

RIDGWAY PLANNING COMMISSION

REGULAR MEETING AGENDA

Tuesday, July 30, 2024

5:30 p.m.

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/85896405615?pwd=L3i9DxabCGmE0bTlBd8Y4LupuuG8b0.1>

Meeting ID: 858 9640 5615

Passcode: 304349

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 HEARINGS:

1. **Application:** Variance for Front Setback; **Location:** Town of Ridgway, Block 36, Lots 8-12; **Address:** 546 Hyde St.; **Zone:** Historic Residential (HR); **Applicant:** James A. Nowak; **Owner:** James A. Nowak
2. **Application:** Resubdivision; **Location:** Town of Ridgway, Block 36, Lots 8-12; **Address:** 546 Hyde St.; **Zone:** Historic Residential (HR); **Applicant:** James A. Nowak; **Owner:** James A. Nowak

GENERAL BUSINESS:

3. Review of updated Accessory Dwelling Unit regulations
4. Review of updated Parking standards

APPROVAL OF MINUTES:

5. Minutes from the Regular meeting of May 28, 2024
6. Minutes from the Regular meeting of June 25, 2024

OTHER BUSINESS:

7. Updates from Planning Commissioners

ADJOURNMENT

AGENDA ITEM #1



Building People, Places & Community

To: Town of Ridgway Planning Commission
Cc: Preston Neill, *Ridgway Town Manager*
From: TJ Dlubac, AICP, *Community Planning Strategies, Contracted Town Planner*
Date: July 26, 2024
Subject: Nowak Resubdivision Setback Variance for July 31st PC Meeting

APPLICATION INFORMATION

Request: Requesting a 3.8' variance to allow an 11.2' front yard setback for an existing residence where a 15' front yard setback is required.

Legal: Lot A, Nowak Subdivison

Address: 546 Hyde St., Ridgway, CO, 81432

General Location: Southeast Corner of Hyde Street and Cora Street

Parcel #: 430516310002

Zone District: Historic Residential - HR

Current Use: Residence

Applicant: James A Nowak

Owner: James A Nowak

PROJECT REVIEW

REQUEST

The owner is requesting to subdivide the existing single lot into three lots. This request requires that all provisions of the RMC be complied with and the existing home on the proposed Lot A does not meet the minimum front yard setback for the HR Historic Residential District. According to the Ouray County Assessor's website, this home was built in 1892.

The owner wishes to bring his existing residence into conformance with RMC §7-4-4(P)(1) Dimensional Standards. The existing house encroaches 3.8' into the required 15' front yard setback. Therefore, a variance, pursuant to RMC §7-4-3(J) is being requested to decrease the front yard setback by 3.8'.

CODE REQUIREMENTS

RMC §7-4-3(J)(2) 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 FOR A VARIANCE

- (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 HR Historic Residential. The lot on which the property is located is included in an accompanied resubdivision application. Lot A is the only lot for which a variance is being requested since it is the only lot with an existing structure.

DIMENSIONAL STANDARDS

Table T-4.4 within RMC §7-4-4(P)(1) sets forth the required dimensional standards that shall be met for various uses within each zone district. The existing structures on the proposed Lot A meet all other dimensional standards except for the front setback. For the HR zone district, the following standards apply to single-family and duplex uses:

<i>Standard</i>	<i>Requirement</i>	<i>Proposed (Lot A)</i>
Min. Lot Width	25'	77'
Min. Lot Size	3,000sf	8,104 sf
Max. Lot Coverage	60%	34.7%
Min. Front Setback	15'	11.2'
Min. Rear Setback	8' (2' if abuts alley)	8'
Min. Side Setback	3' (2' if abuts alley)	2' (abuts alley)
Max. Side on Corner Lot	7.5'	N/A



Structure Height	27'	24' for existing ADU; not provided for other existing and proposed uses; TBD at building permit
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PUBLIC COMMENT

The application was forwarded to referral agencies on May 31, 2024, with a due date of June 21, 2024. The materials were sent to ten referral agencies and five responded. None of them had comments or concerns needing to be addressed by the variance request.

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 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 application against applicable Town standards, staff recommends that the Town of Ridgway Planning Commission approve the 3.8' variance to allow an 11.8' front yard setback for Lot A, Nowak Subdivision.

Recommended Motion:

"I move to approve the 3.8' variance to allow an 11.8' front yard setback for Lot A, Nowak Subdivision, finding that the criteria set forth in RMC §7-4-3(J)(3)(a) have been met."

Alternative motions:

Denial:

"I move to deny the 3.8' variance request to to allow an 11.8' front yard setback for Lot A, Nowak Subdivision finding that the criteria set forth in RMC §7-4-3(J)(3)(a) have not been met."

Approval with conditions:

"I move to approve the 3.8' variance request to allow an 11.8' front yard setback for Lot A, Nowak Subdivision 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

1. Application
2. Project Narrative
3. Nowak Subdivision

APPLICATION

Official Use Only:

Receipt #

9744

Date received

5/14/24

Initials

JN

General Information

Applicant Name

James A Nowak

Application Date

5-15-2024

Mailing Address

PO Box 119 Ridgway, Co. / jnowak.dzi@gmail.com

Phone Number

970-596-5112

Email

PO Box 119 Ridgway, Co. / jnowak.dzi@gmail.com

Owner Name

Jim Nowak

Phone Number

970-596-5112

Email

jnowak.dzi@gmail.com

Address of Property for Hearing

546 Hyde St. Ridgway, CO. 81432

Zoning District

Historic Residential

Brief Description of Requested Action

We have 5 town lots that we would like to split in half on the corner of Cora and Hyde St.
125' on Cora and 142' on Hyde, 17,525 Sq Ft.

I would like re-subdivide into 3 lots.

Lot A. 8,104 Sq. Ft.

Lot B. 6396 Sq. Ft.

Lot C. 3250 Sq. Ft.

Exsiting house would remain face Hyde St.

Lot B new house would face Cora St.

No construction plans for Lot C, if built on would also face Cora St

Variance:

Requesting a set back variance for the front of 546 Hyde St. Setback is currently 11'2". code is 15'

This is a hardship case with the house being build over 100 years ago.

0

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 checked="" 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, Change	\$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 issued, 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

5-15-2024

Owner Signature



Date

5-15-2024

Account: R001973Location

Situs Address 546 HYDE ST
City Ridgway
Tax Area Id 201 - 201

Parcel Number 430516310002

Legal Summary Subd: TOWN OF RIDGWAY
 Lot: 8 Block: 36 Subd: TOWN OF RIDGWAY
 Lot: 9 Block: 36 Subd: TOWN OF RIDGWAY
 Lot: 10 Block: 36 Subd: TOWN OF RIDGWAY
 Lot: 11 Block: 36 Subd: TOWN OF RIDGWAY
 Lot: 12 Block: 36 S: 16 T: 45 R: 8

Mining District

Transfers**Reception Number**[225042](#)[198368](#)[178035](#)[168119](#)[131540](#)**Sale Date**[07/30/2008](#)[06/21/2002](#)[10/29/1998](#)[01/09/1982](#)[07/08/1938](#)[07/08/1938](#)**Sale Price**[\\$0](#)[\\$0](#)[\\$0](#)[\\$180,000](#)[\\$43,000](#)**Doc Description**[BENEFICIARY DEED](#)[QUIT CLAIM](#)[QUIT CLAIM](#)[WARRANTY DEED](#)[WARRANTY DEED](#)[TREASURER'S DEED](#)[TREASURER'S DEED](#)[PLAT](#)Tax History**Tax Year****Taxes**

*2024

\$6,120.00

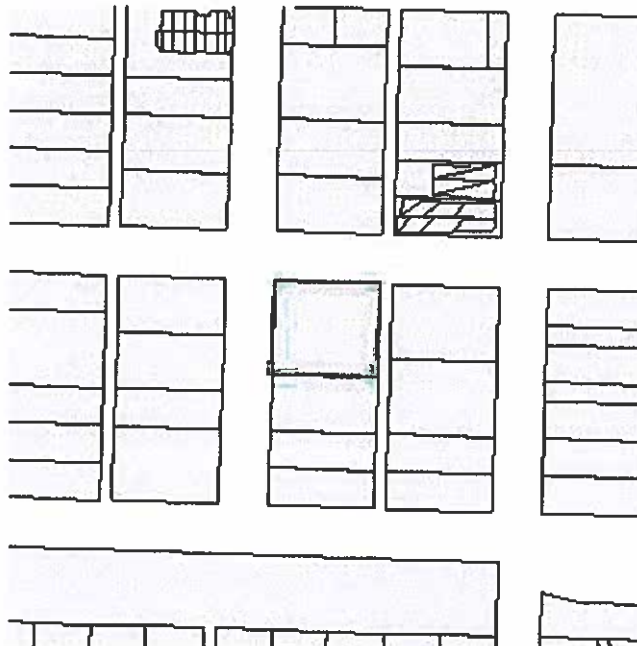
2023

\$5,886.92

* Estimated

Images

- [Photo](#)
- [Sketch](#)
- [GIS](#)



Town of Ridgway, Colorado Acknowledgment of Fees and Costs

James Nowak ("Applicant") and James Nowak ("Owner") do hereby acknowledge that with the filing of an application, or seeking Town review under Chapter 7, Section 3 or Section 4 of the Town of Ridgway Municipal Code, that it is subject to the requisite fees and costs associated with such action, in accordance with 7-3-20 and 7-4-12, including out-of-pocket legal fees and/or engineering fees.

Applicant and Owner acknowledge that no plat shall be recorded, improvement accepted, lien released, building permit issued, tap approved or final approved action taken until all fees then due are paid to the Town.

Applicant and Owner acknowledge that the Town may suspend review of submittals, inspection of improvements, and processing of a subdivision, as it deems appropriate, unless all amounts are paid as due.

Applicant and Owner further acknowledge that unpaid fees may be certified to the Ouray County Treasurer for collection as delinquent charges against the property concerned.

Acknowledge this 12th day of February, 20 24.

APPLICANT:

By: James Nowak
(Signature)

James Nowak, authorized signer
(Print Name)

PROPERTY OWNER:

By: James Nowak
(Signature)

James Nowak, authorized signer
(Print Name)

Re: Nowak Re-Subdivision

Jim Nowak <jnowak.dzi@gmail.com>

Fri 5/31/2024 11:29 AM

To: TJ Dlubac <TDlubac@PlanStrategize.com>

TJ,

Please use the justification that I sent for my variance request.

Variance Narrative:

- The house at 546 Hyde Street has been in its location for over 100 years. It sits 11' 2" from the set back, the house encroaches into the 15' frontage set back by 3' 10". Moving a 100 year old house would be an extreme hardship given the expense to complete the process.
- There are no safety or public health concerns with current set back and the variance request. The road is 20' from the front lot line and has allowed for ample car parking in front of the house for the last 26 years.

Do I need to do **anything** else for you to send my application out to the referral agencies?

Best, Jim

Please note my new email address.

jnowak.dzi@gmail.com

On May 31, 2024, at 11:15 AM, TJ Dlubac <TDlubac@PlanStrategize.com> wrote:

Hi Jim,

The Variance process is outlined on pages 36-38 in the Guide.

If that is your justification and reasoning for making the requests, then this is what I'm looking for.

Respectfully,

TJ DLUBAC, AICP

Community Planning Strategies

Email: TDlubac@PlanStrategize.com

M: 719.839.5804

O: 970.368.3114 x1001

Web: www.PlanStrategize.com

Please note my new mobile phone number.

From: Jim Nowak <jnowak.dzi@gmail.com>

Sent: Friday, May 31, 2024 11:11 AM

To: TJ Dlubac <TDlubac@PlanStrategize.com>

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

Subject: Re: Nowak Re-Subdivision

TJ,

Can you give me a page in the Development review process guide that corresponds with Sec. 7-4-3(I)(3)(a): that you sent me. I cannot locate it.

Is this what you are looking for, see below?

1. There are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the zoning ordinance, and

The house at 546 Hyde Street has been in its location for over 100 years. It sits 11' 2" from the set back, the house encroaches into the 15' frontage set back by 3' 10". Moving a 100 year old house would be an extreme hardship given the expense to complete the process.

2. The spirit of the ordinance will be observed, the public health, safety and welfare secured, and substantial justice done by granting the variance

There are no safety or public health concerns with current set back and the variance request. The road is 20' from the front lot line and has allowed for ample car parking in front of the house for the last 26 years.

Best, Jim

Please note my new email address.
jnowak.dzi@gmail.com

On May 31, 2024, at 10:12 AM, Jim Nowak <jnowak.dzi@gmail.com> wrote:

Will do.

Please note my new email address.
jnowak.dzi@gmail.com

On May 31, 2024, at 9:26 AM, TJ Dlubac <TDlubac@PlanStrategize.com> wrote:

Hi Jim,

Please send it as soon as possible. We as staff and referral agencies will need it to be able to review the proposal comprehensively. I'll hold off on sending the application out to the referral agencies until you provide that information so they are all seeing all the necessary information to complete their review. Hopefully you can get this over to me today.

Respectfully,

TJ DLUBAC, AICP
Community Planning Strategies
Email: TDlubac@PlanStrategize.com
M: 719.839.5804
O: 970.368.3114 x1001
Web: www.PlanStrategize.com

Please note my new mobile phone number.

From: Jim Nowak <jnowak.dzi@gmail.com>
Sent: Friday, May 31, 2024 8:36 AM
To: TJ Dlubac <TDlubac@PlanStrategize.com>
Cc: Preston Neill <pneill@town.ridgway.co.us>
Subject: Re: Nowak Re-Subdivision

TJ,

Thanks for laying out the dates on the process.

