

RIDGWAY PLANNING COMMISSION

REGULAR MEETING AGENDA

Tuesday, May 25, 2021

5:30 pm

ONLINE via Zoom

To join the meeting go to:

<https://us02web.zoom.us/j/84797165405?pwd=M1dqUnBjZGdGQVYvdk1CMytoQjl0QT09>

Meeting ID: 847 9716 5405

Passcode: 751342

To call in dial: 408.638.0968 or 253.215.8782 or 669.900.6833

Written comments can be submitted before the meeting to kchristian@town.ridgway.co.us or delivered to Town Hall Attn: Planning Commission

ROLL CALL: Chairperson: Doug Canright, Commissioners: Russ Meyer, John Clark, Thomas Emilson, Bill Liske, Michelle Montague and Jennifer Nelson

PUBLIC HEARING:

1. **Application:** Preliminary Plat for Riverfront Village Planned Unit Development; **Location:** Triangle Subdivision, Lot 1; **Address:** TBD Highway 550; **Zone:** General Commercial (GC); **Applicant:** John Simone, Alpine Homes Ridgway, LLC; **Owner:** Alpine Homes Ridgway, LLC

OTHER BUSINESS:

2. Review of Proposed Updates to the Landscaping Regulations

APPROVAL OF MINUTES:

3. Minutes from the meeting of April 27, 2021

ADJOURN

AGENDA ITEM #1

To: Town of Ridgway Planning Commission
Cc: Preston Neill, *Ridgway Town Manager*
From: TJ Dlubac, AICP, *Community Planning Strategies, Contracted Town Planner*
Date: May 25, 2021
Subject: Riverfront Village Preliminary Plat and PUD

APPLICATION INFORMATION

Request: Approval of a Preliminary Plat and PUD
Legal: A portion of Lot 1 Triangle Subdivision
Address: N/A
General Location: North of SH62/Sherman Street, west of US550, and east of and adjacent to the Uncompahgre River
Parcel #: 430516215001
Zone District: GC General Commercial District
Current Use: Vacant
Applicant: John Simon, Alpine Homes – Ridgway LLC
Owner: Alpine Homes – Ridgway LLC

UPDATE SINCE APRIL 27TH PLANNING COMMISSION MEETING

On April 27th, the Planning Commission concurred with the staff recommendation to continue the public hearing to allow town staff and the applicant team additional time to work through outstanding items. Since that time, staff sent the applicant team written comments on May 8th. This letter outlined the outstanding items and requested a meeting with the applicant team to work through each of those items. Town staff and the applicant followed up with a meeting on Monday, May 17th. This meeting was productive for both parties and some items were able to be resolved through that discussion. Other items remain unresolved, however, follow up meetings were set and will occur over the next couple weeks.

APPLICAT REQUEST

Following the meeting on May 17th, the owner, Joel Cantor with Cantor Partners, has requested that this application be continued to the June Planning Commission meeting to allow additional time for the outstanding items to be resolved.

Based on the May 17th discussion and action steps assigned, the project will continually progress towards resolution of the outstanding items. Staff agrees with this request and would ask that the Planning Commission continue the hearing to June 29th.

ATTACHMENTS

1. Owner Email Requesting Continuance



TJ Dlubac <tdlubac@planstrategize.com>

Re: Riverfront Project Wrap-up

1 message

Joel Cantor <joel@cantorpartners.com>

Tue, May 18, 2021 at 5:47 AM

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

Cc: Jim Kehoe <jim@keostudioworks.com>, "dballode@msn.com" <dballode@msn.com>, "Tom Kennedy, Esq." <tom@tklaw.net>, Bo Nerlin <bo@coloradowestlaw.com>, TJ Dlubac <tdlubac@planstrategize.com>, Glenn Becker <glenn@cantorpartners.com>

Preston:

Please accept that we would like to continue the hearing to the June date.

Thank you,

Joel Cantor

On May 17, 2021, at 10:49 PM, TJ Dlubac <tdlubac@planstrategize.com> wrote:

Hi Joel,

Thanks for the summary of tasks.

I think going to the June Planning Commission will allow for a much better presentation. Since we have to open the hearing on May 25th, if you could draft a quick letter stating you'd like the PC to continue the hearing to the June date, that will expedite the meeting next week and eliminate the need for your team to attend. Please send that request to Preston and I by this Thursday so we can put it in the PC's packet.

Thanks!

TJ Dlubac, AICP

Principal / Owner

970.744.0623

Summit County, CO www.PlanStrategize.com*"Building People, Places and Community!"*

On Mon, May 17, 2021 at 4:58 PM Joel Cantor <joel@cantorpartners.com> wrote:

Great fun call today. Here's a quick wrap-up.

