and funding a state trust fund
- Affordable Housing: Work collaboratively to identify opportunities for affordable housing with the influx of state funding commencing in 2020
- Work together on strategies and planning regarding water resources for all county stakeholders
- Work together on regional and intra-county broadband efforts
- Support the utilization of Emergency notification system as needed
- Work collaboratively with Multi-agency Coordination group on emergency management
- Develop and maintain a local emergency response and management plan, as well as a plan for the continuation of government operations during and following an emergency event.
- Collaborate on Dispatch Services for the benefit of the entire County
- Collaboration on Victim's Assistance Grant and Victim Advocates for Ouray County
- Work together on Regional Transportation and Transit including Park-n-Ride(s) improvements and collaboration on planning, funding and development of the Uncompahgre RiverWay Trail from Ouray to Montrose
- Sharing Short Term Rental Information
- Cooperate on weed and pest management
- Explore opportunities for mental health support and outreach
- Collaborate on a design for South Amelia Street
- Maintain IGA with the County to continue to protect surrounding rural lands
- Work together on wildfire mitigation efforts
- Work together to regulate uses or activities allowed within or adjacent to the Town's Source Water Protection Area to reduce the risk of pollution or other contaminants entering the Town's water supply and ensure the Town has access as needed, and including establishing development setbacks to the Ridgway Ditch
- Collaborate on outreach and communications with property owners who have properties encumbered by the Ridgway Ditch and that are located within the Town's Source Water Protection Area
- Continue to combat/mitigate the effects of COVID-19 including collaboration on the Economic Resiliency Plan and future public health issues
- Work collaboratively on severance tax/mining industry issue to encourage housing within Ouray County and its municipalities
- Work collaboratively towards optimizing revenues from mining production.
- Work collaboratively to share Short Term Rental Information and ADU Information



**Future Collaborative Efforts:**

- Work together on childcare needs within Ouray County
- Work together on county-wide economic development and COVID-19 disaster recovery efforts as well as future, potential public health crises
- Work with FEMA to maintain up-to-date maps of the 100-year floodplain and floodway along all waterways flowing through Ridgway
- Multi-modal access through Ridgway USA to County Property
- Work together on improving, hard-surfacing and financing Amelia Street from the north town boundary to the south/west town boundary at County Road 5
- Consider collaboration on a Mosquito Control District
- Prioritize the conservation and preservation of community valued natural resources such as environmentally sensitive areas, view and wildlife corridors, riparian areas and wetlands, river corridor, natural filtration and storm water drainage areas
- Work with Land Trust organizations and other partners to identify opportunities for land preservation
- Work together on potential county-wide recreational master planning process

**4. TERM:**

This Memorandum of Understanding provides for agreement to cooperate and collaborate, as provided herein, for calendar year 2021. The parties agree to review this Memorandum of Understanding in September of 2021 for revision and reconsideration for the 2022 budget year. Both the Town and the County understand and agree that budget requests may or may not be funded and are subject to availability of funds, which availability may be altered by unanticipated events at any time. The Town and the County each agree to work cooperatively on the items specified in good faith, but failure to successfully complete any project will not be grounds for litigation.

EXECUTED on this 3<sup>rd</sup> day of November, 2020.


**TOWN OF RIDGWAY  
RIDGWAY, COLORADO**

  
\_\_\_\_\_  
Mayor

**ATTEST:**

  
\_\_\_\_\_  
Pam Kraft, Town Clerk

**BOARD OF COUNTY COMMISSIONERS  
OURAY COUNTY, COLORADO**

  
\_\_\_\_\_  
Chair

**ATTEST:**

  
\_\_\_\_\_  
County Clerk and Recorder  
By: Deputy Clerk of the Board





ATTACHMENT 2  
MEMORANDUM OF UNDERSTANDING  
BETWEEN  
OURAY COUNTY and TOWN OF RIDGWAY

**RE: 2022 Operational Funding Requests,  
Road and Bridge Apportionment from County to Town, and  
Future Goals**

**THIS MEMORANDUM OF UNDERSTANDING** is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by and between the Town of Ridgway, State of Colorado; hereinafter referred to as "Town" and the County of Ouray, State of Colorado, hereinafter referred to as "County".

**WHEREAS**, the Town and the County agree that it is in the best interest of the constituency to work together on various efforts; and

**WHEREAS**, the Town and the County are authorized by C.R.S. 29-1-203 to enter into agreements to provide or share and cooperate on functions, services and facilities; and

**WHEREAS**, the Town and the County recognize that the tasks and objectives of this Memorandum of Understanding are aspirational in nature rather than binding contractual commitments; and

**WHEREAS**, the collaborative efforts listed in this MOU may not all be accomplished in 2022 and may be multi-year efforts for the Town and the County.

**NOW THEREFORE**, the Town and County agree to share and cooperate on the following matters, in consideration of the mutual budget request listed below:

**1. OPERATIONAL FUNDING REQUESTS:**

**The Town is requesting funding from the County for the following:**

Ridgway Mosquito Control: \$8,000.00 (cash payment)

The Town will provide the County a written report indicating the locations treated, dates, etc.

**The County is requesting funding from the Town for the following:**

Wireless Emergency Notification System (WENS)/Emergency Management Services and Emergency Public Telecommunications (Repeater/Antenna Mgt. and Repair): \$6,000 (cash payment)

**2. ROAD AND BRIDGE APPORTIONMENT TO TOWN FROM COUNTY:**

Road and Bridge Apportionment Payment: \$ TBD

**3. FUTURE GOALS:**

**Both parties agree to work together in good faith towards the following:**

**The Town desires:**

- The ability to continue purchasing aggregate material from the County in future years if available.
- To work collaboratively with the County to pursue and implement the goals and action items identified for Town and County collaboration in the Town's 2019 Master Plan.

## ATTACHMENT 2

### **The County desires:**

- Support from the Town for future improvements to Ouray County's 37-acre property located adjacent to the Town of Ridgway. Such improvements include: water line upgrades to the existing water service line to improve water quality and water flow, the ability to connect to the Town's sewer system in the future for future facility improvements and construction of a satellite County facility.
- Continued limited use of the non-potable water for periodic watering of the grounds at the Ouray County Fairgrounds facility

### **2022 Collaborative Efforts:**

- Support each entity's grant efforts
- Have Town/County meetings as needed
- Collaborate on regional environmental sustainability efforts, including participation on the Sneffels Energy Board
- Affordable Housing: Collaborate on workforce housing efforts and initiatives, including but not limited to establishing goals, partnerships, funding, and communications, and consider incorporating workforce housing into future public buildings and facilities
- Affordable Housing: Collaborate with other jurisdictions in the region to inform state leadership (legislators and governor) of the significantly limited resources in the region and the need to develop state-level legislative solutions, such as removing existing restrictions on the use of real estate transfer tax (RETT) and/or removing rent control restrictions in state statute and funding a state trust fund
- Work together on strategies and planning regarding water resources for all county stakeholders
- Work together on regional and intra-county broadband efforts
- Support the utilization of Emergency notification system as needed
- Work collaboratively with Multi-Agency Coordination Group on emergency management
- Develop and maintain a local emergency response and management plan, as well as a plan for the continuation of government operations during and following an emergency event.
- Collaborate on Dispatch Services for the benefit of the entire County
- Collaboration on Victim's Assistance Grant and Victim Advocates for Ouray County
- Work together on Regional Transportation and Transit including Park-n-Ride(s) improvements and collaboration on planning, funding and development of the Uncompahgre RiverWay Trail from Ouray to Montrose
- Cooperate on vegetation and pest management
- Explore opportunities for mental health support and outreach
- Maintain IGA with the County to continue to protect surrounding rural lands
- Work together on wildfire mitigation efforts
- Work together to regulate uses or activities allowed within or adjacent to the Town's Source Water Protection Area to reduce the risk of pollution or other contaminants entering the Town's water supply and ensure the Town has access as needed, and including establishing development setbacks to the Ridgway Ditch
- Collaborate on outreach and communications with property owners who have properties encumbered by the Ridgway Ditch and that are located within the Town's Source Water Protection Area
- Continue to combat/mitigate the effects of COVID-19 and future public health issues including collaboration on an updated Economic Resiliency Plan, if desired
- Work collaboratively on severance tax/mining industry issue to encourage housing within Ouray County and its municipalities
- Work collaboratively towards optimizing revenues from mining production.
- Work collaboratively to share Short Term Rental information and ADU information

### **Future Collaborative Efforts:**

## ATTACHMENT 2

- Work together on childcare needs within Ouray County
- Work together on county-wide economic development and COVID-19 disaster recovery efforts as well as future, potential public health crises
- Work with FEMA to maintain up-to-date maps of the 100-year floodplain and floodway along all waterways flowing through Ridgway
- Multi-modal access through Ridgway USA to County Property
- Work together on improving, hard-surfacing and financing Amelia Street from the north town boundary to the south/west town boundary at County Road 5
- Consider collaboration on a Mosquito Control District
- Prioritize the conservation and preservation of community valued natural resources such as environmentally sensitive areas, view and wildlife corridors, riparian areas and wetlands, river corridor, natural filtration and storm water drainage areas
- Work with Land Trust organizations and other partners to identify opportunities for land preservation
- Work together on potential county-wide recreational master planning process

#### 4. **TERM:**

This Memorandum of Understanding provides for agreement to cooperate and collaborate, as provided herein, for calendar year 2022. The parties agree to review this Memorandum of Understanding in September of 2022 for revision and reconsideration for the 2023 budget year. Both the Town and the County understand and agree that budget requests may or may not be funded and are subject to availability of funds, which availability may be altered by unanticipated events at any time. The Town and the County each agree to work cooperatively on the items specified in good faith, but failure to successfully complete any project will not be grounds for litigation.

**EXECUTED** on this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**TOWN OF RIDGWAY  
RIDGWAY, COLORADO**

**BOARD OF COUNTY COMMISSIONERS  
OURAY COUNTY, COLORADO**

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**Chair**

**ATTEST:**

**ATTEST:**

\_\_\_\_\_  
**Pam Kraft, Town Clerk**

\_\_\_\_\_  
**County Clerk and Recorder  
By: Deputy Clerk of the Board**

## AGENDA ITEM #7



To: Honorable Mayor Clark and Ridgway Town Council  
From: Preston Neill, Town Manager  
Date: September 3, 2021  
Agenda Topic: Proclamation declaring September 2021 as National Suicide Prevention Awareness and Recovery Month

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**SUMMARY:**

The Town Council is asked to consider adopting the attached Proclamation declaring September 2021 as National Suicide Prevention Awareness and Recovery Month. Corinne Cavender with Tri-County Health Network will attend Wednesday's meeting to provide more information about National Suicide Prevention Awareness and Recovery Month.

**PROPOSED MOTION:**

"I move to adopt the Proclamation declaring September 2021 as National Suicide Prevention Awareness and Recovery Month."

**ATTACHMENT:**

Proclamation



## **PROCLAMATION TOWN OF RIDGWAY, COLORADO**

### **A PROCLAMATION DECLARING SEPTEMBER 2021 AS NATIONAL SUICIDE PREVENTION AWARENESS AND RECOVERY MONTH**

**WHEREAS**, the week of September 5-11, 2021, is National Suicide Prevention Week, and September 2021 is both National Suicide Prevention Awareness Month and National Recovery Month, when millions of people around the world join their voices to share a message of hope and healing; and

**WHEREAS**, suicide remains the 10<sup>th</sup> leading cause of death in the United States and the 2<sup>nd</sup> leading cause of death among individuals between the ages of 10 to 34; and

**WHEREAS**, in the United States over 47,000 people died by suicide in 2019, which is about one death every 11 minutes (Centers for Disease Control); and

**WHEREAS**, suicide is the only leading cause of death in the United States that has increased every year for the past decade; and

**WHEREAS**, resiliency begins early in life within families, daycares, and schools, and can be strengthened and reinforced throughout the life span; and recovery and wellness encompass the whole individual, including mind, body, spirit, and community; and

**WHEREAS**, the benefits of preventing and overcoming mental health challenges, suicide attempts and loss, and substance abuse are significant and valuable to individuals, families, and our community at large; and

**WHEREAS**, it is essential that we educate residents about suicide, mental health and substance abuse problems and the ways they affect all people in the community; and

**WHEREAS**, we must encourage relatives, friends, co-workers, and providers to recognize the signs of a problem, and guide those in need to appropriate services and supports; and

**WHEREAS**, organizations such as the American Foundation for Suicide Prevention and Tri-County Health Network are dedicated to saving lives and bringing hope to those affected by suicide, through research, education, advocacy and resources for those who have lost someone to suicide or who struggle, and urge that we:

1. Recognize suicide as a preventable national, state, and local public health problem and declare suicide prevention to be a priority.
2. Acknowledge that no single suicide prevention program or effort will be appropriate for all populations or communities.
3. Address the disparity in access to mental healthcare for underrepresented groups, and advocate for ending these disparities
4. Fund new suicide research to support culturally informed and evidence-based mental health care and services.
5. Promote awareness that there is no single cause for suicide, and that suicide most often occurs when stressors exceed the coping abilities of someone struggling with a mental health condition.
6. Develop and implement strategies to improve and increase access to quality mental health, substance use, and suicide prevention services and programs.

