

MEMORANDUM

TO: Mayor and City Council
Pitkin County Board of County Commissioners
City & County Planning & Zoning Commissions

FROM: Ben Gagnon, City Special Projects Planner
Jessica Garrow, City Long Range Planner
Ellen Sassano, County Long Range Planner
Chris Bendon, City Community Development Director
Cindy Houben, County Community Development Director

DATE OF MEMO: January 27, 2011

MEETING DATE: Wednesday, February 2, 4pm Council Chambers

RE: Review of AACP Content/Topics

REQUEST OF COUNCIL/COMMISSIONERS: No specific action is requested at this time. This is a continuation of the January 5th meeting, when City Council, the BOCC and the joint P&Zs discussed the content of the plan.

The January 5th meeting was very helpful in moving the process forward, but there was not enough time to cover all the identified topics. A summary of that meeting is attached as Exhibit A. This meeting will include two topics that were not covered on January 5th as well as others requested for discussion by the joint P&Zs at their meetings on January 18th and 25th. Specific questions for BOCC, Council, and the P&Zs to discuss are in *bold italics* at the end of each major topic.

New Business:

SUMMARY OF MAJOR TOPICS: The topics for discussion are as follows:

- Lodging Regulations
- The Development Process
- Transportation + The Entrance to Aspen
- The Urban Growth Boundary

Lodging Regulations: The current draft of the AACP includes a section on lodging. One lodging policy stated that we should “Maintain and encourage a diverse and balanced lodging inventory.” The context for this policy is the loss of many “economy” and “moderate” lodges over the last 10-15 years, resulting in a perceived imbalance toward deluxe lodging and large rooms.

The large group meetings posed a question about the kinds of lodging people would like to see. Most people felt that any lodge was important to add to our inventory.

13.) 7. Which statement do you agree with the most about replenishing our lodging bed base?		
	Responses	
	(percent)	(count)
We should replenish what we've lost, but only focus on moderate and economy lodges.	28.40%	46
We should replenish what we've lost without focusing on any one type. Any lodge we can get, even if it's in the deluxe category, is important	51.23%	83
I don't think we need to try to replenish our bed base.	17.28%	28
I don't know enough about this topic to express an opinion	3.09%	5
Totals	100.00%	162

Questions to consider:

- *Where does everyone stand on this issue?*
- *Should the document include a policy that actively seeks to bring our lodging inventory back into some kind of balance between “economy,” “moderate” and “deluxe,” or should we simply encourage any type of lodging in an effort to replenish lost bed base?*

The Development Process: The current draft of the AACP includes a number of policies and action items seeking to increase the predictability in the planning process for both the City of Aspen and Pitkin County. For instance, Managing Growth Policy I.2 states: “Restore public confidence in the development process.” The related Action Item I.2.a states: “Amend the land use codes to create greater expectation of certainty and predictability in the review process.” Other related action items suggest setting a “hard cap” on height that a PUD could not exceed, or simply not allowing a PUD to exceed underlying zoning limits such as height, FAR etc.

Another policy (Managing Growth Policy VI.1) states: “Ensure that PUD and COWOP processes result in tangible community benefits and do not damage the built environment through mass and scale that significantly exceed land use code standards.”

The small group participants had a number of comments about the development review process. Some felt that the process has become unpredictable, while others felt that the policy discussions that are often discussed as part of individual developments was informative and created better projects. The large group meetings included a question about this issue, which was split almost 50-50.

17.) 11. What is your preference for how development applications should be reviewed?		
	Responses	
	(percent)	(count)
The appropriate height, mass, and scale of buildings should be established by zoning, and should never be varied. We should remove most or all of the discretion from the review process.	47.55%	68
Development should be negotiated on a case-by-case basis, with all issues on the table, and enough discretion for the P&Zs and Council/BOCC to bargain and negotiate.	49.65%	71

I don't know enough about this topic to express an opinion.	2.80%	4
Totals	100.00%	143

Questions to consider:

- *Where does everyone stand on this issue?*
- *Do the BOCC and City Council want to see any other aspects of the Development Process highlighted in the plan?*

Transportation + the Entrance to Aspen: Regarding the Entrance to Aspen, the 2000 AACP included a statement of “support” for the Entrance to Aspen Record of Decision (ROD) of 1998. The current draft of the AACP Update differs from the 2000 AACP in that it does not formally endorse the ROD, or any other specific physical solution to the Entrance to the Aspen.

