

RIDGWAY PLANNING COMMISSION AGENDA

Tuesday, June 28th, 2016

Planning Commission Regular Meeting: 5:30 pm

Ridgway Community Center

201 North Railroad Street, Ridgway, Colorado

ROLL CALL Chairperson: Doug Canright, Commissioners: John Clark, Thomas Emilson, Ellen Hunter, Bill Liske, Jennifer Nelson, and Nick Wasser

PUBLIC HEARINGS:

1. **Request for Extension: Application:** Amended Plat and Plat Restrictions; **Location:** Various Ridgway Land Company Subdivisions: Eastside Replat, Ridgway Land Company, Lot 3 PUD, Northridge Subdivision, Ridgway Village West Condos, Trailtown Subdivision, Trailtown Condos, Village Square West Condominiums; **Address:** Hunter Parkway, Palomino Trail, Redcliff Drive, US Highway 550; **Zone:** General Commercial (GC); **Applicant:** Ridgway USA Association Inc.

PUBLIC REQUESTS:

2. **Accessory Dwelling Units, RMC 7-3-13(G):** Request to consider amending Ridgway Municipal Code Section 7-3-13(G) to remove the requirement that one of the units must be owner occupied – Scott Kennett

POLICY MATTERS:

3. **Zoning:** Discussion of creating new zoning districts in the Town of Ridgway addressing high density residential and multi-use zoning – Town Manager

APPROVAL OF MINUTES

4. Minutes from the meeting of May 31st, 2016 and June 16th, 2016

ADJOURN



To: Ridgway Planning Commission
From: Jen Coates, Town Manager and Lu Hauger, Assistant Planner
Date: June 28, 2016
RE: High Density Residential and Mixed Use Zoning and Deed Restricted Housing Requirements

Table of Contents:

1. Existing Town of Ridgway Zoning
 - Historic Residential – Closest zone to High Density Residential is really Medium Density
 - Historic Business – Closest zone to Mixed Use and High Density anything
 - Dimensional Requirements - All zones
 2. Town Land Use Plan: Densities and Land Uses
 3. Zoning: Regional Examples
 - Salida
 - Carbondale
 - Durango
 - Telluride
 - Montrose
 - Winter Park
 - Snowmass
 - Ouray
 4. Deed Restricted Housing Requirements
 - Glenwood Springs
 - Telluride
 - Snowmass
-



SECTION 1: Town Codes: Existing

7-3-6 "HR" HISTORIC RESIDENTIAL DISTRICT.

(A) Intent: This District is intended to coincide with the historic residential core of Ridgway and accommodate a variety of housing types at medium density as well as other activities which are compatible with such uses.

(B) Uses by Right:

- (1) Single Family Homes which meet the requirements of Section 6-6 and duplexes.
- (2) Public utility service facilities.
- (3) Government buildings and facilities.
- (4) Parks and recreation facilities, including community gardens, owned or operated by a property owners association or civic organization.
- (5) Mobile homes on individual lots in the Mobile Home overlay districts which are anchored to a foundation in conformity with Subsection 6-6-3(A).
- (6) Accessory uses.

(C) Conditional Uses:

- (1) Multiple family residences which meet the design and performance standards of Subsection (D).
- (2) Churches, schools, day care facilities not allowed as an accessory use to a residence, and community centers.
- (3) Bed and breakfast operations which meet the criteria of Subsection 7-3-13(F) in addition to the criteria of Section 7-3-14.

7-3-8 "HB" HISTORIC BUSINESS DISTRICT.

(A) Intent: This District encompasses the historic commercial core of Town. Intended uses include retail, office, residential, service and institutional by right and similar conditional uses compatible with a mixed use shopping and residential area. Conditional uses include limited light manufacturing.



(B) Uses by Right:

(1) Single family homes which meet the requirements of Section 6-6, duplexes, and multi-family residences and dwelling units in buildings with non-residential uses, whether or not any of the foregoing are used for rentals for periods of 31 days or less. If they are used for rentals for periods of 31 days or less, they must comply with the provisions of Subsection (1).

(2) Retail stores, business and professional offices and service establishments which cater to the general public, excluding day care facilities.

(3) Libraries, museums and depots.

(4) Public utility service facilities.

(5) Government buildings and facilities.

(6) Private and fraternal clubs.

(7) Indoor theaters.

(8) Restaurants and taverns.

(9) Churches, Sunday schools and community centers, schools, parks and playgrounds.

(10) Hotels, motels, lodges, and other types of short term rentals for vacations, tourists, business visitors and the like.

(Ord 11-2013)

(11) Parking facilities, funeral homes, commercial garages.

(12) Accessory uses.

(13) Arts and craft studios.

(C) Conditional Uses:

(1) Light Manufacturing.

(2) Any use not prohibited by Subsection (D) which is consistent with the intent expressed in Subsection (A).



(3) The outside storage of equipment inventory or supplies, accessory to a business occupying a building on the premises, subject to conditions imposed pursuant to Section 7-3-14 and 7-3-18(G), which may include time limitations and limitations appropriate to lessen the impact on other property, including screening. Written Notice of the Hearing pursuant to Section 7-3-18 shall be provided by the applicant to all owners of property located within 100 feet of the affected property.

(4) Buildings with a gross floor area greater than 7,500 square feet.

(D) The following uses are not to be construed as a "Use by Right" or a "Conditional Use" in the "HB" District.

(1) Drive-in restaurants, drive-in theaters, or any other retail stores and service establishments with drive-through facilities.

