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AGENDA CITY OF OURAY PLANNING COMMISSION REGULAR MEETING

San Juan Room – Ouray Community Center – 320 6th Avenue
February 13, 2020 - 4:00 pm

ADMINISTRATIVE

1. Call to Order
2. Roll Call
3. Review of Minutes from Planning Commission regular meeting of January 14, 2019

CITIZEN COMMUNICATIONS

ACTION ITEMS

1. Consideration of an amendment to Ouray Land Use Code Section 7-5-J-6 regarding the zoning requirements for accessory dwelling units.
2. Consideration of a recommendation to the Ouray City Council regarding the Planning Commission appointments.

PUBLIC HEARINGS

NONE

DISCUSSION

Building Better Places Conference Summary

ADJOURNMENT

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CALL TO ORDER

Chairman Skoloda called the meeting to order at 4:00 p.m.

ROLL CALL

Planning Commissioners present for roll call were Chairman Jeff Skoloda, Vice Chair Gulde, Commissioner Ryan Hein, Commissioner J. Gary Dunn, and Commissioner Josh Smith.

Present on behalf of the City of Ouray staff were Community Development Coordinator Chris Hawkins and Deputy Clerk/Treasurer Beverly Martensen.

APPROVAL OF MINUTES

Commissioner Dunn moved and Commissioner Smith seconded the motion to approve the minutes of the December 10th Regular Planning Commission meeting with changes as noted to item #2. The motion passed on unanimous vote.

ACTION ITEM

1. 2020 Planning Commission Meeting Schedule

Chairman Skoloda moved and Vice Chair Gulde seconded the motion to approve the 2020 Planning Commission Meeting Schedule. The motion passed on unanimous vote.

PUBLIC HEARINGS

1. Columbus PUD Amendment

Name of Applicant: Imogene Holdings, LLC

Legal Description: Lot 13, Block 9, City of Ouray

Address: 740 Main Street

Lot or Site Size: 3,550 sq. ft.

Detailed Summary of Development Application(s): PUD amendment to allow for a rear addition to the building on the property for larger hotel rooms (not increasing the number of permitted rooms); (2) expand the rooftop bar/restaurant area; and (3) miscellaneous changes to accomplish the foregoing.

Chairman Skoloda recused himself, due to his involvement in the project.

Vice Chair Gulde outlined the rules for public hearing.

Chris Hawkins presented the existing approved PUD with focus on the rooftop bar, then presented highlights of the requested PUD amendment showing an added 8' to back of building, additional umbrellas on rooftop bar, and added outside staircase for additional egress from rooftop to accommodate additional seating.

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The Applicant presented that since the project began, and initial PUD approval, he has received a Colorado State Historical grant and will now be spending considerable additional monies on restoring the building exterior.

The applicant received and responded to questions from the Planning Commission.

Vice Chair Gulde opened the hearing to public comment. Hearing none, she closed the hearing to public comment.

The Planning Commission deliberated the PUD Amendment.

Commissioner Smith moved and Commissioner Hein seconded the motion to approve a PUD amendment for the Columbus building PUD amendment with the findings and conditions set for in the staff memo of record and the following conditions:

Findings:

1. The PUD amendment is consistent with the efficient development and preservation of the entire Planned Unit Development.
2. The PUD amendment does not affect in a substantially adverse manner either the enjoyment of land abutting upon or across a street from the Planned Unit Development or the public interest.
3. The PUD amendment is not granted solely to confer a special benefit upon any person.

Conditions:

1. Prior to the City executing and recording the PUD agreement, the State Historic Fund will approve the proposed addition to ensure that the Columbus Building's contributing status is not affected.
2. The Applicant shall provide an executed easement agreement for the egress stairs on the property to the south prior to the City executing and recording the PUD agreement, with the easement recorded concurrent with the amended and restated PUD agreement.

The motion passed with Commissioner Dunn voting no.

Chairman Skoloda rejoined the meeting.

2. Sampler Mill Site Variances

Name of Applicant: Amada Family Limited Partnership, LLP

Legal Description: Sampler Mill Site, Tract 1

Address: 1511 Main Street

Lot or Site Size: 1.939 acres

Detailed Summary of Development Application(s): Variance to Ouray Land Use Code to (A) Section 7-4-D-1-b-v-1 to not provide a 15 foot landscaped buffer on the site and instead provide

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such buffer in the Highway 550 Right-of-Way; and (B) building height variance to allow for a maximum building height of greater than 35 feet.