This is partly due to an extensive public process initiated by the City of Aspen in 2006, which re-examined the Entrance to Aspen. One outcome of this public process was the May 2007 vote to build dedicated bus lanes from the airport to the roundabout, which fulfilled part of the ROD. Another outcome was an instant keypad voting session that was largely split in terms of its preference for various physical solutions between the roundabout and 7th and Main streets. In fact, a new option now known as the “split-shot” was identified and received significant support. The City Council is currently considering a new survey seeking feedback on the future of the Entrance to Aspen.

The draft AACP Update includes Transportation Policy IV.1 of the AACP Update, which states: “We are committed to reducing traffic by implementing Transportation Demand Management (TDM) solutions. When TDM measures are exhausted, physical improvements to the Entrance to Aspen should be evaluated using community objectives.” Associated Action Item IV.1.b lists “community objectives” that are generally consistent with the ROD, including “avoiding a net loss of open space,” and “maintain(ing) Highway 82 as a two-lane facility for general purpose traffic with extra capacity reserved for mass transit use only.”

At the same time, the current draft of the AACP Update is similar to the 2000 AACP in several important ways. The current AACP Update includes a Primary Transportation Policy that would “continue to limit the Average Annual Daily Trips to 1993 levels at the Castle Creek Bridge ...” The current AACP Update also strongly supports public transit improvements, including the implementation of Bus Rapid Transit (BRT), as well as further integration of bike and pedestrian trails with the transit system.

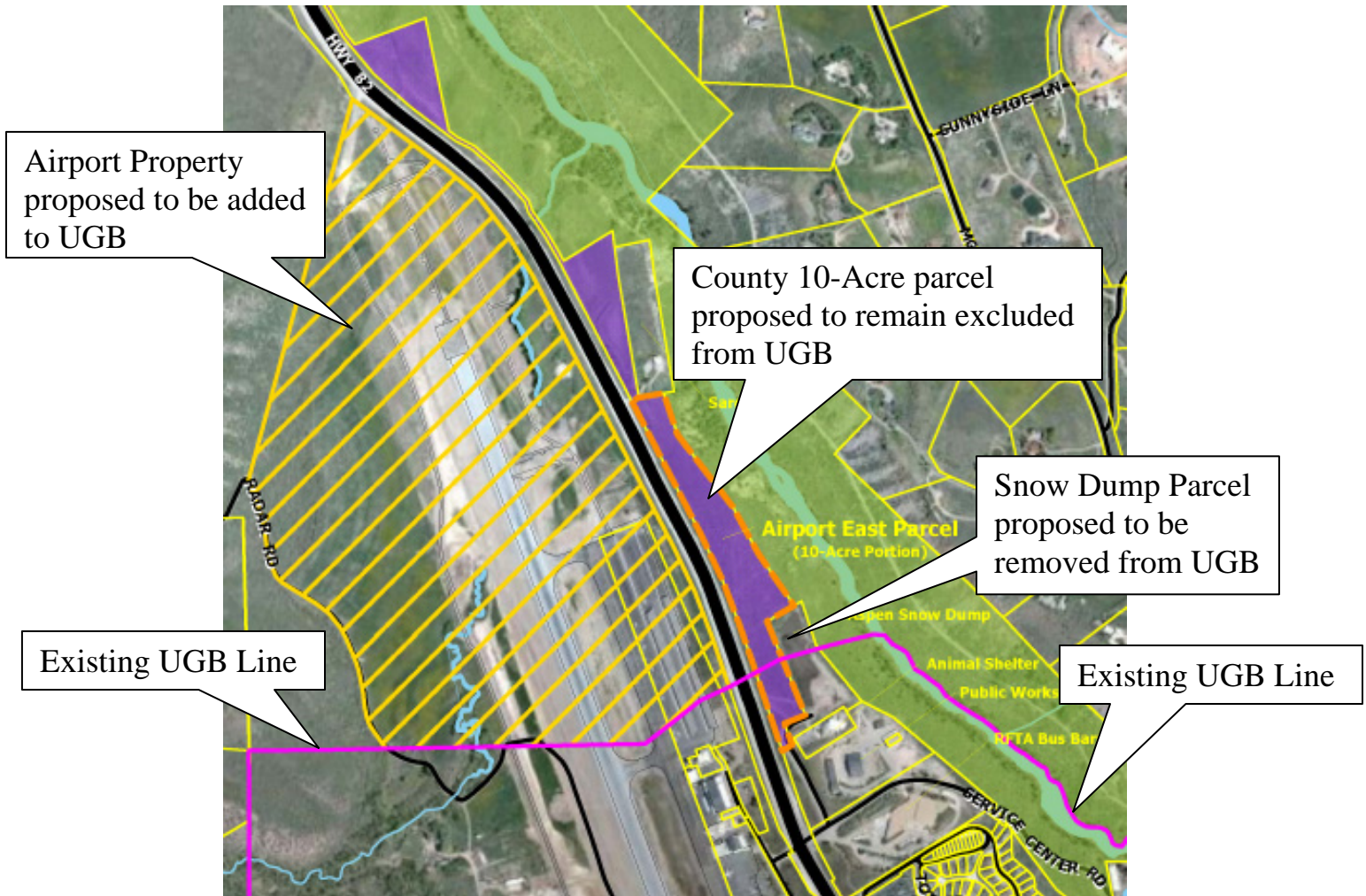
Questions to consider:

- *Are the BOCC and City Council comfortable with the current language in the AACP Update, including language related to the future of the Entrance to Aspen?*

The Urban Growth Boundary: As established in the 2000 AACP, the current UGB cuts through the City of Aspen’s 4-acre Snow Dump property on the north side of Highway 82, and does not include a 10-acre property owned by Pitkin County just west of the Snow Dump property. The current UGB also cuts through the airport runway. The fact that the UGB cuts

through the middle of two properties is part of the reason why staff believes the current UGB was drawn in error during the 2000 AACP process, and should be re-adjusted to at least include the end of the runway and the rest of the Snow Dump property. The BOCC has stated an interest in including the 10-acre County parcel within the UGB. (Please see map below and in Exhibit C.)

Although this issue has not yet been addressed in the draft AACP Update, the joint P&Zs have stated their intent to adjust the UGB so that it includes the airport runway, but does not include any of the City's Snow Dump property, or the County parcel to the west.



P&Z discussion has focused on creating a transition from the high-density urban core, and steadily lowering density toward the edge of the UGB, ultimately fitting in with the rural environment outside the UGB. The P&Zs believe that if these properties are left out of the UGB, they will be more likely to remain a low-density rural setting rather than a more urbanized type of development.

The current draft of the AACP Update includes a chapter on the West of Castle Creek Corridor, which contains language relevant to this discussion. In some cases, the current language might be interpreted in subtly different ways.

- “The West of Castle Creek Area should provide a gradual transition from the rural expanses of the county to the more developed neighborhoods of the West Wend and the urbanized atmosphere of downtown Aspen.” (Vision; p.24)
- “(The Corridor) is home to a wide variety of important uses that define the gateway experience ... Each use is different in character and purposes, representing distinct, physically-separated ‘nodes of activity. To maintain these separate and distinct functions, planning for this area should support a well-defined visual pattern and a defined set of prescribed and limited uses for each node.” (Philosophy; p. 24)
- “ ... any development should be limited to existing nodes in order to maintain undeveloped spaces between them.” (Philosophy; p. 24)
- “This area should not become an urbanized tunnel tunnel-like corridor, with repetitive development and the feeling of ‘sameness’ that defines the worst kind of urban sprawl.” (Philosophy; p. 24)

While there is a consistency to these statements, some may perceive subtle differences. The recognition that the corridor is a series of nodes is not necessarily the same thing as providing gradual transition. The two concepts might be merged, but the current language provides some room for interpretation. Staff presents these various statements for context to aid in the discussion of the Urban Growth Boundary.

Questions to consider:

- ***Are the BOCC and City Council comfortable with the current language regarding rural-to-urban transition and ‘nodes’ of development. If not, how should this language be further clarified?***
- ***Should the Snow Dump and/or the 10-acre County parcel be included in the UGB, or placed outside the UGB? Does the language in the West of Castle Creek chapter provide the right kind of direction for the future development of these properties?***
- ***Do you want to leave the boundary the same as today with respect to the Snow Dump and County 10-acre parcel and address changes as part of the upcoming West of Castle Creek Master Plan or would you like to address boundary changes now?***

Staff would also like to hear from Council and BOCC about any topics that are not included in the draft AACP that should be added. Also, are there any topics that are included in the draft that should be deleted?

P&Z REVIEW SCHEDULE: The P&Zs agreed at their January 18th meeting to work towards a completion of their review of the AACP by April. The schedule is outlined as follows:

- January 25: P&Zs review Environmental Quality, and Planning for a Lifelong Aspenite, chapters.