**THEREFORE, BE IT RESOLVED** that we, the Ridgway Town Council, do hereby recognize the month of September 2021 as “National Suicide Prevention Month” in the Town of Ridgway.

Dated this 8<sup>th</sup> day of September 2021

By: \_\_\_\_\_  
John Clark, Mayor

Attest: \_\_\_\_\_  
Pam Kraft, Town Clerk

## AGENDA ITEM #8



## Ridgway Municipal Code

residence pursuant to the criteria of Subsection 7-3-13(A) of Town zoning regulations, such customer shall be subject to the rates in Subsection (A) above. (Ord 8-2010)

(D) (1) A monthly surcharge for any users (other than the residential class) discharging wastewater with biological oxygen demand or concentrations of suspended solids greater than those of the average residential user\* shall be computed in accordance with the following formula and added to the charge provided for in Subsections (B) and (C):

$$\text{Surcharge} = (\text{volume}) \times (\text{BOD} - 2.085) \times \$0.80$$

\* Average residential User BOD = 2.085 lbs/1000 gal. = 250 mg/l

(Ord 1-2001)

(2) If any user is discharging toxic or other pollutants in concentrations higher than that of a residential user which cause increased treatment or system costs, an additional surcharge may be imposed based upon the excess concentrations.

(3) Each customer's BOD will be assigned pursuant to Town regulations by the Town based upon available data from the Colorado Department of Health Individual Sewage Disposal System Guidelines or the best available engineering data, except when data based upon actual composite sampling, done in accordance with minimum State Health Department sampling procedure guidelines, is available, in which event such data shall be utilized.

(E) Full monthly sewer charges shall be charged at the time service is first initiated and continue until the tap is abandoned. (Ord. 7-2001)

(F) Minimum charges for periods of service less than 1 month shall be pro-rated.

(G) In the event that any two separate structures are served by Town sewer from a single tap under circumstances where none of the foregoing rates specifically apply, the rate shall be computed in conformity with the provisions of Subsection (A) or (C), whichever is greater, without regard to what zoning district the property is located in, with each structure considered a separate unit for purposes of the calculation. The surcharge of Subsection (D) shall apply in accordance with its terms. (Ord 2-1997)

(H) Bills for customers whose rates are based in part on water usage, shall be calculated based on water delivered to the premises, as metered, unless the Town approves an adjustment based upon a reasonable estimate of water being used solely for irrigation purposes during the months of May through September. The customer must submit an application for the adjustment and all information needed by the Town from time to time to make reasonable estimates of irrigation water usage. If the customer is dissatisfied with the Town estimate, or the Town is unable to provide a reasonable estimate, the customer may have the bill adjusted based on separately metered irrigation systems installed at the customer's expense off of the existing tap. (Ord 4-2000)

### **9-1-17 WATER SERVICE RATES.**

(Restated by Ord 6-2018)

(A) (1) Single family homes, mobile homes, churches, and non-profit lodges and civic organizations shall be subject to the following charges for each meter serving the customer:

(Ord 8-2019)

## AGENDA ITEM #9

8 September, 2021

Region 10 League for Economic Assistance & Planning, Inc.  
145 S Cascade Ave.  
Montrose, Colorado 81401

c/o Trish Thibodo, Community Development Director

Dear Ms. Thibodo,

The Town of Ridgway is pleased to support the Ridgway Chautauqua Society's (RCS) application for Region 10's Enterprise Zone Tax Credits for donors.

RCS is a vital non-profit organization in our community. They bring residents and out of town visitors for performances at the Sherbino Theater and the 610 Courtyard. Those residents and visitors often patronize other local businesses, such as restaurants. Our Ridgway Creative District benefits from the 610 Art Cooperative Gallery. The 610 Gallery focuses on regional artists, as does the 610 Gallery Shop, providing a source of income for local artists.

RCS employs Town residents who contribute to our local economy. RCS also brings in local musicians who likewise contribute to our local economy.

Last year during the COVID shutdown, RCS was able to develop safe County Health Department approved protocols for outdoor performances at the 610 Courtyard when many businesses were shuttered. This venue provided a safe environment for our residents to enjoy live music and literary events. Those restaurants which were able to stay open for take out or outside dining benefited from live events nearby.

In summary, RCS is an economic driver for Ridgway. The variety of programs supported by RCS engages our residents and tourists alike. RCS employs Ridgway residents which adds to the Town's economic vitality.

Sincerely,

John C. Clark, Mayor of the Town of Ridgway

## AGENDA ITEM #10



Memo

To: Preston Neil, Ridgway Town Manager  
From : Emma Gerona, Executive Director, EcoAction Partners  
Date: September 2<sup>nd</sup>, 2021  
Re: EcoAction Partners Program Updates and Funding Request 2022

**Mission: EcoAction Partners' mission is to track regional greenhouse gas emissions and coordinate programs that reduce energy use and waste throughout the San Miguel and Ouray County region.**

EcoAction Partners (EAP) would like to thank the Town of Ridgway for your commitment towards lowering greenhouse gas emissions and your generous support of our organization in this goal. The Town of Ridgway has demonstrated unwavering leadership, reducing energy consumption of government operations, and leading the way for the community to do the same. EcoAction Partners continues to engage residents & businesses in programs that support the Ridgway community's commitment to strive towards carbon neutrality.

To support the facilitation of our program areas in partnership with Ridgway we are requesting \$5,000. These funds allow EAP to successfully track and analyze regional greenhouse gas emissions and energy use, administer EAP programs throughout the Ridgway community, attend and partner with ROCC's Clean Energy Group, work toward a Ridgway community compost program including grant application assistance, and other ongoing support to accomplish regional energy and waste reduction goals.

Looking ahead, we are excited to further our work with the Town of Ridgway on emissions reduction efforts through our collaborative programs, including facilitation of the Sneffels Energy Board, SMPA IQ Weatherization, Green Business Certification, Plastic Film Upcycling, Truth or Dare, and waste reduction programs. We are committed to supporting the Town of Ridgway in achieving your sustainability goals and continuing to expand these opportunities and programs to historically underserved populations within our communities. We are excited to continue this incredibly important work as we look forward with renewed energy and direction in our mission to reduce energy and waste in our region.

We look forward to continuing our work with the Ridgway government and community going forward. Thank you very much for your 2021 support, participation in EAP programs, and consideration of EcoAction Partners' 2022 funding request.



### **Background:**

EcoAction Partners (EAP) has provided our partners and community with greenhouse gas emissions data since 2010 when we secured a grant for the development of a baseline GHG inventory for San Miguel and Ouray counties. The initial inventory was led by the University of Colorado, Denver with assistance from EAP's own Kim Wheels. Since the initial inventory, Wheels has managed and updated the regions GHG data, as well as creating and updating jurisdiction specific inventories to reflect the diverse communities in our region. This data has been used to create and implement GHG reduction actions and goals across the region.

### **Introduction**

EcoAction Partners has had an incredible year. We were thrilled to welcome several new staff members to our team this year. Adrian Bergere, Energy Programs Coordinator, Jacqueline Hess, Weatherization Programs Coordinator, Burton Richards, Energy Auditor, Karissa Milke, Outreach and Education Coordinator, and Chris Medary our AmeriCorps VISTA - Climate Action Fellow. We are currently in the process of updating our regional Climate Action Plan to help guide programming and collaboration across the region over the next decade and look forward to bringing the plan to the public for input in the coming months. We are excited after a decade of GHG inventory and energy analysis to update our inventory methodology to ICELI's Clear Path tool to better forecast the impact that our programming and regional efforts are making towards our short- and long-term emissions reduction goals. We were excited for the return to in person events including Bluegrass, Jazz, Blues and Brews, a Green Business roundtable event and in person classes for our local students, and look forward to continuing to grow our outreach programming. We want to thank the Town of Ridgway for your ongoing support of our organization and commitment towards a more sustainable future for our region.

### **EcoAction Partners Program Overview:**

#### **Sneffles Energy Board:**

EcoAction Partners coordinates the Sneffles Energy Board in partnership with government and staff representatives from San Miguel and Ouray counties, the towns of Ridgway, Ophir, Norwood, Telluride, the City of Ouray as well as utility partners, San Miguel Power Association, Black Hills Energy, and various citizen group representatives.

These local leaders collaborate on various efforts to accomplish regional sustainability goals including developing and updating a regional sustainability action plan to guide program implementation and reviewing the progress of GHG emission reductions through the annual update of our regional GHG inventory. This group is currently in the process of updating the regional Sustainability Action Plan that was developed collaboratively in 2010 to integrate the wealth of planning resources that have been developed in the last decade.

Partners of the board meet quarterly to share best practices, design successful regional programs, identify new opportunities and analyze progress made to-date. This regional approach provides a



stronger voice to influence political change, greater grant leverage, and the ability to address region specific challenges through enhanced engagement with community stakeholders.

#### Green Business Certification Program

Thank you to the Town of Ridgway for supporting EcoAction Partners Green Business Certification Program. This program is dedicated to making it easier for commercial buildings to understand and reduce their energy use. In March we announced some exciting changes coming to the Green-Business Program. We will be shifting from an annual recertification process to a membership-based program with a one-time certification process. This change will continue to prioritize ongoing engagement with program participants while removing the barrier of annual recertification requirements. We will officially kick off the new program format at the end of August with [roundtable events](#) coming this September 14<sup>th</sup> and 15<sup>th</sup> in Telluride and Ridgway.

#### **Green Business Members will receive:**

- Access to quarterly resources/business newsletter
- Free attendance to Bi-annual Green Business roundtable events
- Discounted access to EAP Plastic Film business collection program, and business use analysis
- Ongoing support and consulting on sustainability goals and actions
- Highlight of your business on EAP's website, newsletter, and other marketing platforms.

#### **When Businesses go through the one-time certification process, they:**

- Complete high priority items including installation of LED bulbs, Black Hills Energy free energy audit and assessment, Install Smart thermostats, SMPA SmartHub sign up.
- Get free access to various energy efficiency materials including Smart thermostats
- Receive installation services for key efficiency upgrades, SMPA rebate assistance, and BHE trade ally spiffs.

EcoAction has been working with several Ridgway businesses that have expressed interest in certification. The funds available from Ridgway to support businesses with certification costs is a noticeable contribution to the program.

#### **Current Green Business Participants:**

- Alpine Bank
- Valley Floors
- Ridgway Lodge
- SMPA Ridgway Office
- Wilkinson Public Library
- Jagged Edge
- La Cocina De Luz
- San Miguel Resources Center
- Alpine Bank – Telluride Location
- Mountainside Inn



- Ghost Pocket Kitchen
- Norwood Fresh Food Hub
- Lone Cone Library
- Fireweed Mercantile
- Telluride Eco Cleaners
- Mountain Adventure Equipment
- Sunshine Pharmacy, MV Storefront
- Boot doctors
- Wagner Custom
- Fairmont Heritage Place Franz Klammer Lodge

We look forward to increasing engagement in the program this year and continuing collaborative business driven sustainability initiatives.

