

RIDGWAY PLANNING COMMISSION

REGULAR MEETING AGENDA

Tuesday, February 27, 2024

5:30 pm

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/81280927106?pwd=RUlvM21xQk5hT051czN5QTNCaFJSdz09>

Meeting ID: 812 8092 7106

Passcode: 580408

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: Michelle Montague, Commissioners: John Clark, Pam Foyster, Bill Liske, Russ Meyer, Jennifer Nelson, and Jack Petruccelli

PUBLIC HEARING:

1. **Application:** Variance for Accessory Dwelling Unit; **Location:** M&M Subdivision, Lot A, Town of Ridgway, Block 32, Lots 16 and 17; **Address:** 357 N. Lena St.; **Zone:** Historic Residential (HR); **Applicant:** Russell Meyer; **Owner:** Russell and Christine Meyer

WORK SESSION:

2. Discussion regarding 2024 planning projects and Ridgway Municipal Code updates

APPROVAL OF MINUTES:

3. Minutes from the Regular meeting of January 30, 2024

OTHER BUSINESS:

4. Updates from Planning Commission members

ADJOURNMENT

AGENDA ITEM #1

To: Town of Ridgway Planning Commission
Cc: Preston Neill, Ridgway Town Manager
From: TJ Dlubac, CPS, Contracted Town Planner
Date: February 23, 2024
Subject: Variance request to increase the allowable accessory dwelling unit square footage Staff Report for the February 27th PC Meeting

APPLICATION INFORMATION

Request: Request for a 97 square foot variance to allow an accessory dwelling unit (ADU) with a total square footage of 897 square feet.
Legal: Lots 16 & 17, Block 32, Town of Ridgway and Lot A, M&M Subdivision
Address: 357 N. Lena St.
General Location: West of and adjacent to North Lena Street, between Charles and Frederick Streets.
Parcel #: 430516219001
Zone District: Historic Residential (HR) District
Current Use: Single-family home
Applicant: Russell & Christine Meyer
Owner: Russell & Christine Meyer

PROJECT REVIEW

REQUEST

The Owner wishes to construct a detached garage with an 897 square foot ADU on the property. RMC §7-4-6(A)(5) limits ADUs to "...not exceed 800 square feet in gross floor are." Therefore, a variance, pursuant to RMC §7-4-3(J) is being requested to allow the ADU to exceed the maximum allowable square footage of an ADU.

The Owner has submitted a land use application, associated fees, variance request materials, and other required support materials for this public hearing to the Town. The property and hearing have been noticed and posted by the Town in accordance with RMC §7-4-3(B)(6).

CODE REQUIREMENTS

RMC §7-4-6(A) ACCESSORY DWELLING UNITS:

- (1) *The creation of Accessory Dwelling Units (ADU) is generally encouraged as an effective means to improve housing affordability, provided that each ADU complies with the following standards.*
- (2) *ADUs are only allowed as accessory to a single-family detached dwelling. Only one ADU per single-family detached dwelling unit is permitted.*

- (3) *The accessory dwelling unit must be constructed in accordance with applicable requirements of Town Building Codes. It may be attached or detached to the principal residential unit. Applicable dimensional requirements for a single-family dwelling as set out in Subsection 7-3-15(A) must be met for the premises.*
- (4) *One off-street parking space shall be provided for the accessory dwelling unit in addition to any other required off-street parking.*
- (5) *The accessory dwelling unit may not exceed 800 square feet of gross floor area.*
- (6) *One of the dwelling units on the property must be, and remain, owner occupied.*
- (7) *A minimum of a 90-day rental period shall be required by written lease, except as described in Subsection (12) below.*
- (8) *The accessory dwelling unit must be owned together with the principal residential unit, and the lot or parcel upon which they are located, in undivided ownership.*
- (9) *The accessory dwelling unit may be served off of the water or sewer tap for the principal residence, in which case it shall not be subject to additional tap fees.*
- (10) *The burden shall be upon the owner of any accessory dwelling unit to provide adequate proof to the Town that the criteria of this Section are met. In the event that the Town determines that the criteria have not been shown to be satisfied the unit may not be occupied as a residence.*
- (11) *A dwelling unit constructed before a principal single-family home, which meets these criteria, may be converted to an accessory dwelling unit following construction of a new principal dwelling unit.*
- (12) *An accessory dwelling unit, as defined in [Section 9](#), either attached or detached to the primary dwelling, may be utilized as a short-term rental only under the following circumstances:*
 - (a) *Tap fees are paid at 30 percent pursuant to Ridgway Municipal Code Subsection [9-1-9\(c\)\(2\)](#); and*
 - (b) *One hundred percent of monthly water, sewer, trash and recycling services are paid on a monthly basis pursuant to Ridgway Municipal Code [Chapter 9](#); and*
 - (c) *The lot size upon which both dwelling units are sited is a minimum of 6,000 square feet.*

RMC §7-4-3(J)(2) REVIEW PROCEDURES:

- (e) *Evaluation by Staff and Referral Agencies.*
- (f) *Upon determination of completeness, the Town Manager or designee shall refer the application to additional reviewing agencies as set forth in [Section 7-4-3\(B\)\(4\)](#), Referral Agencies, and review the application for conformance with the requirements and standards of this Municipal Code.*
- (g) *Staff Report. A staff report shall be prepared and provided to the reviewing body in accordance with [Section 7-4-3\(B\)\(5\)](#), Staff Report.*
- (h) *Review and Decision by Planning Commission. The Planning Commission shall review the variance application in a manner consistent with Table T-4.1 to evaluate compliance with applicable standards. Following its review of the application, the Planning Commission shall approve, approve with conditions, or deny the application based on the criteria set forth in [Section 7-4-3\(J\)\(3\)](#), Approval Criteria.*

- (i) *No variance shall be granted with fewer than four (4) concurring votes of the Planning Commission regardless of number of Commissioners present.*
- (ii) *If there are only four (4) Commissioners present, the applicant may elect to, in their sole discretion, continue the hearing to a future meeting when more than four (4) Commissioners will be present.*

RMC §7-4-3(J)(3) APPROVAL CRITERIA:

- (a) *The Planning Commission may grant a variance for allowed deviations only upon the finding that the following criteria are met:*
 - (i) *There are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the zoning ordinance, and*
 - (ii) *The spirit of the ordinance will be observed, the public health, safety and welfare secured, and substantial justice done by granting the variance.*

ANALYSIS

LAND USES

The property is zoned Historic Residential (HR), and a Single-family Dwelling is a use by-right in the district. ADUs are also a use by right in the HR District provided the standards of RMC §7-4-6(A) are met. The property is relatively flat with lots of open spaces on the property. Related to neighboring properties, 357 N. Lena is of similar size as two other properties on the west side of Lena with the only other lot being roughly half the size. The properties across the alley to the west are generally smaller in size than 357 N. Lena. Based on this assessment, there does not appear to be any unique physical characteristics of the property.

ACCESSORY DWELLING UNIT STANDARDS

The property is zoned Historic Residential (HR), and a Single-family Dwelling is a use by-right in the district. As presented by the Owner in the application materials, all standards applicable to the use and development of an ADU will be met with the exception of the gross floor area calculation. The Owner states in the narrative that the intent is for the ADU to "provide an affordable long-term rental for locals...". The narrative goes on to state that the ADU will comply with ADU guidelines of the RMC, with the exception of the gross floor area. While all criteria were reviewed during in conjunction with this request, many standards cannot be confirmed until a building permit application is submitted. However, all standards are either currently met by the proposed site plan or able to be met pending review of the building permit.

Gross Floor Area Calculation: Gross Floor Area is measured from the exterior of walls and structures. The Owner has designed the garage/ADU to be 800sf measured from the interior walls of the building. When the exterior walls are accounted for, the total gross square footage of the ADU measures 897 square feet. Based on staff's review, there does not appear to be practical difficulties or unnecessary hardships prohibiting the Owner from being able to carry out the strict letter of the zoning ordinance related to the measurement of the ADU. There is ample space and access to allow compliance and there does not appear to be any topographic or similar characteristics which may prevent compliance with this standard on this property.

DIMENSIONAL STANDARDS

The addition of the proposed garage/ADU does not

<i>Standard</i>	<i>Required</i>	<i>Proposed</i>	<i>Comment</i>
Minimum Lot Width	50'	86.15'	
Minimum Lot Size	6,000sf	10,141sf	
Max Lot Coverage	60% (6,084sf max)	23.9% (2,240sf)	10,141sf x .6 = 6,084.6sf max. Current: 1523sf (per County Assessor) + 897sf = 2,420sf
Structure Height	27'	22' – 9"	Measure of garage/ADU. Existing home height is unknown.
<i>Minimum Setbacks</i>			
Front	15'	15'	
Rear	2'	10'	Garage accesses the alley, so a minimum of 2'
Side (north)	3'	5'	
Side (South)	3'	10'	

PUBLIC COMMENT

The application was forwarded to referral agencies on January 30, 2024, with a due date of February 16, 2024. The materials were sent to ten referral agencies and only two responded. Neither of them had comments or concerns needing to be addressed with this request. The responses from the two referral agencies are attached to this staff report.

The property has been posted and proper notification has been completed by the Town in accordance with RMC §7-4-3(B)(6).

As of the drafting of this staff report, no public comments either for or against the request have been received.

APPROVAL CRITERIA

The Planning Commission may grant a variance for allowed deviations only upon the finding that the following criteria are met:

- (i) There are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the zoning ordinance, and
- (ii) The spirit of the ordinance will be observed, the public health, safety and welfare secured, and substantial justice done by granting the variance.

STAFF RECOMMENDATION

Upon review of the submitted application materials against the approval criteria, staff is unable to recommend approval as criterion (i), the presence of practical difficulties or unnecessary hardships, was not found to be met.

Therefore, staff recommends the Planning Commission deny the variance request finding that the approval criteria set forth in RMC §7-4-3(J)(3)(a) have not been met.

Recommended Motion:

"I move to deny the variance request to increase the allowable square footage of an ADU for 357 N. Lena Street finding that the criteria set forth in RMC §7-4-3(J)(3)(a) have not been met."

Alternative motions:

Approval:

"I move to approve the variance request to increase the allowable square footage of an ADU for 357 N. Lena Street by 97 square feet finding that the criteria set forth in RMC §7-4-3(J)(3)(a) have been met."

Approval with conditions:

"I move to approve the variance request to increase the allowable square footage of an ADU for 357 N. Lena Street by 97 square feet finding that the criteria set forth in RMC §7-4-3(J)(3)(a) have been met with the following conditions:

1. _____
2. _____
3. _____

ATTACHMENTS

- A. Application and Support Materials
- B. Referral Agency Comments

APPLICATION

Official Use Only:

Receipt # _____

Date received _____

Initials _____

General Information

Applicant Name

Russell Meyer

Application Date

1/1/2024

Mailing Address

wwreaper@gmail.com

Phone Number

713-261-6770

Email

wwreaper@gmail.com

Owner Name

Russell & Christine Meyer

Phone Number

713-261-6770

Email

wwreaper@gmail.com

Address of Property for Hearing

357 N Lena St Ridgway, CO 81432

Zoning District

HR - Historic Residential

Brief Description of Requested Action

I am seeking a Variance for the construction of a planned garage/Accessory Dwelling Unit (ADU) on my lot. Current plans exceed the town's 800 sq ft limit by 12.2%, at 897 sq ft. 800 sq ft "interior living space".

Action Requested and Required Fee Payable to the Town of Ridgway

Land Use Applications

<input type="checkbox"/> Administrative Adjustment	\$150.00	<input type="checkbox"/> Minor Amendment to Conditional Use Permit	\$100.00
<input type="checkbox"/> Appeal of Planning Decision	\$250.00	<input type="checkbox"/> Site Plan Review	\$1000.00
<input type="checkbox"/> Conditional Use Permit	\$250.00	<input type="checkbox"/> Temporary Use Permit	\$150.00
<input type="checkbox"/> PUD Zoning	\$1500.00 + \$25.00 per lot or unit	<input checked="" type="checkbox"/> Variance	\$250.00
<input type="checkbox"/> Major Amendment PUD	\$500.00	<input type="checkbox"/> Zoning Map Amendment	\$250.00
<input type="checkbox"/> Minor Amendment PUD	\$250		

Subdivisions

<input type="checkbox"/> Amended Plat	\$250.00	<input type="checkbox"/> Resubmittal of Preliminary Plat	\$750.00 + \$25.00 per lot or unit
<input type="checkbox"/> Boundary or Lot Line Adjustment	\$300.00	<input type="checkbox"/> Final Plat	\$600.00
<input type="checkbox"/> Building Footprint	\$150.00	<input type="checkbox"/> Minor Subdivision	\$1500.00 + \$50.00 per lot or unit
<input type="checkbox"/> Condominium	\$500.00	<input type="checkbox"/> Resubdivision	\$600.00
<input type="checkbox"/> Lot Consolidation	\$300.00	<input type="checkbox"/> Right-of-Way Vacation	\$600.00
<input type="checkbox"/> Sketch Plan	\$300.00 + \$10.00/lot or unit	<input type="checkbox"/> Town House	\$500.00
<input type="checkbox"/> Preliminary Plat	\$1500.00 + \$25.00 per lot or unit		

Signs

<input type="checkbox"/> Master Sign Plan	\$150.00	<input type="checkbox"/> Master Sign Plan, Appeal	\$250
<input type="checkbox"/> Master Sign Plan, Minor Change	\$50.00	<input type="checkbox"/> Sign Permit	\$35.00 per sign
<input type="checkbox"/> Master Sign Plan, Major Change	\$150.00		

Miscellaneous Applications

<input type="checkbox"/> Amendment to Zoning Regulations	\$200.00	<input type="checkbox"/> Other Reviews	\$250.00
<input type="checkbox"/> Annexation	\$1500.00	<input type="checkbox"/> Outdoor Lighting Appeal	\$250.00
<input type="checkbox"/> Construction Documents	\$1000.00	<input type="checkbox"/> Outdoor Light Variance	\$250.00
<input type="checkbox"/> Deviation from Residential, Commercial, or Industrial Design Standards	\$175.00	<input type="checkbox"/> Site Specific Development Plan	\$50.00
<input type="checkbox"/> Mobile Homes or Factory-built housing set up within a lawful mobile home park	\$200.00	<input type="checkbox"/> Statutory Vested Rights	\$1500.00
<input type="checkbox"/> Nonconforming Use, Changev	\$150.00	<input type="checkbox"/> Zoning or Land Use Compliance Letters	\$100.00

In addition to the above fees, the applicant shall reimburse the Town for all out-of-pocket costs incurred during the review including legal fees, postage, notice and publishing costs, map costs, engineering fees, etc., together with wages and associated payroll costs for contract employees, plus ten percent to cover overhead and administration. The Town shall bill the applicant periodically as such costs are incurred. Payment is due within 30 days. Bills not paid by the due date shall accrue interest at the rate of one and one-half percent per month or part thereof. No plat shall be recorded, improvement accepted, lien released, building permit issues, tap approved or other final approval action taken until all fees then due are paid to the Town. Such fees may be certified to the County Treasurer for collection as delinquent charges against the property concerned.

