

# **AGENDA**

## **JOINT WORK SESSION CITY OF ASPEN PLANNING AND ZONING COMMISSIONS & PITKIN COUNTY PLANNING AND ZONING COMMISSION**

**Sister Cities Meeting Room  
130 S Galena  
Aspen, Colorado**

**July 28, 2009**

### **4:30 PM WORKSESSION**

1. Review of the Aspen Area Community Plan update
  - a. Review Environmental Quality Draft – 1 hour
  - b. Review of Housing Draft, continue Housing discussion – 1 ½ hours

### **7:00 PM ADJOURN WORKSESSION**

## MEMORANDUM

**TO:** City of Aspen Planning and Zoning Commission; Pitkin  
County Planning and Zoning Commission

**FROM:** Jessica Garrow, City Long Range Planner  
Ben Gagnon, City Special Projects Planner  
Ellen Sassano, County Long Range Planner

**THRU:** Chris Bendon, City Community Development Director  
Cindy Houben, County Community Development Director

**DATE OF MEMO:** July 23, 2009

**MEETING DATE:** July 28, 2009, 4:30pm in Sister Cities

**RE:** AACP Update: Environmental Quality / Housing

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**RECAP FROM PREVIOUS MEETING:** The P&Zs met on June 23<sup>rd</sup>, where they continued the review of the Housing chapter. The meeting summary from this meeting is attached as Exhibit A.

The P&Zs met on July 14<sup>th</sup> to review a draft of the Environmental Quality section. At that meeting the group reviewed most of the chapter. The group agreed to complete Environmental Quality and Housing before moving onto the next topic, Economics. The group agreed to review Economics and then Managing Growth.

**REQUEST OF P&Zs:** No formal action is requested at this time. The meeting is devoted to finalizing the review of the Environmental Quality draft and beginning the review of the Housing draft chapter.

**DISCUSSION:** At the July 14<sup>th</sup> meeting the P&Z completed a number of sections in the Environmental Quality chapter. There were some questions the P&Zs had, and Staff has contacted the applicable Environmental Quality Resource Experts and their comments are included in the revised draft (Attachment B). The P&Z did not begin review of the Renewable Energy, Water, Weed Management, or Wildlife & Wildlife Habitat sections. The Environmental Quality draft uses “track changes” to indicate the areas where staff and the resource experts amended the document. Any additions are in green underline and any deletions are in **red strikethrough**. There are some comments from staff and the resource experts, which are in “bubbles” on the side of the page.

Staff has been keeping track of all the linkages identified to date for this and the other chapters. So far, the P&Zs have identified Growth and Transportation as linkages to the Environmental

Quality section. Staff plans on adding the linkages to each chapter in the final drafting to ensure the document is internally consistent.

Staff has also created a draft Housing chapter as a starting point for P&Z review. In addition to writing a Vision Statement and Philosophy section, Staff has broken the Policies and Action Items into the following sections:

1. Healthy Workforce
2. Community Diversity
3. Buy-Down Program
4. Private Sector Mitigation
5. Accessory Dwelling Units
6. New Construction
7. Role of the Public Sector
8. Sustainable Inventory
9. Affordable Housing Target

Staff would like feedback from the P&Zs indicating if these are the correct categories, are there additional categories, etc. Staff incorporated the past P&Z discussions on Housing into the draft, and has gotten feedback from the Resource Experts on wording, additional items, etc. Staff has asked the Housing Resource Experts to arrive at 5:30 for the review of Housing.

