

## MINUTES OF WORKSHOP MEETING

### RIDGWAY TOWN COUNCIL

JANUARY 25, 2018

The Town Council convened for a workshop meeting at 6:05 p.m. in the Ridgway Community Center, 201 N. Railroad Street, Ridgway, Colorado. Councilors Austin, Hawse, Hunter, Williams, Mayor Pro Tem Johnson and Mayor Clark were in attendance. Councilmember Young was absent.

Town Clerk's Notice of Workshop Meeting to discuss the proposed river overlay district dated 1-11-18.

Town Manager Jen Coates presented an overview of the content of the river overlay zoning ordinance as it was introduced by the Council at the December meeting, and noted numerous changes and modifications have been made to the document during the last eight months of discussion. These included overlay over existing zoning districts, river buffer zone and high water mark, ecological character study, uses by rights and conditional uses, performance standards, easements, design guidelines and standards, submittal requirements and subdivision requirements.

Town Attorney Bo Nerlin explained the Council introduced the ordinance at the previous meeting and directed staff to prepare a number of changes to the document. After discussion staff determined there were a significant number of changes in the ordinance, and agreed to present the document back to the Council at this meeting, and reintroduce at the next regular meeting. He presented changes to the draft ordinance which were directed by Council at the previous meeting.

There were questions from the Council to staff.

The Town Clerk read a letter received prior to the meeting in support of adoption of the overlay district from Donna Green. She also read an email dated 1-25-18 from Bob Thomas, attorney representing Echo Properties, Inc. expressing concerns regarding variance procedures.

#### SPEAKING FROM THE AUDIENCE:

Janet Smith questioned the need for trail easements along the river corridor.

Ty Jennings, introduced himself as Manager Member of Ridgway River Development. He explained the Preserve Subdivision was approved in 2006 and "continued to 2008", before it was "placed into mothballs" due to a decline in the economy in 2009. He stated "we have spent 2.5 million" on infrastructure, and will spend "1 million more" to complete. He stated the subdivision includes 32 multi and single family units, and 17 of the 21 lots would be affected by the high water mark delineation and "can't be utilized". He reported he is "asking for preliminary plat to be reinstated" "or approved" and to be "exempted from the ordinance". He stated "if you don't do that the UROD will destroy" the development proposal, and "we consider" the action "a taking".

Eric Jacobsen, member of Ridgway River Development, stated he feels the regulations would be "in violation of State statutes" and would be a "regulatory taking". He noted the regulations would "shut down" "17 of 21 lots" "in a Town that needs housing".

Attorney James Fosnaught representing Jack Petrucelli reiterated a letter received by the Council on 1-25-18. He noted "the natural environment the Town seeks to protect does not exist" next to Highway 62 as it crosses the bridge across the river, and there are "consequences if the UROD

is established there". He stated his client made a "significant investment in developing" a parcel "which could not be rebuilt if destroyed by a fire" as the current configuration of the district places a "significant amount" of the building in the area. There was prior approval of the Town for development of the parcel under "current zoning and setbacks". He asked that there be "more discourse with staff and property owners who will be affected by this" and asked to "meet with the Planner to come up with resolution" of "financial impacts to my client".

Joan Chismire expressed concern with the variance procedures noting "a lot of people will be impacted who had plans on their property". She noted concerns to "protect the river" "with the corridor continually moving" and also concerns with regulations pertaining to "building adjacent to the river".

Andrew Coburn spoke in support of the ordinance as presented. He stated "every effort has been provided to receive feedback" and "I think the ordinance as written provides a lot of flexibility" "and still tries to balance development with long term protection of the corridor". He supported "thinking long term" and "making good public policy".

Linda Ingo noted "challenges" with the changing nature of the river. She stated she does not feel the "economics" of building along the river has been balanced, and the ordinance is "focused on recreation" of the river.

There were comments from the Council. Consensus was to place on the regular meeting agenda in February, the introduction of the ordinance with changes as presented by the Town Attorney.

#### ADJOURNMENT

The meeting adjourned at 7:35 p.m.

Respectfully Submitted,

Pam Kraft, MMC  
Town Clerk