I will also create a written justification for the variance. Should I send that to you asap, or have it in hand for my P & Z presentation.

Best, Jim

Please note my new email address.
jnowak.dzi@gmail.com

On May 29, 2024, at 10:21 AM, TJ Dlubac <TDlubac@PlanStrategize.com> wrote:

Hi Jim!

I think it may be helpful for me to layout the review process for you. First, once we receive an application it is reviewed for completeness within 14 days. That was the letter we sent to you yesterday. All that means is that there is adequate and sufficient information in order for town staff and referral agencies to conduct a comprehensive and complete review of the requests against the applicable standards, policies, regulations, and guidelines of the various referral/reviewing agencies. Now that the application has been deemed complete, we will not send it out to referral agencies who have a 21-day period to review the requests. Once we get those comments back, it should be anticipated that the application will need to be adjusted and changes made to address comments. Once comments are satisfactorily addressed and reviewed, we will schedule a hearing with the Planning Commission. The notice of the PC hearing is posted two Friday's before the hearing date.

So, looking at this process and the calendar, here's how it, in a best case scenario, plays out:

1. Submittal: 5/15
2. Completeness Determined: 5/28
3. Referral Period: 5/30 - 6/20

4. Comments forwarded to applicant: 6/21
5. Comments addressed by applicant: 6/24 - 7/5
6. Resubmittal and review: 7/8-7/18
****All comments satisfactorily addressed****
7. Notice of hearing: 7/19
8. PC hearing: 7/30

Even if there are no comments to be addressed in the initial review, the comment period will not allow for a June 25th PC hearing because we won't know the extent of comments until the period is over and notice has to be posted on the 14th. Therefore, the next available PC meeting for these requests to be considered would be at the July 30th meeting.

Furthermore, in the interest of time, in my review for completeness, I noticed the narrative did not address the justification for the variance. If you'd like to assist in a quick and efficient review process, you can provide written justification for each of the variance criteria set forth in Sec. 7-4-3(1)(3)(a):

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

Respectfully,

TJ DLUBAC, AICP
Community Planning Strategies
Email: TDlubac@PlanStrategize.com
M: 719.839.5804
O: 970.368.3114 x1001
Web: www.PlanStrategize.com

Please note my new mobile phone number.

From: Jim Nowak <jnowak.dzi@gmail.com>
Sent: Tuesday, May 28, 2024 5:02 PM
To: TJ Dlubac <TDlubac@PlanStrategize.com>
Cc: Preston Neill <pneill@town.ridgway.co.us>
Subject: Re: Nowak Re-Subdivision

TJ,

Thanks for getting this back to me today. Seems there are a few hanging chads that I will have to answer to the P & Z when I walk through my narrative with them.

I am assuming that I will be on the agenda for the June 25 P & Z meeting.

Best, JIM

Please note my new email address.
jnowak.dzi@gmail.com

On May 28, 2024, at 2:16 PM, TJ Dlubac <TDlubac@PlanStrategize.com> wrote:

Hi Jim!

Hope you enjoyed your time on the San Juan!

I've completed the completeness review of your two requests - resubdivision and variance - and have deemed both applications complete. Please find attached the completeness review letter attached for your files. We will now send this out for a 21 day referral review and complete our review as well. We'll cc you on that email when it's sent out so you'll be aware of the progress being made.

I would anticipate getting the applications out to referral agencies over the next couple days.

Respectfully,

TJ DLUBAC, AICP
Community Planning Strategies
Email: TDlubac@PlanStrategize.com
M: 719.839.5804
O: 970.368.3114 x1001
Web: www.PlanStrategize.com

Please note my new mobile phone number.

Nowak Re-Subdivision

Revised & e-mailed 7/3

Lot A – Existing House / Garage & ADU, Lot Size 8,104 Sq. Ft.

San Miguel Power Association, SMPA

On 6/26/24 I talked to Scott Davidson from SMPA and he said that SMPA requires a 10' easement not 5', this has been corrected in the narrative below.

Electric service to Lot B and Lot C,

Easement on draft Plat

- Only available electric service is on the alley east side of property.

From electrical junction box a 10' easement will go SW. 17' at a 45% and then 63' feet W. with a 90% turn toward the N. for 26' feet to a new electrical junction box on the East side of the adjoining lot line that will serve both Lot B and Lot CO.

This is SMPA's recommended path for power service to lot B & C.

Service to Lot B and C will be 350 MCM more than ample power for two houses and two ADU's.

Water for Lot A,

Easement on draft Plat

Service to existing house & ADU on Lot A comes from West side of plat on Cora Street. There will be a 10' easement on lot C to maintain this service. This was recommended by Town Planner and Town Manager to keep this service at this location with an easement.

Variance

Front set back of existing house does not meet code at 11'2". I am asking for relief on this setback considering the front of the house was built over a 100 years ago.

Parking Lot A

Main House Parking

Garage can be used for one car, 2nd car, parking on Hyde St in front of house.

ADU Parking

Off Street parking has been provided between the house and the ADU, off the ally.

ADU Height 24'

Lot B – Future primary residence site. Lot Size 6,396 Sq. Ft.

Water and Sewer

Both are located in Cora Street, in talking with TOR staff, Randy Barnes, sewer is deep enough for legal drainage to sewer main.

Storm water management: (plat shows contours)

Owner will conform to any request from Town Engineer for storm water management. Owner will create berms to direct water or depression to store storm water at the direction of Town Engineer.

Electrical Service,

Easement on draft plat

Power will be supplied at the new junction box that is on the shared lot line of Lot B and Lot C on the far East end.

Natural Gas - Black Hills service is in Hyde St.

Easement on draft plat

Black Hills recommended service to Lot B is through the East side of Lot A 10' easement.

Parking Future Residence

Main House

Will be provided in 2 car garage.

ADU

ADU parking will be off street, next to garage.

Footprint of proposed house - 2,000 Sq. Ft.

Lot C – No plans for construction. Lot Size 3,250 Sq. Ft.

Water and Sewer,

Both are located in Cora Street, in talking with TOR staff, Randy Barnes, sewer is deep enough for legal drainage to sewer main.

Electrical Service

Easement on draft plat

Power will be supplied at the new junction box that is on the shared lot line of Lot B and Lot C on the far East end.

Natural Gas - Black Hills service is in Hyde St.

Black Hills service parallels Hyde Street, service can be acquired anywhere along the North lot line. This is Black Hills recommendation.

General Notes

Development team,

Jim Nowak and Trish Greenwood, owners

Existing conditions of the property,

Property is insured and in compliance with TOR code.

Property uses,

Currently 546 Hyde Street is a residence, new lot B will be new resident for owners and lot C has no development plans.

Density,

Lot A, 546 Hyde Street and ADU Square footage are 2,800 Sq. Ft. combined, will sit on a new lot of 8,140 Sq. Ft. well below the density allowed.

Lot B, proposed 2,200 Sq. Ft house will sit on a 6,396 Sq. Ft. Lot, well below the density allowed.

Lot Layout,

Please see draft plat for lot layout.

End users,

Lot A. 546 Hyde St, will be for sale, end users unknown.

Lot B. New residence for Jim Nowak and Trish Greenwood

Lot C. No plans to sell or develop, end user unknown.

Financing

Alpine Bank and Owner

Public dedications

None

AGENDA ITEM #2

To: Town of Ridgway Planning Commission
Cc: Preston Neill, *Ridgway Town Manager*
From: TJ Dlubac, AICP, CPS, *Contracted Town Planner*
Date: July 26, 2024
Subject: Nowak Resubdivision for July 31st PC Meeting

APPLICATION INFORMATION

Request: Approval of a Resubdivision
Legal: Lots 8-12, Block 36, Town of Ridgway
Address: 546 Hyde St., Ridgway, CO, 81432
General Location: Southeast Corner of Hyde Street and Cora Street
Parcel #: 430516310002
Zone District: Historic Residential - HR
Current Use: Residence
Applicant: James A Nowak
Owner: James A Nowak

PROJECT REVIEW

BACKGROUND

The property is currently one parcel with an existing one-story residence and a two-story garage with an ADU. The parcel is 0.41 acres and is zoned Historical Residential - HR. Figure 1 depicts the general location of the project site.

There is an existing home on Lot A which according to the Ouray County Assessor's site was built in 1892 generally in its current size and location. Lot A also has an existing detached garage with an ADU above it which was built in 2012. The existing residence is within the required front yard setback, located 11.2' from the front property line along Hyde Street. A separate variance request has been made and is being considered concurrently to this resubdivision request.

Lot B and C are both currently vacant and no formal building plans have been submitted for either of them. The applicant has expressed an interest in building his family home on Lot B and selling Lot C.

While it is anticipated that both lots would be developed as residences, any use within the HR District may be allowed provided provisions of the RMC are met.



Figure 1. General Location

REQUEST

The Applicant is requesting approval of a Resubdivision. The Resubdivision will subdivide the existing parcel into three residential lots: Lot A, B, and C. The Variance, which is being considered under a separate request, seeks to decrease the 15' front setback by 3.8', resulting in an 11.2' setback. The request also includes new utility easements crossing the proposed lots to be able to serve each lot with existing water, sewer, electric, and gas lines.

CODE REQUIREMENTS

RMC §7-5-2(J)(3) APPROVAL CRITERIA FOR A RESUBDIVISION

A resubdivision may be approved and accepted by the Town Council if the application is found to meet the following criteria:

- (a) The proposed subdivision conforms to all applicable requirements for the zone district(s) in which the property is located;
- (b) The proposed subdivision substantially conforms to all other applicable requirements of this code, ordinances, and resolutions; and
- (c) The proposed subdivision is consistent with the applicable portions of the Master Plan in the reasonable judgement of the approving body.

RMC §7-5-2(J)(2) PROCEDURES:

(e) Evaluation by Staff and Referral Agencies. Upon determination of completeness, the Town Manager or designee shall refer the application to additional reviewing agencies as set forth in Section [7-5-2\(B\)\(4\)](#), Referral Agencies, and review the application for conformance with the requirements and standards of this Municipal Code.

(f) Staff Report. A staff report shall be prepared and provided to the reviewing body in accordance with Section [7-5-2\(B\)\(5\)](#), Staff Report.

(g) Review and Recommendation by the Planning Commission. The Planning Commission shall review the resubdivision application in a manner consistent with Table T-5.1 to evaluate compliance with applicable standards. Following its review of the application, the Planning Commission may provide either a recommendation to approve, approve with conditions, or deny the application to the Town Council based on the criteria set forth in Section [7-5-2\(J\)\(3\)](#), Approval Criteria.

The Planning Commission may, in its sole discretion, continue or postpone the public hearing to a specified date and time in order to permit preparation of additional information for further review by the Planning Commission prior to providing a recommendation to the Town Council.

(h) Review and Action by the Town Council.

(i) The final decision to approve, approve with conditions, or deny a resubdivision application shall be made by the Town Council in a manner consistent with Table T-5.1 and be based upon the criteria set forth in Section [7-5-2\(J\)\(3\)](#), Approval Criteria.

(ii) The Town Council may, in its sole discretion, continue or postpone the public hearing to a specified date and time in order to permit preparation of additional information for further review by the Town Council prior to making a final decision.

RMC §7-5-4 DESIGN STANDARDS

(A) General Provisions:



(1) All subdivisions shall conform to the minimum design standards of, this Section. The Town Council may allow deviation from these standards if it determines that unusual topography or a hardship exists, or that alternative standards will more effectively protect the quality of the subdivision and the public welfare, or more effectively achieve the purposes of these Subdivision Regulations.

(2) All subdivisions shall be developed in accordance with the Town's Master Plans, Zoning Regulations, Floodplain Regulations, and other applicable Town ordinances, regulations and specifications.

ANALYSIS

COMPLIANCE WITH COMPREHENSIVE PLAN

This parcel is identified as *Town Core Neighborhoods* on the Future Land Use Map (updated Feb. 2024) of the 2019 Master Plan. This anticipates the following land uses and development patterns on this parcel:

Maximum Density / Height	6 to 12 du/ac; 3 stories
Primary Uses:	Single-family homes, duplexes, and smaller multifamily residential uses
Supporting Uses	Professional offices and service businesses, limited retail, parks and recreational facilities, community gardens, civic and government facilities
Characteristics	<ul style="list-style-type: none"> • Town Core Neighborhoods are characterized by a gridded street pattern and alleys. • Historic preservation and adaptive reuse of existing structures are a priority to maintain the historic character of this area. New development should respect the scale and character of existing development. • While single-family homes and duplexes are the primary housing types found within these neighborhoods, they also support a range of higher density housing types such as townhomes and smaller multi-family buildings. Accessory dwelling units are encouraged where permitted. • Office, service businesses, and retail uses are only allowed along Sherman Street. Such uses must appear "residential" to differentiate this section of Sherman Street from uses in the Town Core and maintain the character of the neighborhood.

The project should be in general conformance with the goals and policies identified within the 2019 Master Plan and the Future Land Use Map. Figure 2 depicts the Future Land Use classification of the subject property and surrounding area. The Master Plan provides important insight into the community's vision. Though these goals are not firm requirements, it is important that the applicant showcase the various ways their project meets these goals.

Based on the review of the proposed development, the following Master Plan policies and goals appear to be met by the proposed project:

- GOAL COM-2: Encourage a diversity of housing options that meet the needs of residents
- GOAL CHR-1: Support vibrant, diverse, safe and well-connected neighborhoods.
- GOAL CHR-2: Protect and preserve Ridgway's historic assets.