**ATTACHMENTS:**

- Exhibit A: Summary of 6/2 and 6/23 discussion on Environmental Quality and Housing
- Exhibit B: Revised Draft Environmental Quality Chapter
- Exhibit C: Draft Housing Chapter

Summary of Joint Planning and Zoning Commissions Meeting  
Sister Cities Room / June 2, 2009

*The following is not intended to serve as minutes of the 6/02/09 meeting, but to summarize areas of consensus and discussion on major issues.*

**Regarding the *Environmental Quality* topic it was agreed that:**

1. Staff will prepare a redlined version of the *Environmental Quality Goal Statements & Action Items*, which will include comments received from experts, for the packet;
2. P&Z members will transfer their handwritten comments and proposed revisions to the *Goal Statements & Action Items* directly to the blog, or send redlined word or pdf documents to Jessica, who will compile the comments for the packet;
3. The first hour of each meeting will be devoted to reviewing the “blog draft” of the goal statements and action items from the topic reviewed at the prior meeting.
4. Resource experts for the new topic scheduled at a particular meeting will be asked to arrive one hour after the start of the meeting to allow time to review the Goal Statements and Action Items of the topic reviewed at the previous meeting.

**Housing Discussion**

The group discussed items from the 2000 AACP that should be carried forward. These included:

- “Our healthy mix of people with different economic conditions has made Aspen a vibrant place. Our housing policy should bolster our economic and social diversity, reinforce variety, and enhance our sense of community by integrating affordable housing into the fabric of our town. A healthy social balance includes all income ranges and types of people. Each project should endeavor to further that mix and to avoid segregation of economic and social classes by project.” (Page 25, Philosophy section of Housing chapter)
- “A buy-down program that preserves the existing housing stock for working residents must accompany new *affordable* housing production.” (Page 26, Philosophy section of Housing chapter, *italics* have been added by P&Z to original quote)
- “Encourage Buy-Downs. Study ways to provide Affordable Housing without new construction such as grants and other assistance programs for buy-downs and deed restrictions of existing units.” (Action item 70)

There was some discussion on whom we should be housing – is it any worker, workers associated with tourism or another industry? The group discussed if housing should be primarily for workers, or if the program should strive to house different “sub-groups” (like young professionals, families, etc). The group concluded that the housing program should be targeted at workers, and agreed to the following statement in relation to this discussion:

- **Housing should be provided for a broad spectrum of all workers that make the community function. At a minimum, housing types should be provided to meet the demand profiles that we have today.**

The group discussed the “Quality-Quantity” spectrum and agreed that it is possible to satisfy both. The group agreed that:

- **Housing should be compatible with the scale and character of the neighborhood, at the same time optimizing density on site to the extent it realistically fits the character of the site and neighborhood.**
- **Housing should emphasize functionality and durability/longevity with a focus on energy efficiency and safety factors.**

The group also discussed a number of issues that consensus was not reached. The group would like to discuss the following items at the next meeting.

1. What is the ultimate goal? Are we trying to reach a percentage (like the 1993 AACP) or a number (like the 2000 AACP). There was discussion of the merits of each, which lead to the idea that all new development should mitigate at 100% so that no new harm is created.
2. What is considered “new” development? If we say that 100% mitigation on “new development” is the new standard, what does that mean?
3. Consider the growth implications of building more and more housing. Are there carrying capacities in terms of quality of life that we should be adding to the housing/growth discussion?
4. Should we (the public sector) put the burden on the free market to figure out how to house their employees, and get out of the housing business?
5. Where should housing be located? Some felt that housing should be located anywhere, others wanted to ensure that housing is not segregated to one place.
6. What standard should affordable housing be held to when it goes through a land use review and is developed? Is it okay that free-market and affordable housing are sometimes held to different standards, or should there be more parity?
7. Address public vs private development of affordable housing.
8. Should there be an entity created to manage private/public housing partnerships to make housing development projects efficient and financially viable?
9. Address pros and cons of production of rental vs sale units.

Summary of Joint Planning and Zoning Commissions Meeting  
Sister Cities Room / June 23, 2009

*The following is not intended to serve as minutes of the 4/07/09 meeting, but to summarize areas of consensus and discussion on major issues.*

**Review of Environmental Quality**

There was consensus to hold a meeting on June 30 to go over the goals and action items.

**How the AACP will be used**

There was consensus that the action items need to provide specific direction to take future action, whether it be amending land use codes and building codes or setting budget priorities and work programs. Action items should include what agency/department is responsible.