(2) Above ground storage of hazardous fuels.

(3) Heavy manufacturing and industrial uses.

(4) Gas stations.

(5) Farm implement, mobile home, automobile and other vehicle sales or service establishments.

(6) Automobile body shops.

(7) Machine and welding shops.

(E) Performance Standards:

(1) No use shall be established, maintained or conducted in any "HB" Historic Business District that will result in any public or private nuisance.

(2) No equipment, inventory, or supplies may be stored outside, except as authorized pursuant to Subsection 7-3-8(C)(3).

(3) All manufacturing and industrial activities must take place inside with no noise, smoke, dust or light observable off of the premises.

(4) (a) Residential uses must provide off-street parking as required by Subsection 3



10(C)(1)(a) and Subsection 7-3-10(C)(1)(r).

(b) All non-residential uses must provide a minimum of one off-street parking space per 1650 square feet of gross floor area. Partial spaces will be rounded up to the next whole number of required parking spaces. If the structure contains both residential and non-residential uses, calculation of the gross floor area shall not include the residential area(s) for purposes of determining off-street parking pursuant to this paragraph. Also excluded from this calculation are enclosed parking and outdoor common areas. Parking spaces will be accessed only from an alley. The first three spaces must be provided on-site.

(c) In cases where mixed residential and non-residential uses occur within the same property, the residential parking requirements of Subsection (a) shall be in addition to the non-residential parking space requirement set forth in Subsection (b).

(d) In lieu of non-residential off-street parking requirements in excess of three spaces and pursuant to Subsection (b) above, a money payment of \$3,000 per space may be paid to the Town, which money shall be used to fund the acquisition or construction of public parking facilities to serve the Historic Business Zoning District

(5) Buildings containing more than 15,000 square feet of gross floor area shall not be allowed.



7-3-10 DIMENSIONAL & OFF-STREET PARKING REQUIREMENTS.

(A) Tabulated Requirements for Uses by Right (All Dimensions in Feet or Square Feet Unless Noted Otherwise).

District	Use	Minimum Lot			Minimum Setbacks					Structure Height****
		***** Width	Size	Max.Lot Coverage %	Front	Rear*	Side	Max. Side on Corner Lot		
R	All	50	10,000	40	15	8	8	7.5	27	
HR	Single Family	50	5,000	50	15	8	8	7.5	27	
All Others	50+25/DU Over 1st DU		5,000 + 3,000/DU	50	15	8	8	7.5	35	
HB	All	25	NA	NA	***	8	***	***	35	
GC	All	30	5,000	50	15	8	8	7.5	27**	
FD	All	50	35 ac.	NA	15	8	8	8	27	
I-1	All	50	6,000	50%	15	8	8	8	30 (Ord 6-2000)	
I-2	All	50	6,000	50%	15	8	8	8	30 (Ord 6-2000)	
DS	All	50	5,000	50%	15	8	8	7.5	27 (Ord 6-2002)	



SECTION 2: 2011 Ridgway Land Use Plan - Zoning Table

Zone	Description	Residential Density (units/acre or lot)	Bonus Density*
Mixed Use Business	Primary uses include retail, office, service and institutional by right and similar conditional uses compatible with a mixed use shopping and residential area. Secondly, residential may occur within the context of businesses, to promote activity and vibrancy within these areas.	12 to 18	up to 4 units
Mixed Use Residential	Intended to provide some flexibility in use for existing residences within the Historic Town Core, as well as to provide an effective transition between the Commercial and Mixed Use Business area and nearby residential neighborhoods.	12 to 18	up to 4 units
High Density Residential	Multi-unit housing, including apartments and townhomes.	12 to 18	up to 4 units
Medium Density Residential	A combination of single-family, duplex, and multi-unit housing development.	5 to 11	Up to 2 units

**“Bonus density” is a way for the Town of Ridgway to promote great planning by incentivizing the types of projects that uphold the community’s vision for the future. Examples of this could be clustered development within the UGB that support the preservation of large areas of land; or, closer to the Historic Town Core, a neighborhood that provides exceptional connectivity to nearby trails and a generous amount of green amenities. A bonus density can help the developer offset the cost of these features and help promote great design. Generally, bonus densities should target approximately 10 - 25% base density, depending on community benefit, which is determined by the Town on a project-by-project basis.*



SECTION 3: EXAMPLES

SALIDA

Has both high density and mixed use zones. Residential Mixed Use (RMU). The purpose of the Residential Mixed Use (RMU) zone district is to provide for opportunities for an integration of residential and commercial uses that are developed and operated in harmony. The district should provide a variety of housing choices and promote pedestrian connections.

Dimensional Standard	R-4	RMU
Min. lot size (sq. ft.)	4,000	5,625
Density (Lot s.f./Min. lot area per dwelling unit)	2,400	3,125
Min lot size (sq. ft.) - attached units	2,400	3,125
Min. lot frontage	37' - 6"	37' - 6"
Min. lot frontage - attached units	15'	20'
Max. lot coverage: structures (additive coverage total for structures and uncovered parking cannot exceed 90% except in C-2)	45%	45%
Max. lot coverage: uncovered parking/access (additive coverage total for structures and uncovered parking cannot exceed 90% except in C-2)*****	25%	25%
Min. landscape area	30%	30%
Min. setback from side lot line for a primary bldg.	5'	5'
Min. setback from side lot line for a detached accessory bldg.	3'	3'
Min. setback from rear lot line: principal bldg.	15'	15'
Min. setback from rear lot line: accessory bldg.	5'	5'
Min. setback from front lot line	15'	15'
Max. building height for a primary bldg.	35'	35'
Max. building height for a detached accessory bldg.	25'	25'

