

**MINUTES  
CARBONDALE BOARD OF TRUSTEES  
WORK SESSION  
FEBRUARY 18, 2020**

Mayor Dan Richardson called the February 18, 2020, Work Session to order at 6:00 p.m. in the Town Hall meeting room.

**ROLL CALL:**

The following members were present for roll call:

Mayor	Dan Richardson
Trustees	Lani Kitching
	Ben Bohmfalk
	Marty Silverstein
	Heather Henry
	Erica Sparhawk
	Luis Yllanes

Planning Commissioners

Michael Durant  
Ken Harrington  
Jay Engstrom  
Marina Skiles  
Nick Miscione  
Nicholas DiFrank (1<sup>st</sup> Alternate)

Staff Present:

Planning Director	Janet Buck
Planner	John Leybourne

Janet Buck provided an overview of her Staff Report dated February 18, 2020. The main takeaways were:

- The UDC was done shortly after adoption of the 2013 Comprehensive Plan.
- Since adoption of the UDC, Mixed-Use Developments are being proposed.
- Number of public hearings required before P&Z and the Board have been reduced.

- Town Staff, property owners and the public seem to find the code easier to understand.
- The UDC should be revised from time to time to keep it up-to-date.
- Staff will be looking to do a Comprehensive Plan Update in 2021.

The Board and Commission discussed the following:

#### Affordable Housing

As UDC amendments are considered, factor in ways to encourage affordable/deed-restricted housing, i.e., parking reductions. Ben suggested four story buildings. Lani said some amendments may be worth pursuing as long as we look at the landscape of the entire community.

Lani asked that mobility issues be considered as improved mobility benefits the entire community.

#### HCC Zone District

Janet said that the 30% limit on lot area which can be utilized for residential parking is having unintended consequence and resulting in larger residential units. She said that should be reconsidered.

Marina asked that the distance from a residential unit and an off-site parking space be increased. The Board supported that suggestion.

Dan suggested aggregate parking. Janet noted that some of potential developers in the HCC had asked about reserving a corner of a larger parcel for surface parking to be used to meet the parking requirements for residential units which are located off-site.

Marina brought up amending the code so properties in the HCC that are off of Main Street could have residential uses on the ground floor adjacent to streets. Heather said we already allow quite a bit of residential in the MU zone district. If the Town starts giving too much flexibility to allow residential vs. commercial, the Town may find itself in a difficult position as it relies on commercial development for revenue.

#### *Potential Code Amendments:*

*Distance Requirements for Off-Site Parking for Residential Units  
30% Surface Limitation for Residential Parking*

### Historic Preservation

Nick brought up amending the historic preservation regulations so that historic buildings could not be demolished without Town approval. Janet explained that the question is "owner consent" vs. "non-owner consent" for landmarking and preserving historic buildings. She said the existing regulations require owner consent.

Heather said that would have to be brought back to the Board as a policy discussion and expressed reservations. Dan said he had no desire to take it to the level of the City of Aspen. Ben said if someone owns a building, it is up to them to be landmarked.

Janet explained how the Town currently works on a case-by-case basis to encourage people to preserve their historic structures through fee waivers, variances, etc. John noted that tax credits are available to property owners who rehabilitate their buildings.

Marty said that the current system seems to be working and preservation is taking place without twisting people's arms.

Nick brought up having a review of new construction and additions for properties in the OTR district. Michael suggested that the CHPC draft some regulations and then bring them to the Planning Commission for discussion.

### *Potential Code Amendments*

*CHPC draft regulations to require either a mandatory or courtesy review in OTR*

### Building Height in MU zone district

Janet said that there had been discussion of increasing the allowed height in the MU zone district from 35 ft. to 38 or 39 ft., so the ground floor commercial has higher ceilings.

Heather suggested that if the Commission is looking at height allowances in the MU zone district, that the HCC be considered as well so there is some consistency. She said she would support that change.

### *Potential Code Amendments*

*Increased height allowances in the MU and HCC zone district*

### R/HD Zoning Parameters

Janet said that she is very concerned about the mass and scale that is allowed in the R/HD zone district. She said she has been working with some potential developments and it could result in a 35 ft. high building that is five feet from the property line along a

street. She noted that she approved a smaller project in the R/HD zone district with three stacked units. The units are small at 320 sq. ft. It is at the 35 ft. height limit and will be visible from Main Street. It is being termed a "tiny tower." She noted this one is small and if a development is constructed on a 12,000 sq. ft. lot, it would be significant. She suggested that the R/HD zone district be reviewed and perhaps there should be some design standards, i.e., building step backs.

Michael suggested developing some supplemental standards for R/HD, similar to the ones for OTR and HCC.