- February 2: Continue review of substantive issues with P&Zs, Council and Commissioners. Topics include Lodging, Development Process, Transportation, and UGB Changes. 4 – 6 pm in Council Chambers.
- February 22: P&Zs review Managing Growth and West of Castle Creek chapters. 4:30 – 7:30 pm in Sister Cities.
- March 8: P&Zs review Housing and Transportation chapters. 4:30 – 7:30 pm in Rio Grande Meeting Room.
- March 22: P&Zs review Parks, Recreation, Open Space and Trails Chapter, Historic Preservation, Sustaining the Aspen Idea and Introduction. 4:30 – 7:30 pm in Sister Cities.
- March 29: P&Zs review entire document. 4:30 – 7:30 pm in Sister Cities.
- April 12: P&Zs review entire document (if needed). 4:30 – 7:30 pm in Rio Grande Meeting Room.

In addition, the P&Zs and Staff are working on changes to the format to ensure the document is more readable and user friendly. This includes adding background information to each chapter, and categorizing the Policy Statements into Guiding or Regulatory. All of the packets and work is available online at: www.AspenCommunityVision.com.

Old Business: The Planning and Zoning Commissions would like to get clarification from Council and Commissioners and discuss in more depth the following issues: House Size and 100% Affordable Housing.

ATTACHMENTS:

- Exhibit A: Summary of 1/5/2011 joint BOCC/Council/P&Z meeting
- Exhibit B: Summary of 1/18/2011 P&Z meeting
- Exhibit C: Map of UGB

Exhibit A: Recap of 1.5.2011 meeting

January 5, 2011 BOCC / Council /Joint P&Z Meeting re-cap

In attendance:

Council	BOCC	County P&Z	City P&Z
Mick Ireland	George Newman	Marcella Larsen	Stan Gibbs
Steve Skadron	Michael Owsley	Mirte Mallory	LJ Erspamer
Torre	Rachael Richards	Jay Murphy	Bert Myrin
Dwayne Romero	Jack Hatfield	Monty Thompson	

The group discussed a number of topic areas, which are outlined below.

TDRs: The group discussed the possibility of creating a cross-jurisdictional TDR program where County TDRs could be landed in the City and City TDRs could be landed in the County. The group ultimately decided that this was something the plan should explore. Some concerns were raised that the City of Aspen may not be able to absorb all the growth that County TDRs would entail, and that this idea should be explored with other cities/towns in the County as well. The group discussed the idea of allowing TDRs to be allowed for things other than house size reductions, including, incentivizing locally-serving commercial spaces and moderately sized lodging.

House Size: The group discussed the idea of lowering house sizes in the UGB. Some members suggested that as house size grows, mitigation measures regarding job generation and energy consumption could grow exponentially and become much more substantial than they are today. Commissioner Michael Owsley referred to this as a “transactional” regulation; and one that people could understand and engage with, rather than a new hard cap on size. For instance, if a homeowner wanted to reach maximum floor area, they would need to ensure the development is carbon neutral. The group agreed that this was an area the P&Zs should discuss further and look to incorporate a transactional structure related to house size. The group also discussed the possible need for a neighborhood by neighborhood look at the house size issue to ensure that new development is consistent with and does not damage the character and quality of life of the different neighborhoods. Commissioner George Newman suggested the neighborhoods could recommend new maximum limits.

Affordable Housing: The group agreed that a goal of housing 60% of our workforce should remain in the plan. The group did not support including 100% mitigation for new development. Commissioner Richards suggested the P&Zs could look at 80%, but in general the group preferred 60%. The group agreed that on-site mitigation is preferred, but that off-site mitigation, the housing credit program and cash-in-lieu are viable options that should be allowed in instances when on-site mitigation does not make sense. Some group members raised concerns that affordable housing is growth, so our housing goals need to be in line with our overall growth goals. The group agreed that there should be some flexibility to reduce mitigation requirements if community benefits are provided. Mayor Ireland cautioned against trying to establish a number of affordable housing units to be built, noting that this process in the 2000 plan “sucked up months of time.”

Exhibit A: Recap of 1.5.2011 meeting

Modest Sized Development: The group agreed that P&Z should continue to look at this issue and determine if “modest” is the best term to use going forward. Other terms that might make sense include “consistency” and “compatibility.” The idea that this should be neighborhood based was endorsed by the group.