**The ADU Program**

The group agreed that the ADU program is not working well, and an Action Item is needed for a comprehensive re-evaluation of the ADU program. There was concern that most ADUs are used as bedrooms or guest “cottages.” Is there some kind of incentive that would encourage people to rent them out?

**A Buy-Down Action Item**

The group agreed that while previous AACP’s have talked about buying down existing buildings, an Action Item is needed to create a comprehensive buy-down program that makes sense and sets priorities. The study should address concerns about buying one unit in a free market building, where assessments can be too costly.

**The Enforcement issue**

Some wanted better enforcement to make sure people in affordable housing are eligible for it. Resource experts said they have ramped up enforcement in recent years, but when they have asked for more enforcement authority and manpower, Council has not approved it. Resource experts said this is not as big a problem as it is perceived to be.

**How much housing is needed?**

The group agreed that we can’t build our way out of the problem, that a workforce retiring in affordable housing, gentrification and high costs downvalley are making it hard to make real progress. Some weren’t sure if they wanted a specific goal for a number of affordable housing, but the consensus appeared to favor some kind of number as a goal for additional units, or an affordable housing cap that’s based on an overall target population number, including pillows.

**Mitigation for development/redevelopment**

There was consensus to impose 100% mitigation for development and redevelopment. However, there were several related suggestions, including:

- It should be built on-site;
- Developers should buy down existing units so as not to further escalate development;

- The 100% rate could be lowered if applicant provides other community benefit.

### **Role of the public sector**

Consensus was not clear, but there appeared to be support for the public sector partnering with private sector groups to build some number of units. There was agreement to explore ways to accommodate smaller businesses as well.

### **Why is affordable housing important?**

The group had a discussion on this general topic, agreeing that affordable housing makes for a strong community. The group then came up with “indicators” that help define what a “strong community” looks and feels like, and what a weak community looks and feels like. Descriptions included:

- Community is fostered by year-round residents; without a strong community we’d be a ghost town in the off season. The people who do visit in off-season enjoy it because of the local community that’s here. The experience of tourists here is more genuine because of our year-round community, it’s a more authentic experience in the bars, on the lift.
- Volunteerism is strong; I see us step up to the plate when we have to. So many people want to live here because it is a town with the volunteer fire department, the schools, the vibrancy that other resort towns don’t have.
- There is a sense of community to the degree that the lights are on. You know your neighbor, you engage with people, you know people on the street, you’re comfortable engaging on the street. We need places to congregate. La Cocina was a place like that and it was a big loss to the community. The skate park is on that list of places more likely to be used by locals, it’s one of those gathering places.
- There’s interest, there’s involvement, there’s passion and strong opinions and a lot of perspectives. People care about the future. Nine people run for two slots on Council. A lot of other towns are politically stultified. People feel they have a stake. People are willing to give something and get something back. Community is communal, it’s two ways.
- A strong community is integrated with a lot of social and economic diversity. The seasonal element brings diversity in workers and visitors, including a real international flavor.
- A strong community means you can have lasting relationships. Every now and then someone leaves. A lack of community would be if I felt like I was surrounded by really transient people. A strong community is about having peers, whether you’re a local business owner or a manager -- we can talk about our experiences.
- A strong community is seeing children and families around. It’s when local institutions like the school and the hospital are supported, when a new high school football team is started after 15 years without one, when adult recreation programs are jam-packed after 5 pm.
- Housing is important for the local economy to function, so services can be provided efficiently – especially emergency services. Nobody wants to live in or commute to a ghost town. It’s a place where you can afford to retire.

## **DRAFT AACP ENVIRONMENTAL QUALITY CHAPTER**

### **VISION**

*The Aspen Area will be a regional, state and national leader in all aspects of environmental stewardship, including the improvement and public education/awareness of: sustainable building practices and land development regulation; renewable energy and energy conservation; air and water quality; recycling and waste reduction; and preservation of natural ecosystems and habitat.*

### **PHILOSOPHY**

As stewards of our environmental heritage and resources, it is our responsibility to balance human activity and the natural environment. This ethic is our defining characteristic. Our greatest challenges include population growth, year-round development, increasing vehicular trips and intensive employment demands are seriously damaging and threatening to destroy the ecological carrying capacity (environmental sustainability) of the Aspen Area. The land use decisions we make today as a community have a significant impact on the future our environmental sustainability and the health of our community.