#### *Potential Code Amendments*

*Develop supplemental standards for R/HD to address mass and scale*

#### ADUs

Ben said he noted that all of the ADUs that are in Town are all near downtown and that he would like to see them in other neighborhoods. He acknowledged that covenants prohibit them in many neighborhoods.

Lani said that she would like to see the PUD regulations loosened up to allow ADUs. She said that would be a step towards achieving what they want to do.

Nick said that covenants are contradictory to Colorado Revised Statutes.

Marty noted that ADUs help young people and old people.

Erica said she lives in Crystal Village which is a PUD that doesn't allow ADUs and there are five ADUs on her block.

Janet said that much of the Town is in PUDs, there are over 30 PUDs, and they don't allow ADUs. She said the best way to move forward is to have neighborhood meetings in PUD neighborhoods to see if the property owners are interested in amending their PUD or rezoning to straight zone districts. There would need to more than 50% agreement to move forward. She said it would take a lot of time.

Michael said the Town Board would need to be involved in that. Dan said there would need to be a workshop to discuss that item.

#### Corner Lots

Heather said that she would like to see corner lots addressed as it relates to fences so that tall fences aren't allowed adjacent to a front yard of an adjoining residence.

### Comprehensive Plan

Janet noted that typically Comprehensive Plans are done every ten years. The current one was done in 2013, however, Staff was thinking of doing an update in 2021.

It was agreed that the whole Comprehensive Plan would not be re-done, just updated incrementally. Hopefully it would include the updated demographic data from the 2020 Census.

Some of the items the Board and Commission discussed including in the plan update were:

- Bike and trails (bring all the plans into one place)
- Housing (updated with current study)
- Water Resiliency
- Aging in Place/Age-Friendly Community (recognize AARP status)

Lani mentioned that the State requires riverfront easements and river streamside protection.

Dan brought up carry capacity and resource conservation. Lani brought up the drought of 2018. She said this is an opportunity to monitor and measure in terms of natural resources.

Heather said she didn't like the term "carrying capacity" but it is a conversation we should have.

Nicholas suggested the term "limits of acceptable terms." He said there is also climate resiliency to hit marks and points.

Dan said he liked that term. Marty said he agreed we need to have the conversation, whatever term we use.

Ben said he was uncomfortable with carrying capacity. He asked: the world population is growing, state is growing, and we want to shut the gate?

It was discussed that during the last plan, community members didn't want to just accept the DOLA growth trends, but that conversation came about organically rather than having it be a specific topic in the RP. Michael said he wasn't sure how much faith he has in the state demographer.

Jay said there are two big projects which have been approved: 1201 Main and Main Street Marketplace. He said as things build out, the conversation within the community may change.

Lani said the aging population may affect our income potential and impact our revenue stream. She said there are a couple of ways to take this up.

Lani noted she hears the term resiliency a lot, but it is not measurable.

#### Public Comment

Mark Chain said the Comprehensive Plan in 2000 happened organically. The community got together and talked about big issues. He suggested setting aside a large amount of time, having a big dinner and enjoying yourselves. He added you don't know what will happen in Carbondale with the amount of money available – what if Kroenke buys CRMS? Mark noted the UDC works pretty well.

Nicolette Toussaint said there are Naturalist Nights and climate change is occurring in the Roaring Fork Valley. She said water comes from snow and if there is no snow, there is no water. She said there needs to be a long range plan for things like landscape and water efficiency.

Nikki Delson said the older community and older generation is not taking from the community. She said we retire at 60 or 65 and contribute to the community, including volunteering. She said demographic-wise, they are there to contribute.

#### Closing Comments

Heather said make sure the dialog remains open at any point. She said we don't have to wait a year to have this discussion. She said she appreciates the work the Planning Commission does – with thought and grace.

Ben said as we do amendments, always have an eye out for amendments that can address affordable housing.

Dan asked about thoughts on short-term rentals. Michael suggested that the Finance Department should check on number of applications and whether there is an increase in short term rentals. He said the Commission is not in a position to provide metrics. Then, if desired, the Board could direct the Planning Commission to look at short term rental regulations.

Jay said, as of right now, it does not seem to be a problem but that is the time to put regulations in place.

Lani said this needs to be further discussed. Dan said he hasn't heard any concerns. Marty said getting data from Renae with a year by year comparison would be helpful.

Respectfully Submitted,

Janet Buck, Planning Director

**ADJOURNMENT**

The February 18, 2020, work session adjourned at 8:20 p.m. The next regularly scheduled meeting will be held on February 25, 2020, at 6:00 p.m.

APPROVED AND ACCEPTED



Dan Richardson, Mayor

ATTEST:



Cathy Derby, Town Clerk