Chris Hawkins presented the variances requested by applicant and the city code referencing these variance requests. He did indicate there are two restrictive elements to development, rockfall possibility and site flooding possibility. These would be identified further in a geology report. Hawkins cited City Code stating that landscaping buffer variances can be granted by Planning Commission for existing structures, but not new development.

The Applicant presented the project, describing his research and his desire to provide long term, sellable housing. The Applicant explained his research with CDOT regarding putting the 15' landscape in the CDOT right of way. He acknowledged that the any CDOT permission granted would be revocable.

The Applicant received and responded to questions from the Planning Commission.

Vice Chair Gulde moved and Commissioner Dunn seconded the motion to table the building height variance request pending further engineering by the applicant. The motion passed on unanimous vote.

DISCUSSION

Discussion of potential amendments to the Ouray Land Use Code to provide incentives for new housing.

The Planning Commission discussed incentives, focusing primarily on the Code regulations regarding accessory dwelling units.

ADJOURNMENT

At 6:40 p.m. Vice Chair Gulde moved and Commissioner Hein seconded the motion to adjourn. A vote was taken and the motion passed unanimously.

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TO: Ouray Planning Commission
FROM: Chris Hawkins, Community Development Coordinator
DATE: February 11, 2020
FOR: February 13, 2020 Planning Commission Meeting
SUBJECT: **Consideration of Amendments to Ouray Land Use Code Section 7-5-J-6
Regarding the Zoning Requirements for Accessory Dwelling Units.**

The impetus for these amendments is City Council direction to the Planning Commission to provide incentives for accessory dwelling units. The Planning Commission provided direction on changes to the accessory dwelling unit zoning requirements during the January meeting. The direction provided at this meeting has been incorporated into the proposed amendments as shown in Exhibit A.

Staff recommends the Planning Commission review the proposed amendments; provide direction on any needed changes; and pass a motion recommending the City Council approve the proposed amendments. It should be noted that the City Attorney will have to review the proposed amendments prior to the City Council considering the first reading of an ordinance.

7-5-J-6

6. Accessory Dwelling Units

Dwelling units which meet the criteria of this Subsection may be allowed as an accessory use to a principal residential unit in the R-1, R-2, C-1 and C-2 districts provided that the dwelling units conform to the applicable requirements of said Districts.

- a. ~~The accessory dwelling unit must be constructed in accordance with applicable requirements of Code adopted by the City pursuant to Chapter 6 of Ouray Municipal Code. It may be Accessory dwelling units shall be attached or detached to the principal residential unit. Applicable dimensional requirements for a single family dwelling as set out in Table 7-5-D must be met for the premises.~~
- b. One off-street or on-street parking space shall be provided for the accessory unit in addition to any other required off-street parking.
- c. The accessory dwelling unit may not exceed 1,000 ~~1,200~~ square feet of living area.
- d. ~~One of the dwelling units on the property must be, and remain, owner occupied. If the other dwelling unit is rented, a minimum of a 30-day rental period shall be required by written lease. The Accessory Dwelling Unit shall be rented out long-term for a period of 90 days or greater, and be rented out to a person who is working full time in a business within Ouray County, or be working remotely (telecommuting) for a business that is located outside of the county.~~
- ~~e.~~ e. The property owner shall enter into a deed restriction on the accessory dwelling unit that contains the key requirements of this Subsection in a form set forth by the City, and recorded in the Ouray County Clerk and Recorders office.
- ~~f.~~ f. The accessory dwelling unit must be owned together with the principal residential unit, and the lot or parcel upon which they are located, in undivided ownership.
- ~~g.~~ g. The accessory dwelling unit may be served off of the water and sewer taps for the principal residence, in which case it shall not be subject to additional investment fees, and the primary residence and accessory dwelling unit shall be charged as a duplex for water and sewer service rates.
- ~~g.~~ ~~The burden shall be upon the owner of any accessory dwelling unit to provide adequate proof to the City that the criteria of this Section are met. In the event that the City determines that the criteria have not been shown to be satisfied the unit may not be occupied as a residence.~~
- h. A dwelling unit constructed as a principal single-family home, which meets these criteria, may be converted to an accessory dwelling unit following construction of a new principal dwelling unit.

Commented [CH1]: You do not need to state this since all development has to meet the Building Code.

Commented [CH2]: This is stated above below 6

Commented [CH3]: This is true for any land use application and not needed.