#### Plastic Film Upcycling

This program grew out of the need for plastic film recycling (polyethylene 2 & 4) from the businesses participating in the Green Business Certification Program. Retailers in particular receive much of their merchandise individually wrapped in plastic and have complained about the inability to recycle these materials. EcoAction Green Business staff found that TREX uses this recycled material in the production of decking and their TREX furniture and have a drop off location in Montrose. This program launched in May of 2019, and to-date EcoAction has collected and recycled more than 1100 pounds of plastic film. This is an immense amount of plastic considering the lightweight nature of plastic film products. There is a public collection box available at the Alpine Bank location in Ridgway.

This year we also launched a new Plastic Film Business Program for Ridgway with a collection shed at the hardware store. Business contributions support the volunteer efforts needed to run the program and will support our ongoing sustainability work in Ridgway. We will provide business use analysis and a discount for our Green Business members who are interested in joining the Plastic Film program.

#### Greenlights

We have been working through ongoing supply chain issues with sourcing LED bulbs due to the COVID-19 pandemic. We have worked with a number of businesses and government partners on placing and fulfilling bulb orders this year. We will be attending markets this fall for residential purchases should inventory be made available.

#### SMPA Rebate Administration

EcoAction Partners is now managing energy efficiency rebates for SMPA. The rebates cover upgrades for a variety of items including electric heat pumps, kitchen appliances, LED bulbs, electric vehicles and much more. EcoAction developed new online submission forms to speed up rebate processing, reduce paper use and keep physical contact to a minimum. We were able to expand and simplify rebate offerings, and now offer faster processing and customer support. As of June 31<sup>st</sup>, 73 total SMPA members have been served for \$15,550.





### SMPA Income Qualified (IQ) Weatherization Program

The SMPA IQ program funded by Energy Outreach Colorado, San Miguel Power Association and Black Hills Energy continues to be a much needed and appreciated program. Though many participants are located in the west-end, the program is available throughout the SMPA service area. Year-to-date, EcoAction has served 144 homes since the program began in 2018. So far in 2021, we have received 32 approved applications and are on track to reach our goal of 40 homes completed in 2021.

Once an energy audit is performed, EAP completes recommended updates such as changing light bulbs to LED, efficient water fixture replacements, attic and floor insulation, Energy Star appliance upgrades, air sealing, and more, all at no cost to the client! Once the audit and updates are completed, SMPA offers a free credit on the clients' electricity bill from the Norwood Community Solar Array. Beyond reducing residential GHG emissions, The SMPA Income Qualified Weatherization Program makes a real difference in the quality of life of the participants every day by putting dollars back into their pockets that would otherwise be spent on needlessly high energy bills. As the demand for this program continues to grow EAP is seeking to expand our funding sources to better support the need for weatherization in our community.

### Truth or Dare

Truth or Dare is an elective educational program designed for 9-12 year-olds. The program challenges students to significantly reduce their carbon footprints and conserve resources through various actionable 'dares'. Over the course of a week, students earn points for these sustainable actions such as unplugging gadgets, recycling, taking shorter showers, carpooling/taking public transit and more. SMPA sponsors prizes for the top performing students to celebrate their dedication to sustainability.

In 2021, EAP presented to over 256 students, of which 84 actively participated. Their actions equate to a reduction of approximately 14,254 pounds of CO<sub>2</sub>e and inspires ongoing awareness around the small actions individuals can take to make a big difference. To put this number in perspective, if those greenhouse gasses were converted into energy, that amount could charge 786,481 cell phones!

Student testimonials after participating in the Truth or Dare program:

*"I learned that helping the world is easy and it is just the little things you can do to change the world!"* – Ridgway Elementary School student

*"I learned that it's fun to care for the earth and that if we take care of it we can make it last longer!"* – Telluride Mountain School Student

As an extension of our student programming, we also partnered with Pinhead Institute to teach two classes at the Norwood Library in April, one on energy and the other on waste. In June, we partnered with Sheep Mountain Alliance to teach a class to a group of Telluride Academy students in a Planet Protectors course, all about local waste streams and recycling options! These classes are a great way to continue to engage with students across the region, share sustainability tips, and even bake solar oven cookies!



### Festival Compost, Recycling, and Trash

We were all very excited to return to in-person events this year! Though things looked a little different than normal in response to COVID-19, we were happy to work with festivals on this new normal. At the Telluride Bluegrass Festival we saw an approximately 75% waste diversion rate from the festival grounds and town campsite. We upcycled 59 pounds of plastic film from both weekends. After the festival we donated 300 lbs. of food to the Angel Baskets Food Pantry. We also had a lot of fun repainting out CRT signs in partnership with True North who provided 20 student volunteers for a day of painting!

We also worked with Jazz festival and are waiting for finalized numbers from them, and plan to be at Blues and Brews this September.

### Composting and E-Waste

Green Waste composting (branches, landscaping waste) is now available through 3XM composting located in Olathe for regional jurisdictions with a drop off/pick up fee for a 40-yard dumpster. When a jurisdiction orders a 40-yard bin, Mautz will provide compost and other soil material at a discounted price to be delivered in the bin. 3XM is also researching bear-proof bin solutions for potential food and compostable material pick up for the future. This could be a potential solution for smaller scale events and possibly restaurant or residential composting solutions in the future. EcoAction Partners is working with various local stakeholders to explore these and other local level composting solutions for our region.

This Spring at our E-waste clean up event we recycled over 30,000 lbs. of electronics waste from Telluride, Norwood, and Mountain Village!

We are looking forward to hosting a fall clean up event in Telluride in October.

### CC4CA GHG Inventory Working Group

Kim Wheels, as a member of CC4CA's GHG Inventory Working Group representing EcoAction Partners and the Sneffels Energy Board has reviewed the proposed State 2021 GHG inventory and Forecast and the Colorado Pollution Reduction Roadmap and will be available as needed for further input and review to CC4CA.

## AGENDA ITEM #11



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TOWN HALL PO Box 10 | 201 N. Railroad Street | Ridgway, Colorado 81432 | 970.626.5308 | [www.town.ridgway.co.us](http://www.town.ridgway.co.us)

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To: Honorable Mayor Clark and Ridgway Town Council  
From: Preston Neill, Town Manager  
Date: September 2, 2021  
Agenda Topic: Annual presentation from San Miguel Power Association regarding programs, projects and initiatives

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**SUMMARY:**

Alex Shelley with San Miguel Power Association (SMPA) will attend Wednesday's Council meeting to update Council on SMPA's programs, projects and initiatives.

**ATTACHMENT:**

SMPA Presentation Outline

RELIABILITY, RECOVERY, RESILIENCY

2021

# San Miguel Power Association

Annual Update:



Beneficial Electrification



Community Solar



Energy Efficiency



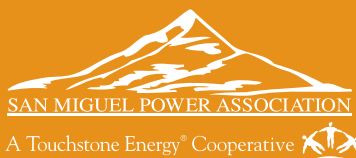
Fire Mitigation



Power Supply



PV Rebates



Alex Shelley

SMPA Communications

Ridgway Town Council Meeting  
Wednesday, September 8<sup>th</sup> 2021

## AGENDA ITEM #12



## **Uncompahgre Watershed Partnership**

### **Town of Ridgway 2022 Budget Funding Request**

Submitted by:

Tanya Ishikawa, UWP Communications Director

Sept. 3, 2021

### **FUNDING REQUESTED – \$3,000**

#### **BACKGROUND**

Since 2007, the Uncompahgre Watershed Partnership (UWP) has worked to improve and protect the watershed of the Uncompahgre River, raise community awareness of its importance and the challenges involved, and provide tangible on-the-ground benefits to the community.

Accomplishments include:

- Completion of and reporting on results of first three mine remediation projects: the Michael Breen mine on the upper Uncompahgre River, the Vernon mine in Gray Copper Gulch (Red Mountain district), and the Atlas Mill tailings site on Sneffels Creek;
- Partnering with other watershed groups in the San Juan Mountains to organize and run the annual San Juan Mining and Reclamation Conference, which brings together and informs organizations, agencies and individuals dedicated to improving our region's water quality--especially with respect to mine remediation efforts;
- Producing the annual Ridgway RiverFest in 2014-2021 (except 2020), promoting and sponsoring numerous events to inform the community of watershed-related issues, and co-sponsoring fun and educational guided tours in the mining areas around the watershed;
- Coordinating watershed educational curricula and activities for local students as well as watershed information activities for all ages;
- Conducting water sampling and analysis at more than eight Ridgway area locations as part of Colorado's River Watch program, including a new Blue Lakes site and new sites in the highest elevations of the watershed;
- Adopting Rollans Park and helping improve and maintain it, including the 2021 volunteer cleanup day and weed removal in collaboration with Ouray County staff.

Many of these projects were supported by funding from the Town of Ridgway and by collaboration with Town's staff, which greatly helped to ensure the projects' success.



## **ITEM 1 – Ridgway River Festival 2021. Amount Requested: \$1,000**

UWP organizes the annual Ridgway RiverFest in Rollans Park. The 2022 festival will be in June. The event is a celebration of the Uncompahgre River Watershed and river recreation, an opportunity to educate the community and visitors about watershed health and related topics, and raise funds for our nonprofit.

This festival draws hundreds of visitors and residents to Ridgway. We are certain to entertain festival goers with the river race flotilla of kayaks, inflatables and SUPs headed down the Unc to Ridgway Reservoir, as well as the wacky Junk of the Unc race.

When not enjoying the river, festivarrians will again shop a silent auction loaded with goods and services donated by numerous local and regional businesses and enjoy food, brews from Ridgway's own Colorado Boy and margaritas from The Liquor Store and Glenda-Da-Blenda, our bicycle-powered libation mixer. The highlight for many of the non-racers is the live music. We will also invite a Ute storyteller to share the history and culture of the early inhabitants of the area.

The RiverFest brings considerable benefits to the Town of Ridgway in addition to being a fun, community celebration. The additional visitors shop at our local businesses and learn more about what Ridgway has to offer, right at the beginning of the summer season. Nonprofit groups have an additional opportunity to get the word out with information booths. The RiverFest makes the river the focus of attention and helps build a culture attuned to the importance of our watershed and efforts to protect and improve it.

Production of Ridgway RiverFest is financially supported primarily by sponsorships from local businesses and individuals, other groups, and the Town of Ridgway. Most of the labor needed to stage RiverFest is volunteered, but the festival could not happen without the help of paid coordinators and seed money. While numbers are not available yet for the 2021 RiverFest, which took place on Aug. 28, our coordinator expenses in 2019 were almost \$5,300, and our additional out-of-pocket expenses brought the total to \$11,188. UWP thus requests continued support by the Town of the 2022 event with a \$1,000 sponsorship.

## **ITEM 2 – 2022 Watershed Educational Activities. Amount Requested: \$1,000**

UWP collaborates with Ridgway's third-grade teacher to provide knowledgeable volunteers to engage Ridgway's youth in understanding their local water resources and help them develop a stewardship ethic. Our education volunteers present at Ridgway Secondary School and at science nights at Ridgway Elementary School. Our volunteers also make time to meet with other groups who come to Ridgway to learn about local water ecology. UWP's staff supports the volunteers by providing materials and assisting with coordination.

UWP staff also creates other opportunities for public education about the watershed such as guided walks and snowshoe tours that provide participants with a better understanding about water resources and users. While communications about water conservation are shared by UWP through various channels, we are increasing our education activities surrounding water conservation in the coming year. Thus, UWP requests \$1,000 from the Town for continued support of these educational activities.



**ITEM 3 – 2022 Mine Remediation Projects and Water Quality Monitoring. Amount Requested: \$1,000**

We are excited about our current clean-up project high in the San Juan Mountains in Governor Basin – funded in part by three grants from state agencies and support from Ouray Silver Mines. These efforts will achieve a positive, cumulative effect over time, improve water quality in our river’s headwaters and have positive results for downstream communities including the Town of Ridgway. The Town’s financial support for our mine remediation efforts is critically important because some of our expenses related to mine remediation cannot be funded through the grants. Also, UWP is actively investigating other potential sites for inclusion in new grants. The Town's support also helps meet UWP’s matching contribution requirements and ensure successful completion of mine remediation.