Chart below shows conditional uses for mixed-use and permitted uses



TABLE 16-D
Schedule of Uses

<p>N = Not Permitted P = Permitted AC = Administrative Conditional Use C = Conditional Use AR = Administrative Review LR = Limited Impact Review MR = Major Impact Review</p>		
Residential Uses	R-4	RMU
Accessory buildings and structures.	P	P
Multiple principal structures	LR	LR
Accessory dwelling units	AR	AR
Duplex dwelling units	P	P
Residential (3—4 units)	AR	AR
Residential (5—19 units)	AR	LR
Residential (20 or more units)	MR	MR
Single-family dwelling units	AR ³	AR
Single Mobile Home	P	N ³
Medical marijuana cultivation—patient or primary caregiver—up to six plants	P	P
Medical marijuana cultivation—patient or primary caregiver—more than six plants	N	N
Mobile home parks	LR	N
One or more dwelling units on the same site as a commercial or industrial use	N	AR
Recreational vehicles—long term occupancy	AR	N
Recreational vehicle parks	LR	N
Rooming or boarding houses ²	LR ³	LR ³
Residential Business Uses	R-4	RMU
Bed and breakfast inns	C	P
Day care, adult	C	LR



Day care, small	AC	AC
Day care, large	C	C
Home occupations	P	P
Home Businesses	LR	AR
Public/Institutional Uses	R-4	RMU
Bus Stations	N	N
Churches, parish homes and religious education buildings	AR	AR
Clubs operated by and for their members	LR	LR
Community buildings	LR	LR
Government administrative facilities and services	LR	LR
Group homes	C	C
Hospitals	N	MR
Nursing homes	MR	MR
Parks	AR	AR
Public parking facilities	N	LR
Recreation facilities	AR	AR
Schools	LR	LR
Commercial, Personal Service and Office Uses	R-4	RMU
Commercial lodging	N	LR
Commercial parking lots and garages	N	LR
Drive-in facilities	N	N
Drive-in food or beverage facilities	N	N
Outdoor amusement establishment	N	N
Eating and drinking establishments	LR	P
Medical marijuana centers	N	N



Retail marijuana store	N	N
Marijuana cultivation facilities	N	N
Professional offices	N	P
Campground	N	N
Retail sales and rental establishments	LR	P
Temporary commercial activities	N	LR
General Services	R-4	RMU
Automobile sales, service and repairs	N	N
Gasoline service stations and car washes	N	N
Mobile home and recreational vehicle sales and services	N	N
Veterinary clinics	N	N
Industrial Uses	R-4	RMU
Light industrial	N	LR
Heavy industrial	N	N
Marijuana infused products manufacturing operation (Medical or Retail)	N	N
Medical marijuana optional premises cultivation operation	N	N
Communication facility	N	N
Storage yards	N	N
Warehouses, enclosed storage and truck terminals	N	N
Wholesale businesses	N	N
Bulk fuel storage facilities and wholesale sales of fuels	N	N
Junkyards, salvage yards or automobile wrecking yards	N	N



CARBONDALE

Residential High Density District only

- A. Allowed uses within residential districts. 1. The following table of uses lists the uses which are appropriate for the various zone districts. Permitted uses are designated by "P". Conditional uses are designated as "C". Special uses are designated "S". Prohibited uses are not designated (blank).

Permitted Uses:

- Garage, carport, utility shed
- Fewer than seven children
- One single-family dwelling
- Licensed senior housing project
- Mobile homes
- Sale of produce and plants raised on premises
- Solar energy devices
- Satellite receiving dishes

Conditional Uses:

- Bed and breakfast establishments with two or fewer guest rooms
- Bed and breakfast establishments with three to five guest rooms
- Home occupations

Special Uses:

- Church, convent, monastery
- Seven or more children
- Two or more single family dwelling unit(s) on existing lot
- Multifamily dwelling units
- Group homes
- Mobile home parks
- Schools, public and private
- Wind energy devices

DURANGO

Has both Mixed Use and High Density Districts.

- A. **Generally.** The tables set out in this Division ("use / zone matrices") describe which land uses are allowed ("A"), allowed if certain conditions are met (and in some cases, after posted notice and comment) ("S"), allowed after notice and comment if certain conditions are met ("L"), allowed after public hearing if certain conditions are met ("C"), and not allowed ("-") in each zoning district.
- B. **Legend.** The following symbols are used in the matrices in this Division:



1. "A" means "allowed." Allowed uses are subject to administrative review for compliance with the general requirements of this LUDC.
 2. "S" means "special use." Special uses are subject to administrative review for compliance with specific standards that pertain to the use, and for compliance with the general requirements of this LUDC.
 3. "L" means "limited use." Limited uses are subject to administrative review for compliance with specific standards that pertain to the use, and for compliance with general standards for all limited uses, and the general requirements of this LUDC. Limited uses do not require a public hearing, but have additional notice and public comment requirements compared to special uses. Limited uses are not "as-of-right" uses.
 4. "C" means "conditional use." Conditional uses are subject to public hearing review for compliance with specific standards that pertain to the use, general standards for all conditional uses, and the general requirements of this LUDC. Conditional uses are not "as-of-right" uses.
 5. "-" means that the use is not allowed in the specified district.
- C. **Multiple Uses.** Proposed uses that combine more than one listed use, except those that qualify as "mixed-use," shall meet the requirements for each listed use that applies. For example, a fueling or charging station with a vehicle wash shall comply with the requirements for both uses.