Jim:

Attached is the survey for triangle lot #2 to enable you to draw-in the pedestrian path. Please work with TJ to make your architecture not just good, but something we can all be proud of and exude excellence. I am going to drive by it

often and want to be proud it.

Dave:

This may help you locate the most efficient path for the sewer extension. Please ensure Ms. Fagan supplies you with the XYZ coordinates tomorrow 5/18/2021 as she promised.

Preston:

I sense it is best to put us on the **June 29th planning commission** agenda so we are fully ready.

Tom & Bo:

Please work together to complete the development agreement and amended reciprocal easement.

Thanks all for working together. Collaborative cooperation is how things get done.

Check out the picture of my last project that won the American Institute of Architects project of the year designed by the head of Perkins + Will Architects one of the world's largest firms. That was 780,000 sq. Feet and \$250M...surely we can produce a great project for the special community of Ridgway. Let us impress ourselves by exceeding our own expectations. Joel

[Joel Cantor_Portfolio Book_April 2021](#)

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4 attachments



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AGENDA ITEM #2

To: Town of Ridgway Planning Commission
Cc: Preston Neill, *Ridgway Town Manager*
From: TJ Dlubac, AICP, *Community Planning Strategies, Contracted Town Planner*
Katie Schwarz, AICP, *Community Planning Strategies, Contracted Town Planner*
Date: May 20th, 2021
Subject: Landscape Regulation Updates for May 25th PC Meeting

PROJECT OVERVIEW

BACKGROUND

This is the fourth public meeting being held to discuss updating the Town's landscaping regulations. This report provides recommendations to the Planning Commission (PC) regarding updates to the Ridgway Municipal Code that will address the requested, and much needed, updates to the existing landscape regulations. Shay Coburn, the Town's previous Town Planner, presented information on her research at the following three Planning Commission meetings: 1) October 27th, 2020; 2) December 22nd, 2020; and 3) January 26th, 2021. Shay's excellent notetaking and thorough research has proved very beneficial for CPS to be able to pick up where she left off and recommend updates to the code accordingly. The previous PC Staff Reports and notes were used to analyze where the existing landscape regulations are lacking, and where the Town would like to see changes occur.

REQUEST

The Town is in need of an update to the existing landscape regulations to be able to address water conservation and to allow flexibility and clarity for the community in understanding their specific landscape requirements. Both the 2019 Master Plan and the 2020 Strategic Plan state that water conservation and low water usage are a high priority for the landscape regulation updates. It is our understanding that these updates are a priority for the Council/Commission since many community members have voiced concerns over the existing regulations. CPS was tasked with picking up this project and drafting amendments for the Planning Commission to consider, discuss, and make a recommendation to the Town Council, as necessary.

IMPLEMENTATION

The analysis and recommendations section of this report includes a summary of proposed updates to various sections of the Ridgway Municipal Code, as well as the Town's Commercial Design Guidelines. In the attachments, you will find a comprehensive list of suggested edits along with draft language for the new landscape regulation chapter. For tonight's PC meeting, we will present the analysis and recommendations, which will be followed up with a discussion to garner feedback. Any revisions or updates will be made accordingly. Once the updated landscaped regulations are finalized, another hearing will take place to formally adopt the new landscape regulations by ordinance.

CODE STRUCTURE/LAYOUT

You will find that the sections following this code structure/layout section will dive into the various themes that were addressed as part of this update. But because the reformatting of the code is such a major undertaking, we feel it warrants its own discussion topic as part of the public hearing.

The current code structure includes several sections that discuss the Town's landscape regulations. With the regulations being dispersed in various locations throughout the code, it makes understanding the requirements confusing and inconsistent. The bulk of the regulations can currently be found in 6-1-11 and 6-6-4(G). These sections deal with building regulations and residential design standards, respectively. Other references to landscaping requirements can be found throughout, including Title 7, Planning and Zoning, which makes several references to landscaping in the zoning district sections.

Based on our analysis of the current code structure, we've found that the most effective way to update the landscape regulations would be to consolidate all code language pertaining to these regs into one new chapter of the code. The most appropriate location would be in Title 7, Planning and Zoning. Therefore, this new addition to the code would be Title 7, Chapter 7 "Landscape Regulations". We also plan to update all references to landscape regs throughout the code. For example, 7-4-5(B)(6)(k) states that a landscape plan is required for a preliminary plat submittal. Here, we will update the language in this section to state that the landscape plan must follow the plan requirements stated in 7-7-3.