Monitoring water quality at and downstream of the remediation sites will be essential to understanding the water quality improvements in 2022 and subsequent years. UWP staff, partners and volunteers will coordinate this monitoring work.

UWP will also continue to partner with Colorado’s River Watch program. The program’s mission is to work with volunteer stewards, students, citizen groups, individuals, colleges and local governments to monitor water quality and other indicators of watershed health and use this high-quality data to educate citizens and inform decision makers about the condition of Colorado’s waters. The UWP has been collecting water samples from the Uncompahgre River in the Town of Ridgway since 2012, and has assumed sampling responsibilities with local citizens at several additional sites on other segments of the Uncompahgre River, Dallas Creek, Cow Creek, Imogene Creek, Blue Lakes, and other high-elevation streams. The River Watch program is extremely valuable, not only because it provides consistent data for state and federal level decision making, but it locally also aligns with the Town’s regular monitoring objectives outlined in its Source Water Protection Plan.

UWP supporters volunteer their time for most of the hands-on water sampling and educational activities, but overall staff coordination is essential, and UWP incurs other unfunded out-of-pocket costs for insurance, supplies and shipping the water samples for testing, which have increased in the last couple years. To bridge the funding gap, the Town has generously provided UWP with an annual \$1,000 grant. For 2022, UWP again requests \$1,000 from the Town of Ridgway for both water quality monitoring and to support implementation of mine remediation activities in 2022.

**UNCOMPAHGRE WATERSHED PARTNERSHIP 2022 FUNDING REQUEST SUMMARY**

<b>Item</b>	<b>Requested Amount</b>
1. Ridgway River Festival 2022	\$1,000
2. Watershed Education	\$1,000
3. Mine Remediation & Water Quality Monitoring	\$1,000
<b>TOTAL</b>	<b>\$3,000</b>

## AGENDA ITEM #13



To: Honorable Mayor Clark and Ridgway Town Council  
From: Preston Neill, Town Manager  
Date: September 2, 2021  
Agenda Topic: Extension request to meet conditions of approval of Preliminary Plat of property at SE corner of Sherman St/Hwy 62 and Railroad St. (Ridgway Cohousing)

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**ACTION BEFORE COUNCIL:**

Council is asked to consider a two-year extension for the Ridgway CoHousing Preliminary Plat approval granted October 9, 2019 and to consider allowing another two years to meet the conditions assigned with that Preliminary Plat approval.

**PROPOSED MOTION**

"I move to [approve/deny] an extension for the Ridgway CoHousing Preliminary Plat, for a period of [two] years with the [same or edited as follows] conditions assigned as the October 9, 2019 approval and to allow for up to [two] years to meet those conditions.

**SUMMARY:**

Ridgway CoHousing received Preliminary Plat approval, with a variety of conditions, from the Town Council on October 9, 2019. The Preliminary Plat expiration date is October 9, 2021. For a number of reasons, including the COVID-19 pandemic, an increase in construction costs, and issues getting through and meeting CDOT's stormwater requirements, Ridgway CoHousing is now requesting a two-year extension to the Preliminary Plat approval and to meet the conditions assigned with the approval from October 9, 2019.

The Ridgway Municipal Code allows for extension of Preliminary Plat approval for good cause and allows for the Town Council to grant additional time to meet conditions. The applicable Code sections are provided below:

*7-4-5(B) Preliminary Plat*

*(10) Except as otherwise expressly provided by the Town Council, all conditions of approval shall be met within 90 days of such approval or the plat shall be deemed disapproved.*

*7-4-5(C) Final Plat*

*(1)(c) No final plat may be scheduled for a Planning Commission hearing more than two years after approval of the preliminary plat, without resubmitting the preliminary plat for review pursuant to 7-4-5(B) unless;*

*(i) within two years of approval of a final plat of a previous filing, or*

*(ii) the Town Council authorizes an extension for good cause shown, such as adverse market conditions, in conjunction with substantial progress on infrastructure and approval of a final plat of previous filings in accordance with an approved phasing plan.*

**ATTACHMENTS:**

Attachment 1 – Extension request from Don Swartz, Ridgway CoHousing LLC member

Attachment 2 – Staff Report dated October 4, 2019 regarding Preliminary Plat

ATTACHMENT 1

**From:** Donald Swartz <donswartz1935@gmail.com>

**Sent:** Monday, August 30, 2021 10:29 AM

**To:** Diana Rooney <dianar@sgm-inc.com>; Donald Swartz <donswartz1935@gmail.com>; John Baskfield <conterraworkshop@gmail.com>; Mick Graff <mickgraff4@gmail.com>; Preston Neill <pneill@town.ridgway.co.us>

**Subject:** Preliminary Plat Extension

Town of Ridgway,

Ridgway CoHousing LLC is requesting a 24 month extension of the preliminary plat issued on October 9, 2019. This request is necessary due to recent events beyond our control. The COVID-19 epidemic severely limited our ability to recruit new members to the project in the year 2020, due to uncertainty regarding the future and inability to travel to visit Ridgway and our members. Second, just as we had sufficient members and financing to begin construction in the Spring of 2021, a huge increase in construction costs and resulting increases in the projected costs of our townhomes resulted in our loss of a few members who could no longer afford to buy their new homes. As 2021 has progressed, there has been a significant increase in the interest in our project, as prospective members are adjusting to the higher 'new normal' real estate pricing in Ridgway and much of Western Colorado. We appreciate the Town Council's consideration and extension of our approved preliminary plat; we expect to begin construction in the Spring of 2022.

Be well, Don Swartz, Ridgway CoHousing LLC member

## STAFF REPORT

**Request:** Preliminary Plat  
**Legal:** S: 16 T: 45 R: 8 614 AC IN N1/2SW1/4  
**Address:** TBD  
**Parcel #:** 430516300005  
**Zone:** Historic Business  
**Applicant:** Ridgway Cohousing, LLC  
**Owners:** Ridgway Cohousing, LLC  
**Initiated By:** Shay Coburn, Town Planner  
**Date:** October 4, 2019

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**BACKGROUND**

Applicant is submitting a preliminary plat for a proposed subdivision. This development is planned for the Warlick or Railroad property located at the southeast corner of Sherman/Hwy 62 and South Railroad Street. The property is 4.47 acres total.

The development plan includes 26 residential units/lots in 10 duplex buildings and 6 units above garages, plus a common house, future workshop, future gazebo, and parking facilities. This cohousing development would encompass approximately 4 acres – inclusive of all shared spaces (garages, carports, storage areas, open spaces, shared building, etc.) this averages to about 6,701 sq. ft. of property per dwelling unit, or 6.5 dwelling units per acre. The remainder of the property will include a 0.12-acre street and a 0.35-acre lot on the north side of the subject, along Sherman Street, that would not be developed as part of this proposal.



The units will include 6 garage loft units at 728 sq. ft., 6 units at 913 sq. ft., 6 units at 1,207 sq. ft., 4 units at 1,388 sq. ft., and 4 units at 1,629 sq. ft. The development also includes a mix of single-car garages, car ports, open parking space, a 3,000 sq. ft. common house, and an 800 sq. ft. workshop.

This development has had the following public meetings and outcomes:

- Informal discussion with the Planning Commission August 29<sup>th</sup>, 2017 – well received
- Sketch Plan hearing with the Planning Commission September 26, 2017 – Approved
- Sketch Plan hearing with the Planning Commission March 27, 2018 – Approved
- Sketch Plan hearing with the Planning Commission October 30, 2018 – Approved
- Preliminary Plat hearing with the Planning Commission May 25, 2019 – Approved with conditions to be met before going to Town Council, see meeting minutes at the end of this report.

The Applicant worked with Town staff on another round of reviews after the Commission meeting and prior to this preliminary plat hearing with the Town Council. However, this preliminary plat revision was

## ATTACHMENT 2

submitted to the Town on September 30, 2019 with some documents coming in after that. This did not allow enough time for the Town Engineer to complete another review of the submittal. It is important that the Council includes review and approval by the Town Engineer as a condition of any approval.

Submitted with this public hearing application are the following, new/revised items since the Commission hearing are in *blue*:

- Hearing Application
- Request Letter
- Updated Narrative
- Mineral Rights Certification
- SMPA Will-Serve Letter + *email correspondence*
- *Black Hills Energy letter*
- *Cleartnetworx letter*
- School District Bus Stop Location Letter
- Site Access and Safety Exhibits
- *HOA Declarations and CCRs + Exhibits*
- Draft Flood Plain Development Permit
- Geotech Engineering Study and Addendum
- *Drainage Report revised July 2019, Addendum September 2019*
- *Preliminary Plat Map*
- Landscaping, Irrigation, and Lighting Plans
- *Civil Plans*
- *Brown Ditch Due Diligence Report*

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

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### CODE REQUIREMENTS AND ANALYSIS

#### **RMC 7-4-5(B) Preliminary Plat**

*(1) – (4) Submittal Requirements*

Substantially conforming.

*(5) The preliminary plat shall contain at a minimum the following:*

*(a) The name of the subdivision, date of the preparation of the map, name and address of the engineer or surveyor preparing the plat, and total area of the subdivision.*

Substantially conforming.

*(b) The scale used and direction of true north.*

Substantially conforming.

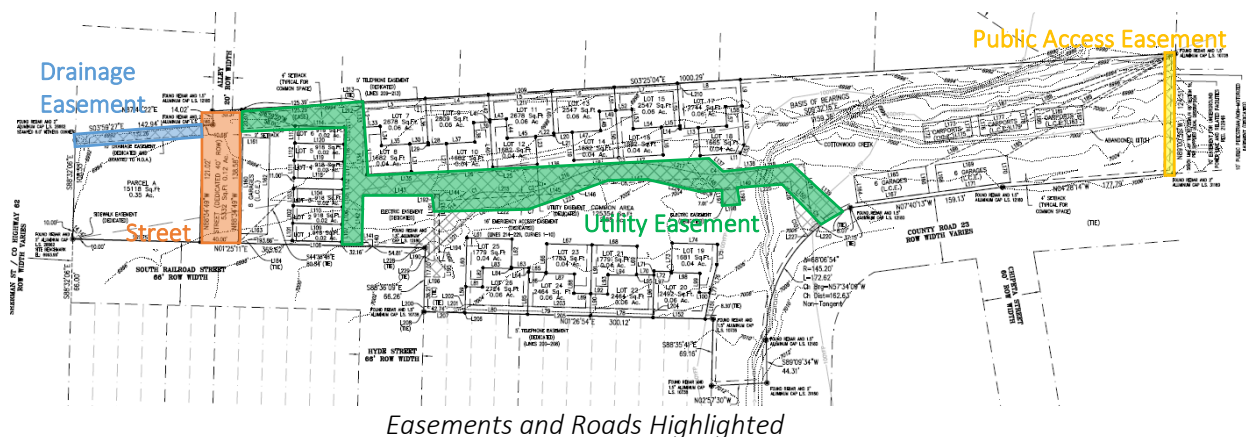
*(c) The location and dimensions of all existing and proposed streets, alleys and easements, street lights, street signs and other improvements.*

- The Applicant has been in discussion with the Town regarding realigning South Railroad Street to match the location of North Railroad Street. This would have a positive impact on the traffic flow in this area. After a Town Council workshop, the Town and Applicant agreed upon a layout that

## ATTACHMENT 2

could work for both parties. The Town is investigating the options for this realignment while this development is moving forward with development plans and approvals. This potential realignment would impact Parcel A and would join with the proposed road between Parcel A and the cohousing property.