**Table 2-1-3-2
Neighborhood Types**

Land Use	Standards Reference ¹	Zoning Districts															
		Residential						Mixed-Use			Nonresidential				Agriculture and Open Space		Public and Planned
		EN-#	EN-MF	RL	RM	RH	CB	MU-N	MU-A	CG	CR	BP	LI	RA	OS	PB	PD
TABLE NOTES:																	
1. This column contains a cross-reference to the standards that apply in districts in which the use is listed as special ("S"), limited ("L"), or conditional ("C").																	
2. May be allowed pursuant to PD approval process.																	
Residential Neighborhoods																	
Single-Family Detached,	-	-	-	A	A	A	-	A	-	-	-	-	-	A	-	-	A ²



**Table 2-1-3-2
Neighborhood Types**

Land Use	Standards Reference ¹	Zoning Districts															
		Residential					Mixed-Use			Nonresidential				Agriculture and Open Space		Public and Planned	
		EN-#	EN-MF	RL	RM	RH	CB	MU-N	MU-A	CG	CR	BP	LI	RA	OS	PB	PD
Conventional																	
Single-Family Detached, Cluster	-	-	-	A	A	-	-	-	-	-	-	-	-	A	-	-	A ²
Duplex	-	-	-	-	A	A	-	-	-	-	-	-	-	-	-	-	A ²
Townhomes	§ 2-2-3-1	-	-	-	S	A	-	A	A	-	-	-	-	-	-	-	A ²
Multiplex	§ 2-2-3-1	-	-	S	S	A	-	A	A	-	-	-	-	-	-	-	A ²
Multifamily	§ 2-2-3-1	-	-	S	S	A	A	A	A	-	-	S	-	-	-	-	A ²
Manufactured HomePark or Subdivision	§ 2-2-3-1	-	-	S	S	L	-	-	-	-	-	-	-	-	-	-	A ²
Mixed Housing	§ 2-2-3-1	-	-	-	S	A	-	S	S	-	-	-	-	-	-	-	A ²
Mixed Housing Cluster	§ 2-2-3-1	-	-	S	S	-	-	-	-	-	-	-	-	-	-	-	A ²
Mixed-Use Neighborhoods																	
Traditional Neighborhood Development ("TND")	§ 2-2-3-2	-	-	-	S	S	-	S	S	-	-	S	-	-	-	-	A ²

TELLURIDE

Both Mixed Use and High Density Districts

High Density

Telluride has something called “Accommodations I or II.” This allows single family or multi-family with ancillary commercial uses so long as they are limited, permitted and tourist related. This acts as a “high density residential” for their community. They have lots of condominium projects found within that zone district, but dispersed with single family and units that look like home occupations.



Mixed Use:

Their commercial zone districts are the districts that end up with mixed use and are allowed pursuant to the underlying zoning. It is recommended to look at their use by right tables and by review in their Land Use Code:

Residential/Commercial Zone District Use Table	
Uses Permitted By Right	Uses Permitted On Review
1. One-Family Dwelling Units	1. School, Church, Hospital or Public Building
2. Two-Family Dwelling Units	2. Bar or tavern
3. Multi-Family Dwelling Units	3. Shop Craft Industry
4. Condominium-Hotel, Hotels, Lodges, Boardinghouses, Roominghouses, and Short-term Dwelling Units	
5. Retail Commercial Uses as listed in Note 1	
6. Service Commercial Uses, limited to the following and similar uses: a. business office b. catering service c. financial institution d. personal service including barber or beauty shop e. studio for arts instruction f. radio and television broadcast facilities	
7. Recreational Club Facilities	
8. Designated Employee Dwelling Units and Affordable Housing Units	
9. Timesharing, pursuant to the provisions of Section 6-413 of this Title	
10. Accessory Buildings and Uses	

MONTROSE

Montrose has had Mixed Use Districts (commercial-residential) since 1999, also has High Density Districts, but not Deed-Restricted zones.

1. High Density:

Uses by Right:

- (1) Single family homes, duplexes, and multiple family residences.
- (2) Public utility service facilities.
- (3) Government buildings and facilities.
- (4) Parks and recreation facilities owned or operated by a homeowner’s association.
- (5) Places of worship.
- (6) Accessory uses.



Conditional:

(1) Skilled nursing and assisted living facilities.

(2) Child care facilities.

A child care facility shall be a conditional use in all districts if more than eight but less than 16 children under 13 years of age are present on the premises at any one time, including children of the family living in the residence, in accordance with state statutes and regulations.

(3) Schools

2. Mixed Use: (Commercial-Residential Use) Called "Neighborhood Shopping" in Montrose

"B-4" NEIGHBORHOOD SHOPPING DISTRICT

(A) Intent: The "B-4" Neighborhood Shopping District is intended to provide for retail shopping and services on a parcel or parcels of land collectively no greater than approximately five acres in size, with a convenient location relative to residential neighborhoods.

(B) Uses by Right:

(1) Government buildings and facilities.

(2) Public utility service facilities.

(3) Retail stores, business and professional offices and service establishments which cater to the general shopping public.

(4) Restaurants.

(5) Self-service laundry facilities.

(6) Places of worship.

(7) Single family homes, duplexes, and multiple family residences.

(8) Child care facilities.

(C) Conditional Uses:

(1) Fuel stations or other retail uses having fuel pumps.

(2) Drive-in or drive-thru restaurants.