A comprehensive list of changes to the code, both removing duplication and adding new language referring to the new chapter, can be found in Appendix B of this Staff Report. We believe that by consolidating all landscape regulations into one chapter of the code, this will help to alleviate any confusion on inconsistencies and will help the community understand their property requirements. It will also benefit Staff and Council/Commission members in being able to administer and enforce these requirements more effectively.

ANALYSIS & RECOMMENDATIONS

CODE STRUCTURE

Analysis: In reviewing the current code language regarding landscape regulations, it is clear that an update is needed to be able to address specific concerns voiced by the PC, Staff, and community members. 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 9, 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, in one location. This will allow for increased understanding and administration of these regulations.

Analysis: The regulations are currently split up in various locations within the Ridgway Municipal Code (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. This would live under the Planning and Zoning title, which makes more sense than having them located in the Building Regulations title.



WATER CONSERVATION

Analysis: Section 6-1-11(G) of the RMC discusses the intent of the landscape regulations, which is that one of the main priorities for the Town are to include low-water, regionally appropriate plants and that xeriscaping and drought-tolerant / water-saving plants are to be used whenever possible. While the intent is clear that the Town's 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 xeriscaping standards and water wise plantings. We are proposing a substantial change to the minimum requirements, to be able to account for lower water usage. We've also proposed a series of changes to the language to address water conservation and low-water planting requirements.

MINIMUM REQUIREMENTS

Analysis: As currently written, 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, this is a provision the Planning Commission is not in favor of keeping.

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 vs. 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 and 4 shrubs will be required for every 2,000 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 any 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 triggers the need for a landscape plan, therefore, adhering 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 are for the Historic Business zoning district, since this is a zoning district that encourages full lot coverage.

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

DISCUSSION TOPICS

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

- 1) How does the Commission feel about the proposed reformatting of the code to cover these updates?
- 2) With water conservation being the main catalyst for these updates, does the Commission feel these updates have achieved the Town’s goal to be more water-wise with landscaping?
- 3) What does the Commission think about the new minimum landscape requirements? Does the table make sense? Is there support for the %’s per zoning district?
- 4) Does the Commission support the update to stronger language and using language such as “required” rather than “recommend”?
- 5) Does the Commission support the recommended deviations?

CPS RECOMMENDATION

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

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



ATTACHMENTS

- A. **Exhibit A:** Language for (new) Title 7, Chapter 7 Landscape Regulations
- B. **Exhibit B:** Suggested Edits to Additional Sections of the RMC and Commercial Design Guidelines



EXHIBIT A

RIDGWAY MUNICIPAL CODE
Title 7
CHAPTER 7
Landscape Regulations

7-7-1 INTENT

- (A) This purpose of this Section is to provide clear landscaping requirements that will contribute to high quality development and sustainable, water-saving practices. Landscaping is an important element of the character of the Town of Ridgway that is both functional and aesthetic and the Town's top objective is to prioritize low-water use and regionally appropriate design for materials and vegetation. These landscaping regulations will endeavor to achieve the following: *[Existing language used from RMC 6-1-11(G)]*
- (1) Preserve and enhance a well-maintained landscape that preserves the overall quality and character of the community. *[RMC 6-1-11(G)]*
 - (2) Conserve water resources. *[RMC 6-1-11(G)]*
 - (3) Provide visual buffers and screening. *[RMC 6-1-11(G)]*
 - (4) Provide separation between pedestrian and vehicular uses. *[RMC 6-1-11(G)]*
 - (5) Mitigate adverse effects of drainage and weeds. *[RMC 6-1-11(G)]*
- (B) Drought-tolerant, water-wise plants are to be used whenever possible and appropriate. Xeriscaping is a term used throughout this chapter to describe the method of planting which works to promote water conservation by minimizing the amount of native vegetation removed, limiting new vegetation to native and drought tolerant species, limiting the amount and type of irrigation, and other related measures to conserve water and create a native landscape. *[RMC 6-1-11(G)]*
- (C) Landscaping should be used to promote the visual aesthetic of the development from main travel corridors, as well as the pedestrian experience within, through shade trees, plantings, context-appropriate public art and seating. Buffers and medians facilitate drainage during storm events and provide valuable areas for snow storage during the winter. Landscaping that is sustainable, visually appealing, and regionally appropriate is required for all new development. *[RMC 6-1-11(G)]*