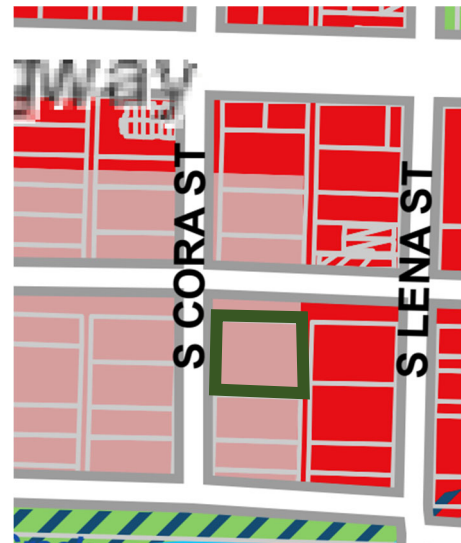


Figure 2. Future Land Use Map

LAND USES

The applicant is proposing three lots. While Lot A has an existing residences and ADU on it, the Applicant is not proposing any construction for Lots B and C at this time.

Table T-4.3 of the RMC identifies the uses by right and conditional uses permitted in the HR zone district. Single-family dwellings and accessory dwelling units are both allowed in the HR zone district.

The breakdown of each lot is shown in the table below.

<i>Lot</i>	<i>Lot Size SF</i>	<i>Use</i>
Lot A	8,104	Existing House and Garage with ADU
Lot B	6,396	Future primary residence of applicant
Lot C	3,250	No proposed use
Totals	17,750 SF	-

DIMENSIONAL STANDARDS

Table T-4.4 sets forth the required dimensional standards that shall be met for various uses within each zone district. For the HR zone district, the following standards apply to single-family and duplex uses:

<i>Standard</i>	<i>Requirement</i>	<i>Proposed</i>		
		<i>Lot A</i>	<i>Lot B</i>	<i>Lot C</i>
Min. Lot Width	25'	77'	75'	50'
Min. Lot Size	3,000sf	8,104sf	6,396sf	3,250sf
Max. Lot Coverage	60%	34.7%	TBD with building permit	TBD with building permit

Min. Front Setback	15'	11.2 (see variance packet)	TBD with building permit	TBD with building permit
Min. Rear Setback	8' (2' if abuts alley)	8'	TBD with building permit	TBD with building permit
Min. Side Setback	3' (2' if abuts alley)	2' (abuts alley)	TBD with building permit	TBD with building permit
Max. Side on Corner Lot	7.5'	N/A	N/A	TBD with building permit
Structure Height	27'	24' for existing ADU; house TBD with building permit	TBD with building permit	TBD with building permit

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

SUPPLEMENTAL REGULATIONS

(A) Accessory Dwelling Units.

All ADU criteria have been met and will undergo further review at building permit.

(M) Parking Standards.

(1) Off-Street Parking Requirements. The following off-street parking requirements shall apply unless otherwise indicated in all districts.

<i>Use</i>	<i>Required Parking Spaces</i>
Residences	Single-Family and Duplex: 2 spaces per dwelling unit. All Other Residential: 1 space per dwelling unit

Lot A parking for the primary residence is provided by an existing attached garage. Parking for the existing ADU on Lot A is provided off-street abutting the alley.

Parking on Lots B & C will be reviewed at the time the building permit for each lot is submitted.

DESIGN STANDARDS.

(A) General Provisions:

(1) All subdivisions shall conform to the minimum design standards of, this Section. The Town Council may allow deviation from these standards if it determines that unusual topography or a hardship exists, or that alternative standards will more effectively protect the quality of the subdivision and the public welfare, or more effectively achieve the purposes of these Subdivision Regulations.



(2) All subdivisions shall be developed in accordance with the Town's Master Plans, Zoning Regulations, Floodplain Regulations, and other applicable Town ordinances, regulations and specifications.

The project is not proposing any new roads, streets, cul-de-sacs, or alleys; therefore, the existing infrastructure will be used and provides adequate access. All utility services have been addressed below and meet requirements outlined in this section.

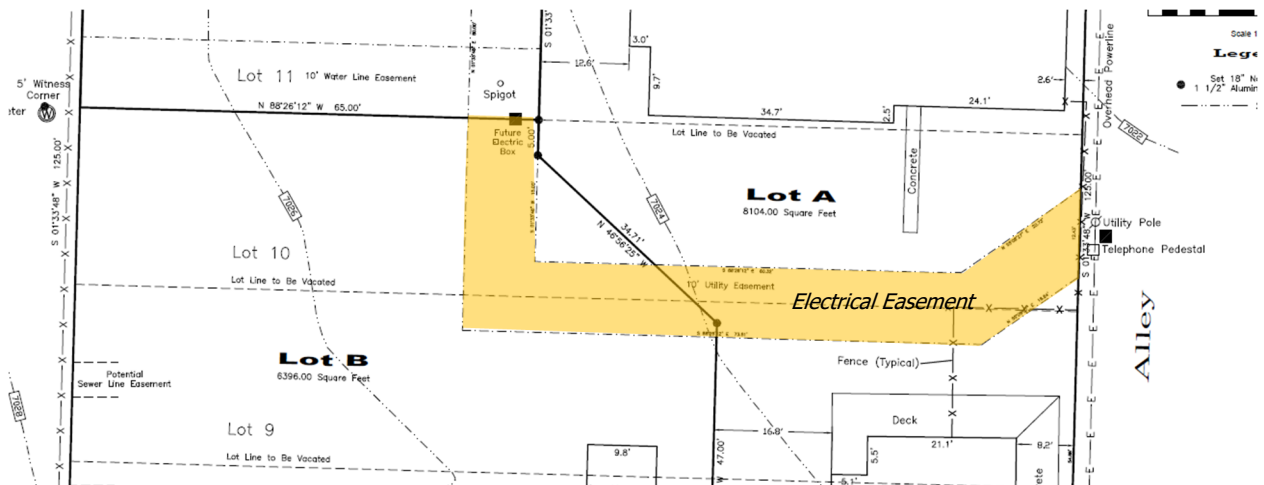
Regarding stormwater management, the applicant will conform to any request from Town Engineer for stormwater management. Owner will create berms to direct water or depression to store storm water at the direction of Town Engineer. Refer to Town Engineer's comments.

UTILITIES

Water Service: Service to existing house & ADU on Lot A comes from west side of plat on Cora Street and follows the property line between proposed Lots B & C. There will be a 10' easement on Lot C to maintain this service. This is consistent with early conversations with town staff and the applicant before the application was submitted. Water for Lot B will be served from a new tap in the Cora Street main.

Sewer Service: Sewer is located in Cora Street and Hyde St. Applicant spoke with Town of Ridgway staff and confirmed the existing sewer main was capable of serving these proposed lots. Service comes from Cora Street for Lots B and C. Lot A will continue to be served from the main in Hyde Street.

Electric Service: Existing service for Lot A comes from an electrical junction box near the alley on the east side of the property. A 10' easement will go SW. 17' at a 45% and then 63' feet W. with a 90% turn toward the N. for 26' feet to a new electrical junction box on the East side of the adjoining lot line that will serve both Lot B and Lot C. A new junction box on the far east end of the lot line between Lots B and C will serve Lot B and C (see plat).



Natural Gas Service: Existing natural gas service comes from the east side of Lot A. Black Hills recommended service extends to Lot B utilizing the 10' utility easement across Lot A. The application was forwarded to Black Hills for review and they did not return any comment. This will have to be finalized prior to the town issuing any additional building permits and if additional easements are necessary, those would have to be attained at that time.

PUBLIC NOTICE AND PUBLIC COMMENT

The application was forwarded to referral agencies on May 31, 2024, with a due date of June 21, 2024. The materials were sent to ten referral agencies and five responded. With the exception of the comments in the attached July 26th letter, all referral comments have been adequately addressed.

The applicant has submitted a hearing application, associated fees, final plat materials, and other required support materials for this public hearing to the Town.

The property has been posted and proper notification has been completed by the Town in accordance with RMC §7-5-2(B)(6).

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

STAFF RECOMMENDATION

Upon review of the application against applicable Town standards, staff recommends that the Town of Ridgway Planning Commission recommend approval of the Resubdivision to the Town Council with the following condition:

1. Prior to the Town recording the Resubdivision with the Ouray County Clerk and Recorder's Office, all outstanding referral comments shall be adequately addressed. The updated comment letter is attached as Attachment 4.

Recommended Motion:

"I move to approve the Nowak Subdivision, finding that the criteria set forth in RMC §7-5-2(J)(3) have been met with the following conditions:

1. Prior to the Town recording the Resubdivision Plat with the Ouray County Clerk and Recorder's Office, all outstanding referral comments in the July 26th comment letter shall be adequately addressed

Alternative Motions:

Approval with conditions:

"I move to approve the Nowak Subdivision finding that the criteria set forth in RMC §7-5-2(J)(3) have been met with the following conditions:

1. _____
2. _____
3. _____

Denial:

"I move to deny the Nowak Subdivision finding that the criteria set forth in RMC §7-5-2(J)(3) have not been met."

ATTACHMENTS

1. Application
2. Project Narrative
3. Nowak Resubdivision Final Plat



4. July 26th 2nd Planning Review Comment Letter

APPLICATION

Official Use Only:

Receipt #

9744

Date received

5/14/24

Initials

JN

General Information

Applicant Name

James A Nowak

Application Date

5-15-2024

Mailing Address

PO Box 119 Ridgway, Co. / jnowak.dzi@gmail.com

Phone Number

970-596-5112

Email

PO Box 119 Ridgway, Co. / jnowak.dzi@gmail.com

Owner Name

Jim Nowak

Phone Number

970-596-5112

Email

jnowak.dzi@gmail.com

Address of Property for Hearing

546 Hyde St. Ridgway, CO. 81432

Zoning District

Historic Residential

Brief Description of Requested Action

We have 5 town lots that we would like to split in half on the corner of Cora and Hyde St.
125' on Cora and 142' on Hyde, 17,525 Sq Ft.

I would like re-subdivide into 3 lots.

Lot A. 8,104 Sq. Ft.

Lot B. 6396 Sq. Ft.

Lot C. 3250 Sq. Ft.

Exsiting house would remain face Hyde St.

Lot B new house would face Cora St.

No construction plans for Lot C, if built on would also face Cora St

Variance:

Requesting a set back variance for the front of 546 Hyde St. Setback is currently 11'2". code is 15'

This is a hardship case with the house being build over 100 years ago.

0

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 checked="" 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, Change	\$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 issued, 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

5-15-2024

Owner Signature



Date

5-15-2024

Account: R001973**Location**

Situs Address 546 HYDE ST
City Ridgway
Tax Area Id 201 - 201

Parcel Number 430516310002

Legal Summary Subd: TOWN OF RIDGWAY
 Lot: 8 Block: 36 Subd: TOWN OF RIDGWAY
 Lot: 9 Block: 36 Subd: TOWN OF RIDGWAY
 Lot: 10 Block: 36 Subd: TOWN OF RIDGWAY
 Lot: 11 Block: 36 Subd: TOWN OF RIDGWAY
 Lot: 12 Block: 36 S: 16 T: 45 R: 8

Mining District

Transfers**Owner Information**

Owner Name NOWAK JAMES A
Owner Address PO BOX 119
 RIDGWAY, CO 81432

Assessment History

Actual (2024) \$1,442,220
Assessed \$96,620
Tax Area: 201 **Mill Levy:** 63.341

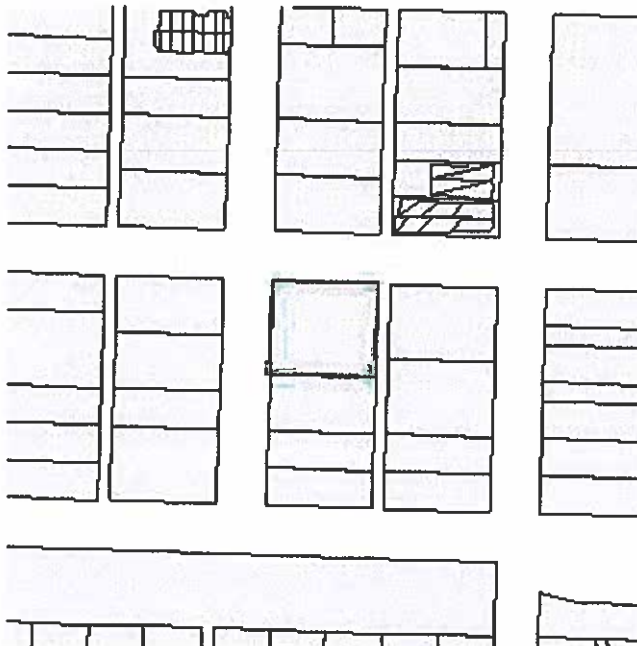
Type	Actual	Assessed	Acres	SQFT	Units
Improvements	\$963,500	\$64,550	0.000	2946.300	0.000
Land	\$478,720	\$32,070	0.407	17750.000	0.000

Reception Number[225042](#)[198368](#)[178035](#)[168119](#)[131540](#)**Sale Date**[07/30/2008](#)[06/21/2002](#)[10/29/1998](#)[01/09/1982](#)[07/08/1938](#)[07/08/1938](#)**Sale Price**[\\$0](#)[\\$0](#)[\\$0](#)[\\$180,000](#)[\\$43,000](#)**Doc Description**[BENEFICIARY DEED](#)[QUIT CLAIM](#)[QUIT CLAIM](#)[WARRANTY DEED](#)[WARRANTY DEED](#)[TREASURER'S DEED](#)[TREASURER'S DEED](#)[PLAT](#)**Tax History****Images****Tax Year****Taxes**

*2024 \$6,120.00
 2023 \$5,886.92

- [Photo](#)
- [Sketch](#)
- [GIS](#)

* Estimated



Town of Ridgway, Colorado Acknowledgment of Fees and Costs

James Nowak ("Applicant") and James Nowak ("Owner") do hereby acknowledge that with the filing of an application, or seeking Town review under Chapter 7, Section 3 or Section 4 of the Town of Ridgway Municipal Code, that it is subject to the requisite fees and costs associated with such action, in accordance with 7-3-20 and 7-4-12, including out-of-pocket legal fees and/or engineering fees.