(3) Car washes.

(4) Rental storage units inside a building.

(5) Taverns.

(6) Private and fraternal clubs.

(7) Schools.

(8) Renewable energy facilities.

(9) Antennas and towers are allowed only as conditional uses in all zones and are subject to the provisions of Section 4-4-21 and the other applicable requirements of City ordinances and regulations.



(C) The following uses are not to be construed as a “use by right” or a “conditional use” in the “B-4” Neighborhood Shopping District:

- (1) Automobile or vehicle sales or service establishments
- (2) Farm implement sales or service establishments.
- (3) Trailer home or mobile home sales or service establishments.
- (4) Feed storage and sales establishments.
- (5) Veterinary clinics or hospitals.
- (6) Automobile body shops.
- (7) Construction and contractor’s equipment storage facilities.
- (8) Machine and welding shops.
- (9) Warehouse and storage facilities (small rental storage units are allowed - see Section 4-4 15(C)(4)).
- (10) Manufacturing and industrial uses.

WINTER PARK

Mixed Use District only

Mixed Use

1. The following uses shall be permitted in the D-C district subject to the provisions of this title: (not the entire list, but you get the idea...)
 - Accessory dwelling units
 - Accessory structures and uses necessary and customarily incidental to permitted uses
 - Amenity buildings
 - Business and professional offices, including medical and dental offices and clinics
 - Business uses intended primarily for and ordinarily associated with the provisions of goods and services to local visitors and tourists, and including, but not limited to, the following uses:
 - Art galleries, and arts and crafts studios, Etc.
2. Uses Subject to Special Use Permit:
 - Commercial parking lots or structures
 - Drive-through business
 - Gasoline convenience stores
 - Loading docks
 - Mall and shopping center, etc.
3. Supplemental Mixed Use Regulations: Multiple-family dwellings may be constructed above commercial uses provided:



- Primary access to dwelling units is not through commercial establishments.
- All signs must be in compliance with the town sign code².
- Uses necessary and ordinarily incidental to multiple-family dwellings, such as laundry and vending areas, shall not be located within the structure so as to cause residents therein to come into conflict with the normal functions of commercial uses in the structure.
- Trash, service and loading areas shall be screened from view from street entrances to dwelling units.
- Outdoor lighting associated with commercial uses within the structure, including lighting for parking, service and loading areas, shall be designed and located such that the direct source is not visible from any dwelling unit within, nor is there any glare

SNOWMASS

High Density, Mixed Use, and DR (gave pros and cons)

Mixed Use Districts (Several different types outlined):

- a. **Mixed Use (MU).** The intent of the Mixed Use (MU) zone district is to provide areas within the Town consisting of medium to high density residential uses and/or tourist-oriented accommodations, together with a variety of compatible commercial and recreational activities. Commercial uses permitted in the Mixed Use (MU) zone district shall be no greater in scale than is sufficient to serve only the Snowmass Village community and its tourists. This zone district may not be utilized as the basis for a rezoning and exists only as described on the Official Zoning Map dated August 2, 1999 and as stated in the land use plan of an existing approved PUD.
- b. **Mixed Use (MU-1).** The intent of the Mixed Use (MU-1) zone district is to provide visitor services, community and visitor low-impact recreation and open space. Limited permanent residential uses may be included, if deemed appropriate to the site and compatible with the character of the surrounding area.
- c. **Mixed Use (MU-2).** The intent of the Mixed Use (MU-2) zone district is to provide visitor services and accommodations, recreation, office, community and visitor serving commercial and permanent resident housing, as appropriate to the site and compatible with the character of the surrounding area.
- d. **Mixed Use PUD (MU/PUD).** The intent of the Mixed Use PUD (MU/PUD) zone district is to provide areas within the Town consisting of medium to high density residential uses and/or tourist-oriented accommodations, together with a variety of compatible commercial and recreational activities. Commercial uses permitted in the Mixed Use PUD (MU/PUD) zone district shall be no greater in scale than is sufficient to serve only the adjacent



neighborhood. This zone district may not be utilized as the basis for a rezoning and exists only as described on the Official Zoning Map dated August 2, 1999 and as stated in the land use plan of an existing approved PUD.

- e. **Community Commercial (CC).** The intent of the Community Commercial (CC) zone district is to provide areas primarily oriented toward the provision of general commercial, retail and service uses on a scale that is sufficient to serve the entire community. In addition, medium to high density residential dwellings and/or tourist-oriented accommodations which, if determined compatible with the primary commercial uses, may be appropriate.
- f. **Community Commercial PUD (CC/PUD).** The intent of the Community Commercial PUD (CC/PUD) zone district is to provide areas primarily oriented toward the provision of general commercial, retail and service uses on a scale that is sufficient to serve the entire community. In addition, medium to high density residential dwellings and/or tourist-oriented accommodations which, if determined compatible with the primary commercial uses, may be appropriate. This zone district may not be utilized as the basis for a rezoning and exists only as described on the Official Zoning Map dated August 2, 1999 and as stated in the land use plan of an existing approved PUD.