- This plan proposes a street, a 40' right-of-way, that will run east west connecting South Railroad to the existing alley south of Alpine Bank. This will be one of the development's main access points and was discussed in some detail at one of the Sketch Plan Hearings. See red area on map below. Dedication language on the plat may need to be adjusted.
- This plan proposes a 10' drainage easement for the east side of Parcel A, the parcel in which no development is being proposed along Sherman Street. See blue area on map below.
- This plan proposes a triangular shaped sidewalk easement on the NW corner of Parcel A so that when the sidewalk is built on Parcel A, there can be some space for it to work with the established intersection.
- This plan proposes stops sign at all exits from the development and one on Hyde for vehicles traveling east.
- Once the utility plan is approved and finalized, the Applicant should check that all easements are adequate.



(d) The location of water courses, including lakes, swamps, ditches, flood prone areas; the location of existing utility lines, pipes, poles, towers, culverts, drains, and drainage ways.

Received.

(e) The location, size and dimension of all lots and blocks, and the location of properties and easements to be reserved for particular uses or to be dedicated to the Town.

- The Applicant is proposing a utility easement through about the center of the property for utility providers, including the Town, to access and maintain the utilities in that area. See green area on map above. This also mostly overlaps with a 16'-wide emergency access easement.
- The Applicant is providing for a 10' public access easement at the south end of the property. This 10' area is currently a utility easement. See yellow area on map above.

(f) Five foot elevation contours at a minimum.

Received.

(g) Any building setback lines, height restrictions, or other building or use restrictions.

## ATTACHMENT 2

Received.

*(h) A vicinity sketch map.*

Received.

*(i) An indication of the total area of streets and alleys, area of lots and area of any property dedicated to public or other uses.*

- A 40' right-of-way will be dedicated to the Town as described above. The area of this street is 0.12 acres or 5,332 square feet.
- A 10' public access easement, as described above, will be dedicated to the Town.

*(6) Accompanying the preliminary plat or included upon it shall be plans, drawings or information for the following:*

*(a) Plans for any proposed sanitary sewer system showing location, grade, pipe sizes and invert elevations.*

The Applicant is proposing to build a new sewer main that will run through the middle of the development and connecting to the Town's system on Liddell Street via the alley. The sewer main is to be dedicated to the Town while the service lines will be the responsibility of the Applicant. The dedication language on the plat may need to be revised.

The Town Engineer needs to further review the sewer system.

*(b) Plans for the water system and fire protection system showing locations, pipe sizes, valves, storage tanks and fire hydrants.*

The Applicant is proposing to build a new water main starting at Chipeta and CR 23 then going through the middle of the property north then looping west on Hyde Street. The water main is to be dedicated to the Town while the service lines will be the responsibility of the Applicant. The dedication language on the plat may need to be revised.

The Town Engineer needs to further review the water system.

Page C108 was provided to show a 250' radius from the one existing fire hydrant on CR 23 and the proposed hydrant on South Railroad. The Town's Standard Specs say "Fire hydrants shall be placed at the intervals recommended by the State Insurance Services office, generally, at 500 foot intervals." The two hydrants on the plans appear to be about 765' apart. A new hydrant needs to be added to address the gap. This may have been addressed with this new submittal – this will be reviewed by the Town Engineer.

*(c) Plans for the storm drainage system showing location, pipe sizes, drains, surface drainage ways and discharge points.*

The development and association will own and maintain this private stormwater system that is mostly raingardens that then connect with the Town's system on Sherman Street. The Town Engineer needs to further review the storm drainage plan. Town has had multiple conversations with the Applicant on this topic and is hopeful this is close to being resolved.

*(d) Plans for proposed streets, alleys, sidewalks, curbs and gutters, lighting, bikepaths and walkways showing the grade and cross section, and plans for any other proposed public improvements. (Ord 12-2008)*



## ATTACHMENT 2

- The Applicant is including sidewalks along all of the cohousing property, along South Railroad, Hyde, and CR 23 as required by 7-4-6(A)(10).
- Pursuant to 7-4-6(A)(10), sidewalks must be constructed along all property unless proper grade cannot be determined, in which case the Planning Commission and Town Council can make this determination and then make an agreement for future construction. Since Parcel A is not being proposed for development at this time, and South Railroad is not paved, it may make sense to delay this portion of sidewalk. For now, plat note 20 is included as a placeholder but Town would prefer that the building of this sidewalk be included in the Subdivision Improvements Agreement instead. Either way, deferring building this sidewalk will need Town Council approval at the time of Final Plat.
- Exterior lighting plan – Applicant provided town with an explanation of how the lighting interfaces with the utility plan and easements. This information should be added to the engineering plans. This may have been addressed – to be reviewed by the Town Engineer
- The Town Engineer needs to further review these items.

*(e) The subdivider shall send a notice, at least 30 days prior to the Planning Commission's hearing or consideration, to mineral estate owners, by certified mail, return receipt requested, or a nationally recognized overnight courier, in accordance with the requirements of CRS 24-65.5-103(1). A copy of the notice shall be given to the Town along with the subdividers certification of compliance with said notification requirements. Provided this notice is not required if notice was previously sent and such certification previously provided with respect to the same surface development, or the application is only for platting an additional single lot, unless a mineral estate owner has requested notice pursuant to CRS 24-6-402(7). (Ord 4-2009)*

Substantially met. As requested by the town, the Applicant submitted an updated title commitment. However, it was received on October 4, 2019 so it still needs to be reviewed by the Town Attorney.

*(f) Any proposed covenants, condominium declaration or articles of incorporation and by-laws for any homeowners' association, or contracts for maintenance of improvements.*

An owner's association will be established with a final plat for the cohousing property. This will not include Parcel A. Staff received revised CCRs on October 4, 2019. The updates appear to address the below comments but this will need to be reviewed by the Town Attorney.

- Consider inserting additional language in 2.4.2 or 2.4.3 to recognize the utility easement being dedicated to the Town, which will affect the common areas.
- 2.12 – may be good to note the Town's short-term rental regulations which supersede the CCRs.
- 3.4 – May want to look at explicit language regarding emergency vehicles – See 38-33.3-106.5
- 3.6 – May want to further define animals as domestic animals (dogs – cats)
- 3.8 is a violation of CCIOA – See 38-33.3-106.5
- Please submit exhibits for review.

*(g) A soils report prepared by a geologist or licensed qualified engineer which addresses building foundation design requirements shall be submitted where geologic hazards and considerations dictate the need for such analysis.*

An addendum to the report was submitted and needs to be reviewed by the Town Engineer.

*(h) Written approval or access permit from the State Department of Highways for any access to highways under its jurisdiction, directly from any lot and for any new street serving the subdivision which intersects with a State highway.*

## ATTACHMENT 2

Town has worked with the Applicant to get an access permit from CDOT for this development and for the realignment of South Railroad Street. If South Railroad Street is not realigned, Town will need to work with the Applicant to determine if another CDOT access permit needs to be submitted. Staff is unsure what the implications may be if South Railroad Street is not realigned – it may trigger CDOT to limit the access in and out of South Railroad Street to right-in and right-out only. Staff will continue to work with the Applicant and CDOT as the feasibility of realigning South Railroad is determined.

*(i) Estimated water consumption and sewage generation.*

Received.

*(j) Description of any geologic hazards.*

Received.

*(k) Landscape plans and, as appropriate, irrigation plans. (Ord 12-2008)*

The Historic Business district has minimal landscaping requirements. The proposed plan will preserve maybe about half of the exiting trees. The landscaping plans propose a mix of types, and a number of trees and bushes. The proposal also shows a small lawn area with mostly low grasses and native flowers. Most of the landscaping plan seems to be based on accommodating and managing storm drainage.

The Applicant needs to remove trees that are shown to be located on top of utility lines. The Applicant should not plant trees directly on top of utility lines as they would likely have to be removed when there is a problem with the utility. Landscape plans will need to be reviewed against new engineering plans.

The irrigation plan shows only common areas being irrigated. This is beneficial in that each property owner can decide what they want to do with their yard like xeriscape or have a flower garden; however, there is landscaping proposed on private yards that will then not be irrigated by the owner's association. This seems to occur on the rear lots where most lots have one tree but not all. For example, lot 26 has two trees and lot 7 has none. Also, will each home/lot have access to an outside water hook up so they can add an irrigation system or water as needed? This is not a requirement, just something for the Applicant to think through. The Applicant should also note that if the backflow prevention device is not blown out each winter, it will break.

Town Engineer needs to further review these items to check for compatibility with utility plans.

*(l) A list of proposed uses for each lot consistent with Town Zoning Regulations. (Ord 12-2008)*

In the Historic Business district, residential uses are a use by right. The majority of this proposed subdivision will be residential. Parcel A will remain undeveloped at this time and the zoning will remain Historic Business.

*(7) Repealed by Ord 4-2009*

*(8) The Planning Commission may approve, conditionally approve or disapprove the preliminary plat. It may continue its consideration of the plat to another meeting when additional time is needed, or to allow the subdivider time to revise or supplement the plan to bring it into compliance with these regulations or proposed conditions of approval. The reason for continuance, disapproval, or any*

## ATTACHMENT 2

*conditions of approval, shall be included in the minutes of the Planning Commission's proceedings and provided to the subdivider in writing upon request. Consideration of the matter may also be continued upon the subdividers request. The plat may be disapproved if it or the proposed improvements and required submittals are inadequate or do not comply with the requirements of these Regulations. (Ord 12-2008)*

*(9) The Planning Commission's decision shall be submitted to the Town Council as a recommendation along with the plat for review at its next regular meeting. 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 preliminary plat until such time as proposed conditions for approval, are met by the subdivider. (Ord 12-2008)*

*(10) Except as otherwise expressly provided by the Town Council, all conditions of approval shall be met within 90 days of such approval or the plat shall be deemed disapproved.*

### **RMC 7-4-6 Required Improvements**

There are a number of improvements that are required with subdivision in this section. Staff is highlighting only a portion of these requirements here:

*Subsection (A)(6) Streets within and adjacent to the subdivision as necessary to provide access to each lot. Existing streets maintained by the Town for public use shall be improved by the subdivider to the extent necessary to provide access to abutting lots and to provide proper drainage, grade and sidewalk grade. Streets shall be paved in circumstances where required by Town street specifications. Streets shall be dedicated to the Town.*

One of the required improvements when doing a subdivision includes providing streets to access the development or making improvements to existing streets. Besides just providing adequate access to the property, the improvements are to provide proper drainage and grades. As stated above, the Applicant is proposing to dedicate a 40' right-of-way to the Town that will connect the existing alley off of Liddell Street to South Railroad Street. The Applicant has also been asked by the Planning Commission to build the roughly 70' long portion of alley to connect the proposed street to the existing alley. This new street will be one of the development's main access locations with 14 garages and trash access located just off of this new street. This access cannot be an alley because RMC 7-4-7(C)(2) requires that all lots shall have access to a street connected to the public street system.

*Subsection (B) Subdivision Improvements Agreement (SIA)*

In part, this section reads as follows in Sections (1) and (2):

*(1) No final plat shall be approved or recorded until the subdivider has properly completed, and the Town has approved, the street base, lights and traffic control devices, and water, sewer, electricity, gas, telephone, and drainage system as adequate to serve each lot, and has submitted, and the Town Council has approved, a Subdivision Improvements Agreement guaranteeing construction of all other required improvements and as-builts therefore, which have not previously been completed and approved by the Town. The Subdivision Improvements Agreement shall list the improvements to be made and as builts required, estimated costs, and completion dates.*

It should be noted that phone may not be installed by the time of final plat. This is due to the utility providers who won't install the lines until there are paying customers. The Applicant will install conduit to

ensure the lines can be install easily at the time of connection.

*(2) All improvements shall be completed and accepted within 2 years following approval of the final plat by the Town, unless a longer interval is provided for in the Subdivision Improvements Agreement.*

The Applicant has told staff that they will want to do an SIA. The Applicant has a rough idea of the items that they expect to be part of this SIA. This list will be helpful to agree upon before the final plat, when the SIA would be finalized, as to avoid any delays. The Applicant should note the language of (B)(1) above as some items are not eligible for an SIA.