The Town Council, in its sole discretion, may defer, reduce and/or waive certain land use fees for projects demonstrating significant public benefit such as perpetual, deed-restricted affordable or workforce housing projects.

Application Signatures

Please note that incomplete applications will be rejected.

Contact with a Planning Commission or Town Council member regarding your application constitutes ex parte communication and could disqualify that Commissioner or Councilor from participating in your hearing.

Please contact staff with any questions.

Applicant Signature



Date

11/12/2024

Owner Signature



Date

11/12/2024

The sole purpose in building this ADU is to provide an affordable long-term rental for locals, as well as a wee bit of garage space for myself. The unit will only be rented/leased as a long-term rental to locals, following the general guidelines for an ADU. The following are examples of how this development is in alignment with the Town's Master Plan "Sense of Community & Inclusivity" Values.

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

Policy Com-1.1: Workforce Housing

Work with Ouray County and the City of Ouray to develop housing units designed and priced for employees living and working in Ouray County. The Town of Ridgway should initially focus on those living and working in Ridgway.

Policy Com-1.2: Private Sector Response

Acknowledge the role of the private sector as a necessary partner in addressing the community's affordable and workforce housing needs.

Policy Com-1.5: Distributed Approach

Take advantage of all opportunities to add needed affordable and workforce housing to Ridgway and the surrounding area while being mindful of the community's desire to avoid overconcentration in any one neighborhood.

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

Policy Com-2.3: Resident-Occupied Housing

Support strategies that help maintain resident-occupied housing in Ridgway, rather than housing occupied by second-homeowners.

Given the concerns of global warming, along with the town's desire to continually adopt more energy efficient building codes, our goal is to build a high-efficiency unit that is consistent with the intent of the master plan, as well as the concerns of the planet. We will be using SIP (structural integrated panels) construction technology. SIP is known for its air tight seal and overall energy efficiency. The following are examples of how this development is in alignment with the Town's Master Plan "Healthy Natural Environment" Values.

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

Policy Env-4-1: Green Buildings

Encourage the use of proven and durable green building technology in all new developments in order to increase energy efficiency, water conservation, human health, and use of local materials while balancing the impact of costs.

Policy Env-4.3: Emerging Technologies and Practices

Encourage the use of innovative building practices and material (e.g., straw-bale construction). When such methods would increase energy efficiency, ease greenhouse gas emissions and reduce home costs.

We have had a solar array designed to provide power for the building. We also intend to utilize highly beneficial electrification with all appliances intended to be electric. We are hoping to achieve close to, if not net-zero with this build.

Policy Env-4-2: Renewable Energy

Encourage the use of carbon-free and renewable energy systems within the Town and support the goal of carbon neutrality for Colorado. Support the inspiration and innovation of those who live, work, and visit Ridgway to create a low-carbon economy and lifestyle that improves the health, shared prosperity and long-term security of our unique mountain community.

While this design/build seems to do a pretty good job of meeting all the ADU guidelines, it does not. Our current municipal code measures the square footage of a building from outside of building to outside of building. This garage/ADU is designed for 800 sq ft of "interior living space", not outside to outside.

The outside-to-outside dimensions of the ADU, as designed, total 897 sq ft, exceeding the Town's code by 12-1/5%. With our newly revised municipal code the Town Manager has the ability to endorse a 10% variance, or a total of 880 sq ft. That is why we are here tonight requesting a variance.

The following is from the new Ridgway Municipal Code section 7-4-3 (J)(3) variance section.

7-4-3 (J)(3). The Planning Commission may grant a variance for allowed deviations only upon the finding that the following criteria are met.

- (i) There are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the zoning ordinance
- (ii) The spirit of the ordinance will be observed, the public health, safety and welfare secured and substantial justice done by granting the variance.

The practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the zoning ordinance, are that I incorrectly understood that I could have this unit built as an 800 sq ft “interior living space”. The interior living space concept is one that I had presented during one of our last municipal code update meetings. I brought up the question that with the Town’s interest in building more and more energy efficient structures resulting in thicker and thicker walls, the 800 sq ft limitation resulted in a substantially smaller ADU. Our planning associate on the call stated that the 800 sq ft limitation should apply to “interior living space”. Additionally, while asking the question, I saw quite a few of the planning commission members nodding their heads in support of the idea. I incorrectly assumed this to mean 800 sq ft “interior living space” was acceptable. With that incorrect knowledge I directed the architect to design the ADU with 800 sq ft of living space.

So, the real difficulties or unnecessary hardships would be that, if this variance is not approved, I would be required to have architectural, engineering, and SIP design work done *again*, with associated costs in order to provide an ADU to meet affordable, local housing needs.

When determining if this variance is in the spirit of the ordinance, has adverse effects on public health, safety and welfare. I have done everything in my power to have this ADU meet the spirit of the ordinance and either meet or mostly exceed the town’s requirements without producing any adverse effects on public health, safety and welfare.

As well as seeking your approval for this variance I would like to suggest Planning Commission look at recommending Town Council modifying the code, again, to allow Town Manager approval authority of up to 20% if the design meets certain Master Plan Values such as energy efficiency and affordable housing.

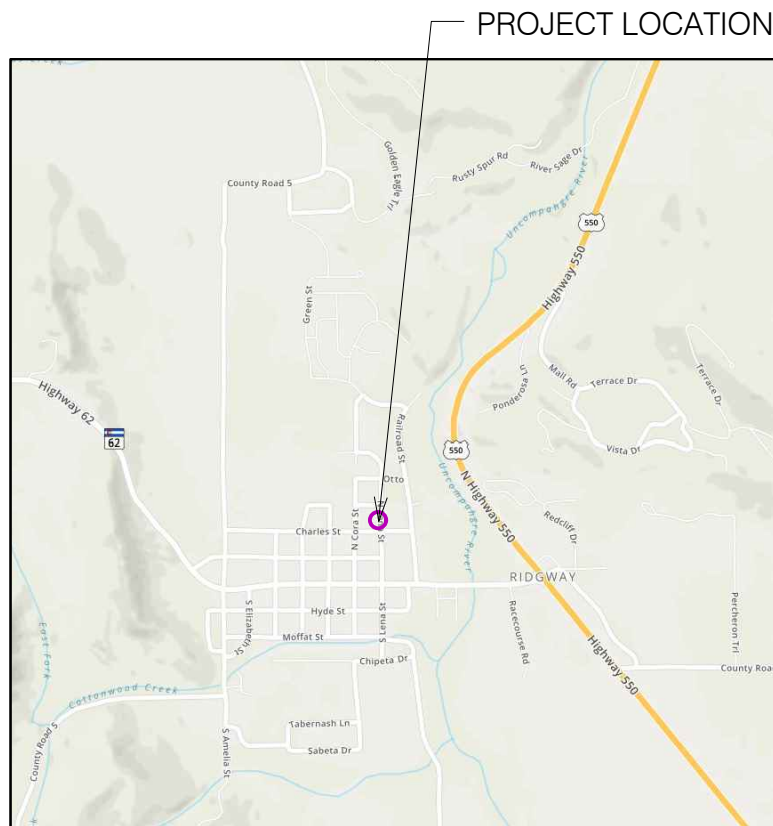
357 N Lena ST Garage/ADU
Variance Narrative
January 12, 2024

MEYER ADU

PROJECT ADDRESS: 357 N. Lena Street Ridgway, CO 81432	CODE INFORMATION: IRC 2018	
	ZONING:	Front Setback = 15' Side Setback = 5' Rear Setback = 2'
OWNER INFORMATION: Russ and Crista Meyer 357 N. Lena Street Ridgway, CO 81432 (713) 261-6770	CONSTRUCTION TYPE: Type VB Construction	
	BUILDING INFORMATION:	1 Bedroom 1 Bath ADU Areas Second Floor = 800 sf NET Garage = 800 sf NET
CONTRACTOR INFORMATION: Dickerson Construction Inc. 653 N Cora St. Office 202 Ridgway, CO 81432	ARCHITECT INFORMATION: 604 Design Studio Adam Anderson (414) 531-1460	
	ENGINEER INFORMATION: Jonathan Batson, P.E. Cimarron Engineering P.O. Box 1421 Ridgway, CO 81432 (970) 318-6026	

Sheet Index

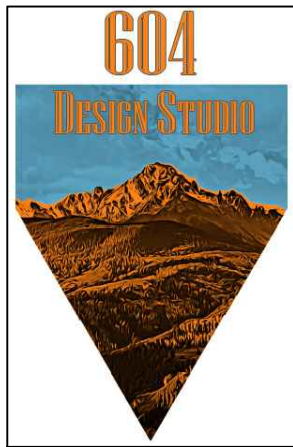
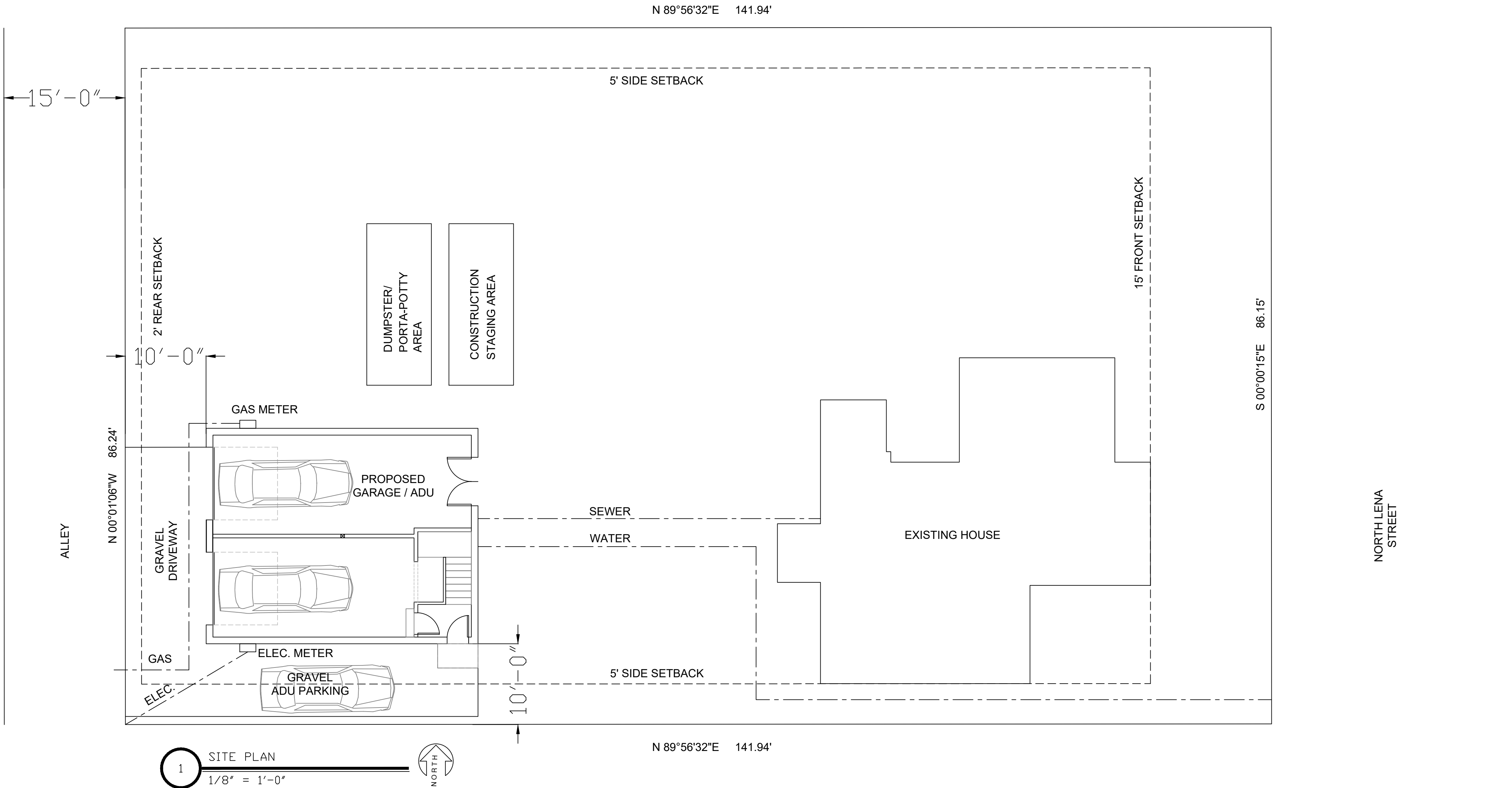
- A 1.1 Title Sheet/ Site Plan
A 2.1 Floor Plans
A 4.1 Exterior Elevations
A 5.1 Sections