A= Allowed S=Special Review P= Prohibited



A= Allowed S=Special Review P= Prohibited

	MF	MU	MU	MU	MU
	PUD		PUD	1	2
Residential and Accommodation Uses					
Single-Family Detached	A	P	A	P	P
Two-Family Dwelling ²	A	P	A	P	P
Single-Family Attached Dwelling	A	A	A		
Multi-Family Dwelling	A	A	A	A	A
Hotel/Lodge Room	P	A	A	P	A
Lock-Off Room	P	A	A	A	A
Time Share Unit ³	S	S	S	P	A
Dormitory	A	S	A	P	A
Restricted Employee Housing	A	A	A	A	A
Conference Facilities ⁴	A	A	A	S	A
Accessory Building and Use ¹⁵	A	A	A	A	A
Home Occupation ⁵	A	P	A	S	P
Day Care Home	S	S	S	A	A
Antenna Reception	S	S	S	S	S
Group Uses and Community Facilities					
Group Care Facilities	S	S	S	S	S
Group Homes ⁷	A	A	A	A	A

Educational Facilities ⁸	P	S	A	S	S
Public Utility	S	S	S	S	S
Cemetery	P	P	A	P	P
Major Community Facilities ¹⁵	P	S	A	S	S
Minor or Accessory Community Facilities ^{9, 15}	S	S	S	S	S
Garage for 3+ vehic.	A	S	A	S	S
Commercial Uses and Services					
Retail and Businesses	P	A	A	P	A
Personal Services; Restaurants ¹⁵	A	A	A	P	A
General Services; Gasoline Service Station	P	S	A	S	A
Commercial or Public Parking Lot ¹¹	P	S	A	S	A
Commercial/Private Kennel	P	S	S	P	P
Recreation and Open Space Uses					
Ski Lifts, Tramways, trails	A	S	A	S	A
Recreational Facilities	P	P	P	P	P
Ski-Related Facilities ^{12, 15}	P	S	A	S	A



Snowmass Zoning Pros and Cons from the Town Manager:

High Density:

“It really depends on the proposed project; the applications vary significantly. The MF (multi-family) district might work if applied to an existing redeveloping or proposed stand-alone multi-family project or next to a golf course, but if located near or by a transit route and/or within or near the town core, then the preference is to encourage mixed-uses. High-density also spreads the costs of installing infrastructure. The disadvantage of mixed use is that it may not work as well if located away from mixed use town core areas, because one might still need a vehicle to reach certain services. Mixed use districts typically work best among other mixed use districts or evolving mixed use areas typically found in and around town core or commercial / transit nodes. By the way, and as a result, Snowmass Village has not had to expand its roadway network for years, or decades even, which significantly lessens the amount of expenditures toward public improvements and maintenance.”

Mixed Use:

‘Typically, these zone districts are applied with a required PUD review process and PUD Guide overlay. The latter provides more flexibility, but if a proposal doesn’t meet the MU zone development parameters, a Variation is may be sought that requires an Applicant to propose a code qualifying Community Purpose offering to justify granting such Variation(s), such as but not limited to the provision of workforce housing.’

OURAY

High density only

Residential District – High Density – R2

Permitted Uses

1. Any use allowed in R-1
2. Lodging Businesses including: accessory bars, taverns and restaurants, when they are located within the Lodging Business building or accessory buildings and are intended to serve the Lodging Business’ customers
3. Short Term Rentals
4. Timeshares subject to the provisions of Section [7-11](#)



5. Multi-Family Dwellings.

Conditional Uses

Any use determined by the Planning Commission to be compatible with Subsection (a) above and that substantially meets the criteria in Section 7-5-F, but that is not listed in Subsection (b).

Performance Standards:

1. Single Family Dwellings and Multi Family Dwellings may be modular homes but not manufactured housing or homes or mobile homes as those terms are defined in Chapter 6 of the Ouray Municipal Code.
2. Single Family Dwellings and Multi Family Dwellings must be built in compliance with Chapter 6 of the Ouray Municipal Code.
3. Single Family Dwellings shall be:
 - a. Not less than 24 feet in width and 32 feet in length;
 - b. Installed on an engineered permanent foundation; and
 - c. With brick, wood or cosmetically equivalent exterior siding and a pitched roof with a pitch of at least 30 degrees.
 - d. Visible roof surfaces shall be made of non-reflective material.
 - e. No building shall be located within 10 feet of another building. This restriction is only applicable to buildings used for or intended to be used for residential purposes

Building Setback Requirements

1. Front Setback. The minimum front setback shall be equal to the average of the existing building front setbacks on the block front, or fifteen (15) feet, whichever is less. In calculating the average of the existing building front setbacks, staff shall exclude buildings in which the setback distance was determined erroneously, and staff may exclude buildings if they determine inconsistencies exist.
2. Side setback shall be five (5) feet.
3. Rear setback shall be five (5) feet.
4. Roof eaves shall not extend more than one (1) foot into the required setback, and shall never extend beyond the property line.



Floor Areas

1. Minimum floor area shall be compliant with the current applicable Code adopted by the City pursuant to Chapter 6.
2. Maximum floor area
 - A. On properties within the boundaries of the Ouray Local and National Historic District, as shown on Official Zoning Map, the maximum floor area gross shall not be more than 10% greater than the average floor area of primary structures, on lots located on the block front, or 4,260 sq. ft., whichever is less. Accessory buildings or structures shall be excluded from the average floor area calculation.
 - B. For all other properties not within the boundaries of the Ouray Local and National Historic District, the maximum floor area shall be 10,650 sq. ft.

Required Off-Street Parking

1. Two off-street parking spaces per dwelling unit.
 2. For churches, one parking space per every 8 seats.
 3. For schools, one parking space per classroom.
 4. For Lodging Businesses, one parking space shall be required for each room available for sleeping purposes.
 5. For Multi-Family Dwellings, two spaces for each dwelling unit.
 6. One of the required off-street parking spaces may be satisfied by utilizing that portion of the public right-of-way adjacent to the subject property not utilized for roadway or pedestrian purposes.
-



GLENWOOD SPRINGS

Deed restrictions

Minimum Requirements.