### **RMC 7-4-7 Design Standards**

There are a number of standards required in this section. Staff is highlighting only a portion of these Standards here:

*Subsection (B) All subdivisions shall be developed in accordance with the Town's Master Plans, Zoning Regulations, Flood Plain Regulations, and other applicable Town ordinances, regulations and specifications.*

All private lots and structures are outside of the floodplain; however, the Applicant has submitted a draft Flood Plain Development Permit for site work. The Applicant is working on a USACOE Nationwide 404 Permit which will include off-site wetlands mitigation, stream improvements for the stream crossing, stream widening, and slope stabilization. This USACOE permit is needed to finalize the Town's Flood Plain Development Permit. This can be a condition of approval; however, it should be noted that the Applicant has requested more than the 90 days the code allows for to meet all conditions of preliminary plat approval. While the Applicant shared that they would hope to have this completed sooner and they now have written affirmation from the USACOE to allow utility and culvert installation with mitigation happening later, they are requesting up to two years to meet this condition. No matter how long the Applicant has to meet this condition, no work can commence in the floodplain until the floodplain development permit through the Town is processed. In addition, the design of the elements in the floodplain will need to be reviewed again by the Town Engineer.

### *Subsection (J) Plat Notes*

This section addresses plat notes required by the Town. All items have been addressed.

### **RMC 7-3 Zoning Regulations**

#### **RMC 7-3-10 Dimensional & Off-Site Parking Requirements**

- Parcel A is 0.35 acres and about 108' wide on Sherman Street.
- Structure height – limited to 35' in the HB district.
- Minimum or maximum lot coverage or size – none in this district.
- Lot width variances were approved by the Planning Commission.
- Setbacks – all setback variances were approved by the Planning Commission.

Parking – Under RMC 7-3-10(A), 2 parking spaces are required for residences greater than a studio size of 600 sf. All 26 units are above 600 sq. ft. thus requiring a minimum of 52 spaces, which are provided in a combination of surface parking, garages, and carports. There will also be 4 guest parking spaces. In addition, the Applicant is proposing to improve the public right-of-way along CR 23 which will contribute to extra residential parking and visitor parking.

### Misc. Comments and Edits

#### *RMC 6-4 Fence, Hedge and Wall Restrictions*

The Applicant is proposing quite a few retaining walls around the development. These retaining walls average about 2-3' tall. In addition, private yards are planned to be fenced by the owners. The fences will be 4' tall between units and 6' tall on the edge of the property (rear and sides) where desired for privacy. Garage apartment units may have a 4' fence at front yards. These items are addressed in the HOA CCRs.

#### *RMC 7-3-13(I) Short Term Rental Regulations*

Per the HOA documents, all rentals must be 32 days or more. This means that no short-term rentals will be allowed.

#### *Commercial Design Guidelines*

These apply to Historic Business properties; however, this is a residential development so many of the guidelines are not applicable. For example, we do not have architectural plans so looking at the architectural design and materials is not possible. Also, the sign planning guidelines do not really work or apply to a residential development. The one section of the Commercial Design Guidelines that applies is the screening and buffers section. Staff asked the Applicant about how the development will look from public rights-of-way given it appears that the backs of garages is all that will be visible. The Applicant said that the design team is working on this and that they are looking at incorporating a variety of exterior building materials and landscaping to add to the visual appeal of this development and minimize the massing of the garages.

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### STAFF RECOMMENDATION

Given the complexity of a larger project like this, it is extremely important to discuss the details of this plan and address a number of edits needed prior to any approval of a preliminary plat. While the Town Engineer needs to finish review of this preliminary plat, it appears as if most of the large requirements have been met and that staff can work with the Applicant to finalize all of the engineering and related documents. As such, staff recommends approval of this preliminary plat with the condition that all updates and modifications described in this report, including Town Engineer comments, be incorporated.

Town Council will need to provide input on the following items:

1. Deferring construction of the sidewalk along parcel A
2. Providing for up to 2 years to complete the USACOE permit

This is a significant development review for which a number of modifications and decisions are needed. While we have done our best to insure a complete and accurate report, this is complex and there may be some omissions or oversights here that will need addressed in future reviews.

## AGENDA ITEM #14

**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:** September 8<sup>th</sup>, 2021

**Subject:** Ordinance to Update the Landscape Regulations in the Ridgway Municipal Code

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## 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 25<sup>th</sup>, 2021, and PC decided to continue the item after providing insightful comments and feedback. Then, on June 29<sup>th</sup>, 2021, PC reviewed the revised landscape regulation updates, and voted to recommend approval to TC with additional conditions. Town Council approved the updates as presented at the meeting on August 11<sup>th</sup>, 2021.

### 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 2<sup>nd</sup> reading of the ordinance to update the landscape regulations. 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.

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 adoption of a resolution, which will be presented at the next Town Council meeting.

## **ANALYSIS & RECOMMENDATIONS**

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### **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.

## PC RECOMMENDATION

At the PC Meeting, held on June 29<sup>th</sup>, 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))

## TC FIRST READING

The landscape regulation updates were presented to Town Council on first reading on August 11<sup>th</sup>, 2021. Following a presentation by Staff and follow-up discussion, the Council motioned to approve the regulations on first reading and set the second reading and the public hearing for the ordinance on September 8<sup>th</sup>, 2021.

## CPS RECOMMENDATION FOR TC SECOND READING

Staff recommends that Town Council adopt the ordinance, as presented in this public hearing, to update the landscape regulations in the Ridgway Municipal Code, and that the next public hearing is set to approve the resolution which will update the Town's Commercial Design Guidelines.

## ATTACHMENTS

**Attachment 1: Ordinance No. 06-2021 and Exhibit A** Updated Landscape Regulations (*Title 7, Chapter 7*)

**Attachment 2:** Required Amendments to the RMC and Commercial Design Guidelines

**Attachment 3:** 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:

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John Clark, Mayor

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Pam Kraft, Town Clerk

**ADOPTED** on September 8, 2021.

BY:

ATTEST:

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John Clark, Mayor

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Pam Kraft, Town Clerk

APPROVED AS TO FORM:

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Bo James Nerlin, Town Attorney

# EXHIBIT A

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## 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:
- (1) Preserve and enhance a well-maintained landscape that preserves the overall quality and character of the community.
  - (2) Conserve water resources.
  - (3) Provide visual buffers and screening.
  - (4) Provide separation between pedestrian and vehicular uses.
  - (5) Mitigate adverse effects of drainage and weeds.
  - (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.
- (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.

#### **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.

(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:
  - i. Property lines and dimensions;
  - ii. Building footprint, driveways, and vehicle circulation;
  - 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;
  - 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.
- (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 <sup>2</sup>	Min % of Required Landscaped Area <b>Live</b> Ground Cover	Min % of Required Landscape d Area <b>Non-Live</b> Ground Cover	Min. # of Trees for Required Landscape d Area <sup>3</sup>	Min. # of Shrubs for Required Landscape d Area <sup>4</sup>
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 <sup>1</sup>	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

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

<sup>2</sup> 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.

<sup>3</sup> 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.

<sup>4</sup>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:

- (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.
- (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.
- (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.
- (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:

<b>Number of required trees on site</b>	<b>Maximum percentage of any one species</b>
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.

- (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.
  - (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.
- (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.
- (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.

#### **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 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. Water wise, drought-tolerant plants are to be used whenever possible and appropriate and regionally appropriate species are preferred.

(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.
- (2) The Town Manager is authorized to prohibit additional species with similar nuisance properties.

**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.
- (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.
- (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

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## **Scenarios**

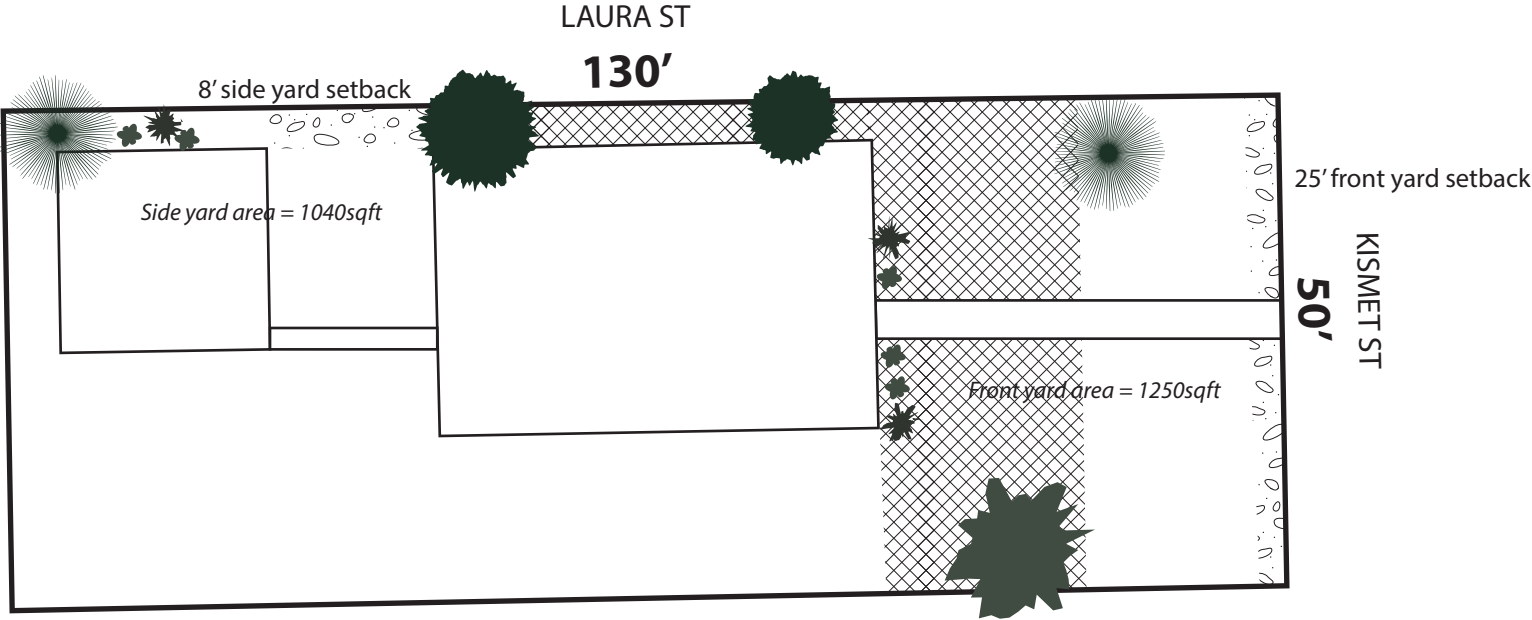
*(For informationnel proposes only, not to be included in the Ridgway Municipal Code)*

# 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 =

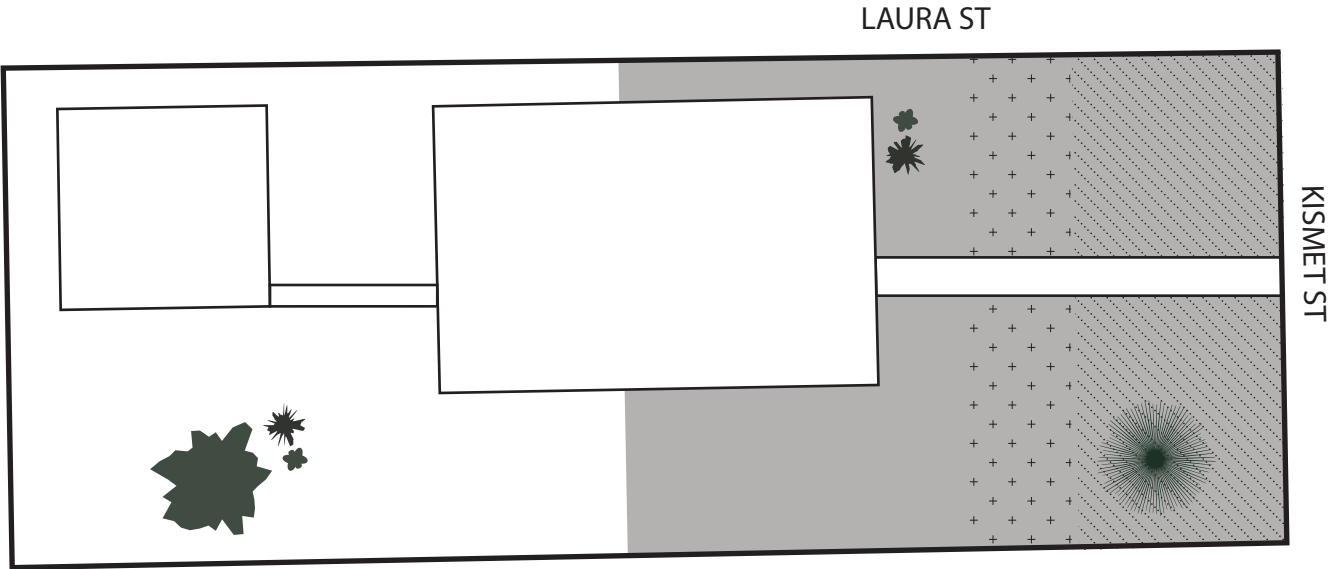
Not part of minimum required area =   
Required to have live ground cover