Map

General Notes

- All work shall conform with all Town of Ridgway codes and ordinances, and the latest adopted editions of the IBC, NEC, UMC, OSHA.
- All trenching for footings and foundations to be inspected by Structural Engineer or Architect prior to any concrete placement.
- Provide foundation wall drainage per architectural and structural drawings.
- Provide smoke & carbon monoxide detectors (hardwire and battery backup), locations per IBC.
- No changes are to be made to this project without written approval of Architect and Owner.
- No structural changes are to be made to this project without written approval of Architect and Structural Engineer.
- Any discrepancies between architectural and structural drawings are to be brought to the attention of Architect.
- All framing dimensions are to face of stud unless noted otherwise.
- All concrete and ICF (insulated concrete form) dimensions are to face.
- At the end of each daily work period the contractor shall secure, protect, barricade and broom clean the work area and leave unused material stacked or stored neatly. Upon completion of work, contractor shall remove all debris, equipment, etc. generated by, or necessary for, construction and leave the premises broom clean. All debris shall be removed to an approved dump site.
- All warranty, installation, and operating information for any and all materials in the building are to be placed in "owners box" in construction trailer on the site.
- Discrepancies and/or omissions from these drawings that are discovered during the construction by the contractor or any question regarding meaning or intent shall be immediately brought to the attention of the Architect for interpretation and clarification. The contractor is responsible for reviewing dimensions and to notify the Architect of any conflicts between the drawings and actual field conditions. This must be done prior to work.
- Contractors & subcontractors shall be required to take precautions and verify the following prior to commencement of construction:
 - Familiarize themselves with local standards and requirements, this set of construction documents and the construction site.
 - Complete all work in acceptable industry standard craftsman like manner, per codes and ordinances.