Applicant and Owner acknowledge that no plat shall be recorded, improvement accepted, lien released, building permit issued, tap approved or final approved action taken until all fees then due are paid to the Town.

Applicant and Owner acknowledge that the Town may suspend review of submittals, inspection of improvements, and processing of a subdivision, as it deems appropriate, unless all amounts are paid as due.

Applicant and Owner further acknowledge that unpaid fees may be certified to the Ouray County Treasurer for collection as delinquent charges against the property concerned.

Acknowledge this 12th day of February, 20 24.

APPLICANT:

By: James Nowak
(Signature)

James Nowak, authorized signer
(Print Name)

PROPERTY OWNER:

By: James Nowak
(Signature)

James Nowak, authorized signer
(Print Name)

Nowak Re-Subdivision

Revised & e-mailed 7/3

Lot A – Existing House / Garage & ADU, Lot Size 8,104 Sq. Ft.

San Miguel Power Association, SMPA

On 6/26/24 I talked to Scott Davidson from SMPA and he said that SMPA requires a 10' easement not 5', this has been corrected in the narrative below.

Electric service to Lot B and Lot C,

Easement on draft Plat

- Only available electric service is on the alley east side of property. From electrical junction box a 10' easement will go SW. 17' at a 45% and then 63' feet W. with a 90% turn toward the N. for 26' feet to a new electrical junction box on the East side of the adjoining lot line that will serve both Lot B and Lot CO.

This is SMPA's recommended path for power service to lot B & C.

Service to Lot B and C will be 350 MCM more than ample power for two houses and two ADU's.

Water for Lot A,

Easement on draft Plat

Service to existing house & ADU on Lot A comes from West side of plat on Cora Street. There will be a 10' easement on lot C to maintain this service. This was recommended by Town Planner and Town Manager to keep this service at this location with an easement.

Variance

Front set back of existing house does not meet code at 11'2". I am asking for relief on this setback considering the front of the house was built over a 100 years ago.

Parking Lot A

Main House Parking

Garage can be used for one car, 2nd car, parking on Hyde St in front of house.

ADU Parking

Off Street parking has been provided between the house and the ADU, off the ally.

ADU Height 24'

Lot B – Future primary residence site. Lot Size 6,396 Sq. Ft.

Water and Sewer

Both are located in Cora Street, in talking with TOR staff, Randy Barnes, sewer is deep enough for legal drainage to sewer main.

Storm water management: (plat shows contours)

Owner will conform to any request from Town Engineer for storm water management. Owner will create berms to direct water or depression to store storm water at the direction of Town Engineer.

Electrical Service,

Easement on draft plat

Power will be supplied at the new junction box that is on the shared lot line of Lot B and Lot C on the far East end.

Natural Gas - Black Hills service is in Hyde St.

Easement on draft plat

Black Hills recommended service to Lot B is through the East side of Lot A 10' easement.

Parking Future Residence

Main House

Will be provided in 2 car garage.

ADU

ADU parking will be off street, next to garage.

Footprint of proposed house - 2,000 Sq. Ft.

Lot C – No plans for construction. Lot Size 3,250 Sq. Ft.

Water and Sewer,

Both are located in Cora Street, in talking with TOR staff, Randy Barnes, sewer is deep enough for legal drainage to sewer main.

Electrical Service

Easement on draft plat

Power will be supplied at the new junction box that is on the shared lot line of Lot B and Lot C on the far East end.

Natural Gas - Black Hills service is in Hyde St.

Black Hills service parallels Hyde Street, service can be acquired anywhere along the North lot line. This is Black Hills recommendation.

General Notes

Development team,

Jim Nowak and Trish Greenwood, owners

Existing conditions of the property,

Property is insured and in compliance with TOR code.

Property uses,

Currently 546 Hyde Street is a residence, new lot B will be new resident for owners and lot C has no development plans.

Density,

Lot A, 546 Hyde Street and ADU Square footage are 2,800 Sq. Ft. combined, will sit on a new lot of 8,140 Sq. Ft. well below the density allowed.

Lot B, proposed 2,200 Sq. Ft house will sit on a 6,396 Sq. Ft. Lot, well below the density allowed.

Lot Layout,

Please see draft plat for lot layout.

End users,

Lot A. 546 Hyde St, will be for sale, end users unknown.

Lot B. New residence for Jim Nowak and Trish Greenwood

Lot C. No plans to sell or develop, end user unknown.

Financing

Alpine Bank and Owner

Public dedications

None

Re: Nowak Re-Subdivision

Jim Nowak <jnowak.dzi@gmail.com>

Fri 5/31/2024 11:29 AM

To: TJ Dlubac <TDlubac@PlanStrategize.com>

TJ,

Please use the justification that I sent for my variance request.

Variance Narrative:

- The house at 546 Hyde Street has been in its location for over 100 years. It sits 11' 2" from the set back, the house encroaches into the 15' frontage set back by 3' 10". Moving a 100 year old house would be an extreme hardship given the expense to complete the process.
- There are no safety or public health concerns with current set back and the variance request. The road is 20' from the front lot line and has allowed for ample car parking in front of the house for the last 26 years.

Do I need to do **anything** else for you to send my application out to the referral agencies?

Best, Jim

Please note my new email address.

jnowak.dzi@gmail.com

On May 31, 2024, at 11:15 AM, TJ Dlubac <TDlubac@PlanStrategize.com> wrote:

Hi Jim,

The Variance process is outlined on pages 36-38 in the Guide.

If that is your justification and reasoning for making the requests, then this is what I'm looking for.

Respectfully,

TJ DLUBAC, AICP

Community Planning Strategies

Email: TDlubac@PlanStrategize.com

M: 719.839.5804

O: 970.368.3114 x1001

Web: www.PlanStrategize.com

Please note my new mobile phone number.

From: Jim Nowak <jnowak.dzi@gmail.com>

Sent: Friday, May 31, 2024 11:11 AM

To: TJ Dlubac <TDlubac@PlanStrategize.com>

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

Subject: Re: Nowak Re-Subdivision

TJ,

Can you give me a page in the Development review process guide that corresponds with Sec. 7-4-3(I)(3)(a): that you sent me. I cannot locate it.

Is this what you are looking for, see below?

1. There are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the zoning ordinance, and

The house at 546 Hyde Street has been in its location for over 100 years. It sits 11' 2" from the set back, the house encroaches into the 15' frontage set back by 3' 10". Moving a 100 year old house would be an extreme hardship given the expense to complete the process.

2. The spirit of the ordinance will be observed, the public health, safety and welfare secured, and substantial justice done by granting the variance

There are no safety or public health concerns with current set back and the variance request. The road is 20' from the front lot line and has allowed for ample car parking in front of the house for the last 26 years.

Best, Jim

Please note my new email address.
jnowak.dzi@gmail.com

On May 31, 2024, at 10:12 AM, Jim Nowak <jnowak.dzi@gmail.com> wrote:

Will do.

Please note my new email address.
jnowak.dzi@gmail.com

On May 31, 2024, at 9:26 AM, TJ Dlubac <TDlubac@PlanStrategize.com> wrote:

Hi Jim,

Please send it as soon as possible. We as staff and referral agencies will need it to be able to review the proposal comprehensively. I'll hold off on sending the application out to the referral agencies until you provide that information so they are all seeing all the necessary information to complete their review. Hopefully you can get this over to me today.

Respectfully,

TJ DLUBAC, AICP
Community Planning Strategies
Email: TDlubac@PlanStrategize.com
M: 719.839.5804
O: 970.368.3114 x1001
Web: www.PlanStrategize.com

Please note my new mobile phone number.

From: Jim Nowak <jnowak.dzi@gmail.com>
Sent: Friday, May 31, 2024 8:36 AM
To: TJ Dlubac <TDlubac@PlanStrategize.com>
Cc: Preston Neill <pneill@town.ridgway.co.us>
Subject: Re: Nowak Re-Subdivision

TJ,

Thanks for laying out the dates on the process.

I will also create a written justification for the variance. Should I send that to you asap, or have it in hand for my P & Z presentation.

Best, Jim

Please note my new email address.
jnowak.dzi@gmail.com

On May 29, 2024, at 10:21 AM, TJ Dlubac <TDlubac@PlanStrategize.com> wrote:

Hi Jim!

I think it may be helpful for me to layout the review process for you. First, once we receive an application it is reviewed for completeness within 14 days. That was the letter we sent to you yesterday. All that means is that there is adequate and sufficient information in order for town staff and referral agencies to conduct a comprehensive and complete review of the requests against the applicable standards, policies, regulations, and guidelines of the various referral/reviewing agencies. Now that the application has been deemed complete, we will not send it out to referral agencies who have a 21-day period to review the requests. Once we get those comments back, it should be anticipated that the application will need to be adjusted and changes made to address comments. Once comments are satisfactorily addressed and reviewed, we will schedule a hearing with the Planning Commission. The notice of the PC hearing is posted two Friday's before the hearing date.

So, looking at this process and the calendar, here's how it, in a best case scenario, plays out:

1. Submittal: 5/15
2. Completeness Determined: 5/28
3. Referral Period: 5/30 - 6/20

4. Comments forwarded to applicant: 6/21
5. Comments addressed by applicant: 6/24 - 7/5
6. Resubmittal and review: 7/8-7/18
****All comments satisfactorily addressed****
7. Notice of hearing: 7/19
8. PC hearing: 7/30

Even if there are no comments to be addressed in the initial review, the comment period will not allow for a June 25th PC hearing because we won't know the extent of comments until the period is over and notice has to be posted on the 14th. Therefore, the next available PC meeting for these requests to be considered would be at the July 30th meeting.

Furthermore, in the interest of time, in my review for completeness, I noticed the narrative did not address the justification for the variance. If you'd like to assist in a quick and efficient review process, you can provide written justification for each of the variance criteria set forth in Sec. 7-4-3(1)(3)(a):

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

Respectfully,

TJ DLUBAC, AICP
Community Planning Strategies
Email: TDlubac@PlanStrategize.com
M: 719.839.5804
O: 970.368.3114 x1001
Web: www.PlanStrategize.com

Please note my new mobile phone number.

From: Jim Nowak <jnowak.dzi@gmail.com>
Sent: Tuesday, May 28, 2024 5:02 PM
To: TJ Dlubac <TDlubac@PlanStrategize.com>
Cc: Preston Neill <pneill@town.ridgway.co.us>
Subject: Re: Nowak Re-Subdivision

TJ,

Thanks for getting this back to me today. Seems there are a few hanging chads that I will have to answer to the P & Z when I walk through my narrative with them.

I am assuming that I will be on the agenda for the June 25 P & Z meeting.

Best, JIM

Please note my new email address.
jnowak.dzi@gmail.com

On May 28, 2024, at 2:16 PM, TJ Dlubac <TDlubac@PlanStrategize.com> wrote:

Hi Jim!

Hope you enjoyed your time on the San Juan!

I've completed the completeness review of your two requests - resubdivision and variance - and have deemed both applications complete. Please find attached the completeness review letter attached for your files. We will now send this out for a 21 day referral review and complete our review as well. We'll cc you on that email when it's sent out so you'll be aware of the progress being made.