# 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



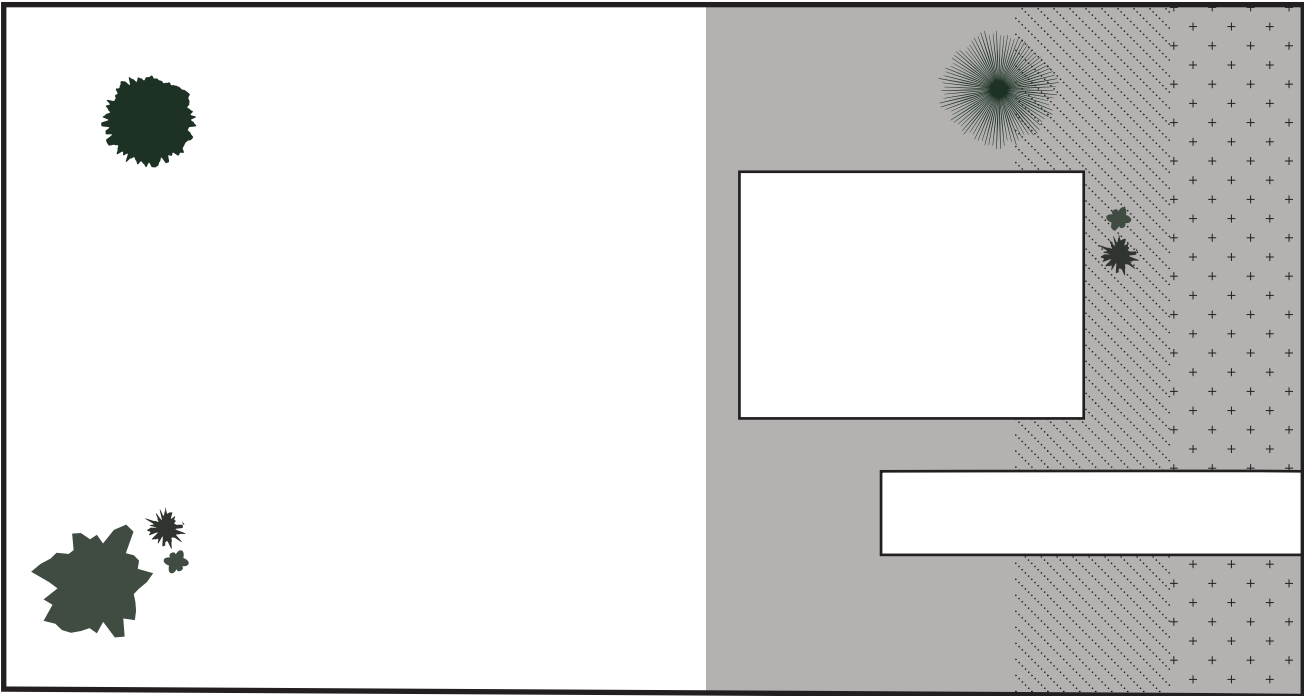
### LEGEND

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


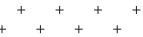


# Scenario #2

"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



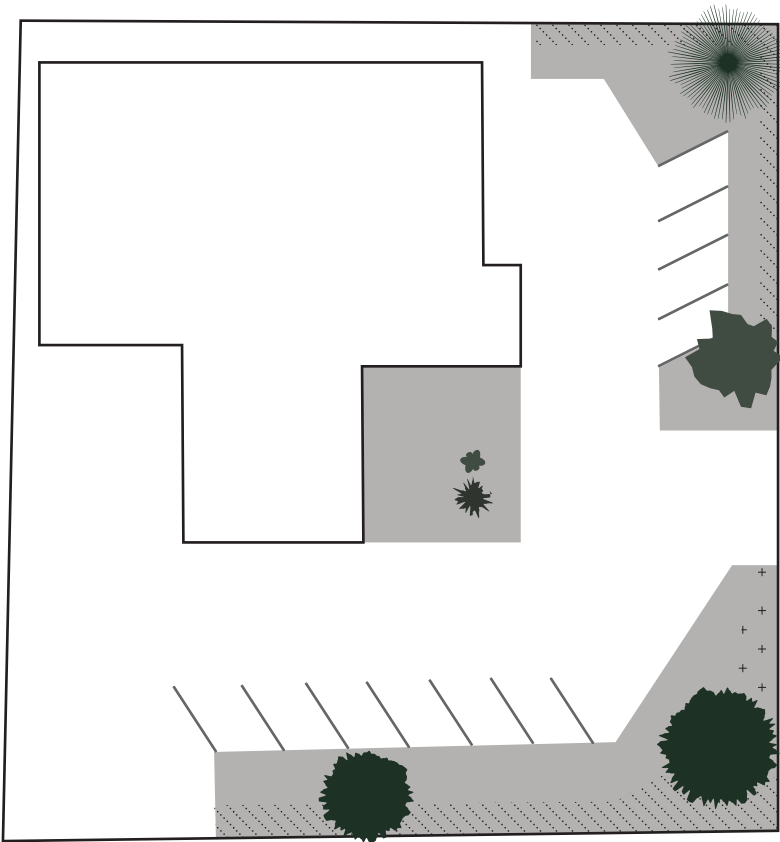
## LEGEND

- 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 1 acremax</i>	=	<b>21,780sqft</b>
Min. Live Groundcover	=	20%	=	4,356sqft
Min. Non-live Groundcover	=	30%	=	6,534sqft
Min. # of trees	=	1 per 2,000sqft	=	11
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 1 acremax



## AGENDA ITEM #15

**TOWN OF RIDGWAY, COLORADO  
EMERGENCY ORDINANCE NO. 07-2021**

**AN EMERGENCY ORDINANCE OF THE TOWN OF RIDGWAY, COLORADO  
ADOPTING CERTAIN ADDITIONS AND AMENDMENTS TO CHAPTER 7 “PLANNING AND  
ZONING” OF THE RIDGWAY MUNICIPAL CODE**

**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**, Article 3-8 of the Ridgway Charter allows for the adoption of an emergency ordinance when the Town Council determines that the ordinance is necessary to the immediate preservation of the public peace, health and safety and includes such a declaration within the ordinance and is adopted by the affirmative vote of six members of the Town Council; and

**WHEREAS**, the Town has seen unprecedented growth and development over the past twelve months, with numerous subdivision, sketch plans, preliminary plats, final plats, and planned unit developments (combined “Development Applications”) being submitted for review by the Town Staff, Planning Commission and the Town Council; and

**WHEREAS**, the Town has limited resources and staff to review, comment and process Development Applications; and

**WHEREAS**, the Town Staff is just returning to normal in-person working processes and meetings, with the expiration of its 2020 Disaster Declaration due to the Covid-19 global pandemic; and

**WHEREAS**, to assist with the Town’s Staff’s review of certain Development Applications, the Town Council wishes to adopt this emergency ordinance to the Town Municipal Code, providing for a greater period of time in which the Town Staff can review applications to deem them complete.

**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. Amendments and Additions to the Ridgway Municipal Code.**

1. Section 7-4-1(G) is hereby added to the Ridgway Municipal Code to read as follows:

G. Notwithstanding any provision to the contrary, Town staff shall have 30 days from the date a subdivision application, sketch plan, preliminary plat, final plat, amended plat or planned unit development application is submitted to review such submittal and to advise the applicant of any deficiencies. Once a submittal is deemed complete, it may be processed for further review.

2. Section 7-3-22(A)(2) of the Ridgway Municipal Code is hereby amended to read as follows:

(2) Rezoning may be requested or initiated by the Town, the Planning Commission, or

the owner of any legal or equitable interest in the property or his representative. The area considered for rezoning may be enlarged by the Planning Commission on its own motion over the area requested in the application as part of its recommendation. Any person desiring an amendment to the Zoning Regulations shall submit an application on forms provided by the Town, accompanied by an application fee of \$200.00. Town staff shall have 30 days from the date an application is submitted to review such submittal and to advise the applicant of any deficiencies. Once a submittal is deemed complete, it may be processed for further review. The burden shall be on the applicant to show that the criteria of this Subsection have been met. No fee or formal application is required for action initiated by the Town or Planning Commission.

3. Section 7-3-23(B) of the Ridgway Municipal Code is hereby amended as follows:

(B) The applicant requesting approval of a variance, appeal, conditional use, change in a nonconforming use, or other action required to be reviewed pursuant to this Subsection shall submit an application upon forms supplied by the Town accompanied by any other required information or information which he may desire to submit. A single application may contain a request for more than one action. The application shall be accompanied by application fees as set by Subsection 7- 3-25. Town staff shall have 30 days from the date an application is submitted to review such submittal and to advise the applicant of any deficiencies. Once a submittal is deemed complete, it may be processed for further review. No formal application need be submitted or fee paid for action initiated by the Town or Planning Commission.

**Section 3. 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 4. Effective Date.** This Emergency Ordinance shall take effect immediately upon its adoption by the Town Council in accordance with Article 3-8 of the Ridgway Charter.

**Section 5. 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 6. 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 10. Publication.** The Town Clerk is ordered to publish this Ordinance in accordance with Article 3-8 of the Ridgway Charter.

**INTRODUCED, READ, HEARD AND FINALLY ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF RIDGWAY, COLORADO, THIS 8<sup>TH</sup> DAY OF SEPTEMBER 2021.**

BY:

ATTEST:

\_\_\_\_\_  
John Clark, Mayor

\_\_\_\_\_  
Pam Kraft, Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Bo James Nerlin, Town Attorney

## AGENDA ITEM #16



## Application for Special Event Permit

Applicant Name:	<u>Town of Ridgway</u>	Contact Person:	<u>Preston Neill</u>
Applicant Phone:	<u>970-626-5308</u>	Contact Phone:	<u>970-318-0081</u>
Applicant Email:	<u>pneill@town.ridgway.co.us</u>	Event Date:	<u>September 23, 2021</u>
Organization Name:	<u>Town of Ridgway</u>	Event Time:	<u>6:00 - 9:00 p.m.</u>
Type of Event:	<u>Ridgway Space to Create Celebration</u>	# Attendees:	<u>150 - 300</u>

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

<input type="checkbox"/> Hartwell Park	<input type="checkbox"/> Hartwell Park Stage	<input type="checkbox"/> Athletic Park
<input type="checkbox"/> Cottonwood Park	<input type="checkbox"/> Dennis Weaver Memorial Park	<input type="checkbox"/> Athletic Park Pavilion (seating area)
<input type="checkbox"/> Rollans Park	<input checked="" type="checkbox"/> Right-of-Way (specify below)	<input type="checkbox"/> Athletic Park Pavilion (concession area)
<input type="checkbox"/> Other ( <i>specify</i> ):		

For use of Rights-of-Ways (*streets, alleys, sidewalks*) specify the exact location(s):

The location will be the Clinton St. right-of-way between N. Laura St. and the alley midway between N. Laura St. and Cora St.

Describe in detail the proposed use and activity for the park, facility and/or right-of-way:

There will be food, local entertainment, and remarks by key partners and dignitaries.

The purpose of the event is to revel in the progress of Ridgway Space to Create and

toast to the future of the project.