 - Protect the public and adjacent properties from damage throughout construction.
- Indemnification: To the fullest extent permitted by law, the contractor shall indemnify and hold harmless the owner, architect, their agents and employees from and against all claims, damages, losses and expenses, including but not limited to attorney's fees arising out of or resulting from the performance of the work provided that any such claim, damage, loss or expense is attributable to bodily injury, sickness, disease, death of, injury to, or destruction of tangible property (other than work itself) including the loss of use resulting therefrom.
- Contractor is responsible for locating and providing all necessary blocking within any walls for any wall mounted fixtures, displays, grab bars, equipment, etc. Coordinate location and blocking requirements with owner where necessary.
- Damages to property of the owner or adjacent property owners shall be repaired or paid for by the party responsible for the damage. This shall include but not be limited to damage to the building grounds, plantings, walls, pavement, appliances, vehicles, utilities, furnishings, and other properties.
- The contractor shall verify locations of existing utilities before commencing work. Care shall be taken to protect all utilities and existing vegetation.



314 ESCALANTE CIRCLE
RIDGWAY, COLORADO 81432
(414) 531-1460 PHONE

SITE PLAN

SHEET TITLE

MEYER ADU

357 Lena Street
Ridgway, CO

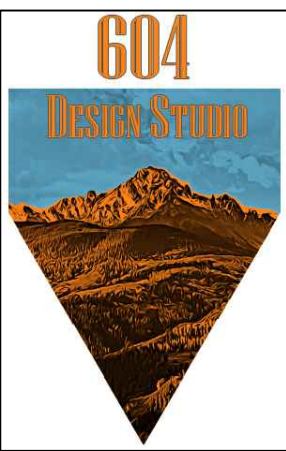
Date									
Phase									

All contents of these drawings are the sole property and copyright of 604 Design Studio and are protected from use by others on any other work without written permission. Written dimensions take precedence over scaled dimensions. Any discrepancies regarding dimensions are to be brought to the designer before commencing work.

Current Phase:
Permit Set

June 23, 2023

A1.1



314 ESCALANTE CIRCLE
RIDGWAY, COLORADO 81432
(414) 531-1460 PHONE

ELEVATIONS

SHEET TITLE

MEYER ADU
357 Lena Street
Ridgway, CO

Date

Phase

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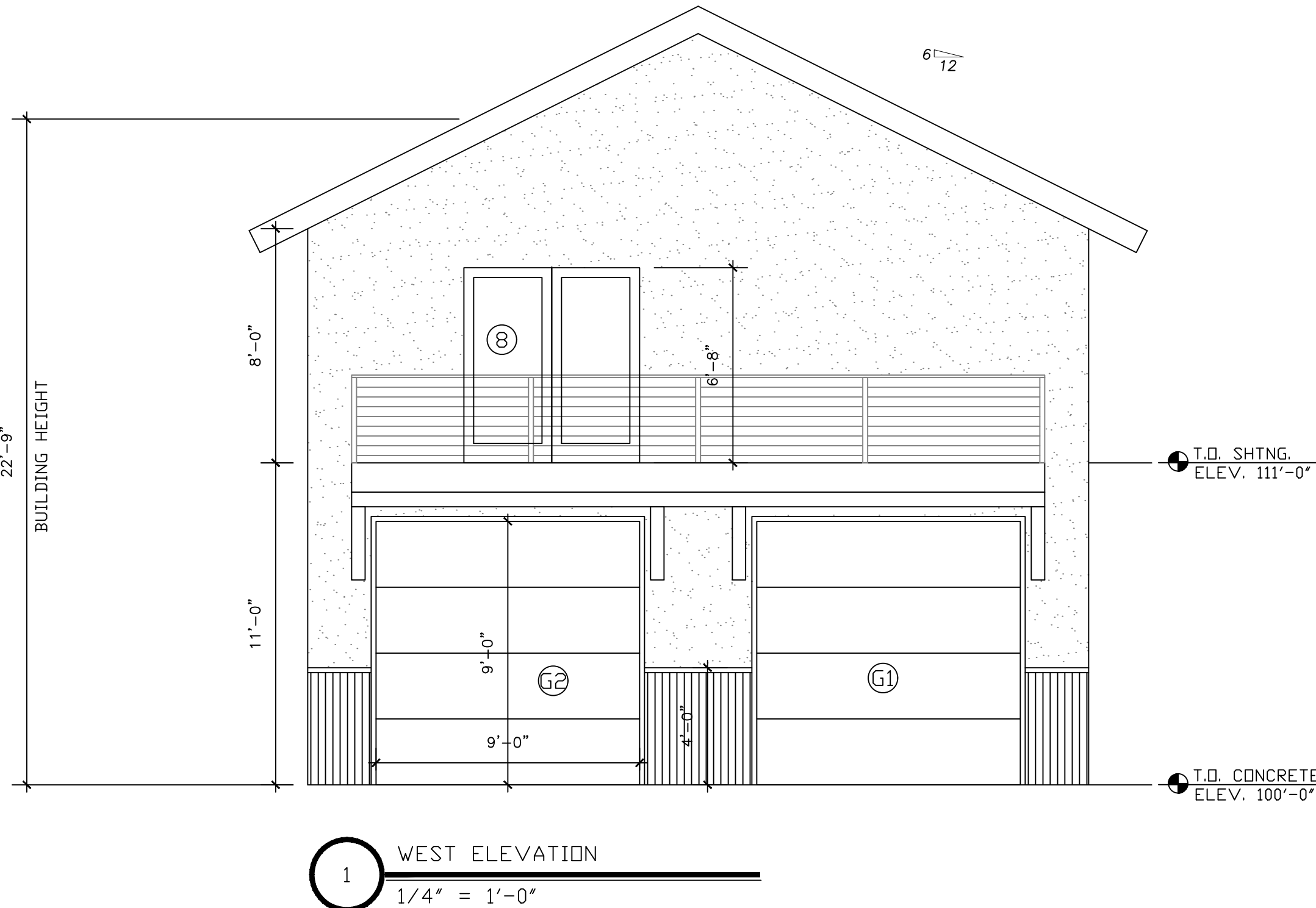
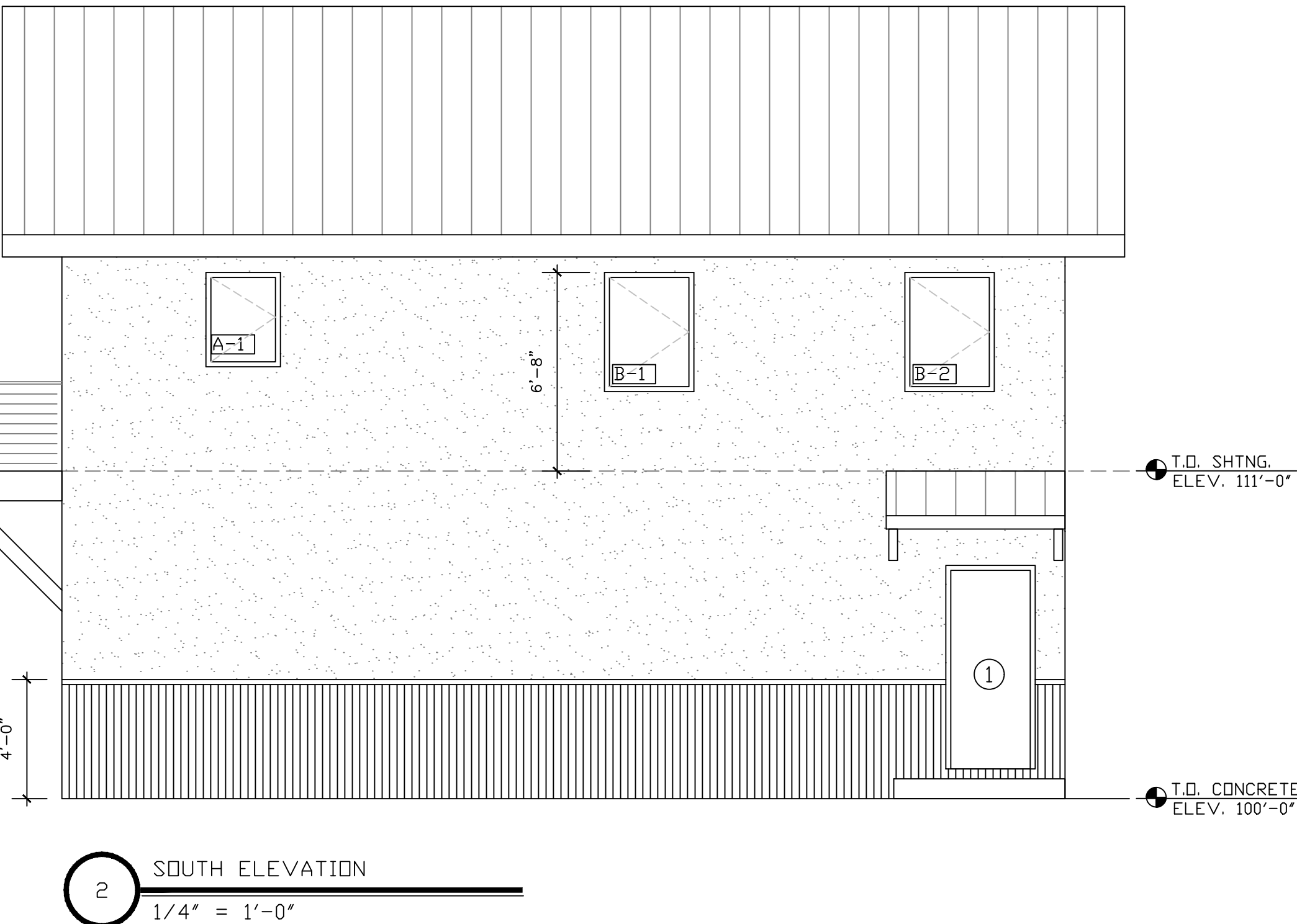
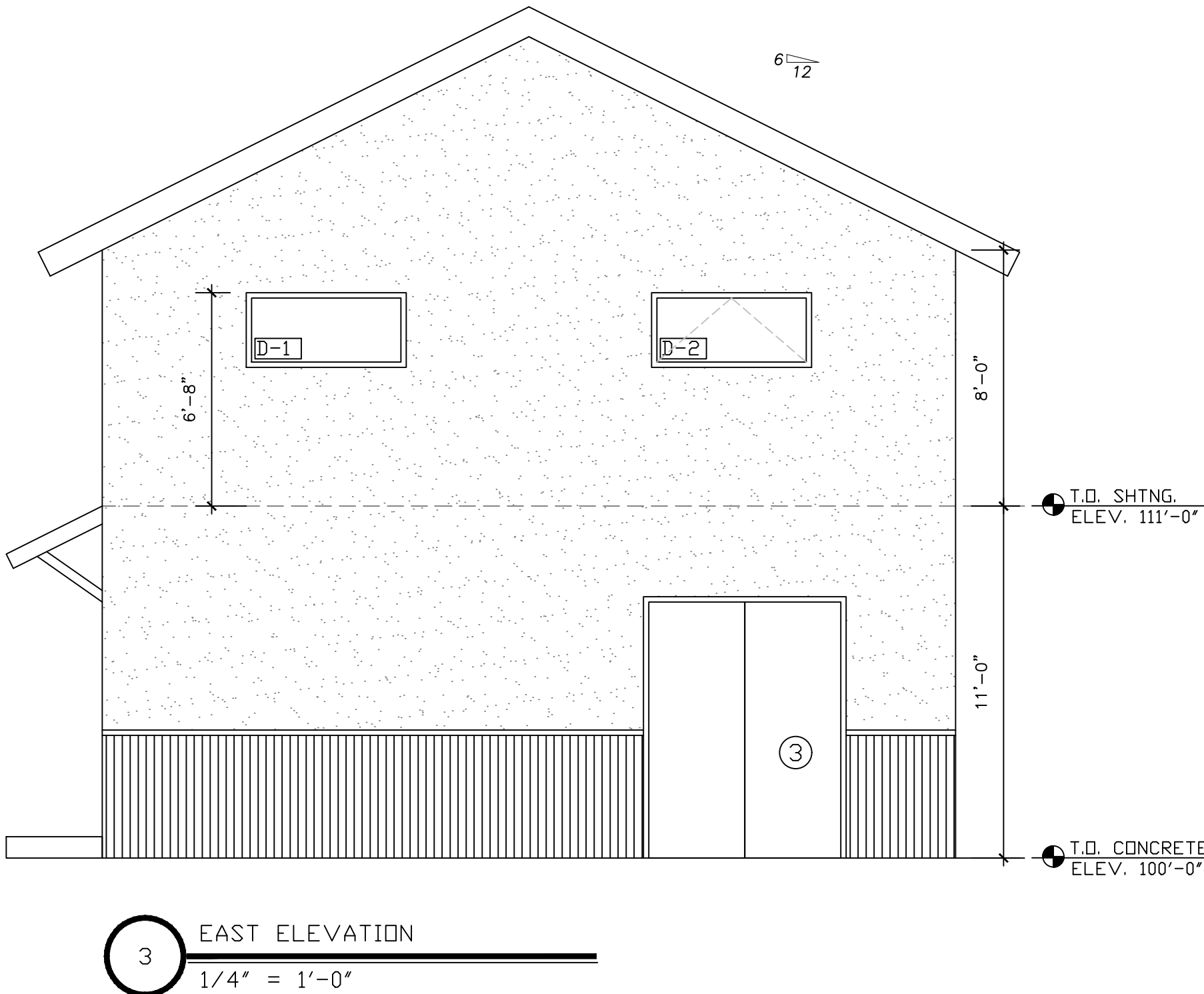
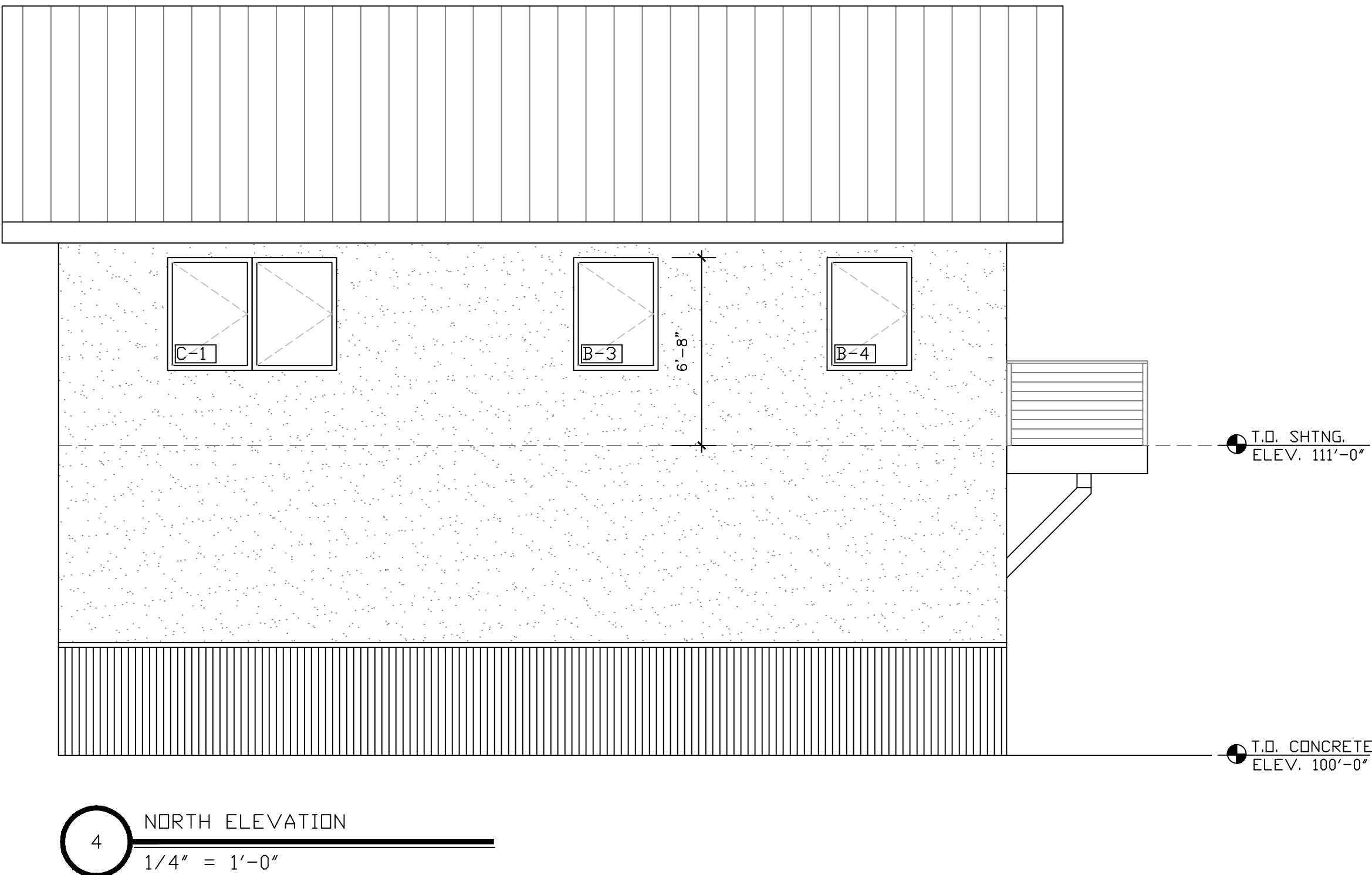
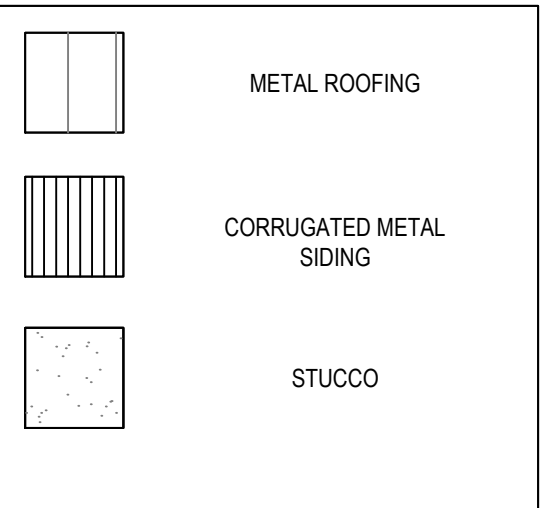
Current Phase:
Permit Set