(a) Deed Restrictions: Any community housing required by this article shall be deed- restricted, in accordance with a deed restriction enforceable in the State, as approved by the City Attorney, to rental or ownership and occupancy by the project developer or to persons who live or work in the City. Deed Restrictions shall be prepared in accordance with the Glenwood Springs Community Housing Guidelines.

(b) *Housing Guidelines.* The units shall be developed and shall comply with the standards established within the Community Housing Guidelines.

(c) *Timing of occupancy.* The units shall be ready for occupancy no later than the occupancy of the free market portion of the project. If the free market units are to be developed in phases, the community housing units can be developed in proportion to the phasing of the free market units.

(d) *Homeowners' association dues and assessments.* If the community housing unit is developed as part of a mixed free market/community housing development project for sales purposes, any documents creating the condominium association or homeowners' association shall state that community housing units shall be only assessed monthly dues and other shared assessments based on whichever of the following two (2) formulas results in the lower cost for the community housing unit:

(1) The size of the employee dwelling unit in square feet as compared to the total size of the other units in the development; or

(2) The size of the lot on which the employee dwelling unit is located as compared to the total size of the other lots in the development.

070.130.100 - Density Bonus and Development Incentives for Community Housing.



(b)*Residential incentives.* The following considerations may be granted to the developer in compliance with the provision of community housing units in compliance with this article:

- (1)The minimum required lot size may be reduced by Fifteen (15) percent;
- (2)Building setbacks may be reduced by twenty (20) percent;
- (3)Justification of an increase in building height for a special use permit in the C-2 Zone District;
- (4)Reserved.
- (5)A one-percent reduction in mitigation may be achieved for each free market unit which is one thousand (1,000) square feet or less in size;
- (6)A one-percent reduction in mitigation may be achieved for every owner-occupied market rate unit, provided that they are deed restricted in accordance with Subsection 070.130.080(a);
- (7)A one-percent reduction in mitigation may be achieved for each residential unit located within four hundred (400) feet of an existing transit stop;
- (8)A one-percent reduction in mitigation may be achieved for each residential unit located in a mixed use project combining residential with office, retail, commercial or industrial uses; or
- (9)A one-percent reduction in mitigation may be achieved for each free market residential unit that has an initial sales price at least five (5) percent below the sales price achievable by a buyer with an income of one hundred twenty (120) percent of AMI.

Any combination of incentives (5) through (9) above may be applied to reduce the residential mitigation requirement; provided, however, that in no case shall the residential mitigation requirement be reduced to less than ten (10) percent.

(c)*Compatibility with surrounding neighborhood.* The proposed character and density shall be



compatible with the surrounding land uses and neighborhood character, and suitable for the proposed site. The development shall comply with all other applicable Municipal Code requirements.

(d)*Exemption from fees.* Developers of community housing shall be exempt from the following fees to the extent these fees would otherwise be applied to the community housing units:

TELLURIDE

Affordable Housing (per email):

We had a study that set our affordable housing mitigation rates. We mitigate commercial at 60% and residential/accommodations at 40%. If a project creates more than 499 square feet of housing than a unit must be created and typically that is onsite. If less than 499 square feet of affordable housing mitigation, we have a payment in lieu rate that can “buy out” the requirement. We also have zoning incentives related to density and floor area if a voluntary unit is provided onsite.

There is no down side to affordable housing mitigation requirements and voluntary incentives – other than added cost and expense to the developer.

article 3 division 7. - (municipal code copied)

The ten percent (10%) limit regarding payment of fees in lieu described in Section 3-740.A.2.a(5) shall not apply when: a. The required affordable housing mitigation is equal to or less than 500 square feet; or b. The minimum affordable housing requirement per Section 3-720.C. is greater than fifteen percent (15%) of the gross floor area of the development, excepting gross floor area allocated to affordable housing. In this situation, only that portion of the affordable housing requirement above fifteen percent (15%) of the gross floor area of the development shall be eligible to be mitigated by payment of fees in lieu.

SNOWMASS

Deed Restricted / inclusionary (per email):

Essentially these requirements create affordable housing for predominantly local service employees. This has assisted in evolving the town into becoming more of a community (after ski hours or during the shoulder seasons) versus only a “company town”-operated ski resort. It also reduces the amount of employees needing to commute long distances to their jobs. Besides the mitigation requirement applied to new developments, the town has found it economically



beneficial or sustainable for the long term to construct their own deed-restricted 'for-sale' as well as rental housing projects to service the jobs within the town, provide a sense of community as well as increase spending within the town. The mitigation housing required within the free-market developments assists in creating vitality / vibrancy and it provides an incentive to attract employees wishing to live where they work. Overall, in utilizing tax revenues, it's essentially a long-term, economically sustainable investment back into the community.

As far as detriments are concerned, such policies involve associated costs in implementing, administering and operating the programs that need to be budgeted, and it doesn't encourage or provide the option of employees to enter into free-market housing (which investments might most likely occur down valley rather than within the town) due to the high cost of free-market housing here. Others also may not wish to buy housing for investment purposes. The Town's Comprehensive Plan's Chapter 8 addresses policies directly related to providing workforce housing

GARFIELD COUNTY

Inclusionary Housing

"In a Subdivision required to provide Affordable Housing, 10% of the lots proposed in the development shall be developed with Affordable Housing Units."