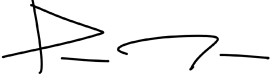
Event Type (*check all that apply*):

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



**\*Selling of alcoholic beverages** requires an application for a State of Colorado Special Events Liquor License. Application must be made with the Town Clerk, and the license received prior to holding the event.

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

Applicant Signature:  Date: September 3, 2021

**TOWN STAFF WILL COMPLETE THE FEE SCHEDULE:**

<b>Permit Application Fee (\$50):</b> (Due at time of application)	\$	Date Paid:	Check #:
<b>Large Event Fee (\$50 - if more than 100 people):</b>	\$	Date Paid:	
<b>Filming/ Production Fee (\$250 per day):</b>	\$	Date Paid:	
<b>Parks Department Assistance (\$25/hr)</b>	\$	Date Paid:	
<b>Hartwell Park Stage Use Fee (\$50):</b>	\$	Date Paid:	
<b>Electricity Use Fee: (\$15/day)</b>	\$	Date Paid:	
<b>Law Enforcement Fee: (\$35/hr/officer)</b>	\$	Date Paid:	
<b>Refundable Damage Deposit:</b> up to 100 people: \$100 101-500 people: \$150 >500 people: \$200 Hartwell Park Stage Deposit: \$500	\$	Date Paid:	
<b>Release of Damage Deposit:</b>	\$	Date Paid:	

Local government & Ouray County special districts  
and non-profits can apply for a fee reduction/waiver

**ADDITIONAL REQUIREMENTS** (check all that apply):

<input type="checkbox"/> Town Council Approval (Date: _____)	<input type="checkbox"/> Insurance/ Indemnity
<input type="checkbox"/> Sign Permit	<input type="checkbox"/> Special Event Liquor License
<input type="checkbox"/> Special Event Vendor License	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Sales Tax License(s)	<input type="checkbox"/> Other: _____

## AGENDA ITEM #17





September 1, 2021

Colorado Office of Economic Development and International Trade  
1600 Broadway  
Ste. 2500  
Denver, CO 80202

## **RE: Letter of Support for the Old Ridgway Firehouse Project**

Dear members of the Community Revitalization Grant Program Review Committee,

This letter is intended to express the Town of Ridgway's support of owner-developer Firehouse Real Estate Investment, LLC's ("FIRE, LLC") proposed mixed-use development project commonly known as the "Old Firehouse" as a prospective invitee under evaluation by Colorado Creative Industries for a possible Colorado Community Revitalization Grant award.

The Town of Ridgway makes this statement of support for the following reasons:

1. The Old Firehouse is a visionary core-infill, mixed-use project in the very heart of our Historic Business Zone District;
2. As an east-end anchor for Clinton Street, which serves as the corridor for Ridgway's downtown area and is the original "main street" of town, the Old Firehouse's commercial/hospitality/event offerings will generate significant economic impact, job creation and retail sales/property tax revenues for the long term;
3. The Project's planned residential component provides four (4) much-needed workforce housing units and two (2) market-rate residences, advancing the Town's goal to achieve income diversity;
4. The Project represents a very significant private-sector investment in our downtown which further leverages public investments already made or being made with State funding in Ridgway;
5. As presented, the Old Firehouse Project is highly supportive of the stated goals and policies depicted in the Town of Ridgway Master Plan, adopted June 12, 2019.

We expect FIRE, LLC to submit construction drawings and a formal building permit application in the first quarter of 2022. FIRE, LLC's requested variances for height, building size and off-site commercial parking were previously reviewed and approved in Planning Commission hearings conducted in December, 2019 and March, 2020. The Town believes the Old Firehouse Project is a worthy candidate for pursuit of a Community Revitalization Grant and we believe the project will be a welcome live-work-create addition to the Ridgway Creative District and Ridgway Main Street initiatives, as well as the overall downtown area.

Thank you for your time, and we very much appreciate your consideration.

Sincerely,

Mayor John I. Clark  
On behalf of the Ridgway Town Council

## AGENDA ITEM #18

**TOWN OF NEDERLAND  
Boulder County, Colorado**

**RESOLUTION 2021 - 11**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF NEDERLAND IN SUPPORT OF  
RECOGNIZING AND IMPLEMENTING THE INHERENT LEGAL RIGHTS OF BOULDER  
CREEK AND THE BOULDER CREEK WATERSHED**

**WHEREAS**, the Town of Nederland is defined and distinguished by its bond with the natural world that encircles, permeates, and enlivens the Town; and

**WHEREAS**, Boulder Creek flows through the Town and serves as its physical, social, and cultural heart; and

**WHEREAS**, the Boulder Creek Watershed stretches from the continental divide to the St. Vrain River encompassing several climate zones and 448 square miles of forested mountains, valleys, and grasslands. The Creek and its tributaries are the lifeblood of this entire area. In its 34-mile course from the continental divide to the plains, the Creek sustains a huge diversity of species, ranging from black bears and bobcats to meadow mice and brown trout, and from giant towering firs and pines to Mountain Mahogany and milkweeds; and

**WHEREAS**, just as it sustains all of the living things in the Watershed, the Creek also sustains the Town and its people, binding the community together, supplying a hub for cultural activities and gatherings, providing Town residents with immediate access to the rejuvenating powers of Nature, and giving the Town a unique municipal parkway and waterway where they can hike, fish, bike and otherwise rejuvenate and recreate in Nature; and

**WHEREAS**, humans living by the Creek and within its Watershed have long understood that their own health and welfare are inextricably connected to the welfare of the Creek and Watershed. The Indigenous people respected and enjoyed the Creek and Watershed long before Nederland was founded; and

**WHEREAS**, today, federal law, the Colorado Constitution, state law and policy, and local laws afford some protection to the natural environment, including water quality, but those laws have proven to be very inadequate; and

**WHEREAS**, their inadequate results, in large measure, arise from the faulty underlying legal assumption that the natural world is mere human “property.” As such, current law protects its use and exploitation by its owners—be they individuals, corporations, or other entities—for their own, sometimes private, short-term economic gain, generally with inadequate regard for the longer-term, sustainable health of all living things. The resulting environmental exploitation has led to the current multi-faceted environmental crisis which is so severe that it threatens to end all life on Earth as we know it; and

**WHEREAS**, to address this crisis, cities and countries around the world have recognized that Nature must be respected and protected by recognizing its rights and affording it a voice in our decision- making processes and legal systems; and

**WHEREAS**, among many other examples, the rights of Nature have been incorporated into the constitution of Ecuador and the statutes of Bolivia and Uganda. Likewise, three state constitutions in Mexico have been amended to recognize Nature's rights; and dozens of cities in the United States also incorporated recognition of Nature's rights into their laws; and

**WHEREAS**, many such enactments recognize the rights of waterways, lakes, and ecosystems. Tribal Nations were amongst the first to recognize the rights of waterways, with the Yurok and Nez Perce Tribes recognized the rights of the Klamath and Snake River, respectively. Elsewhere in the United States, the people of Toledo adopted a local law recognizing the rights of Lake Erie, to protect it from industrial farm pollution, and the people of Orange County Florida adopted a law recognizing the rights of waterways and seeking to protect them from pollution; and

**WHEREAS**, courts have enforced these rights. A Colombian Constitution Court ruled that the Atrato River basins possesses rights to "protection, conservation, maintenance, and restoration." An Ecuadorian Provincial Court enforced the constitution rights of the Vilcabamba River, calling for its remediation and rehabilitation. The Bangladesh High Court Division of its Supreme Court ruled that all rivers in the country have legal rights; and

**WHEREAS**, in addition to recognizing Nature's rights, governments, communities, and organizations around the world are utilizing guardianships to effectuate them, particularly in regard to waterways. New Zealand adopted a treaty that both recognizes the Whanganui River (of "Ge Awa Tupua") as "an indivisible and living whole" and "a legal person" and establishes co-guardians for the River consisting of a Whanganui Iwi (Māori) representative and a nonindigenous representative. To protect the Atrato River, a Colombian court created a guardianship body, with representation from riverside communities and government, charged with the responsibility of enforcing the River's legal rights. The government of Western Australia established a River Guardianship program to protect the Swan and Canning Rivers. In all these cases, such guardians serve as the waterways' human voices; and

**WHEREAS**, the Town Board hereby determines that it may best protect the health, safety, and welfare of its residents, which are inseparable from the welfare of the Creek and the Watershed, and can best contribute to the global movement to respect and promote the rights of Nature, by recognizing and effectuating their rights.

NOW, THEREFORE, THE BOARD OF TRUSTEES OF THE TOWN OF NEDERLAND DOES RESOLVE AS FOLLOWS:

**Section 1. *The Rights of Nature for the Creek and Watershed.*** The Creek and its encompassing Watershed, and the living and other things existing naturally therein, exist and function as an integrated and interdependent system of natural communities and are therefore understood, respected, and recognized in this Resolution as a living entity, possessing fundamental and inalienable rights.

**Section 2. *The Creek's Rights.*** The Town recognizes that the Creek and all its tributaries possess, at minimum, the following fundamental and inalienable rights:

1. The right to maintain natural flow sufficient in quantity to maintain ecosystem health;
2. The right to support essential functions within its ecosystems, including by horizontal and longitudinal connectivity, recharging groundwater, moving and depositing sediment, providing adequate habitat for native plants and animals;

3. The right to feed and be fed by sustainable precipitation, glaciers, and aquifers;
4. The right to maintain native biodiversity;
5. The right to exist free of pollution;
6. The right to be restored to, and preserved in, a state of ecosystem health; and
7. The right to exist free of activities, practices, or obstructions, that interfere with or infringe upon these rights.

**Section 3. *The Watershed's Rights.*** The Watershed and its living and non-living natural components and communities -- including forests and wildlife -- possess, at minimum, fundamental and inalienable rights to exist, maintain integral health, regenerate, evolve, and be restored.

**Section 4. *The Town's Support and Responsibilities.*** The Board of Trustees intends to protect the Creek and the Watershed and effectuate the rights recognized in Sections 1, 2, and 3 by taking or requiring the following actions:

1. Include Rights of Nature as a primary consideration in all Town actions and decisions that concern the Creek and Watershed, including actions and decisions about water quality, water quantity, biodiversity, and ecosystem health, and other matters that impact them;
2. Develop, implement, and enforce laws, policies, programs, best practices, and other measures as are necessary to effectuate the rights of the Creek and Watershed enumerated in this Resolution to ensure that Nature and current and future generations of humans thrive together in harmony within the Town;
3. Oppose actions or activities that would clearly violate the rights of the Creek and Watershed, including by opposing all new dams and dam expansions located within the Town or over which the Town has ownership or control, unless such infrastructure has a compelling social and ecological purpose that cannot be met by other reasonable means;
4. Study, develop, and implement mechanisms through which the Creek and Watershed may meaningfully engage in public decision-making processes, such as by establishing a legal guardianship body that serves as the fiduciary of the Creek and Watershed, or through such other means as are determined effective and appropriate by the Town;
5. At least once every twelve (12) months, prepare a concise written report for the community on the health and state of the Creek and Watershed and the realization of the rights recognized in this Resolution. The report shall include recommendations for advancing and ensuring the welfare and sustainability of the Creek and Watershed. The report shall be provided to the Town Board, which shall conduct a public hearing on the report.

**Section 6. *Call for State-Level Support for the Rights of Creeks and Watersheds.*** In order to fully effectuate the purposes of this Resolution, the Town's residents call upon the State of Colorado to recognize the Rights of Nature and create a statewide commission to make recommendations on how to best integrate Rights of Nature and into those elements of Colorado law and governance that concern the health of Creeks and watersheds within the state, including consideration of new state policies, laws, or constitutional amendments that would enable full implementation the rights of Creeks and watersheds.

**Section 7. *Effective Date of Resolution.*** This resolution shall take effect immediately upon its passage.

**RESOLVED, APPROVED and ADOPTED this 15<sup>th</sup> day of June 2021.**

TOWN OF NEDERLAND

By: \_\_\_\_\_  
Kristopher Larsen, Mayor

ATTEST:

\_\_\_\_\_  
Miranda Fisher, Town Clerk