June 23, 2023

A4.1

WINDOW SCHEDULE				ALL WINDOWS SET TO OUTSIDE FACE OF WALLS
MARK	UNIT SIZE (WxH)	TYPE	REMARKS	
A-1	2-6 x 3-2	CSMNT		
B-1/B-4	3-0 x 4-0	CSMNT		
C-1	(2) 3-0 x 4-0	CSMNT	EGRESS	
D-1	5-0 x 2-4	FIXED		
D-2	5-0 x 2-4	AWNING		
WINDOW SPEC				
1.FIBERGLASS WINDOWS MIN. U-VALUE .30				
2.EXTERIOR COLOR: TBD				
INTERIOR COLOR: TBD				
3.DUAL INSULATING GLASS, Lo E, & HIGH ALTITUDE.				
4.STANDARD FIBERGLASS SCREENS ON ALL OPERATIONAL WINDOWS & DOORS.				
5. TEMPER PER CODE AND NOTED.				
6. MUTTONS TO HAVE SIMULATED DIVIDED LITES.				
7. HARDWARE COLOR: TBD				

MATERIALS LEGEND





314 ESCALANTE CIRCLE
RIDGWAY, COLORADO 81432
(414) 531-1460 PHONE

SECTIONS

SHEET TITLE

MEYER ADU
357 Lena Street
Ridgway, CO

Date

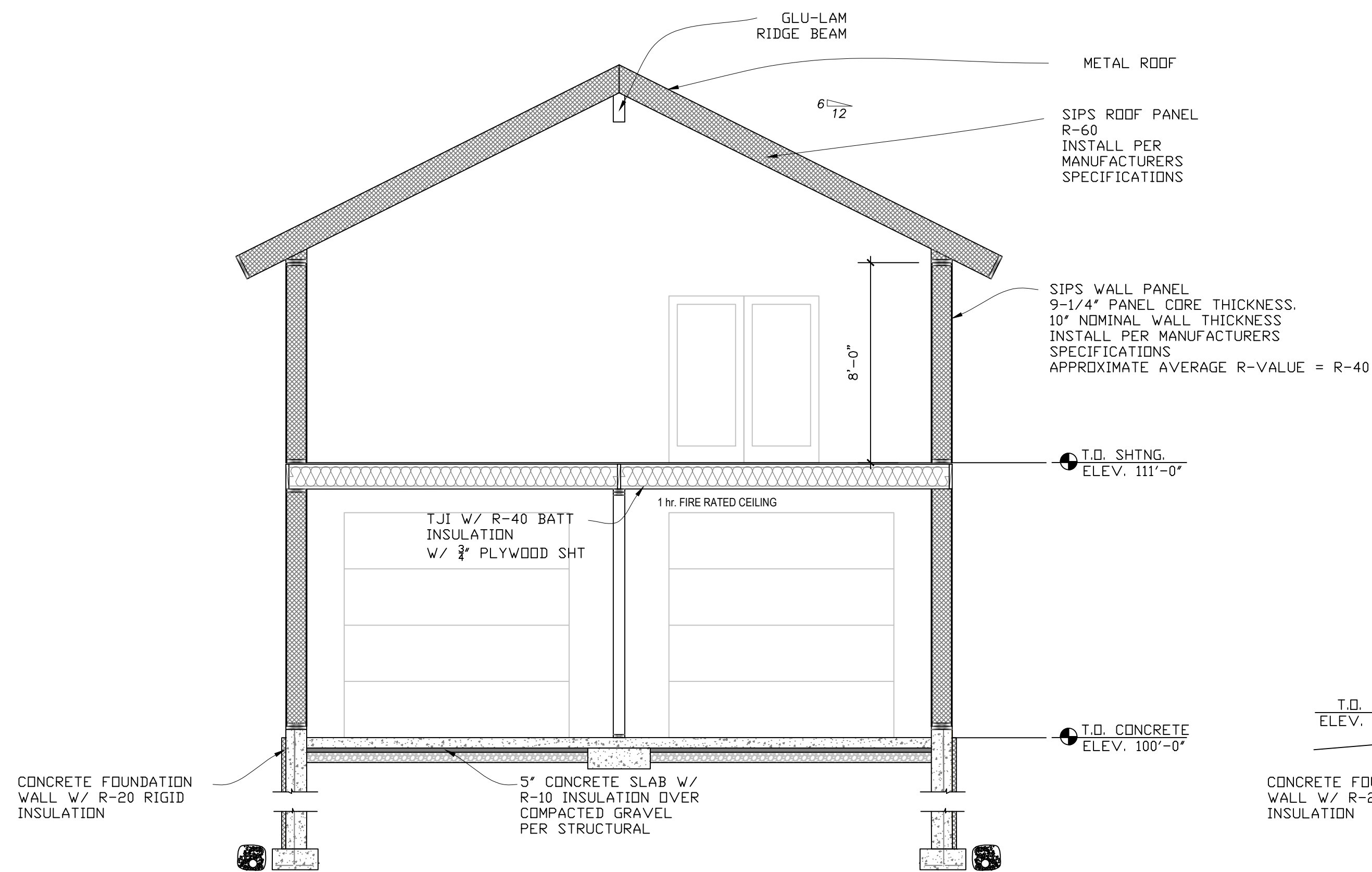
Phase

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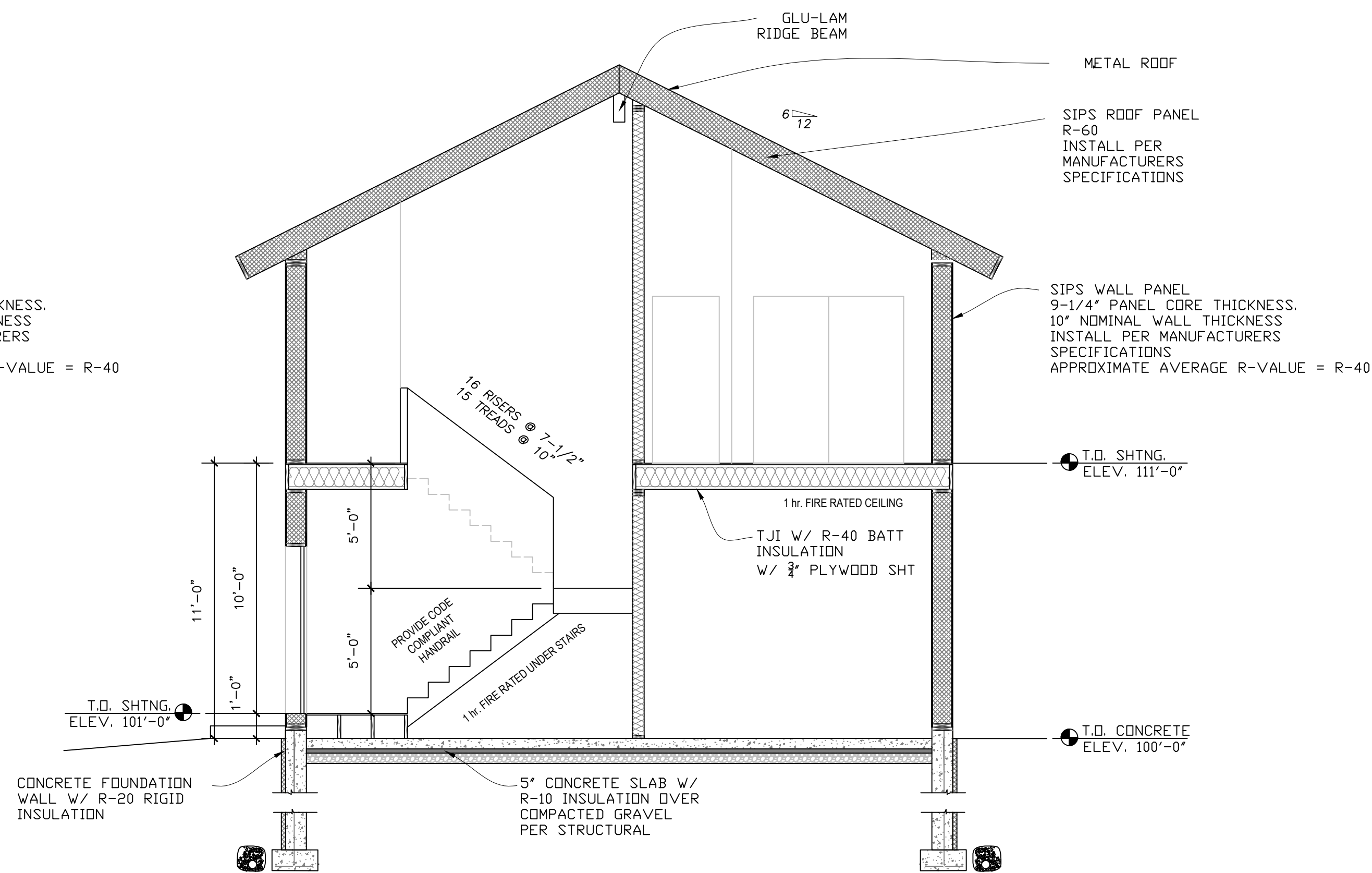
Current Phase:
Permit Set

June 23, 2023

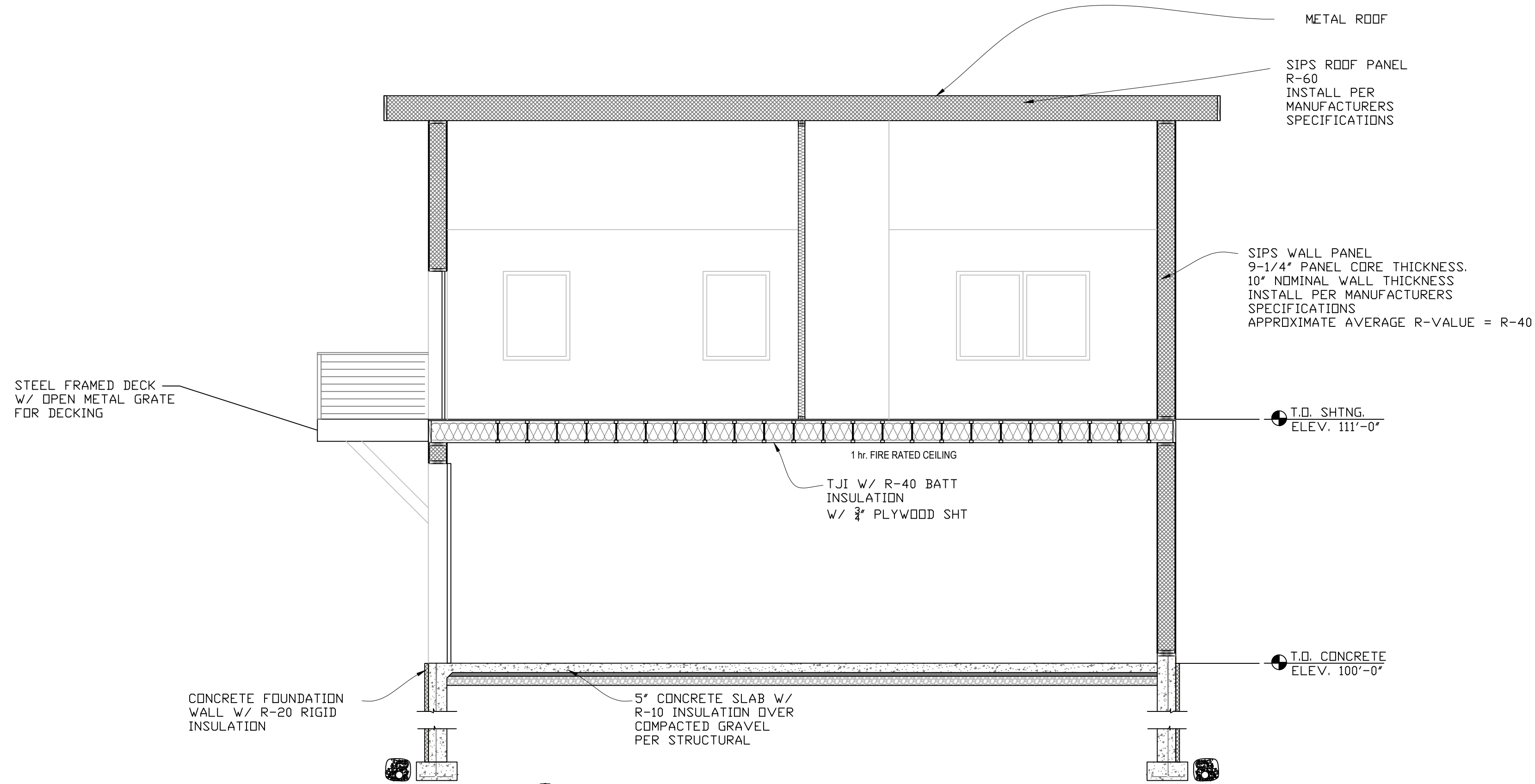
A5.1



3 SECTION
1/4" = 1'-0"



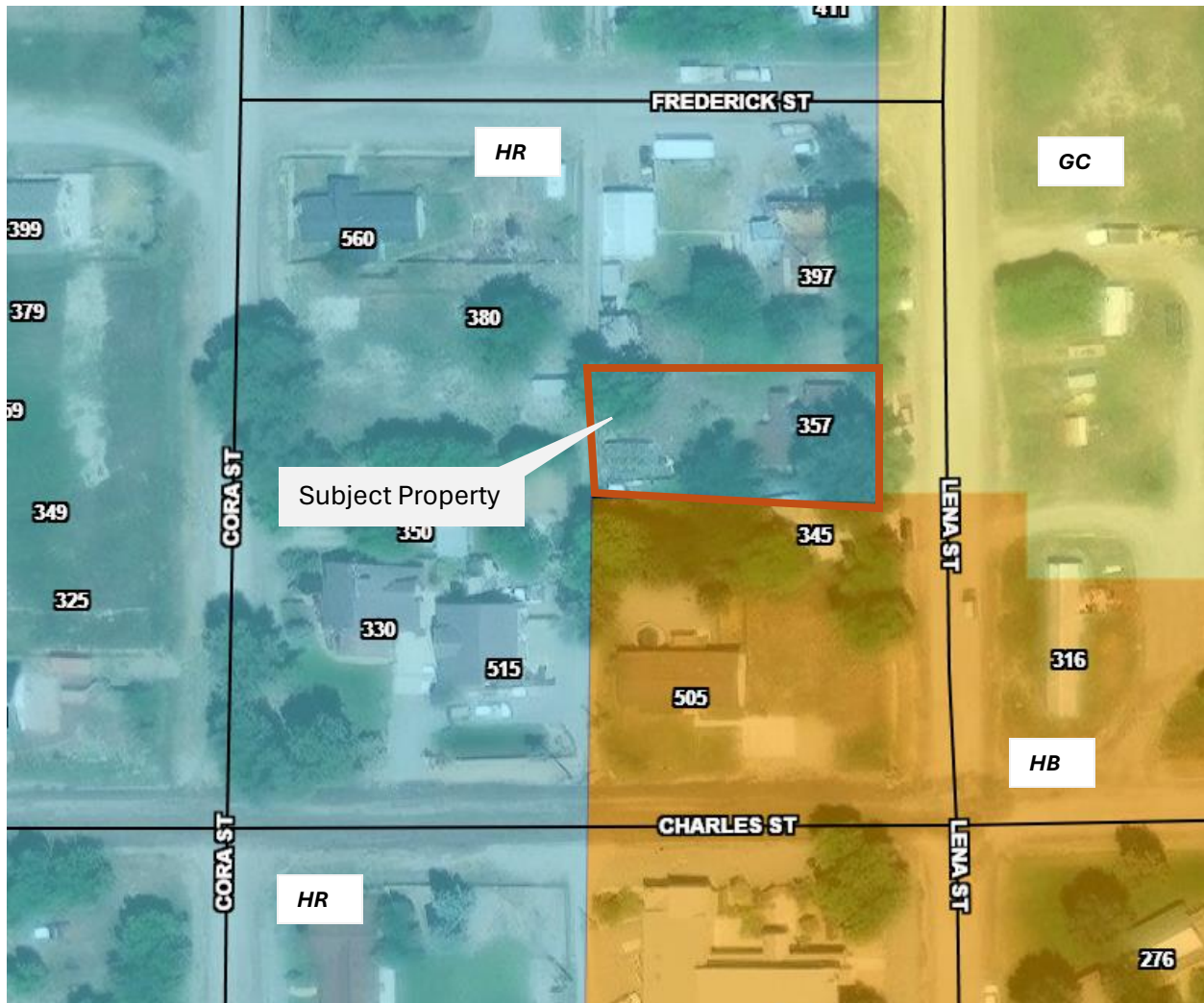
2 SECTION
1/4" = 1'-0"



1 SECTION
1/4" = 1'-0"

357 N. Lena St. ADU
Variance Request
January 23, 2024

Zoning Map





TJ Dlubac <tdlubac@planstrategize.com>

Re: Town of Ridgway Land Use Application Referral - ADU Size Variance Request

1 message

Joyce Huang <jhuang@sws-eng.com>
To: TJ Dlubac <tdlubac@planstrategize.com>

Mon, Feb 5, 2024 at 1:16 PM

TJ,

From an infrastructure perspective, this doesn't seem like an issue to me. The size is changing but they're only doing one bathroom and their water and sewer connections are getting pulled from the primary residence so no additional taps are needed. Items I checked for include:

1. Water/sewer for the ADU is from the principal residence so no additional tap fees will be needed. They may be subject to the ADU water rate listed in section 9-1-17 of the municipal code but unsure if that's just something that gets added onto the residential bill or only occurs if the ADU is on a separate meter/tap. I'm sure Preston will know, just wanted to mention it.
2. Parking has been provided for the unit. Town requires one off-street space which is shown to be off the alley.
3. Location: ADU is not located within a platted or recorded easement or over any known utilities, fire lanes, or emergency access route: ADU is on private property and outside of the setbacks which often house the residential utility easements.
4. ADU is not impeding access to or function of an area for circulation or parking of vehicles: ADU is located on private property and will not impact vehicle traffic or parking. Will need a driveway cut off the alley to access ADU's parking location.

Thanks,

Joyce

On Wed, Jan 31, 2024 at 8:16 PM TJ Dlubac <tdlubac@planstrategize.com> wrote:

Hello!

After sending my email this morning, it was brought to my attention that the body of the email was incorrect. Our previous email mentioned it was to reduce the size of the ADU. This was incorrect. The applicant is requesting to increase the allowable maximum size of an ADU.

We appreciate your interest in the Ridgway community and look forward to receiving your comments on the request.

All the Best!

TJ DLUBAC, AICP, MURP
President

PO Box 2382 Silverthorne, CO 80498

Mobile: 970.744.0623 | Office: 970.368.3114

TDlubac@PlanStrategize.com | www.PlanStrategize.com

On Wed, Jan 31, 2024 at 6:01 AM TJ Dlubac <tdlubac@planstrategize.com> wrote:

Hello!