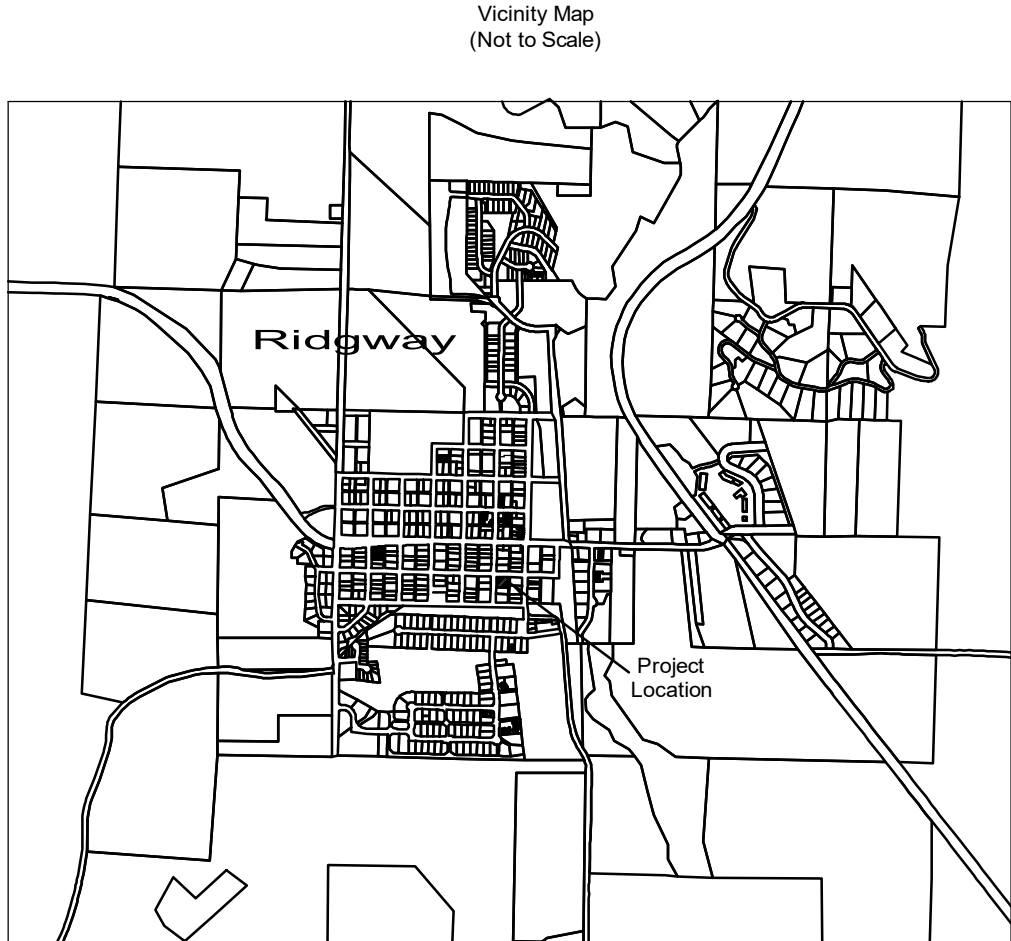
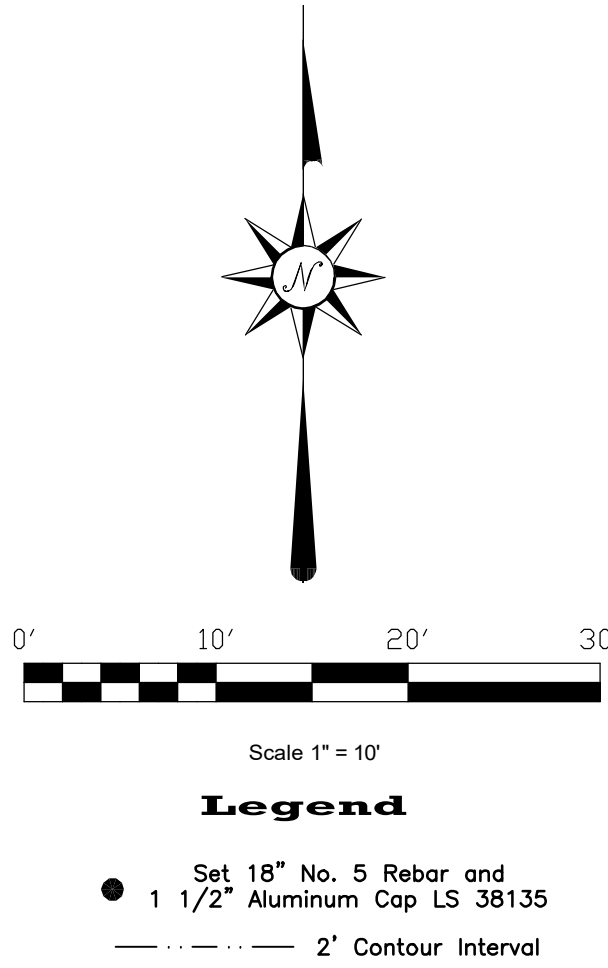
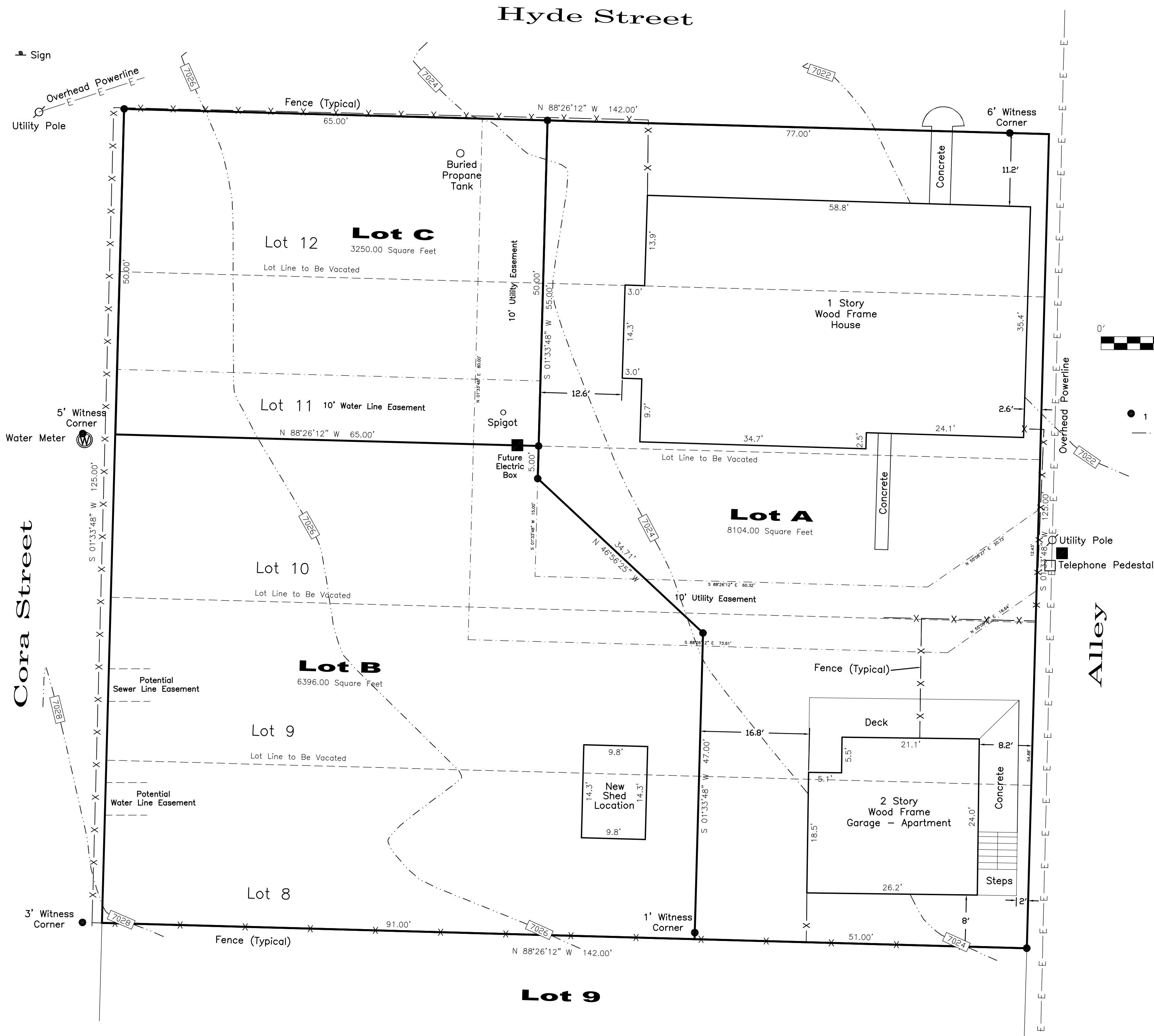
I would anticipate getting the applications out to referral agencies over the next couple days.

Respectfully,

TJ DLUBAC, AICP
Community Planning Strategies
Email: TDlubac@PlanStrategize.com
M: 719.839.5804
O: 970.368.3114 x1001
Web: www.PlanStrategize.com

Please note my new mobile phone number.

Final Plat for Nowak Subdivison
A Resubdivision of Lots 8, 9, 10, 11 and 12, Block 36, Town of Ridgway
Section 16, T45N, R8W, NMPM, Town of Ridgway, County of Ouray, State of Colorado



CERTIFICATE OF DEDICATION AND OWNERSHIP

KNOW ALL MEN BY THESE PRESENTS that James A. Nowak, being the owner ("Owner") of the lands described as follows:

Lots 8, 9, 10, 11 and 12, Block 36, Town of Ridgway, County of Ouray, State of Colorado

has laid out, platted and subdivided same as shown on this plat under the name of: FINAL PLAT FOR NOWAK SUBDIVISION, A RESUBDIVISION OF LOTS 8, 9, 10, 11 AND 12, BLOCK 36, TOWN OF RIDGWAY, and by these presents does hereby dedicate to the perpetual use of the Town of Ridgway, Ouray County, Colorado, the streets, alleys, roads, and other public areas as shown and designated for dedication hereon and hereby dedicated those portions of land labeled as utility easements for the installation and maintenance of public utilities as shown hereon.

In witness hereof Owner has executed this Plat effective as of _____, 202____.
James A. Nowak, Owner

By: _____

Printed Name: _____

NOTARIAL:

STATE OF _____) ss.

COUNTY OF _____)

The foregoing Certificate of Ownership and Dedication was acknowledged before me this _____ day of _____, 202____ by James A. Nowak, Owner.

Witness my hand and official seal.

My commission expires: _____

Notary Public

LIEN HOLDER'S CERTIFICATE:

The undersigned, being the holder of a deed of trust (Reception No. 237195) encumbering the property described in Final Plat for Nowak Subdivision joins in and consents to the filing hereof.

for: Alpine Bank

By: _____
Barb Latham, Title: Alpine Bank, View President

CERTIFICATE OF IMPROVEMENTS:

The undersigned, Town Manager of the Town of Ridgway, certifies that all improvements and utilities are installed, available, and adequate to serve each lot in the Final Plat for Nowak Subdivision.

Dated this _____ day of _____, 202____.

By: _____
Preston Neill, Town of Ridgway Town Manager

NOTICE

According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

SURVEYOR'S CERTIFICATE

I, Peter C Sauer, being a Registered Land Surveyor in the State of Colorado do hereby certify that this plat was prepared under my direct supervision and that said survey is accurate to the best of my knowledge, conforms to all requirements of the Colorado Revised Statutes, and all applicable Town of Ridgway regulations, and that all required monuments have been set as shown.

Peter C Sauer
License No. 38135

ATTORNEY'S CERTIFICATE

I, _____, an attorney at law duly licensed to practice before the courts of record of Colorado, do hereby certify that I have examined the title Commitment Order Number _____ effective as of _____ at _____ M. issued by _____ and according to that title commitment, of all land herein platted and that title to such land is in the dedicator(s) and owners, and that based upon my review of said title commitment, the property dedicated hereon has been dedicated free and clear of all liens and encumbrances, except as follows:

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

_____, Attorney at Law

NOTES

- All construction will conform with Ridgway Municipal Code.
- Outdoor Lighting: All outdoor lighting fixtures shall conform to Ridgway Municipal Code Section 7-4-6(K) Outdoor Lighting regulations, as may be amended.
- The maximum number of Lots allowed is 3 for which the applicable excise tax has been paid. If any additional units are added the excise tax for said units shall be due with the building permit or upon and further subdivision.
- BASIS OF BEARINGS: Bearings based on the "OFFICIAL BOUNDARY PLAT OF TOWN OF RIDGWAY, COLORADO" recorded at reception No. 121979, in the office of the Ouray County Clerk and Recorder. The bearing between Corner No. 2 and Corner No. 3 is recorded as being S 00°32'03" W.

TOWN COUNCIL:

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

by _____
John Clark, Town of Ridgway Mayor.

PLANNING COMMISSION:

Recommended for approved by the Planning Commission this _____ day of _____, A.D. 202____.

by _____
Michelle Montague, Town of Ridgway Planning Commission Chairperson

APPROVAL OF TOWN ATTORNEY:

Approved for recording with the Ouray County Clerk and Recorder's Office this _____ day of _____, 202____.

By _____
Bo Nerlin Town of Ridgway Town Attorney

TREASURERS CERTIFICATE:

According to the records of the County of Ouray Treasurer there are no liens against this subdivision or any part thereof for unpaid state, county municipal or local taxes or special assessments due and payable. Dated this: _____ day of _____, 202____.

By _____
Jill Mihelich, Ouray County Treasurer


RECORDER'S CERTIFICATE

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

Reception No. _____

By _____
Cristy Lynn Sulewski, Ouray County Clerk and Recorder

Deputy

PROJECT MANAGER: PS CADD TECH: PS CHECKED BY: PS START DATE: 3/20/15	REVISIONS	DATE	DESCRIPTION	BY
	1			
	2			
	3			
	4			
	5			
	OFFICE (970) 249-5349 - FAX (970) 626-6261 CELL (970) 729-1289 1147 OURAY COUNTY ROAD 22 - MONTROSE, COLORADO 81403 565 SHERMAN STREET, SUITE 10, RIDGWAY, COLORADO 81432 WWW.ORIONSURVEYING.COM			
	DRAWING PATH: Plat 4-24			
	SHEET No. 1 OF 1			
	PROJECT: 15055			

July 26, 2024

James Nowak
PO Box 119
Ridgway, CO 81432

SENT VIA E-MAIL TO jnowak.dzi@gmail.com

RE: Nowak Resubdivision Application, 2nd Planning Review Comments

Dear James,

The updated and revised application and supplemental materials associated with the Nowak Resubdivision were reviewed by Community Planning Strategies (CPS) as a second review. The enclosed comments represent the findings of the review against previous comment provided and applicable Town of Ridgway development and land use regulations.

The following items must be addressed and updated application materials be resubmitted to the Town to be reviewed and evaluated:

1. Please indicate the height of the existing ADU on the property (*Section 7-4-6(A)(C) of RMC*).
7/24 Update: ADU height has been added to narrative (24'). Comment adequately addressed.
2. Please contact TJ Dlubac, Town Planner, and Preston Neill, Town Manager, regarding the creation of an improvements district. *Comment is cleared. Certificate of improvements was included in revised plat.*
3. Please submit a revised plat, titled using the following structure (*Sec. 7-5-2(J)(2)(c)(ii)(a) of RMC*):

Final Plat for Nowak Subdivision
A Resubdivision of Lots 8, 9, 10, 11 and 12, Block 36, Town of Ridgway
Section 16, Township 45 North, Range 8 West, New Mexico Principal Meridian
Town of Ridgway, Ouray County, Colorado

7/24 Update: Title has been revised. Comment adequately addressed.