7-7-2 DEFINITIONS

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

7-7-3 APPLICABILITY



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

7-7-4 SITE AND LANDSCAPE PLAN DEVELOPMENT

(A) Landscape Plan Requirements

- (1) A landscape plan, as set forth in this Section, shall be required for all new homes or new development and any major remodel projects and shall be included with the plans submitted to the Town for approval.
- (2) The landscape plan shall be drawn to scale of 1 inch = 40 feet, or larger, and may be included on the Site Plan. The landscape plan shall include the following information: [RMC 6-1-11(A)(1)]
 - i. Property lines and dimensions;
 - ii. Building footprint, driveways, and vehicle circulation; [RMC 6-1-11(A)(2)]
 - iii. Existing and finished grade;
 - iv. North arrow and scale;
 - v. Name of applicant and landscape consultant or architect (*if applicable*);
 - vi. Legend indicating all proposed plant materials with common and botanical names, indication of drought tolerant plants, sizes, maximum spacing, caliper size, and quantities;
 - vii. Method of irrigation including before and after establishment;
 - viii. Surface drainage characteristics and any proposed structures, including, but not limited to, inlets, retention/detention ponds, swales, permeable surfaces, down spouts; [RMC 6-1-11(A)(3)]
 - ix. Location of all plant material, other natural features, including but not limited to wetlands, water bodies, rock outcroppings, detention areas, retaining walls, and buildings and paved areas (*existing and proposed*);
 - x. Plantings should be shown as they would be at full maturity;



- xi. Identification and percentage of ground surfaces and materials by types, such as paving, sod, mulch, edger, seed mixes, shrubs, and flower beds;
- xii. Clearly labeled locations and calculations for amounts of required landscaping, including the square footage and percentage of required landscape area, living materials, and non-living materials as well as required and provided number of trees, drought tolerant plantings, and any required landscaping, including islands and trees, within parking areas;
- xiii. Identify any existing trees, shrubs, or live groundcover that will remain on the property and how they will be protected from damage during construction;
- xiv. The location and square footage of all areas;
- xv. Identify construction debris storage and staging areas; and
- xvi. Additional information as may be required by the Town.

7-7-5 WATER CONSERVATION

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

7-7-6 LANDSCAPING REQUIRED

- (A) Purpose: The purpose of this section is to establish minimum landscaping requirements for residential and non-residential uses.
 - (1) Landscaping means a combination of trees, shrubs, groundcovers, decorative landscape stone or rock, or other landscaping material that does not conflict with other provisions of this Chapter.
 - (2) Live ground cover is considered to be material such as no-mow grass, wildflowers, and planting beds.
 - (3) Non-live ground cover is considered to be material such as flagstone, rock, gravel, mulch, or the like.
 - (4) 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.
 - (5) A minimum of 50% of the required landscape area shall be viewable from adjacent rights-of-way.



(B) The landscaping requirements table below demonstrates the required landscape area for all parcels in all zoning districts.

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

¹ For all residential uses that are single-family and duplex dwellings, only one acre of area shall be used to calculate the minimum required landscape area.

² See Section 7-7-9(B) for exemptions for uses that are non-residential in the FD zoning district.

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. [RMC 6-1-11(A)(2) and 6-6-4(G)(1) and ((4)]

- (B) Shrubs: Shrubs shall be a minimum 5 gallon size. In the case of fractional requirements for the number of shrubs, the number required shall be rounded up to the next whole number. [RMC 6-6-4(G)(3) and (4)]
- (C) Groundcover: Area can be made up of vegetative materials, organic or inorganic mulch, flowerbeds, or other acceptable landscape material. Groundcover must be adequate to ensure that dust cannot blow from the property and that the soil is stabilized to ensure that erosion is kept to a minimum. [RMC 6-1-11(B)(1) and 6-6-4(G)(5)]
- (D) Turf: No more than 1500 square feet or 10% of the required landscaped area, whichever is less, can be high water turf. High water turf (such as Kentucky Blue Grass) should only be used in areas of high use. Native, nonirrigated grass (such as prairie grasses) may be used in area of low use, low visibility areas. Artificial turf is only permitted for recreational uses such as sports fields.
- (E) Species Diversity: To prevent uniformity and insect or disease susceptibility, species diversity is required, and extensive monocultures of trees are prohibited. Species diversity does not apply to existing trees. The following requirements shall be met:

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

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

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

- (G) Screening and Buffering:

- (1) Screening and landscape buffers soften the less desirable impacts of development and can provide a certain element of safety in commercial areas where significant pedestrian interactions are more likely to occur. Buffers should be constructed to mitigate the view, light pollution (including light trespass and glare), noise, heat, and odor impacts of vehicles, pavement, and higher intensity uses, and other potential negative effects of development. [Commercial Design Guidelines Section I(e) and II(e)]
- (2) Buffering shall be provided when a non-residential use is adjacent to a residential use. It shall be the responsibility of the non-residential use to provide the adequate buffer from the residential use in a manner consistent with these regulations. The buffer should



include a mix of trees, fencing, landscape berms, and other materials appropriate to mitigate visual, audible, and other impact the non-residential use may have on the residences.