The Town of Ridgway has received an application for a variance request to reduce the square footage of an Accessory Dwelling Unit at 357 N. Lena St, generally located west of N. Lena between Charles and Frederick Streets. The Town is interested in your agency's pertinent comments associated with this application. You may access the submittal materials in the following DropBox link:

<https://www.dropbox.com/scl/fo/ous5u21wghbx9y7eg6lga/h?rlkey=8nxopso2fc6fw85uqes1yiu8&dl=0>

Please review the documents and provide comments back **no later than 5pm Friday, February 16, 2024.**

If you have questions about this request, please don't hesitate to reach out directly to the individuals listed on the attached referral notice.

We appreciate your input!

All the Best!



Building People, Places and Community

TJ DLUBAC, AICP, MURP

President

PO Box 2382 Silverthorne, CO 80498

Mobile: 970.744.0623 | Office: 970.368.3114

TDlubac@PlanStrategize.com | www.PlanStrategize.com

--

Respectfully,

Joyce Huang, PE, CWP
904.610.8942



TJ Dlubac <tdlubac@planstrategize.com>

RE: Town of Ridgway Land Use Application Referral - ADU Size Variance Request

1 message

kyle@tricountywater.org <kyle@tricountywater.org>
To: TJ Dlubac <tdlubac@planstrategize.com>

Wed, Jan 31, 2024 at 8:05 AM

Tri-county Water has no water infrastructure in this part of Ridgway.

From: TJ Dlubac <tdlubac@planstrategize.com>
Sent: Wednesday, January 31, 2024 6:02 AM
To: TJ Dlubac <tdlubac@planstrategize.com>
Subject: Town of Ridgway Land Use Application Referral - ADU Size Variance Request

Hello!

The Town of Ridgway has received an application for a variance request to reduce the square footage of an Accessory Dwelling Unit at 357 N. Lena St, generally located west of N. Lena between Charles and Frederick Streets. The Town is interested in your agency's pertinent comments associated with this application. You may access the submittal materials in the following DropBox link:

<https://www.dropbox.com/scl/fo/ous5u21wghbx9y7eg6lga/h?rlkey=8nxopso2fc6fw85uqes1yiu8&dl=0>

Please review the documents and provide comments back **no later than 5pm Friday, February 16, 2024.**

If you have questions about this request, please don't hesitate to reach out directly to the individuals listed on the attached referral notice.

We appreciate your input!

All the Best!

AGENDA ITEM #2

To: Town of Ridgway Planning Commission
Cc: Preston Neill, *Ridgway Town Manager*
From: TJ Dlubac, AICP, *CPS, Contracted Town Planner*
Date: February 23, 2024
Subject: 2024 Land Development Code Updates

At the January 30, 2024 Planning Commission meeting, we kicked off the 2024 LDC Update project by outlining the four project elements and charting a course. At the end of that discussion, our direction was to research each of the topics and bring that research back in February to discuss priorities and the process moving forward.

The intent of this memo, and our discussion on February 27th, is to discuss the research conducted on each of the four elements and develop a strategy moving forward with each. Below is a brief summary of each element and the broader research conducted for each element is attached to this memo

1. Analyze Land Use Portfolio

Research was conducted related to strategies to consider while evaluating a balanced land use portfolio and development pattern. In the end, however, it is fully based on the Town's goals and vision to direct the pattern of development and encourage certain types of development within the Town limits.

Since our January meeting, our team has been working on gathering and cleaning GIS data and, as of the date of the packet going out, not been able to conduct the calculation of each land use within town limits. We are optimistic we'll have additional information to present on Tuesday, but unfortunately have not been able to get it done prior to the packet deadline.

2. Parking Standards

The trend in parking requirements is to reduce them and allow for shared parking opportunities which encourage visitors to park once and walk to multiple establishments or events. We have completed initial research on the best practices and existing assessments of parking in Ridgway. The attached research documents best practices and strategies to consider. Some methods include:

- a) The parking assessment completed by DHM Design and SET Engineering in 2018 identified a need for public education on parking availability, promotion of alternative transportation modes, maximizing parking sharing, implementing time limits, and event parking plans.
- b) Best practices suggest eliminating minimum required parking standards, emphasizing Transit-Oriented Development as a long-term solution, and addressing affordable housing barriers. Many small towns reviewed had success in removing minimum parking requirements and promoting business development.
- c) Experts emphasized that parking is an expensive determinant of development and completely removing minimum parking requirements, while shifting towards sustainable transportation methods will promote economic vitality.

The focus of discussion on this element should revolve around 1) is there adequate information and clarity in direction for the PC to have our team move forward drafting regulations or 2) is additional analysis, inventorying, or information gathering needed before beginning drafting proposed language.

3. Affordable Housing Provisions

As mentioned during the previous PC meeting, Section 7-7 is currently a placeholder in the RMC. The intent of this research is to assist the Town with memorializing its Affordable Housing goals.

A lot of research has already been completed. We have received a lot of communication and guidance from Town staff and will work on packaging it up into a codified section. CPS will complete research around topics specifically identified by TC and PC, such as implementing fee-in-lieu programs that support inclusionary zoning programs.

4. Accessory Dwelling Unit (ADU) Regulations

Ridgway has determined that ADU development is a potential solution to the housing affordability issue and has successfully implemented ADU regulations. This project seeks to evaluate the current language against lessons learned and best practices gleaned after years of the ADU movement and recommend potential policy changes.

An initial analysis has been completed of best practices in ADU development in the attached research document and a few strategies are worth summarizing.

- a) There are a lot of ways to incentivize ADU construction such as, using fee waivers and application exemptions. Incentives to reduce the financial and administrative barriers will benefit the homeowner and Town staff.
- b) Easing regulatory frameworks and development standards could be eased or eliminated while also supporting the neighborhood character. Various methods to discuss include limiting discretionary review process, softening owner-occupancy requirements, or removing off-street parking mandates.
- c) ADU development offers a gentle density solution to the affordable housing crisis. The intent is to support mixed-income communities without eliminating the single-family lot and create multi-generational, and wealth-building opportunities. Easing the lot standards to increase the total number of ADUs is supportive of the Town's affordable housing goals.

While the Town does allow for ADU's, and these are widely present throughout Ridgway, the provisions of Section 7-4-6(A) of the RMC have numerous potential adjustments. Based on the outcoming of the next meeting, we can identify specific strategies to begin drafting for the code.

The focus of discussion on this element should revolve around 1) is there adequate information and clarity in direction for the PC to have our team move forward drafting regulations or 2) is additional analysis, inventorying, or information gathering needed before beginning drafting proposed language.

Attachments:

- A. Land Use Research Document
- B. Parking Standards and Regulations Research Document
- C. Accessory Dwelling Unit Research Document



PART 1 – SUMMARY OF EXISTING REGULATIONS

The Town of Ridgway is seeking to reevaluate their regulations pertaining to accessory dwelling unit (ADU) construction. This research considers the existing regulations located in Section 7-4-6(A) of the Ridgway Municipal Code and reviews them alongside best practices. The current regulations overall support ADU construction and utilize the following regulations.

1. ADUs are only allowed as accessory to a single-family detached dwelling. Only one ADU per single-family detached dwelling unit is permitted.
2. The accessory dwelling unit must be constructed in accordance with applicable requirements of Town Building Codes. It may be attached or detached to the principal residential unit. Applicable dimensional requirements for a single-family dwelling as set out in Subsection 7-3-15(A) must be met for the premises.
3. One off-street parking space shall be provided for the accessory dwelling unit in addition to any other required off-street parking.
4. The accessory dwelling unit may not exceed 800 square feet of gross floor area.
5. One of the dwelling units on the property must be, and remain, owner occupied.
6. A minimum of a 90-day rental period shall be required by written lease, except as described in subsection pertaining to short term rentals
7. The accessory dwelling unit must be owned together with the principal residential unit, and the lot or parcel upon which they are located, in undivided ownership.
8. The accessory dwelling unit may be served off of the water or sewer tap for the principal residence, in which case it shall not be subject to additional tap fees.
9. The burden shall be upon the owner of any accessory dwelling unit to provide adequate proof to the Town that the criteria of this Section are met. In the event that the Town determines that the criteria have not been shown to be satisfied the unit may not be occupied as a residence.
10. A dwelling unit constructed before a principal single-family home, which meets these criteria, may be converted to an accessory dwelling unit following construction of a new principal dwelling unit.
11. An accessory dwelling unit, as defined in Section 9, either attached or detached to the primary dwelling, may be utilized as a short-term rental only under the following circumstances:
 - Tap fees are paid at 30 percent pursuant to Ridgway Municipal Code Subsection 9-1-9(c)(2); and
 - One hundred percent of monthly water, sewer, trash and recycling services are paid on a monthly basis pursuant to Ridgway Municipal Code Chapter 9; and
 - The lot size upon which both dwelling units are sited is a minimum of 6,000 square feet.

PART 2 – BEST PRACTICES REVIEW

This annotated bibliography reviews best practices for implementing ADU regulations.

Grant, June; Guzman, Shannon; Harrell, Rodney. *Accessory Dwelling Units A Step by Step Guide to Design and Development*. AARP, Future of Housing, blink! LAB Architecture. December 2019

- Evaluating the population that needs the ADUs can help understand which regulations could have more power than others. This could be based on the prevailing demographic in our community that needs specific aspects of ADU development.
 - Most counter-productive strategies include, requiring off-street parking spots, requiring the owner to live on site, not allowed in existing SFR zoning areas, limited design and dimensional standards.
 - Understanding the “who” is helpful for evaluating the anticipated budget of ADU construction.
- Key considerations – location/zoning, dimensional standards, construction incentives
- Creativity with configuration should be welcomed or otherwise fit the context of the affordable housing goal.
 - Detached provides most privacy.
 - Attached or nearby can reduce sewer/water connections.
 - Conversion of existing underutilized space
- Examples of incentives include:
 - Minimal or waived permit fees. Portland, OR fee waiver program for ADUs eliminate 7k-15k in development fees. Major fees, in CA for example, fire sprinkler and utility connection
 - In Ashland, Oregon (population 21k), an ADU with 500 SF or less are exempt from the planning application process.
 - Seattle, WA has pre-approved packaged designs that can save up to 30k in design fees.
 - Austin and DC allow ADUs to be sold as separate property. Offering the ability to be on separate property provides an affordable option for buyers entering the market.
 - Oakland, CA does not require parking within a ½ mile of transit facilities.
- Dimensional standards for Austin, TX
 - 10-ft setbacks
 - Two-stories permitted to a maximum height of 30ft but 2nd story may not exceed 600 SF.
 - Reduced 2nd floor SF is considerate of neighbors and existing architectural character in the neighborhood.
 - With a typical maximum lot coverage of 40%, a lot size of 5,750 can support a primary and accessory dwelling of about 2300 SF total.
- Dimensional standards in Denver, CO
 - Permits accessory dwellings SF maximums based on SF of lot
 - Requires a specific distance from primary use for detached structures.
 - Focuses on residential character as well and hopes flexibility with casitas/ carriage homes will push back against gentrification.
- Major barriers to folks wanting to build an ADU are the approval process and funding.
- Key considerations for finance options are source of funding, loan terms, design fees, construction fees.

- Common for homeowners to use a home equity line of credit when they owe less on the house than the market value.
- Design fees can skyrocket, so use of pre-made or pre-approved designs can help reduce barriers especially in neighborhoods facing gentrification.
- The space planning of an ADU is mostly left to building code; however, consideration of incentives for building materials to support goals of sustainability should be incorporated.

Accessory Dwelling Unit Guidebook. Florida Housing Coalition, Florida Housing Financing Corporation. December 2018

- Establishing a definition of “ADU” can be challenging and should reflect the established needs and growth of a community.
 - Florida Statutes define ADU as, “an ancillary or secondary living unit that has a separate kitchen, bathroom, and sleeping area existing either within the same structure, or on the same lot, as the primary dwelling unit.
 - Florida focuses on the extent of kitchen and appliance needs here.
- “ADUs capitalize on the prominence of the single-family home by allowing more residents to live on single-family lots at an affordable price.”
 - Between 1970 and 2012, the average number of people per household has dropped from 3.4 to 2.6. Smaller housing is on demand. As of 2015, 64% of occupied units were SFR homes
 - Department of Economic Opportunity noted in their 2007 report that ADU integration also supports mixed-income communities and spreads the wealth as opposed to having enclaves of affordable housing in certain sections of the city.
- Regulatory Barriers and Practical Solutions.
 - Soften Euclidean zoning patterns by allowing ADUs in all SFR zoning districts.
 - Consider conditional use in sensitive areas or utilize administrative judgement.
 - Simplify the process by reducing lot size, setbacks, and other structural requirements to allow the safest, but largest flexibility of design outcomes.
 - Be sensitive to prohibition of family and non-family members quantities in a household.
 - Residential land uses are based on density. When ADUs are counted as a dwelling unit the parcel might exceed density allowances and stricken use of ADUs. Exempt or consider alternatives to fully including ADU in density requirements for a development.
 - Consider SF or dimensional standards of an ADU as a determine for flexibility against the density calculation.
 - Owner-Occupied Restrictions
 - An owner occupied requirement should be flexible enough to encourage ADU creation. Minimum standard is owner is permitted to occupy but that only wouldn't apply unless the ADU was permitted to be sold separately.
 - Resolve the community concerns with increased code enforcement mechanisms and dimensional standards. Maintain character with flexible architectural standards.
 - Block-based dimension scaling, such as when you average a front setback based on neighbors actual setback.