4. Please revise Note 3 to read (*Sec. 7-5-4(I) and Sec. 7-5-2(J)(2)(c)(ii)(a) of RMC*):
"3. The maximum number of Lots allowed for the Final Plat for Nowak Subdivision, A Resubdivision of Lots 8, 9, 10, 11 and 12, Block 36, Town of Ridgway, is 1, each lot is limited to one principal building for which the applicable excise tax has been paid."

7/24 Update: Note has been revised. Comment adequately addressed.

5. Please amend the signature and certificate blocks on the Resubdivision Plat to reflect the following and remove existing certificates which contradict the text below (*Sec. 7-5-2(J)(2)(c)(ii)(b) of RMC*):

CERTIFICATE OF OWNERSHIP AND DEDICATION:

Know all persons by these presents: James A. Nowak ("Owner"), being the owner of the land described as follows:

Lots 8, 9, 10, 11 and 12, Block 36, Town of Ridgway, County Of Ouray, State Of Colorado ("Property"), has laid out, platted and subdivided same as shown on this plat under the name of Final Plat for Nowak Subdivision, A Resubdivision of Lots 8, 9, 10, 11 and 12, Block 36, Town of Ridgway, and by these presents does hereby dedicate to the

perpetual use of the Town of Ridgway, Ouray County, Colorado, the streets, alleys, roads, and other public areas as shown and designated for dedication hereon and hereby dedicate those portions of land labeled as utility easements for the installation and maintenance of public utilities as shown hereon.

SURVEYOR'S CERTIFICATE

I, [Surveyor's Name], being a Registered Land Surveyor in the State of Colorado do hereby certify that this plat was prepared under my direct supervision and that said survey is true and accurate to the best of my knowledge, conforms to all requirements of the Colorado Revised Statute, and all applicable Town of Ridgway regulations, and that all required monuments have been set as shown.

[Surveyor's Name] PLS. [PLS Number]

LIEN HOLDER'S CERTIFICATE:

The undersigned, being the holder of a deed of trust (Reception No.____) encumbering the property described in (name of subdivision) joins in and consents to the filing hereof for: _____(name of lien holder)_____
BY: _____
TITLE: _____

OR

The undersigned hereby certifies that it is a lawful lienholder/deed of trust holder as to the real property described in this Plat, does hereby certify that it accepts the conditions and restrictions set forth in this Plat, and does hereby subordinate its interests in the property described in this Plat to the fee simple dedications and grants of easements (if any) hereby provided to the Town of Ridgway.

[Insert name of lienholder/deed of trust holder]

By: _____

Name: _____

Title: _____

The undersigned subordinates its interest in the real property platted hereby to the rights and interests of the Town of Ridgway for such real property and all interest therein that are dedicated to the Town of Ridgway.

In witness thereof, _____ has caused these presents to be executed this _____ day of _____ ad. _____

By: _____ (principals or owners)

ENGINEERS CERTIFICATE:

I _____, a Registered Professional Engineer in the State of Colorado, do certify that the streets, curbs, gutters, and sidewalks, sanitary sewer system, water distribution system, fire protection system, and storm drainage system for this subdivision are properly designed and constructed, meet the Town of Ridgway Standard Specifications and Typical Drawings for Infrastructure Construction, and are adequate to serve the subdivision shown hereon. Dated this _____ day of _____, 202____.

By: _____
_____, Engineer of Record

7/24 Update: Engineers Certificate has not been added to the plat. Comment not adequately addressed.

The following comments are provided for your information. No action is required at this time to address these comments; however, action may be necessary in the future to address these items at the appropriate time:

6. All property monuments shall be set in accordance with C.R.S. requirements before any of the lots are sold (Sec 7-5-4(F) of RMC).
7. Per Sec. 3-4-1(A) and (B) of the RMC, and excise tax, in the amount of \$1,500 per maximum number of dwelling unit, shall be paid to the Town prior to the subdivision being paid. With the creation of 3 lots, 2 additional units are being made available, therefore, \$3,000 shall be paid prior to the plat being recorded. (Sec 3-4-1(A) & (B) of RMC).
8. Many required dimensional standards (i.e., setbacks, building height, lot coverage, etc.) were unable to be reviewed for Lots B & C since no development or construction is proposed. These items will be reviewed in conjunction with building permits.
9. Per feedback by the Town Engineer, please note that runoff from each site cannot exceed historic flows. Furthermore, compliance with the storm water standards will be triggered when an increase in impervious area reaches 0.05 acres in size.

Please reach out to me at 719-839-5804 or TDlubac@PlanStrategize.com with any questions regarding these review comments.

Sincerely,

COMMUNITY PLANNING STRATEGIES, LLC



TJ Dlubac, AICP
Contracted Town Planner

Cc: Preston Neill, Town of Ridgway Town Manager

AGENDA ITEM #3

To: Town of Ridgway Planning Commission

Cc: Preston Neill, *Ridgway Town Manager*

From: TJ Dlubac, AICP, *CPS, Contracted Town Planner*
Max Garcia, AICP, *CPS*

Date: July 26, 2024

Subject: Proposed Accessory Dwelling Unit Standards and Project Summary

At the June 26, 2024, Planning Commission meeting, we evaluated draft versions of the code update pertaining to Accessory Dwelling Unit (ADU) standards. Upon review of the revised draft code documents, Community Planning Strategies (CPS) was provided with further guidance to prepare the final draft for the Planning Commission to consider and make a recommendation to Town Council.

These final amendments will be discussed one last time with the Planning Commission on July 30th.

BACKGROUND

Ridgway has determined that ADU development is one portion of the solution to address housing affordability and has successfully implemented ADU regulations in the current Ridgway Municipal Code (RMC). The objective of this project was to evaluate the current language against lessons learned and best practices gleaned after years of ADUs being implemented in Ridgway and across the US and recommend potential policy changes.

At the January 30, 2024, Planning Commission meeting, CPS and Planning Commission kicked off the 2024 Land Development Code Update project; at the end of that discussion, our direction was to broadly research ADU regulations and bring that research back to Planning Commission.

While the Town does allow for ADU's, and these are widely present throughout Ridgway, this effort identified adjustments to Section 7-4-6(A) of the RMC based on the best practices research.

MEETINGS AND INPUT

Since the code update kickoff, a draft of updated regulations has gone through the following timeline:

January 26, 2024	<i>Project kickoff with Planning Commission. Identified ADUs as one of the four projects to complete first. PC provided direction to prepare research to present at the next meeting.</i>
February 23, 2024	<i>Discussed best practices research and developed strategy for code update. PC directed CPS to begin preparing a draft of updated code regulations.</i>
March 26 ,2024	<i>Edited and updated the draft based on the PC discussion.</i>
April 30, 2024	<i>Reviewed code draft with PC and evaluated ADU density scenarios.</i>
May 29, 2024	<i>Edited and updated the draft based on the discussion.</i>
June 25, 2024	<i>Edited and updated the draft based on the discussion. PC provided direction to finalize document and prepare for public hearing in August.</i>

PROPOSED UPDATES AND ANALYSIS

Below is a summary of the changes to the code draft, based on Planning Commission input, since the beginning of this 2024 code update.

- a) Reorganized ADU code into five separate sections for clarity. This is helpful for the user upon updating the code with additional regulations. These sections are:
 - 1) General Provisions
 - 2) Dimensional and Design Standards
 - 3) Incentives
 - 4) Ownership and Occupancy
 - 5) Utilities
- b) Made ADUs permissible in duplex and triplex uses. This slightly increases density of residential ADUs and provides more affordable options to property owners.
- c) Modified permissible quantity of ADUs based on lot square footage. This allows the density to increase at an appropriate scale for the Town. The new standard is as follows:
 - 1) One ADU is allowed on lots between 3,500 square feet and 7,500 square feet.
 - 2) Two ADUs are allowed on lots between 7,501 square feet and 15,000 square feet.
 - 3) Lots greater than 15,000 square feet may have more than (2) ADUs; however; the total number of ADUs on the subject property shall never exceed double the total number of dwelling units in the principal structure.
- d) Added statements in the General Provisions to clarify intent of ADU construction. This was added to clarify Ridgway's intent to provide sustainable development without sacrificing long-term affordability.
- e) Added site plan review requirements for any property that results in 2 or more ADUs. This ensures that ADU development is consistent with regulations applied to other residential developments in the Town.
- f) Established a framework for pre-approved ADU construction, which will be pursued outside of adopted code. This is an exciting opportunity to greatly decrease the cost of creating an ADU and reduce timeframe for review.
- g) Increased maximum size and adjusted measurement standards to measure only the internal, usable square footage towards the ADU area calculation. This provides further flexibility for builders and property owners while remaining consistent with similar structures existing in Ridgway.
- h) Added incentives based on landscaping, construction materials, and unit affordability. This was done to promote sustainable development and reward property owners for committing to those goals. The incentives range from additional square footage of the ADU to additional ADUs.
- i) Modified ownership requirements to allow minimum rental term of 90 days. Support season workers and renters without opening ADUs to short term rentals.

At the June 25th, 2024, Planning Commission a final review of the ADU code draft resulted in three minor edits:

- a) Clarified that the Building Official is responsible for calculating the fees and clarified that the fees are "Building Permit" and "Plan Review" fees in Sec. A(1)(e).
- b) Decreased the minimum lot size in Sec. A(2)(a)(i) from 3,750 square feet to 3,500 square feet. This was done to ensure that "railroad lots" would allow for at least one ADU.
- c) Following consultation with the Town Attorney, it was determined that using the term "Open Space" was adequate to meet the PC's intent related to reduced setbacks for ADUs since the definition of



open space requires such area(s) to be platted as such. This amended provision can be found in Sec. A(2)(d)(i).

The three modifications identified above are reflected in the attached final draft for the Planning Commission's consideration. Because of the extensive number of amendments being proposed, only a clean version of the final proposed amendments are included in this staff report. Updates are consistent with the previous drafts and redlines presented to and discussed with the Planning Commission over the last six months.

NEXT STEPS:

Following this last opportunity for discussion on the ADU standards, Staff will prepare the final materials and notification materials for a hearing to be held on August 27th. Per the updated RMC Chapter 7 regulations, the hearing is to be noticed by posting at Town Hall and by a publication in the newspaper a minimum of 10 days prior to the hearing. This would apply to both the Planning Commission and Town Council hearings.

At the conclusion of the hearing, the Planning Commission will make a recommendation to the Town Council.

ATTACHMENTS:

- *ADU Code update – clean version*



7-4-6 SUPPLEMENTAL REGULATIONS

(A) Accessory Dwelling Units.

(1) General Provisions.

- (a) 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 standards of these regulations.
- (b) The goal of improving housing affordability requires flexibility with landscaping requirements, building typologies, and construction methods. Sustainable construction methods including, but not limited to, utilizing local resources and energy efficient designs are encouraged to increase long-term affordability.
- (c) The burden shall be upon the owner of any ADU 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.
- (d) A dwelling unit constructed before a principal building, which meets these criteria, may be converted to an ADU following construction of a new principal dwelling unit.
- (e) Plan review fees as calculated by the Building Official may be waived by the Town Manager for ADU(s) as set forth below.
 - (i) Plan review fees may be reduced by up to one-hundred (100) percent for attached ADU(s).
 - (ii) Plan review fees may be reduced by seventy-five (75) percent for detached ADU(s).
 - (iii) Permit fees may not be reduced for any ADU.

(2) Dimensional and Design Standards.

- (a) ADUs are only allowed as accessory to single-family, duplex, and triplex dwellings in accordance with the following:
 - (i) One (1) ADU is allowed on lot(s) between 3,500 square feet and 7,500 square feet.
 - (ii) Two (2) ADUs are allowed on lot(s) between 7,501 square feet and 15,000 square feet.
 - (iii) Lot(s) that are greater than 15,000 square feet may have more than two (2) ADUs; however, the total number of ADUs on the subject property shall never exceed double the total number of dwelling units in the principal structure. All properties that propose more than two (2) ADU(s) on a lot shall be subject to a Site Plan review as set out in Section 7-4-3(H), Site Plan.
- (b) ADUs may be located within a detached structure, attached to the principal structure, or a converted room or rooms within the principal structure.
- (c) The ADU(s) must be constructed in accordance with applicable requirements of Town Building Codes.
- (d) All lots where an ADU is proposed shall comply with all dimensional standards applicable to the underlying zone district.
 - (i) Required setbacks may be reduced by up to fifty (50) percent, or two (2) feet, whichever is greater, when adjacent to open space. Such a reduction shall be approved by the Town Manager or their designee.
- (e) The ADU shall not be located within the sight triangle as determined by Section 7-4-8(F)(8), Sight Triangles.
- (f) The architectural design of the proposed ADU shall be compliant with the regulations set in RMC 7-4-9, Residential Design Standards.