- (3) Mechanical Equipment: Ground mounted or rooftop equipment, shall be screened from public rights-of-way on all sides to its full height. Ground level mechanical equipment shall be screened with landscaping, berms, fences, or architectural walls. Rooftop units shall be screened with materials and colors to match the building. [RMC 6-6-4(E)(2)]
 - (4) Storage Areas: All open storage areas shall be screened from public rights-of-way and adjacent property by use of landscaping, berms, fencing, or a combination of landscaping and other structural elements to a height of 6 feet.
 - (5) Fencing can be used as a method for screening and buffering, provided the fencing meets the requirements of Chapter 6-4.
 - (6) Additional landscape screening above the minimum requirements of this Section may be required when it is determined by the Town Manager, Town Manager's designee, Planning and Zoning Commission, or Town Council to be in the best interest of the affected properties.
- (H) Sight Triangles: All plant material, walls, fences, berms and/or structures shall not exceed 24 inches in height when located on any corner within a triangular area formed by the curb lines and a line connecting them at points 15 feet from the intersection of the curb lines.
- (I) Existing Plantings: Existing trees, shrubs, and live groundcover that are considered to be in good health should be retained and not destroyed during the construction process. These plants will be counted towards the required landscaping. [RMC 6-1-11(C)(1)]
- (J) Revegetation: Development activities should only disturb, clear, or grade the area necessary for construction. All areas disturbed by grading or construction, not being formally landscaped, shall be revegetated with native seeding and/or other approved plant materials in a method acceptable to the Town.
- (K) Slopes: Removal of existing vegetation, including ground cover and trees, is strongly discouraged on slopes greater than 30%. Development on slopes greater than 15% shall maintain the maximum vegetative cover possible to protect soils, prevent land slippage, and retain wildlife habitat and open space resources. A minimum of 50% of vegetation on slopes greater than 15% shall not be disturbed during development.
- (L) Built area: Any area disturbed by construction.
- (M) Non-built area: Non-built area shall mean any area on a property that is not developed, but does not include paved surfaces such as driveways, parking, sidewalks, alleys, or walkways.

7-7-8 PARKING LOT LANDSCAPE STANDARDS

- (A) Islands or Rain Gardens: A landscape island and/or rain garden shall be provided in parking lots along the ends of the parking rows. Islands for parking lots in residential uses shall be used to separate rows of 6 or more parking spaces and shall include a minimum of one tree. For non-residential uses, islands shall be used to separate rows of 12 or more parking spaces and shall



include a minimum of 2 trees. Islands shall be a minimum of 6 feet wide and as long as the adjacent parking space(s).

- (B) Trees shall be incorporated with parking lot design as to provide parking lot shading. [*Commercial Design Guidelines Section II(b)(8)*]
- (C) Catchment areas: Landscaped or grassed catchments areas and similar designs should be used for managing, controlling and filtering parking lot and site drainage and should be included as part of an overall site drainage plan. [*Commercial Design Guidelines Section II(b)(9)*]

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

- (A) Street trees: A landscape area shall be established along the public right-of-way 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) Historic Business (HB) District: This district is intended to provide for zero lot lines and full lot coverage. Therefore, there is no minimum required landscaped area as defined in this chapter. However, the following shall apply: [*RMC 6-1-11(A)(2) and 6-6-4(G)(1)*]
 - (1) Right-of-way landscaping shall be required pursuant to Section 7-7-9.
 - (2) If a parking lot is provided on-site, parking lot landscaping shall be required pursuant to Section 7-7-8.
 - (3) Required landscaped area for properties zoned HB is required for any area not used for a building or parking lot.
- (B) 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.
- (C) 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.
- (D) High-Water Turf: High-water turf, such as Kentucky Blue Grass, may be allowed in areas of high-water use such as drainages, swales, or downspout locations.
- (E) 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 submitted to the Town Clerk and will be at the sole discretion of the Town Manager for approval.

7-7-11 SPECIES LIST

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

(B) Prohibited Species

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

7-7-12 INSTALLATION STANDARDS

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

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

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

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

7-7-13 MAINTENANCE REQUIREMENTS

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

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



EXHIBIT B

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

Legend:

New Code Language

Existing 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 be screened following 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(B). ~~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, 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.