- Lot Standards.
 - High minimum lot standards simply reducing the quantity
 - Consider additional ADUs with higher lot standards.
 - Low percentage
 - Establish a set number for SF or consider a certain proportion in sensitive areas.
- Utility Hook-up Requirements
 - Allow connection to primary home utility hook-up
- Establish definitions that clarify differences between ADU and other terms, such as, granny flats, mother-in-law suites, tiny home, casitas, etc.

Abu-Khalaf, Ahmad. *Overcoming Barriers to Bringing Accessory Dwelling Unit Development to Scale*. Enterprise Community Partners. September 2020.

- “ADU Development is a homeowner-initiated process.[...]The process for planning, design, permitting, financing, construction, and approval process is based on willingness”.
- New construction ADU development typically follows longer construction times.
- Using Gentle Density to Support Aging in Place
 - Gentle density is a phrase to avoid association with multi-family development and slightly increases density.
 - This can be ADUs, but also smaller multiplexes, such as a duplex.
 - Establishing ADU can be a tool to harness income-generation, multi-generational housing, and a wealth-building strategy accessible to low-middle income families.
- Avoid discretionary review processes that could lead to uncertainty for homeowners
 - Introduces possibility of extended timelines.
 - Special and Conditional Use standards invite opposition and input in public hearing setting.
 - Give more power to the discretion of the municipality or regulating agency.
- Municipal zoning regulations have the ability to impose a range of restriction on the occupancy of ADUs
 - Restricts capacity for income generation for homeowners
 - There is a generic consensus among housing practitioners that this affects home appraisals.
 - Restricting occupancy for the owner in either the primary residence or ADU create legal burdens, such as having to add or change family members on the deeds.
 - Potential solutions include eliminating occupancy requirements altogether or limiting its reach.
 - Housing and rental markets then decide the potential income generation from non-family members.
 - Limiting to requiring only an owner on property at either dwelling.
- Requiring off-street parking spots will impact the financial and physical viability of an ADU project.

- Irregular boundaries and topographical conditions can make additional parking difficult to provide.
 - This brings more projects to public hearing with potential variance requests.
 - Parking and designing parking is an additional cost.
 - ADU tenants may utilize alternative modes of transportation or have the ability to do so based on location.
- Setbacks and other dimensional standards are different for every jurisdiction. The primary focus of establishing dimensional standards to protect the health and safety of the residents.
 - Establishing small developable areas will deter construction.
 - Shift away from minimum lot standards.
 - Many municipalities have a tier system based on lot size, for example, if the lot size is 5K SF or less, the ADU may be X SF; if the lot size is 7500 K or less the ADU may be X SF.
 - Evaluate square footage requirements as a percentage of existing buildings.
 - Evaluate maximum building coverage to determine if the intended amount of coverage can provide flexibility.
 - Design standards can be managed in a few ways, such as height or slope.
 - Establish height limits based on existing architecture.
 - Impede development of two-story ADUs or mezzanine floor plans.
 - Challenge the total number of permitted ADUs on a single lot. This can be a future land use strategy for land be considered for multi-family development.
 - City governments should avoid imposing maximum size requirements for ADUs that would result in small ADUs that are close in size to micro-units or junior studios.
 - Prevents homeowner from unlocking developable area benefits.
 - Most single-family lots permit a 2nd story, so municipal governments should consider allowing two-story ADUs. Unless there are valid reasons for committing to a height restriction.
- West Denver Pilot program to assist homeowners finance and construct an ADU on their property.
 - The program assists eligible low-to-moderate income households within the WDRC (West Denver Renaissance Collaborative) neighborhood.
 - Prohibited use of STR
 - Required ADU to be affordable to households earning up to 80% AMI for a 25-year term.
 - Established (20) \$25,000 forgivable loans and now has a revolving fund of \$250,000 in additional capital.
- Key Takeaways
 - ADU development is the low end of the density spectrum.
 - Bringing ADU development to scale requires easing or eliminating municipal regulations that create regulatory barriers such as:

- Discretionary review processes
- Owner-occupancy requirements
- Off-street parking requirements
- Minimum lot sizes and large setbacks.
- Height caps and restrictive sizes
- Prescriptive architectural design standards
- Impact fee and utility connection cost burdens

PART 3 – CONSIDERATION:

We will discuss options moving forward with the Planning Commission at Tuesday's meeting.

PART 1 – REVIEW OF EXISTING CONDITIONS

This section analyses the existing land use portfolio for the Town of Ridgway.

NOTE: We have been gathering and cleaning parcel data gathered from the County and Town staff to be able to calculate the existing breakdown of land uses. We are optimistic that we'll have this to present at the Tuesday PC meeting, however, it is not ready at this time.

PART 2 – BEST PRACTICES REVIEW

This annotated bibliography highlights a variety of best strategies for approaching a balanced land use portfolio to properly support community needs at the Town of Ridgway.

Nelson, Kevin. *Essential Smart Growth Fixes for Rural Planning, Zoning, and Development Codes*. United States Environmental Protection Agency Office of Sustainable Communities. February 2012.

- International City/County Management Association (ICMA) suggests that communities who would like to preserve rural character should pursue “smart growth” policies.
 - Rural communities should focus on aspects of Smart Growth Policy pertaining to their character.
 - Support the landscape by creating an economic climate that enhances the viability of working lands and conserves natural lands.
 - Take care of assets downtown, main street, existing infrastructure, and places people value.
 - Build vibrant neighborhoods that people, especially young people, do not want to leave.
 - According to US Census Bureau ACS data, woman aged 25-29 are Ridgway’s largest demographic.
- Reinforce community’s choices about where development should go to determine areas for growth or preservation. Require charettes for larger proposals.
- Evaluate the current market demand of existing hubs to understand concentration. This can expand to a regional approach to understand the market conditions of nearby towns and limit unnecessary or undesirable uses and enhance local capacity.
- Major modifications to determine areas to grow/preserve:
 - Clearly identify and map community’s preferred method of growth boundaries.
 - Review alongside capital improvement plans and fee structure to understand if identified projects can work alongside intended growth.
 - Coordinate community service areas with capital improvement plans, investment strategies, and other economic development targets.
 - Adopt policy to locate major government services into designated growth areas.
- Incorporate fiscal impact analysis to determine long-term costs of proposed development. Costs should be based on more than tax revenue.
 - Consideration of resulting effects on transportation infrastructure cost for elderly, emergency services, resort workers.

- A simple 4-step fiscal analysis could include (1) estimate the population generated by the development. (2) Translate the development into public service costs. (3) Project the tax and revenue generated by the growth. (4) compare development-induced costs to projected revenues.
 - It may be valuable to target specific uses permitted in zoning and understand the potential development scenarios around rezoning as well.
 - "It is an art not a science" Utilize a fiscal impact analysis to help make decisions specific to your community.
- Evaluate the concurrency standards to make sure proposed growth has an approvable route via private development.
 - Have a clear understanding of current infrastructure direction.
- Reform Rural PUDs to capture the necessary flexibility in land uses.
 - PUDs have proliferated and resulted in overreliance that creates uncertainty and unclear community design standards.
 - Rural areas can restrict PUD use to preferred development areas with targeted community needs.
 - One example could require a specific mixture of uses and connectivity to the existing street grid without waivers to subdivision standards.
- Use wastewater practices that meet development goals. Analyze the current system and understand if there is a preference to allow private systems in place of public infrastructure or vice versa.
 - Be sure to protect environmental investments and avoid fiscal inefficiencies. Evaluating wastewater system on a case-by-case basis is helpful for realizing the potential of land use alternatives.
- Addressing the issue of failing septic systems should avoid leading to additional unwanted growth. This can occur with centralized sewer systems.
 - Offer incentives as a state of town agency to convert the septic systems near critical land uses. Allow municipalities to maintain private septic systems with a fee.
 - Identify excess capacity to orient development toward the excess.
- Encourage density appropriating along the periphery. Many rural communities encourage low-density development but the dimensional standards more often resemble suburban standards.
 - Large spread out lots will put strain on transportation systems and making alternative in-town traveling more car-based.
 - Lots between 2-10 acres are too small to farm but too big to mow.
 - 5-10 acre lots near town can begin to support an urban farming economy.
 - Determine if existing residential property can support the infrastructure needs of commercial or agricultural development. Scenario planning can be a used strategy for understanding the correct development pattern.
- Consider the use of TDR strategies to send density to downtown while protecting natural and conserved areas in the periphery.
- Allow agricultural areas to support greater range of agricultural jobs so that their commercial use has a greater local impact.

- “Agricultural workplaces” could allow other economic development activities such as on-farm sales.

Bose, Ranadip; Lefor Rood, Fran. *The Nexus between Land Use and Fiscal Balance*. Zoning Practice American Planning Association. January 2019.

- Land use decisions directly influence the financial health of community, regardless of the development scale. Fiscal zoning explicitly considers fiscal health of proposed uses and standards.
 - Overzoning occurs when properties are zoned to attract a particularly fiscally positive development and often occurs on a case-by-case basis. This approach is inefficient for the long-term and may not account for community-wide priorities.
- There are many ways to balance a municipal budget. Some common scenarios are listed below based on real Chicago towns:
 - Community 1 is a large bedroom community that is primarily built-out with very limited commercial uses. It has about 10,000 residents and will rely on property taxes and very limited sales tax.
 - Community 2 is a larger community with 75,000 residents, a mall, and office complexes. Very reliant on sales tax revenue.
 - Community 3 has about 40,000 residents and is growing rapidly. Revenues are evenly distributed between property taxes, sales tax, and other sources.
- All of the above-referenced towns currently utilize infill development to primarily fuel additional growth.
- Development patterns and the land-use mix also have direct impact on municipal expenses.
 - Public safety services are often the largest line item in a municipal budget. New development could have more impact on these services.
 - Certain height buildings could be safety hazards based on fire truck with ladder availability.
 - All 3 of the previously mentioned communities will have substantial public service costs. Community 3 has to be careful about development outpacing available services.
- Development and the fiscal impact perspective needs to include fiscal health for long-term sustainability. Fiscal health may include placemaking, equitable development and inclusive growth.
- Greenfield development, particularly those on the rural-urban edge, typically require the most extension of municipal services. Front-funding infrastructural extensions speculatively may lead to a financial burden.
 - Even requiring the developer for all the upfront payments of utility infrastructure does not prevent fiscal stress from ongoing operations and capital costs.
 - Such as the cost to resurface or reconstruct roads after 20 years.
- Focus on infill development with infrastructure capacity is fiscally prudent because it adds little or no new operation.
- Study from Smart Growth America examined 17 nationwide case studies assessing average municipal savings from smart growth aligned developments versus typical suburban development standards.

- Smart growth development generally costs 1/3 less for upfront infrastructure.
 - 10% savings in ongoing delivery of emergency and public safety services.
 - Generates 10x more tax revenue per acre.
- A study by Redfin, determined that 1 Walkscore point increases the average home value by 0.9%. A walkscore signifying a locations access to essential services, parks, food, entertainment, and educational facilities.
- Relative to drivable suburban areas, all 30 of the nations largest exhibited positive average rent premiums of 4% to 191% (average of 74%), which in turn results in more property tax revenues.
- State fiscal structures often favor big-box car-oriented development in the near-term. Systems that create competing municipalities for sales—tax generating uses can be helpful in the short-term but could offer no separate benefits in an effort to attract that retailer.
- E-commerce (article is before COVID) is the fastest growing sector and has required retailers to prefer mixed-use environments that are less car-dependent or creating unique in-person experiences.
 - Sales tax is becoming a less reliable source of income for municipal budgets.
 - Placemaking will endure with a strong sense of place
 - Municipalities need to diversify their portfolio to build in resilience to their tax structure.
- Projects that serve equity goals such as affordable, workforce, and senior housing may individually not have positive net fiscal impact but together form a long-term impact, such as motivating people to age in place as a long-term solution for their family.
- Evaluating long-term fiscal balance and policy trade-offs require a holistic assessment because individual decisions may only appear to be smart decisions at the time.
 - Basing a fiscal impact analysis on the goals of the comprehensive plan need to be realistic so that ad hoc zoning changes don't occur when planned uses don't materialize.
- Incorporating fiscal balance into the regulatory framework of planning presents an opportunity for zoning by balancing community goals of financial sustainability with a mix of land uses.

Scholl, Mike; Olhava, Josh. DOLA Land Use Best Practices: Rural and Rural Resort towns: August 2023
<https://dlg.colorado.gov/land-use-best-practices>

- There are numerous strategies that consider the rural context, community values, and overall level of complexity. Key factors identify economic, social, and environmental benefits.
- Compact development through higher-density core and service centers.
 - While many rural towns have a larger downtown service area, but also consider compact or greater density near other service centers such as business parks.
 - Utilize infill attached residential near the core, attainable housing near employment areas, and integrate with existing neighborhood.
 - Case Study of Craig, built 20 units on a former brownfield adjacent to downtown, near transit and other services such as transit.
 - Cluster zoning can go hand-in-hand with smaller lot sizes and proper conservation of public spaces and land.

- Reduced minimum lot size requirements allow for a greater economy of scale and allow reduced housing and infrastructure cost burden.
 - Utilize shared green spaces and parking to support smaller lots.
 - Examples provided: 5,000 SF lots for single family and 2,000 SF lots for duplexes.
 - Balance design requirements to integrate into neighborhood.
 - Proper lot size is very location-based and should be considered carefully.
 - Town of Flagler reduced lot size requirements closer to the elementary school.
- Identify open space and large developable property for acquisition and placing into potential land
- Consider an incremental approach to get the right mixtures of uses that supports the life and revenue stream of downtown.
 - They use Meeker, CO as an example of providing housing in the downtown area

PART 3 – CONSIDERATIONS

Again, we anticipate this Part 3 to be filled in and discussed further with the Planning Commission at next Tuesday's meeting. However, because the existing conditions analysis was unable to get completed at this point, we're unable to include it in the packet.