- (g) The parking requirements shall comply with the requirements as set out in subsection 7-4-6(M).
 - (h) The maximum size of an ADU shall not exceed 1,000 square feet of gross floor area unless otherwise allowed by this section.
 - (i) The calculation for the “gross floor area” shall be the total square footage of the ADU measured to the interior walls of the area comprising the unit excluding internal parking areas and stairways.
 - (i) The proposed landscaping shall be compliant with an approved Landscape Plan, consistent with Section 7-4-8, Landscape Regulations, if one exists.
- (3) Incentives.
- (a) *ADU Affordable Housing Provisions.* All single-family, duplex, triplex dwelling uses may be allowed to construct one (1) additional ADU above the allowed quantity in subsection 7-4-6(A)(2)(a) when the ADU is income-restricted to moderate-to-low income residents only, pursuant to this subsection.
 - (i) *Affordable Housing Covenants and Restrictions.* The Town encourages the growth of affordable housing in all residential areas. To provide affordable housing units on private property, the property owner shall record a restrictive covenant with the Ouray County Clerk and Records’ office that includes the following provisions:
 - a. *Area median income (AMI).* The covenant shall identify the AMI limitations placed on the unit. The income range shall be equal to or less than 150 percent AMI for Ouray County as determined by the US Department of Housing and Development or US Census.
 - b. *Income-restricted units.* Describe the quantity of income-restricted units, their square footage, and bedroom count.
 - c. *Compliance report and leasing period.* Include the duration of the tenant’s lease. Upon reasonable request by the Town of Ridgway or Ouray County, the property owner shall submit a compliance report outlining how the restricted units comply with covenant requirements.
 - d. *Income verification and rent limitations.* Provide the method for determining tenant income and calculating the rent limitations for each income-restricted unit.
 - (b) *Landscaping.* When a property owner requesting an ADU meets one of the applicable water conservation standards below, the proposed ADU may increase its maximum gross floor area by up to ten (10) percent without an administrative adjustment.
 - (i) The proposed live ground cover does not include more than 750 square feet of turf or;
 - (ii) The proposed landscape area has a minimum of eighty (80) percent non-live ground cover or;
 - (c) *Sustainable construction methods.* When an applicant meets the applicable sustainable construction standards as set out below, the proposed ADU may exceed the maximum gross floor area by two hundred (200) square feet.
 - (i) The proposed construction is certified by a professional sustainable construction organization.
 - (ii) The applicant provides proof of energy efficient design that exceeds industry standards from a certified construction professional.
 - (iii) The applicant sources fifty (50) percent of the construction materials from the State of Colorado.
- (4) Ownership and Occupancy.

- (a) One of the dwelling units on the property must be, and remain, owner occupied.
 - (b) A minimum of a ninety (90) day rental period shall be required by written lease for an ADU.
 - (c) The ADU, principal residential unit(s), and the lot or parcel upon which they are located, shall remain in undivided ownership.
- (5) Utilities
- (a) The ADU(s) shall 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.

DRAFT

AGENDA ITEM #4

To: Town of Ridgway Planning Commission

Cc: Preston Neill, *Ridgway Town Manager*

From: TJ Dlubac, AICP, *CPS, Contracted Town Planner*
Max Garcia, AICP, *CPS*

Date: July 26, 2024

Subject: Proposed Parking Standards and Project Summary

At the June 26, 2024, Planning Commission meeting, we evaluated draft versions of the code update pertaining to parking standards. Upon review of the revised draft code documents, Community Planning Strategies (CPS) was provided with further guidance to prepare the final draft for Planning Commission for a recommendation to Town Council.

These final amendments will be discussed one last time with the Planning Commission on July 30th.

BACKGROUND

Ridgway has determined that updating parking standards is a potential solution to improve the transportation infrastructure related to site development while aligning the existing parking requirements with the desires of the Town. The objective of this project was to evaluate the current language and overall reduce requirements and recommend potential policy changes based off best practices and prior parking assessments.

At the January 30, 2024, Planning Commission meeting, Community Planning Strategies and Planning Commission kicked off the 2024 Land Development Code Update project; at the end of that discussion, our direction was to broadly research parking regulations and bring that research back to PC.

While the Town has parking standards, the provisions of Section 7-4-6(M) of the RMC have numerous potential adjustments based on the evaluation.

MEETINGS AND INPUT

Since the code update kickoff, a draft of updated regulations has gone through the following timeline:

January 26, 2024	<i>Project kickoff with Planning Commission. Identified ADU regulations as one of the four projects to complete first. PC provided direction to prepare research to present at the next meeting.</i>
February 23, 2024	<i>Discussed best practices research and developed strategy for code update. PC directed CPS to begin preparing a draft of updated code regulations.</i>
March 26 ,2024	<i>Edited and updated the draft based on the PC discussion.</i>
April 30, 2024	<i>Reviewed code draft with PC evaluated parking requirement scenarios.</i>
May 29, 2024	<i>Edited and updated the draft based on the discussion.</i>
June 25, 2024	<i>Edited and updated the draft based on the discussion. PC provided direction to finalize document and prepare for public hearing in August.</i>

PROPOSED UPDATES AND ANALYSIS

At the end of the June 26th meeting, our direction was to proceed with completing minor revisions to the parking standards and prepare a final draft in preparation for ordinance adoption. Below is a summary of the changes to the code draft, based on PC input, since the beginning of this 2024 code update.

- a) Overall reduced and simplified parking requirements in use table. This will reduce the burden of providing off-street parking, provide site plan flexibility, and reduce the cost of development.
- b) Added stacking requirements for specific uses. Introducing stacking requirements for specific uses will ensure sites have safe and well-organized vehicle circulation.
- c) Introduced new section on shared parking plans, including requirements and provisions. In addition to reducing parking requirements for uses, this provision adds a layer of flexibility to allow developers to communicate with nearby businesses and property owners to spread out parking if on-site parking is not feasible.
- d) Introduced new section on minimum "EV-Ready" electrical vehicle parking. Electric vehicles have become widely available in recent years, and it is anticipated that the use of electric vehicles will continue to grow. This ensures that when they come
- e) Expanded existing bicycle parking requirements.
- f) Added a separate section for overall parking reductions and modified existing reductions, based on zoning districts.
- g) Added handicap accessible parking standards, compliant with ADA standards. This required by federal law and provides disabled individuals with accessible, on-site parking.

At the June 25th, 2024, Planning Commission a final review of the ADU code draft resulted in one minor edit:

- a) Clarified that Electric Vehicle parking is required for all site development by changing "should" to "shall" in Sec. M(8).

The modification identified above is reflected in the attached final draft for the Planning Commission's consideration. Because of the extensive number of amendments being proposed, only a clean version of the final proposed amendments is included in this staff report. Updates are consistent with the previous drafts and redlines presented to and discussed with the Planning Commission over the last six months.

NEXT STEPS:

Following this last opportunity for discussion on the ADU standards, Staff will prepare the final materials and notification materials for a hearing to be held on August 27th. Per the updated RMC Chapter 7 regulations, the hearing is to be noticed by posting at Town Hall and by a publication in the newspaper a minimum of 10 days prior to the hearing. This would apply to both the Planning Commission and Town Council hearings.

At the conclusion of the hearing, the Planning Commission will make a recommendation to the Town Council.

ATTACHMENTS:

- *Parking Standards Update – clean version*



(M) Parking Standards

- (1) Off-Street Parking Requirements. The following off-street parking requirements shall apply unless otherwise indicated in all districts.

Use	Required parking spaces	Required Stacking spaces
Dwelling Units	Single-Family and Duplex Dwelling Units: 2 spaces per dwelling unit; one (1) required parking space may be permitted on-street. All Other Residential: 1 space per dwelling unit; the one (1) space may be permitted on-street.	
Healthcare Facilities	1 space per 750 square feet	
Pharmacies	No off-street parking requirement	Minimum of two (2) stacking spaces before the drive up window.
Restaurants	1 space per 200 sq. ft. gross floor area	Minimum of six (6) stacking spaces before the drive up window.
Hotels and Motels	1 space per one (1) guest rooms	Minimum of four (4) stacking spaces before the drop off space.
Gas stations	No off-street parking requirement.	Minimum of one (1) stacking space before each fuel station.
Community Center	No off-street parking requirement	
Nursing Homes	1 space per 750 square feet or 1 space per employee on the shift with the highest quantity of employees.	
Office	1 space per 600 sq. ft. gross floor area	
Retail Establishments	1 space per 500 sq. ft. gross floor area	Minimum of four (4) stacking spaces before the drive-up window, if applicable.
Day Care Facilities not qualifying as an accessory use	No off-street parking requirement	Minimum of four (4) stacking spaces before the drop off zone.
Educational Facility, Elementary	2 spaces per classroom	Minimum of five (5) stacking spaces before the drop off space
Educational facility, Middle and High school	1 space per two (2) students and one (1) faculty member.	Minimum of four (4) stacking spaces before the drop off space
All other uses	1 space per 700 sq. ft. gross floor area	Minimum of one (1) stacking spaces before the drive up window, if applicable.

- (2) For purposes of this Subsection, "gross floor area" is the heated square footage of a building measured along the outside enclosing walls, excluding interior parking areas and outdoor common areas.

- (3) *Shared Parking Plan*. The purpose of the shared parking plan and the subsequent regulations is to efficiently utilize parking resources amongst multiple properties and users while adequately meeting parking demand at peak hours or during special events. Applicants wishing to use shared parking as a means to satisfy off-street parking requirements shall submit a shared parking plan in accordance with this section.

- (a) Shared parking standards.

- (i) Shared parking plan required. A shared parking plan shall be required for the following:

- All proposed developments, except for single-family or duplex dwelling units, that intend to utilize off-site parking spaces. Such plan may request to eliminate all or a percentage of the required off-street parking spaces being provided on the subject property.
- Major special events, as determined by the Town Manager or designee, that will have a significant impact on traffic circulation within town limits.

- c. The applicant is requesting to utilize existing on-street parking to meet off-street parking requirements which isn't otherwise authorized by this section.
- (ii) *Shared parking plan provisions.* The proposed shared parking plan shall address each of the following provisions.
 - a. *Off-site shared parking.* Provide the location of the off-site parking spaces, quantity of parking spaces, and the current physical condition of the area to be used for off-site parking.
 - i. If the off-site parking spaces are fulfilling the required off-street parking needs of another use or property, the plan shall also provide a schedule of peak demand for each use utilizing the parking spaces.
 - ii. Submit a written narrative describing adjacent land uses to the off-site parking location, potential negative impacts of increased parking on the off-site location, and proposed strategies to mitigate negative effects.
 - b. *Shared Parking Agreement.* In the case of off-site shared parking for proposed uses where the targeted off-site lot is owned by others, a written agreement between the town, the owner of the property where the off-site parking is being proposed, and the owner of the property seeking the use of off-site parking shall be entered into.
 - i. The agreement shall be recorded with Ouray County Clerk and Recorder, unless the agreement is for temporary uses, such as a special event.
 - ii. The agreement shall provide details of continued maintenance and the owner's responsibility for off-site parking spaces.
 - c. *Pedestrian movement.* Describe the intended pedestrian movement from off-site parking locations to the property or establishment served by those spaces.
 - i. Shared parking that is located across Highway 62 or Highway 550 shall be located within two (2) blocks of an existing traffic signal which includes a pedestrian crossing phase to cross the highway or a grade separated pedestrian connection.
 - d. *Neighborhood partnership.* Proposed developments that intend to utilize shared parking are encouraged to form partnerships within the community.
 - i. The shared parking plan shall identify all businesses and organizations that utilize the parking resources.
 - ii. For special events, the shared parking plan shall detail methods of reliance on public transportation.
 - iii. For permanent uses, off-site parking spaces located adjacent to residential uses shall provide a minimum of five (5) foot buffer with an opaque six (6) foot tall fence or landscaping along all shared boundaries.
 - e. *Peak hours.* The shared parking plan shall provide operating hours for each specified use. If public transit is to be utilized for temporary uses, then a description of route schedule and stop locations are required.
 - i. The shared parking plan shall describe usage of off-site parking for specified for the following time periods:
 - 1. Monday to Friday 8 AM to 5 PM.
 - 2. Monday to Friday 5 PM to 12:00 AM
 - 3. Monday to Friday 12 AM to 8AM
 - 4. Saturday to Sunday 8 AM to 5 PM
 - 5. Saturday to Sunday 5 PM to 12 AM

6. Saturday to Sunday 12 AM to 8 AM

(4) On-street parking.

- (a) Except as otherwise allowed in this Chapter, on-street parking spaces are not allowed to be used to satisfy off-street parking requirements.
- (b) The Town Manager or their designee may approve on-street parking spaces within one-hundred (100) feet of the subject property to count towards required off-street parking.

(5) *Vehicle Stacking*. Nonresidential uses that provide drive-through facilities are required to provide spaces for vehicles waiting in line.

- (a) Stacking spaces shall be a separate aisle from parking lot circulation.
- (b) Stacking spaces shall be located in a manner that prevents any stacked vehicle from extending onto the public right-of-way, interfering with pedestrian and vehicle circulation, or preventing ingress to or egress from the property.
- (c) Required stacking spaces shall be a minimum nine (9) feet wide and twenty (20) feet in length.
- (d) Drive-through aisles shall be distinctively marked or delineated.
- (e) Stacking spaces shall not count towards the minimum required parking spaces.

(6) *Parking plan requirements*. In instances where a Site Plan is required, the submittal shall include details of all proposed parking facilities. The Site Plan must contain the following information:

- (a) Parking spaces shall be sized and designed in accordance with standard Town specifications and shall be a minimum of eight (8) feet by twenty (20) feet in size. The parking space size may be modified to provide parking for alternative modes of transportation with approval from the Town Manager or their designee.
- (b) Site Plan shall provide sufficient off-street space to allow an automobile to enter, maneuver, and exit without backing onto any public street. Backing onto alleyways is permissible except where otherwise prohibited by plat note.
- (c) The quantity and location of parking spaces, including drop off zones, electric vehicle charging spaces, stacking spaces, and drive-through circulation, as applicable.
- (d) Type of surface materials and treatment for parking aisles and parking spaces.
- (e) Traffic directional arrows, signage, and markings.

(7) Bicycle parking.