Pacing Construction: The group did not support a building permit pacing system, and felt that the issue of construction impacts should be examined through the Growth Management System and Construction Management Plans. The group agreed that while construction impacts may not be significant now, they may increase in the future, so it’s important to discuss the issue now and develop potential solutions for a time when development ramps up.

Next Steps: The group asked for another special meeting to discuss the remaining issues that were outlined in the memo (lodging and the development process) in addition to other potential new topics (transportation).

Summary of Joint Planning and Zoning Commissions Meeting Sister Cities Room / January 18, 2011

The following is not intended to serve as minutes of the 1/18/11 meeting, but to summarize discussion on major issues. Four City P&Z members (Stan, Cliff, Bert, LJ) and two County P&Z members (Mirte, Jay) were in attendance.

Discussion of January 5th meeting with Council and Commissioners:

There were several substantive topics discussed at the January 5th meeting, and the P&Zs discussed them one at a time:

TDRs: The P&Zs agreed that they should not delve into further detail on specific potential uses of TDRs, but could craft an umbrella-type policy that called for TDR programs to achieve community goals while not having adverse impacts on receiving areas. It was noted that the plan already includes an action item to explore an inter-jurisdictional TDR program, as discussed at the January 5th meeting.

House Size: The P&Zs agreed that the focus regarding house size should be more directly related to impacts on environmentally sensitive areas such as slopes, riparian areas, scenic areas and along City/County boundaries to ensure a smoother transition between neighborhoods.

Housing Mitigation: Although Council and BOCC members had expressed a reluctance to exceed the 60% mitigation rate for affordable housing, the P&Zs reiterated their stance of moving up to 100% mitigation. The P&Zs position is to require that development offset all of its impacts. The P&Zs noted that the community is far behind in providing adequate housing for employees, and anything less than 100% mitigation would only contribute to falling further behind. The P&Zs reiterated their position that non-housing-related “community benefits” should not enable the 100% mitigation rate to be reduced. However, they agreed that there should be flexibility in the methods of providing mitigation, including off-site solutions and housing credits.

‘Modest’ Development: While the P&Zs maintained that their intent was to show a preference for smaller buildings over larger buildings, there was some agreement that alternate language could be explored, including compatibility. Staff said they could explore other language that conveys the P&Zs intent. Staff also suggested that the existing policy to re-evaluate infill could be reworded to include a stated intent to reduce maximum height, mass and scale.

Pacing Construction: The P&Zs remained committed to addressing the negative impacts of intense construction activity during economic boom periods. They discussed the potential for broader language to explore a variety of methods to address the problem. They also talked about the danger of identifying specific methods at this time due to the complexity of the issue, and concern that if identified methods are rejected, there would be little effort in the future to address the issue. Staff suggested the plan could include a

call for an informed and productive community dialogue in an effort to focus more attention on addressing the problem.