AGENDA ITEM #3

PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING

APRIL 27, 2021

CALL TO ORDER

Mayor Clark called the meeting to order at 5:35 p.m. via Zoom Meeting, a virtual meeting platform, pursuant to the Town's Electronic Participation Policy due to COVID-19. Commissioners Emilson, Montague, Nelson, Mayor Pro Tem Meyer and Mayor Clark were in attendance. Chairperson Canright joined the meeting at 5:37 p.m. and Commissioner Liske was absent.

GENERAL BUSINESS

1. Welcome New Planning Commissioner

Mayor Clark introduced Michelle Montague to the Planning Commission. Ms. Montague was appointed by the Mayor to replace Commissioner Larry Falk who resigned in March.

PUBLIC HEARINGS

2. Application for Variance to Fence Height; Location: Crabb-Mitchell Amended Subdivision, Lot 2; Address: 311 Sherman Street; Zone: General Commercial (GC); Applicant: Adam Johnson; Owners: Adam and Cristin Johnson.

Staff Report dated April 23, 2021 presenting background, analysis and recommendation prepared TJ Dlubac, AICP of Community Planning Strategies.

TJ Dlubac presented an application for variance to fence height for a residential lot situated in the GC District. He explained the Ridgway Municipal Code allows for a 6 ft. fence for all homes, and this request is to construct an 8 ft. privacy fence along all property lines. Dlubac noted criteria for unnecessary hardship and practical difficulty are met due to the close placement of an active railroad track that runs along the residence's north property line. The increased fence height will provide a buffer for noise and visual impacts to the residence. Mr. Dlubac recommended approval of the 2 ft variance for only the north property line with 3 conditions listed in the Staff Report dated April 23, 2021.

Applicant Adam Johnson said constructing the fence on the north property line would be for privacy. Though the residence is surrounded by other commercial entities, the remaining fence line is not emergent at this time. Johnson commented that the remaining property lines, except for the west property line, would require a fence much taller than 8 ft. due to the extreme reduction in grade between his property and surrounding properties.

The Commissioners discussed the request with the Applicant.

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

ACTION:

Commissioner Emilson moved to approve the Application for Fence Height for a 2 ft. variance to construct an 8ft. fence along the north property line at 311 Sherman Street, Lot 2 in the Crabb-Mitchell Subdivision, with the 3 conditions stated in the Staff Report dated April 23, 2021. The motion was seconded by Mayor Clark. On a call for the roll call vote, the motion carried unanimously.

3. Application for Temporary Use; Location: Block 22, Lots 16-20; Address: To-Be-Determined (TBD) Clinton Street; Zone: Historic Residential (HR); Applicant: Stryker & Company, Inc.; Owners: Ridgway Runners

Staff Report dated April 23, 2021 presenting background, analysis and recommendation prepared by TJ Dlubac, AICP of Community Planning Strategies. Email dated April 27, 2021 from town resident JT Thomas entitled *Questions for Planning Commission: Item 3, Temporary Use Permit for Stryker & Co.* submitted as a late addition to the Agenda Packet.

Planner Dlubac presented an application for temporary use (TUP) for the purpose of storing construction materials for the Space to Create project that will be constructed on a nearby vacant lot. He explained the terms of the permit would be for 9 months and the Applicant would need to renew the permit if an extension is needed. The Planner noted the same lot was used as a storage site during the Responsible Acceleration of Maintenance and Partnerships Project (RAMP). He explained the storage site would be secured with fencing and a locked gate. Dlubac recommended approval for the request with the 3 conditions listed in the Staff Report dated April 23, 2021.

Mark Clutts, Project Manager and Jimmy Merritt, General Manager represented Stryker & Company, Inc. They assured the lot would be used only for staging and parking, with no continual activity during the day and the permit might not need to be renewed.

The Commission discussed the application with Mr. Clutts and Mr. Merritt.

The Chairperson opened the hearing for public comment.

JT Thomas read his letter stating opposition over the approval of the TUP because of the nuisances created when the lot was used during the RAMP project.

Gigi McGown expressed concern that the staging site may negatively impact her short-term rental home because it is located directly across the street.

Jack Petruccelli said the HR zone is an inappropriate storage site and should instead be in the Industrial District.

General Manager Merritt assured the residents and Commissioners the lot will not be used as a work site and will be used for storage and sub-contractor parking only. He noted storing the materials at this site would reduce time, costs, and would be less of an impact to the town than transporting materials from the Industrial District.

The Chairperson closed the hearing for public comment.