- (a) Bicycle parking as set forth in subsection 7-4-6(M)(7) shall be required for all nonresidential uses, fourplex dwellings, and multiple family dwellings.
 - (i) A minimum of two (2) bicycle spaces or the quantity of bicycle spaces equivalent to ten (10) percent of required parking spaces shall be provided when either of the following circumstances are met:
 - a. The property is located within 2,000 feet of the Uncompahgre RiverWay Trail or other designated trails.
 - b. The property is located within 2,000 feet of a transit station or designated transit bus.
 - (ii) For all other locations, bicycle parking is optional and may be used to reduce the required number of parking spaces.
- (b) Design Standards.
 - (i) The required bicycle rack type shall be able to support two (2) bicycle parking spaces.

- (ii) Parking for bicycles shall be provided on-site, and bicycle parking areas shall be located as near to the building or facility entrance as possible but not more than one hundred (100) feet away and shall not interfere with pedestrian or vehicular traffic.
 - (iii) When applicable, bicycle parking areas should utilize already existing weather protected areas such as building overhangs.
 - (iv) If bicycle and automobile parking areas or accessways abut each other, a physical barrier between the bicycle parking area and the automobile parking or drive areas shall be provided to prevent the possibility of bicycle-motor vehicle collisions.
- (8) **Electric Vehicle Parking.** Electric vehicle parking shall be provided for all new developments.
- (a) Electric vehicle parking may count towards the required off-street parking space at a rate of one-to-one.
 - (b) Electric vehicle supply equipment (EVSE) The installation of EVSE shall meet the National Electrical Code. Equipment mounted on pedestals, lighting posts, bollards, or other devices for on-street charging stations shall be designed and located as to not impede pedestrian or vehicle travel or create hazards within the right-of-way.
 - (c) Any new development with fifteen (15) or more required parking spaces shall provide EV-Ready spaces pursuant to table T-4.6, EV Parking Required, below. It is strongly encouraged that all new and expanded non-residential and multi-unit dwelling development parking areas provide EV-Ready parking spaces as stipulated in Table T-4.6, EV Parking Required. EV Ready spaces have the electrical capacity necessary to accommodate the future hardwire installation of Level-2 electric vehicle charging stations.

Table T-4.6 EV Parking Required.

Designated parking spaces for project	Number of EV-ready spaces required.
15 to 35	1
36 to 65	2
66 to 90	3
91+	3, plus 1 space per 25 additional provided spaces.

- (d) Electric vehicle spaces not provided at time of site plan approval shall pay a fee-in-lieu for each required electric vehicle parking space. The fee for each required electric vehicle space is established, pursuant to the Town's adopted fee schedule.
- (9) **Parking reductions.** The purpose of the parking reductions is to provide further flexibility to developments, redistribute the required parking, and support transportation alternatives amongst the Town.
- (a) **Parking reductions overall.** The Town Manager or their designee may grant a parking reduction up to fifty (50) percent of the required parking spaces.
 - (i) Parking reductions may only be granted if the proposed reduction will not result in spillover parking into public roads and will not adversely affect traffic circulation.
 - (ii) Only the following parking reductions may be allowed unless otherwise permitted by this code.
 - a. One (1) vehicular space for every two (2) bicycle parking spaces in addition to required bicycle parking.
 - b. The Town Manager or their designee may reduce the number of required off-street parking spaces on property located within 500 feet of a transit bus stop with a headway of one-hour or less.
 - c. One (1) vehicular parking space for every two (2) motorcycle spaces.

- d. The Town Manager or their designee may reduce the number of required off-street parking spaces for existing buildings that are designated historic locations or have existed greater than or equal 75 years by up to fifty (50) percent.
 - i. The building(s) may not be drastically renovated so that its building character is no longer like the original structure to qualify for the parking reduction.
 - (b) Parking standards for zoning districts. The following sections set forth standards that are applicable to specific zoning districts and apply in addition to all standards and provisions of this Section.
 - (i) *Parking standards specific to the DS District.* Businesses shall be credited with half parking space for every designated on-street parking space adjacent to the business and in accordance with Town specifications. No parking shall be allowed on alleys or on Highway 62 (Sherman Street).
 - (ii) *Parking standards specific to the HR District.* Single-family and duplex dwelling uses may utilize on-street parking to meet all parking requirements without a shared parking plan.
 - (iii) Parking standards specific to the MR District.
 - a. Parking shall be sited to provide the least visual impact from public rights-of-way and shall not dominate the front yard of any lot or parcel.
 - b. An area used for bike racks and parking of other nonmotorized vehicles, shall be located no more than fifty (50) feet from the main entrance to the primary building(s) and shall provide a logical connection to onsite non-motorized access routes.
 - (iv) Parking standards specific to the HB District.
 - a. Nonresidential uses have no minimum parking requirement.
 - b. All proposed parking spaces shall only be accessed from an alley.
 - c. A minimum of two (2) off-street parking spaces shall be provided for residential uses.
 - d. For residential uses requiring more than two (2) spaces, a fee-in-lieu of providing these spaces may be paid at a rate of \$6,000.00 per space not provided on-site.
 - i. The monetary payment(s) shall be used to fund the acquisition or construction of public parking facilities to serve the Historic Business Zoning District. The use of these funds shall be at the sole discretion of the Town.
 - (v) Parking standards specific to the Limited Industrial (LI) and General Industrial (GI) Districts. Parking and storage is not allowed in the front or side setbacks along any street.
- (10) Accessible Parking Spaces.
 - (a) For all uses other than single-family or duplex dwellings, accessible parking spaces shall be provided at the minimum rate consistent with Table T-4.6, Accessible Parking Requirements.
 - (b) The accessible parking shall be provided on-site.
 - (c) At least one (1) van accessible space shall be provided for every six (6) accessible spaces required.
 - (d) Accessible parking spaces shall otherwise comply with the American with Disabilities Act.

Table T-4.6 Accessible Parking Required.

Total Number of Off-Street Spaces Provided	Number of Accessible Spaces
1—25	1
26—50	2
51—75	3
76—100	4
101—150	5
151—200	6
201—300	7
301—400	8
401—500	9
501—1,000	2% of total spaces required
>1,000	20 plus 1 for each 100 over 100

AGENDA ITEM #5

PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING

MAY 28, 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 Clark, Mayor Pro Tem Meyer and Chairperson Montague were in attendance.

PUBLIC HEARING

1. Application for Variance to Subdivision Regulations; Location; Solar Ranches #2D, Lots 68-70; Address: TBD Sabeta Dr., 820 Sabeta Dr. and TBD Sabeta Dr.; Zone Residential; Applicant: Patrick and Debra Willits; Owner: Patrick and Debra Willits

Staff Report dated May 24, 2024, and Power Point presentation dated May 28, 2024, presenting background, analysis and staff recommendation prepared by TJ Dlubac, AICP of Community Planning Strategies, LLC (CPS).

TJ Dlubac presented the variance application requesting consolidation of three lots into one lot. He explained the applicant owns all three lots, the request does not modify any public right-of-way, does not create additional or unbuildable lots, and provides legal access to the proposed combined lots. He noted the Ouray County Assessor has requested labeling clarification between the application documents and the new plat before it is recorded. Dlubac recommended approval of the application because the criteria set forth in the Ridgway Municipal Code (RMC), Chapter 7-5-2(l)(3) have been met.

Applicant Pat Willits explained his decision to combine the lots is based on the new property tax assessments and he will save approximately six thousand dollars in property tax each year by consolidating the lots. Willits acknowledged a new application with additional fees would be needed to split the lots in the future.

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

ACTION:

Mayor Pro Tem Meyer moved to approve the lot consolidation for Lot 69-R, Filing No. 2D Solar Ranches, finding that the criteria set forth in RMC 7-5-2(l)(3) have been met. The application is approved with the condition that the plat be updated to address all referral agency comments and be reviewed by the Town prior to recording the lot consolidation plat with the Ouray County Clerk Recorder. Commissioner Nelson seconded the motion, and it was carried unanimously on a rollcall vote.

WORK SESSION

2. Presentation and Discussion Regarding Accessory Dwelling Unit (ADU) Standards

Staff Report dated May 24, 2024, and Power Point presentation dated May 28, 2024, presenting background, analysis and staff recommendation prepared by TJ Dlubac, AICP and Max Garcia AICP of CPS, LLC.

Planner Dlubac presented the Staff Report and Power Point presentation for discussion which included a red-lined version for the proposed changes to RMC 7-4-6 Supplemental Regulations (A) Accessory Dwelling Units. Reductions in setback allowances in certain cases, income verification processes, landscaping regulations, ownership and occupancy standards as well as density and square footage for ADU's were discussed. Residents Sheldon Kerr, Lisa Baker and Kristen Arnold participated in the discussion. The Commissioners provided feedback to Dlubac. He will update the red-lined draft based on the discussion so that it can be considered at the June 25 Regular Planning Commission Meeting.

3. Presentation and Discussion Regarding Parking Standards

Staff Report and Power Point presentation dated May 28, 2024, presenting background, analysis and staff recommendation prepared by TJ Dlubac, AICP and Max Garcia AICP of CPS, LLC.

Dlubac presented the Staff Report and Power Point presentation for discussion which included a red-lined version for the proposed updates to RMC 7-4-6 Supplemental Regulations (M) Parking Standards. The Commissioners discussed the concept of no minimum requirements, adding incentives in certain situations, reviewed measurement standards, short-term rental parking requirements and clarified parking plan requirements with the Planner. He will update the proposed, red-lined version for parking standards for presentation at the June 25 Regular Planning Commission Meeting.

4. Presentation and Discussion Regarding Regulations for Affordable Housing

Staff Report dated May 24, 2024, and Power Point presentation dated May 28, 2024, presenting background, analysis, research and staff recommendation prepared by TJ Dlubac, AICP and Max Garcia AICP of CPS, LLC.

Mr. Dlubac presented his research from national best practices as well as mountain communities within the State, noting the goal is to incorporate concepts into the municipal code. The Commission and the Planner discussed financing, managing deed restrictions, strategies for construction development and evaluation, incentive programs and the exchange of land or cash in lieu of inclusionary zoning. He noted that many of the concepts have already been informally implemented by the Town. Dlubac will formalize the concepts discussed into preliminary guidelines for review at the June Regular Planning Commission Meeting.

5. Update Regarding Analysis Related to the Economic Implications of Ridgway's Land Use Mix

Memorandum dated May 23, 2024, from Elliot Weiss, Principal for Economies of Place regarding the 2024 Land Development Code Updates.

The Planner explained there was a miscommunication between Mr. Weiss and CPS which resulted in Weiss not receiving data for the project. The issue has since been corrected and the data is being organized for analytical review. Dlubac expects a more substantive update for the next Planning Commission meeting.

APPROVAL OF THE MINUTES

6. Approval of the Minutes from the Meeting of April 30, 2024

ACTION:

Mayor Pro-Tem Meyer moved to approve the Minutes from April 30, 2024. Mayor Clark seconded the motion and was carried on a rollcall vote with Commissioner Nelson abstaining.

OTHER BUSINESS

7. Updates from Planning Commissioners

The Town Manager reported the Preserve Planned Unit Development project is waiting on their annexation application and their preliminary plat approval expires in September. He noted the next step will be to determine a sufficient time frame to finish the project and meet the conditions assigned for the plat approval.

Commissioner Petruccelli reported that Phase III of the Ridgway Light Industrial project is expecting approved plans within the next month to implement the extension of Laura Street.

ADJOURNMENT

The meeting was adjourned at 8:20 p.m.

Respectfully submitted,

Karen Christian
Deputy Clerk

AGENDA ITEM #6

PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING

June 25, 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, Petruccelli, Mayor Clark, Mayor Pro Tem Meyer and Chairperson Montague were in attendance. Commissioner Nelson was absent.

WORK SESSION

1. Accessory Dwelling Unit (ADU) Standards Discussion

Staff Report dated June 25, 2024, providing background, analysis, and staff recommendation; a Power Point Presentation dated June 25, 2024, which included a red-lined draft of the Ridgway Municipal Code (RMC) Chapter 7-4-6 Supplemental Regulations (A) Accessory Dwelling Units, prepared by Max Garcia, AICP and TJ Dlubac, AICP of Community Planning Strategies, LLC.

Max Garcia exhibited the Power Point presentation and reviewed the red-lined draft of the Municipal Code with the Commissioners to establish the next steps in the code update process. Garcia, Dlubac, the Town Manager and the Commissioners discussed the general provisions, and dimensional and design standards that may encourage long term ADU rentals in the community. Incentives for all structure types, incentives for landscaping, ADU ownership and occupancy, utility service, and the use of sustainable construction methods were discussed. The Planning Commission asked questions and provided feedback to the Planners. The Planners will make changes to the draft as directed by the Commissioners and present it at the next Regular Planning Commission Meeting for recommendation to the Town Council.

2. Parking Standards Discussion

Staff Report dated June 25, 2024, and Power Point Presentation dated June 25, 2024, providing background, analysis and staff recommendation prepared by Max Garcia, AICP and TJ Dlubac, AICP of Community Planning Strategies, LLC.

Mr. Garcia reviewed the Staff Report and Power Point presentation with the Commissioners. He presented a proposed draft specific to parking standards for inclusion to Chapter 7, Section 4. Zoning Regulations. The Planners resumed the discussion of the vehicle stacking concept with the Commission and clarified the standards for shared parking plans and electric vehicle parking space requirements. The Planning Commission agreed with the proposed standards. The Planners will make changes to the draft as directed by the Commissioners and present a final proposed draft of the new section in the Municipal Code to the Planning Commission at the July 30, 2024, Planning Commission for recommendation to the Town Council.

ADJOURNMENT

The meeting was adjourned at 8:25 p.m.

Respectfully submitted,

Karen Christian
Deputy Clerk