PART 1 – REVIEW OF EXISTING CONDITIONS

This section outlines the current parking standards in RMC 7-4-6(M) and the potential solutions established in the 2018 Ridgway Parking Assessment prepared by DHM Design & SET Engineering

A summary of the existing parking regulations in Sec. 7-4-6(M) are as follows:

1. There are established off-street parking requirements for uses, based on miscellaneous parameters such as quantity of beds, seating, customer floor space, gross floor area, and staff.
2. The dimensions of minimum parking space size are provided along with details of maneuverable space.
3. The end of the parking regulations outline the exceptions within the (DS), (MR), (HB), Limited Industrial (LI), General Industrial (GI) zoning districts. The zoning regulations include a variety of strategies such as;
 - a. Credit is given at a rate of “half-spaces” for on-street parking adjacent to the business.
 - b. Standards may be met with logically placed, non-motorized vehicle parking.
 - c. Mitigating visual impact of parking and utility structures with screening
 - d. Restricting location within setbacks and certain ally access points
 - e. Additional square footage requirements
 - f. Establishing a fee-in-lieu program after (3) spaces can be provided.

The parking assessment prepared by DHM Design & SET Engineering reviewed current parking conditions and evaluated the potential future needs. The study focused on the downtown area, from Mary Street to Railroad St. and Charles Street to Hyde Street. The conclusion provides (5) five attainable solutions:

1. Educating the public on parking availability via signage and employers.
2. Promoting alternative modes of transportation, such as walking and biking.
3. Sharing parking by establishing partnerships and maximizing parking availability.
4. Implementing time limits on parking space in the downtown business hubs, but not metered parking in the short term.
5. Establish event and overflow parking plans and organize existing gravel parking lots.

PART 2 – BEST PRACTICES REVIEW

This annotated bibliography highlights a variety of best strategies for approaching parking regulation reforms.

Spivak, Jeffrey. *People Over Parking*. American Planning Association. October 2018

- Discussion on lower parking requirements assisting developers so that they can bring costs down.
 - In 2016, surface space cost was averaged at \$5,000. Above ground garage space is about \$25,000 and below ground about \$35,000 per space.
 - In larger cities this translates to increasing tenant rent by 17%
- Bigger focus on TOD oriented parking code changes.
- Discussion of a nationwide movement to reduce or completely eliminate parking standards.

- Spokane eliminated parking requirements for dwellings with four units or less
- Buffalo eliminated parking requirements for developments of less than 5000 SF
- Transportation preferences are changing to shared vehicles or micromobility.
 - Green Street Advisors estimate the US parking needs could decline by 50% in the next 30 years.
- Affordable housing is a catalyst of parking reform.
 - 1.5 parking spaces w/ 12' of backing up aisle space is about half the size of a 900SF apartment.
 - Reducing need for parking spaces reduces cost.
- Major European cities that are ahead of us, have forcibly imposed parking maximums and replaced spaces with pocket parks and street furniture with charging capabilities.
 - Mexico city removed parking requirements

Reuter, John. *Why Parking Minimums Almost destroyed my Hometown and How We Repealed Them.*

Strong Towns 2017

- Lessons from Sandpoint, Idaho. Pop. 8692, passed series of reforms in 2009.
 - Perspective of councilman at time.
- Had to grow community support to eliminate parking minimums dt, significantly reduce minimums elsewhere, and institute parking maximums.
 - Parking maximum was to prevent large empty lots from damaging quality of life.
- Reform started because of a small business being bought out to provide parking for large development. Code required the parking and the city didn't want them to put in parking.
 - Cheaper for bank to buy property than pay 10K per space required.
- Negotiation established a win-win-win and resulted in everyone getting what they wanted.
- Parking minimums stop smaller and local businesses from expanding
 - Are current parking requirements stopping the town from developing things they love?
 - Best method for helping people support minimums was showing how it directly impacts them.
- Result of removed parking minimums allowed restaurants to expand and utilize extra parking for outdoor seating.

Spivak, Jeffrey. *A Business Case for Dropping Parking Minimums.* American Planning Association. June 2022

- Many towns, including small ones are taking the opportunity after COVID to change parking standards:
 - Calumet, MI Pop. 621 – No parking minimums and specific areas with parking maximums.
 - Bandera, TX. Pop. 671 – Zoning code requires market-based parking requirement and has maximum parking standards in downtown zone. There are no set ratios.
 - Gold Hill, OR. Pop. 1335 – removed minimum parking requirements citywide.
 - Millersburg, OR Pop. 2919 – Eliminated all parking minimums and parking mandates.

- Small towns are pursuing parking reform to promote downtown and commercial development, reduce barriers to business growth, and encourage more housing.
- Environmental sustainability concerns spatial use.
 - Runoff and cost to maintain drainage.
- Impacts may be unpredictable and new research studying the results of all these reforms says the intended effects are holding.
 - Fayetteville, Arkansas eliminated commercial parking minimums in 2015. An adaptive reuse project only required a couple more spots instead of several to get going. Now there is a commercial asset downtown with a rooftop bar.

CNU Parking Reform March 2023 <https://www.cnu.org/publicsquare/2023/03/23/parking-reform-snowballing>

- Catie Gould, Transportation Engineer Sightline Institute
 - Since 1950s has required off-street parking spaces
 - 3-7 parking spots for each vehicle in US
 - Climate Friendly & Equitable Communities Act July 2023 eliminated parking minimums
 - Oregon removed many statewide ½ mile of transit corridors
 - Small homes, affordable housing, child-care facilities, disability housing
 - What happens after eliminating parking minimums
 - Reduce barrier to redevelopment for vacant properties, parking may still be a minor issue but forces creativity in alternative modes of transportation
 - "largest pigeon coop in NA, former office building in Hartford remodeled into housing units and share a parking garage half a block from it.
 - Buffalo deregulated parking requirements. 53% provided more or same, or 21% less than previously required. Mixed Use received the most flexibility
 - Variances delay project construction and financing
- Patrick Siegman, Seigman & Associates Parking Consultant and Transportation Planner. Parking Policies for walkable Cities
 - Charge the lowest price for curb management (Berkeley charges \$0.50 -\$4/hour)
 - Funds security, cleaning, homeless issues for blocks
 - Similar to Business Improvement District
 - Return that money to the blocks where it is generated
 - Remove minimum parking regulations. Code of Hamarabi – first law code prohibited stationing chariots in public roads penalty of death.
 - "Finding parking is easy", more drivers use underused garage spaces, less circling means less vmt on car (238 trips to SF to NY)
 - Demand-based parking leads to more cash.
 - Tucson issues one permit for each space per frontage on property. With no minimum parking standards development can regulate how much they need per site.
- Tony Jordan Parking Reform Network organizing for parking reform

- Research from towns implementing changes several years later are seeing manageable and slow impacts.
 - Organizing around parking reform is a slow and effective method for major cities
- They all agree that the housing crisis and lack of housing led to parking reform. Developers will design buildings based on parking spaces they have to serve.
 - People are aware of car-centric concerns.
- Eliminating parking calculations based on business specifics such as # of spaces per employee or chairs is an easy lift. Parking is forever, and the business shell will contain a variety of uses that may not align in terms of parking needs.

PART 3 – CONSIDERATIONS FOR UPDATING

We will discuss options moving forward and where we should focus at next week's meeting.

AGENDA ITEM #3

PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING
JANUARY 30, 2024

CALL TO ORDER

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

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

SELECTION OF OFFICERS

1. Appointment of Chairperson and Vice Chairperson

Michelle Montague and Bill Liske agreed to commit to another two-year term for the roles of Chairperson and Vice Chairperson.

The Chairperson opened the nominations for public comment and there were none.

ACTION:

Commissioner Foyster moved to re-appoint Michelle Montague to serve as Chairperson of the Ridgway Planning Commission for a two-year term that will expire on November 1, 2025. Mayor Pro-Tem Meyer seconded the motion and it unanimously passed on a roll call vote.

ACTION:

Mayor Clark moved by acclamation to re-appoint Russ Meyer to serve as Vice Chairperson of the Ridgway Planning Commission for a two-year term that will expire on November 1, 2025.

PUBLIC HEARING

2. Application for Condominium Subdivision; Location: Town of Ridgway, Block 34, Lots 13-15; Address 185 N. Lena St; Zone: Historic Business (HB); Applicant: Firehouse Investment Real Estate, LLC; Owner: Firehouse Investment Real Estate, LLC.

Staff Report dated January 26, 2024, and Power Point presentation dated January 31, 2024, presenting background, analysis and staff recommendation prepared by TJ Dlubac of Community Planning Strategies, LLC.

TJ Dlubac presented an application for a condominium subdivision for the Firehouse redevelopment project. He explained that the owner is requesting the condo minimization of certain units within the building so that they can be individually sold. Dlubac reviewed the approved variances and conditions allowed with the project and outlined the units to be condo minimized in a Power Point presentation. He noted the criteria needed to approve the request and

recommended approval with the conditions stated in the Staff Report dated January 26, 2024, and in the Planning Review Letter dated January 25, 2024.

The Commissioners discussed the application with the staff.

Applicant Patric O'Leary said condo unit D, which consists of 4 individual units, will remain workforce housing when the units are sold and a 20-year deed-restricted commitment will stay in place because of the terms of the loan secured for that part of the project.

The Planning Commission discussed the proposed workforce units with the Applicant.

The Chairperson opened the hearing for public comment.

Jennifer Cram said she reviewed the Homeowners Association (HOA) documents in the packet and noticed Unit D is assigned one vote as opposed to one vote for each apartment within Unit D. She further noted the HOA agreement has a twenty-five-year relationship within the document and the residential portion of the project does not comport with the presentation provided to the public in the beginning. Cram noted the greenhouse and office are designated as condominium units and are not tied to any other units. She questioned if the greenhouse and office would be sold separately and used as not intended. Ms. Cram said it is bothersome that height and mass increased from what was originally presented, to only result with a few residential units and a restaurant.

The Chairperson closed the hearing for public comment.

ACTION:

Chairperson Montague moved to approve the Application for Condominium Subdivision; Location: Town of Ridgway, Block 34, Lots 13-15; Address 185 N. Lena St; Zone: Historic Business (HB); Applicant: Firehouse Investment Real Estate, LLC; Owner: Firehouse Investment Real Estate, LLC, with the following conditions: 1.) *The Applicant shall add a note to the plat stating that the four apartments in condo unit D shall be reserved for workforce housing units for a period of not less than 20 years. This note, or a second note, shall also identify the resection number of the deed restrictions applicable to these units.* 2.) *The Applicant shall confirm, to the satisfaction of Town Staff, that the deed restrictions applicable to condo unit D have been recorded with the Ouray County Clerk and Recorder's Office prior to the recording of the Condominium Subdivision Plat.* 3.) *The outstanding comments identified in the planning review letter dated January 25, 2024, shall be adequately addressed prior to the Condominium Subdivision Plat being recorded with the Ouray County Clerk and Recorder's Office.* 4.) Staff is directed to work with the Applicant and legal counsel by means of covenant, deed restriction or plat note to address the possibility of "first offer" for any entity that would keep Unit D as workforce housing beyond the twenty-year requirement of the loan. Mayor Clark seconded the motion, and it was carried unanimously on a roll-call vote.

WORK SESSION

3. Discussion Regarding Scope and Schedule of Planning Projects and 2024 Updates to the Ridgway Municipal Code

Staff Report dated January 26, 2024, and Power Point presentation dated January 31, 2024, outlining proposed areas in the Ridgway Municipal Code requiring further analysis after the Chapter 7 updates; prepared by TJ Dlubac of Community Planning Strategies, LLC.

Planner Dlubac presented a Future Land Use Considerations Table, dated July 9, 2023, from the Staff Report which outlined the standards and provisions identified by staff and the Commissioners needing further analysis and updates to the Ridgway Municipal Code. The considerations included analysis of the Town's land use portfolio to ensure balance between commercial and residential land use; parking standards for best practices and to address on and off-street parking calculations and design standards; affordable housing to implement and memorialize standards into Section 7-7 of the Municipal Cde; and accessory dwelling units to assist in affordable and workforce housing uses.

The Planning Commission discussed the scope, analysis, recommend approach and implementation of the topics with Planner Dlubac. They agreed to work on the topics in a work session during the scheduled Regular monthly meetings.

APPROVAL OF THE MINUTES

4. Approval of the Minutes from the Meeting of October 31, 2023

ACTION:

Commissioner Liske moved to approve the Minutes from October 31, 2023. Mayor Clark seconded the motion, and it carried with Mayor Pro-Tem Meyer abstaining.

OTHER BUSINESS

5. Updates from Planning Commission Members

Mayor Clark shared insight from the article The Threshold at Which Snow Starts Irreversibly Disappearing, by Zoe Schlanger and commented that future growth policies may need to be reconsidered. He also noted that he will be attending the Aspen Ideas Climate Conference for Mayors in March.

The Commissioners noted the landscaping regulations should be reconsidered after the 4 work session topics have been completed.

ADJOURNMENT

The meeting was adjourned at 7:10 p.m.
Respectfully submitted,

Karen Christian
Deputy Clerk