The Commission discussed the request with the Applicants.

Mark Clutts said the materials could be arranged on the lot to buffer noise, the fence will not be transparent, trash and clutter will be maintained and removed daily, and dirt or debris will be removed from paved roads daily. Mr. Clutts noted other parcels were reviewed for the storage site and this lot will have the least impact on the Town and the project. He further noted that materials will be moved on a schedule; mornings and the lunch time hour, and that the crew will work 4-ten-hour days (7:00 a.m. - 5:30 p.m.), Monday through Thursday to further minimize the impact to residents.

The Planning Commission discussed the application. The Commission recognized there will be an impact to residents from the Space to Create construction project across from the proposed storage site. They noted the nuisance regulations in the Municipal Code are a sufficient reference for residents to use when making formal complaints about construction impacts or any other type of nuisance. The Commission requested the Stryker Team have a biweekly community outreach meeting with a designated community representative. The Team agreed this would be a way to ensure residents' concerns are heard and to communicate project updates. Town Manager Preston Neill said periodic updates regarding staging, project impacts, hours of operation, etc. will be generated so town residents can stay informed about upcoming project impacts and progress.

ACTION:

Mayor Clark moved to approve the Temporary Use Permit to allow for construction staging on Block 22, Lots 16-20; Address: TBD Clinton Street, with the following conditions: (1.) Equipment of any kind should not be idled between the hours of 7pm-7am (2.) The Applicant shall provide adequate traffic control or monitoring when equipment is moved from the construction staging site to the project site (3.) The Temporary Use Permit shall expire on January 31, 2022 (4.) The Contractor will agree to work with the Community via biweekly (at minimum) meetings to ensure concerns are addressed. The motion was seconded by Commissioner Nelson. On a call for the roll call vote, the motion carried with a vote of 5 to 1.

4. Application for Final Plat; Location: Parkside Subdivision, Lot 14; Address TBD North Laura Street; Zone: Residential; Applicants: Josh and Terese Seal; Owner: Josh C. Seal

Staff Report dated April 23, 2021 presenting background, analysis and recommendation prepared by TJ Dlubac, AICP of Community Planning Strategies.

Mr. Dlubac presented an application for final plat for a lot with affordable housing provisions. He explained the low-density zoning district allows for 2 dwelling units per parcel and the plat note allows for up to 3 single family dwelling equivalents. Dlubac explained the Applicant is requesting to subdivide the parcel into 3 separate lots so they can be sold individually. The Planner further explained the request does not affect utilities, easements, or improvements already in place as required in the plat notes. However, Plat Note 7 requires all 3 units to be constructed simultaneously before a Certificate of Occupancy (CO) can be issued. The Applicant cannot construct the units simultaneously and is requesting a change in the plat requirement. The Applicant is requesting the requirement to be that a building permit is issued simultaneously for all 3 lots before a CO can be tied to construction. Mr. Dlubac recommended Planning Commission approval to the Town Council for the application, with the 5 conditions listed in the Staff Report dated April 23, 2021. He noted the Town Council's approval of the Application for Variance to Lot Width (agenda item 5.) be included as another condition for this approval.

The Commissioners discussed the process for amending plats verses the final plat process with Dlubac. They expressed concern about the creation of new lot lines and consistency with the required design standards.

Applicant Terese Seal commented that 3 dwelling units can fit on the oddly shaped lot. She explained there was difficulty drawing the new lot lines due to the 50' utility easement on the southern aspect of the lot, the 8' irrigation easement on the western aspect and 15' utility easement along the eastern aspect of the lot. The guardrail on the southeast corner of the lot also made it difficult to provide access and required parking in that location.

The Chairperson opened the hearing for public comment.

Jack Petrucci spoke in favor of the request but noted the Homeowners' Association had not seen the variance request.

The Chairperson closed the hearing for public comment.

The Commissioners discussed this application and the Application for Variance to Lot Width because of how both requests would be affected by any decision made. They expressed concern that the HOA Board had not reviewed the request for comparison against the Subdivision's Covenants, Conditions and Restrictions.

Applicant Terese Seal requested the hearing for this application be continued until the June Regular Planning Commission Meeting.

ACTION:

Mayor Clark moved to continue the Application for Final Plat; Location: Parkside Subdivision, Lot 14 until the May Regular Planning Commission Meeting, and no later than the June Regular Planning Commission Meeting. The motion was seconded by Mayor Pro Tem Meyer. On a call for the roll call vote, the motion was unanimously approved.