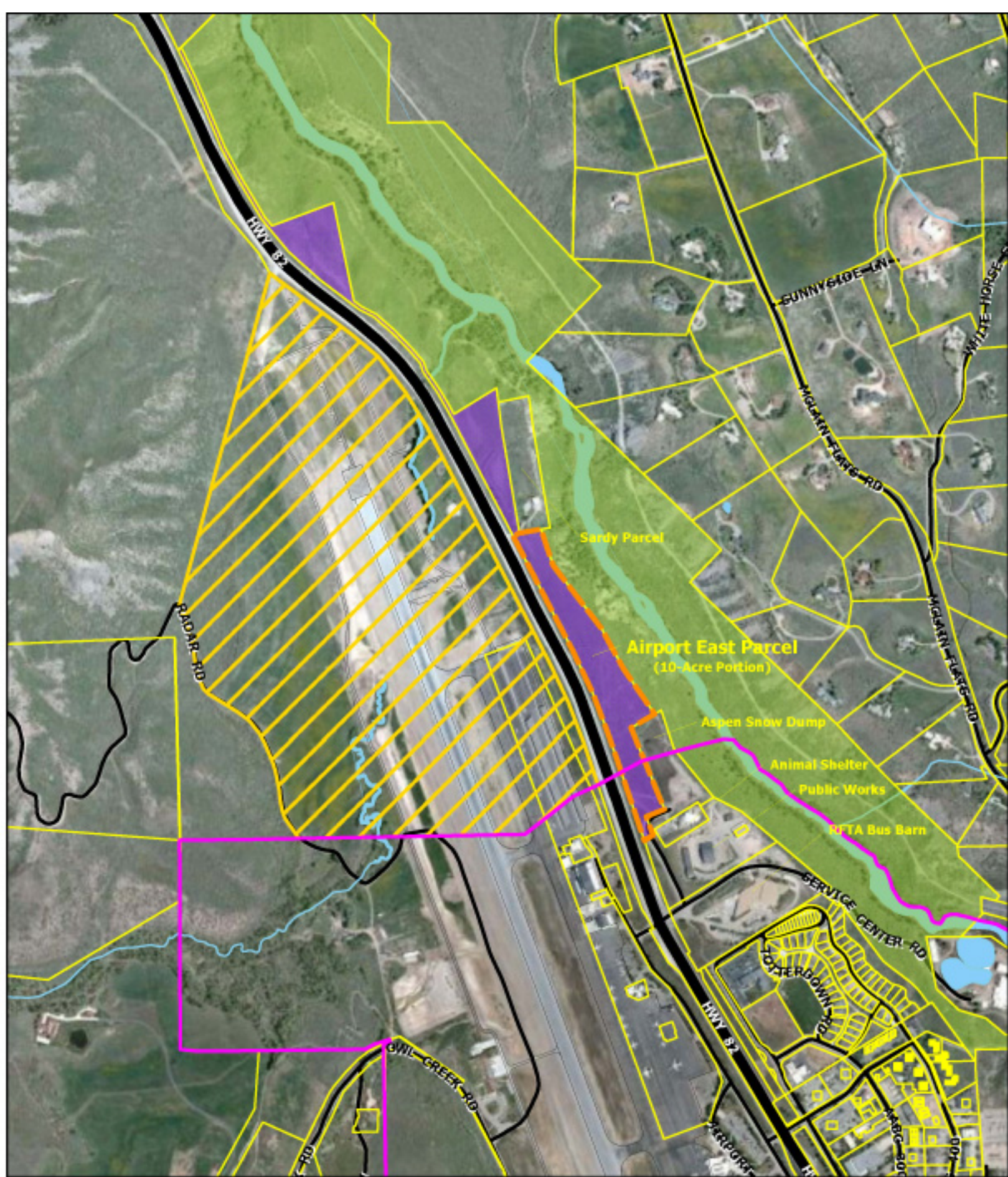
Discussion of new introduction

The P&Zs generally liked the new introduction, but expressed some concerns. Unlike the Vision and Philosophy statements prior to each chapter, the introduction includes specific references to events and organizations, and there were some questions about why some events and organizations were specified and not others. The P&Zs were not entirely satisfied with the specific choices and were inclined to remove such specificity.

Another suggestion was to shorten the three-page introduction due to concerns over whether people would read it. Specifically, there was concern about too much space given to the historical chronology on the first page. Another idea was to either shorten the two bullet-point sections to include some of the most important priorities in the plan, and/or break up the bullet-point sections into three or more, to help break up the introduction for greater readability. Staff accepted these various ideas and will rewrite the introduction and re-submit it. At this time, the schedule calls for the introduction to be re-submitted after the P&Zs review all chapters, largely to give staff more perspective on how to edit and change the introduction.

Discussion of Policy Statement categorization: Staff had previously suggested that instead of simply labeling all policies as “Regulatory” or “Guiding,” a broader range of categories would be more explanatory for readers of the document. For example, if a policy calls for inter-jurisdictional collaboration, or coordination among different groups and organization, it would be labeled “Collaborative Initiative.” For policies that reflect more broad goals, the term “Community Aspiration” would be used.

Staff provided a reformatted Environmental Quality chapter to illustrate the new approach, and after some discussion, the P&Zs generally found that this method provided more clarity and specificity regarding the purpose of each policy. However, there was a suggestion that under each “topic” in a chapter, the policies should be arranged so that the broadest goals (Community Aspirations) appear first, to be followed by more specific policies. In addition, if some policies are written more like action items, they could be relocated to the action item section. Staff agreed with this suggestion and will be implementing it in future drafts. There was some discussion of reducing the seven staff-suggested categories, but there did not appear to be clear consensus on this. Staff suggested that the seven categories are appropriate, though saw potential for some to be combined.



2010 Aspen Area Community Plan (AACP)

Airport East Parcel (10 Acres)/UGB Adjustments

October 25, 2010

	Airport East Parcel
	Existing UGB
	Airport UGB Expansion
	Pitkin County Open Space