Inclusionary Housing

- a. Computing this requirement, any fraction of a unit lot above .50 will be rounded up and any fraction of a unit lot .49 or less will be rounded down.
- b. The Applicant shall propose the mix of housing types. The Affordable Housing Units shall closely mirror the market rate units and shall be of comparable quality with similar fixtures (e.g. dishwashers, disposals, air conditioning, and energy efficient windows) to market rate units.
- c. In addition, the units shall meet the following requirements:
 - i. 1. The approved mix will provide the minimum number of bedrooms required based upon the following formula: a. Multiply the number of Affordable Housing Units required by 2.6 (the average number of persons in a household) then,
 - ii. b. Divide the result by 1.5 (the U.S. Department of Housing and Development criteria of person per bedroom).
 - iii. c. The resulting number is the minimum required number of bedrooms that must be disbursed across the required Affordable Housing Units.
- d. Any proposal for a unit with 4 or more bedrooms may be approved, but only after a special review to determine a need.



e. Any fractional Affordable Housing Units created by the above formulas will be rounded up to the next highest number.

4. The following minimum square footage requirements shall be met, with only finished square footage being counted, excluding garages, carports, and unfinished Basement space: (see document)

PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING

MAY 31, 2016

CALL TO ORDER

Town Manager Jen Coates called the meeting to order at 5:30 p.m. with Commissioners Canright, Liske, Nelson and Councilor Hunter in attendance. Commissioners Emilson, Wasser and Mayor Clark were absent.

APPOINTMENT OF CHAIRPERSON

1. The Town Manager presented a letter from Mayor Clark dated May 27, 2016 appointing Doug Canright as the Chairperson of the Planning Commission. She also welcomed Jennifer Nelson as a newly appointed Commissioner.

PUBLIC HEARINGS

2. Application for Amended Plat and Plat Restrictions; Location: Replat of the Eastside Subdivision; Address: Hunter Parkway, Palomino Trail, U.S. Highway 550; Zone: General Commercial; Applicant: Marthis and Kidnay PC; Property Owners: John Foy, Ridgway Lodge and Motel Inc. and Ridgway USA Owners Association, Inc.

The Town Manager reported the hearing has been rescheduled to June 16, 2016.

3. Application for Building Envelope Relocate; Location: Lot 2, RiverSage Planned Unite Development (PUD); Address: 230 Rusty Spur; Zone; Residential; Applicant and Property Owner: Jeff Hawkins

Documents from the applicant included letter of support dated May 19, 2016 from RiverSage Ridgway LLC; Temporary Certification of Design Concept dated May 17, 2016 from the RiverSage Design Review Board; Warranty Deed dated April 1, 2016 between RiverSage Ridgway, LLC and Jeffrey Hawkins; Septic and Leach Field Location Map, Site Plan, and Final Plat for RiverSage PUD-Filing No-1. Staff Report dated May 26, 2016 from the Town Manager/Planner.

Manager Coates presented an application to relocate the building envelope at 230 Rusty Spur, within the RiverSage PUD, request based on topographical downslope creating difficulty to install the septic leach field. She explained the plat notes prohibit excavation or locating the septic or leach field outside of the building envelope without a variance from the Town, and noted the Homeowners Association has approved the request.

Applicant Jeff Hawkins explained he is unable to use the current septic design because the water flows uphill as it follows the natural flow of the grade, and also setbacks must be changed to move the building envelope.

Chairperson Canright opened the public hearing and there were no comments.

ACTION:

Councilor Hunter moved to approve the Application for Building Envelope Relocation for RiverSage PUD Lot 2 at 230 Rusty Spur to allow for the change in septic design as long as the recommendations in the Staff Report dated May 26, 2016 are met; and with regard to Item 4 in the Staff Report to encourage the removal of the lot from the front to the side; and with regard to Item 5 to include the leach field drainage to not encroach within 30 feet of the drainage easement and should be at least five feet from the drainage easement. Commissioner Liske seconded the motion and it carried unanimously.

INFORMAL REVIEW

4. Property development review of 316 North Lena

Location map and drawings from Renzo Verbeck; aerial view of subject property, and Staff Report dated May 27, 2016 from the Town Manager/Planner.

Renzo Verbeck presented site plans to develop residential lots as mixed residential and commercial use. He presented drawings for duplex and single family homes, with possible accessory dwelling units.

The Commission discussed various development possibilities, including affordable housing. The Town Engineer commented the proximity of the setbacks for the Town wastewater lagoons should be considered in discussions.

Kelly Dave, residing at 345 N. Lena, expressed concerns regarding on-street parking during special events.

The Commission agreed they would be interested in reviewing a formal proposal from Mr. Verbeck.

POLICY MATTERS

5. Discussion regarding creation of new zoning districts for High Density Residential and Multi-Use Zoning

Town Zoning Map and Regulations; 2011 Land Use Plan; 2011 Land Use Concept Map; and the Northwest Area Plan from the Town Manager/Planner.

Town Manager Coates reviewed the zoning map with the Commission and suggested changes to current zoning districts to allow for higher density residential and multi-uses.

Residents Bob Kelly, Kelly Dave and Chris Hawkins participated in the discussion from the audience. Comments were regarding ability to walk to the core of Town and additional plans for open space.

The Commission agreed to the need of a special work session with all Commissioners in attendance.

ADJOURNMENT

The meeting adjourned at 7:25 p.m.

Respectfully Submitted,

Karen Christian
Deputy Clerk