5. Application for Variance to Lot Width; Location: Parkside Subdivision; Lot 14; Address: TBD North Laura Street; Zone: Residential (R); Applicants: Josh and Terese Seal; Owner: Josh C. Seal

Staff Report dated April 23, 2021 presenting background, analysis and recommendation prepared by TJ Dlubac, AICP of Community Planning Strategies.

Planner Dlubac presented the application for variance to lot width and suggested the request be deferred to the June Regular Planning Commission Meeting after any public comments have been acknowledged.

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

ACTION:

Mayor Clark moved to continue the Application for Variance to Lot Width; Location: Parkside Subdivision, Lot 14, until the May Regular Planning Commission Meeting, and no later than the June

Regular Planning Commission Meeting. The motion was seconded by Mayor Pro Tem Meyer. On a call for the roll call vote, the motion was unanimously approved.

6. Application for Preliminary Plat for Riverfront Village Planned Unit Development; Location: Triangle Subdivision, Lot 1; Address: TBD Highway 550; Zone: General Commercial (GC); Applicant: John Simon, Alpine Homes Ridgway, LLC; Owner: Alpine Home Ridgway, LLC

Staff Report dated April 23, 2021 presenting background, analysis and recommendation prepared by TJ Dlubac, AICP of Community Planning Strategies. PowerPoint presentation dated April 27, 2021, entitled *Riverfront Village Ridgway*, presented by Jim Kehoe, Alpine Homes Ridgway Design Team.

The Planning Commission paused for a break at 8:12 p.m. and resumed at 8:21 p.m.

The Planner presented an application for a mixed use planned unit development consisting of 38 residential units and one commercial building in which retail commerce is proposed for the ground floor. He noted the Staff Report dated April 23, 2021, page 6, *Utilities; Water Service* should be amended. (The internal waterlines will be owned and maintained by the Town and not by the Applicant as stated in the Staff Report.) Mr. Dlubac reviewed details about the development as outlined in the Staff Report and recommended the hearing be continued because more conversation is needed with the Applicant before a recommendation can be provided to the Planning Commission. He explained more discussion is need regarding the easements, architectural design, building height, signage, utility design and the development agreement.

Applicant John Simon said the primary focus of the project is to provide residential housing with a commercial component. The project is geared toward promoting pedestrian traffic. Density has been reduced and replaced with green space he further explained.

Designer Jim Kehoe reviewed the proposed project site via PowerPoint presentation. The presentation revealed the revised preliminary design, site plan, opportunities and constraints dwelling unit mix, site ecology, landscape considerations, a proposed park, dwelling placement and architecture, River Trail restoration, and development access.

The Planning Commission noted the proposed design is on track but expressed concerns with pedestrian traffic moving thru the development, crossing Highway 550.

The Chairperson opened the hearing for public comment.

Resident Jennifer Cram said it is difficult to reconcile the Site Plan Map for the river corridor with the Land Use Map in the Master Plan. She requested an overlay map to be provide with the next presentation for the development. Cram also expressed concerns with the traffic plan included in the hearing packet due to the anticipated increase in traffic from the development once it's completed.

Christopher McAnany of Dufford Waldeck Law, representing the owner for neighboring Lot 2, submitted a letter that was included in the hearing packet. The letter outlined concerns about the easement for access to Highway 550. Mr. McAnany said the owner is concerned about the change in access negatively affecting the business on Lot 2, and the historic access recorded on

the plat must be reconciled to the proposed access designed by CDOT. He noted more dialogue is needed between the owners of Lots 1 and 2 before the development is approved.

The Chairperson closed the hearing for public comment.

The Commissioners discussed the request with the Applicant and Staff.

Applicant John Simon reviewed traffic flow with the recent highway access design and noted CDOT dictates the highway plan. However, the current design proposal has reduced the amount of traffic utilizing the access and he will work with the owner of the Lot 2 to ensure the needs are met for both lots.

ACTION:

Commissioner Nelson moved to continue the hearing to the May 25 Regular Planning Commission Meeting to provide an opportunity to resolve the outstanding issues for Lot 1 in the Triangle Subdivision. The motion was seconded by Mayor Clark. On a call for the roll call vote, the motion was unanimously approved.

APPROVAL OF THE MINUTES

7. Approval of the Minutes from the Meeting of February 23, 2021

ACTION:

Mayor Clark moved to approve the Minutes from February 23, 2021. The motion was seconded by Commissioner Nelson. On a call for the roll call vote, the motion carried with Commissioner Montague abstaining.

ADJOURNMENT

The meeting adjourned at 9:15 p.m.

Respectfully submitted,

Karen Christian
Deputy Clerk