The community has adopted an Ecological Bill of Rights, which states the overall environmental philosophy for the Aspen Area:

- The right to breathe clean air and enjoy clear vistas.
- The right to the preservation of natural riparian areas and wetlands.
- The right to permanently protected minimum stream flows in rivers and creeks.
- The right to the preservation and restoration of native wildlife and plant diversity by preservation of sufficient habitat.
- The right to protection of designated wilderness through management of adjoining land in a way that preserves the integrity of the wilderness areas.
- The right to a landscape kept free of noxious and invasive weeds.
- The right of appropriate access to public lands on roads and trails historically open to the public, consistent with the nature and designation of the public lands.
- The right to dedicated open space protected from urbanization and development.
- The right to the efficient and renewable use of energy.
- The right to be free from excessive noise.
- The right to see the night sky without the interference of unnecessary artificial light from growth, urbanization and highway development.

**2010 ASPEN AREA COMMUNITY PLAN**

**ENVIRONMENTAL QUALITY**

Exhibit B, 7/28 P&Z packet

- The right to the absolute minimum involuntary exposure to toxic chemicals, radioactive substances and energy forms that are hazardous to health.
- The right to maintain and not exceed the carrying capacity (sustainability) of the land and water, including protecting water quality.
- The right to expect from our government legislation and active enforcement of land use and development regulations consistent with this Ecological Bill of Rights.

**POLICIES AND ACTION ITEMS**

The policies and action items are organized under two main categories: environmental emissions and preservation of natural resources. The environmental emissions policies and action items are adopted to establish the Aspen Area as a leader in: (1) reduction of greenhouse gasses, which cause global warming; (2) reduction of air pollutants to reduce health risks; (3) reduction of water pollutants, which impact the health of our population and ecosystems; (4) reduce waste generation and increase re-use and recycling to lower our environmental impact; and (5) increase renewable energy sources and decrease our dependence on fossil fuels to reduce long-term energy impacts and costs. The natural resources policies and action items are adopted to sustain and improve Aspen’s natural environment, including: water; weed management; and wildlife and wildlife habitat.

The action items are arranged alongside the policies, so the purpose of the action item is understood. Each Policy is numbered, while the associated Action Items are lettered. For instance, Action Item “1.a” is associated with Policy “1.” Because this is a ten year plan, the action items are prioritized in terms of “immediate” (“I”) and “longer term” (“LT”), so that there is immediate progress made to implement the immediately necessary policies of this section, while still allowing for development of ideas and legislation that may further the broader policies of the plan in the long-term. The city/county department responsible for the action item is indicated as follows: Planning (“P”); Building (“B”); Environmental Health (“EH”); Canary Initiative (“CI”); Utilities (“U”); Landfill (“L”); Renewables (“R”); Engineering/Stormwater (“E/SW”); Airport (“A”); Land Management (“LM”); Open Space & Parks (“OS/P”); and Transportation (“T”).

**EMISSIONS POLICIES**

**EMISSIONS ACTION ITEMS**

<p><b>I. GREENHOUSE GASES POLICY</b></p> <p>1. Reduce the carbon footprint of the Aspen Area by 30% from 2004 levels by 2020.</p>	<p><b>I. GREENHOUSE GASES ACTION ITEMS</b></p> <p>1.a. Create incentives for Aspen Area property owners to voluntarily reduce their personal carbon footprints. (I- CI)</p> <p>1.b Evaluate and quantify the sources of greenhouse gas emissions through community wide greenhouse gas inventory. (LT – CI)</p>
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1.c Continue the Canary Initiative and tri-annual community wide greenhouse gas emissions inventory and establish interim reductions goals. (LT- CI)

1.d Study methods to further decrease greenhouse gas emissions and implement them, including incentivizing users to switch to renewable energy based, efficient appliances. (LT- CI) check on: opportunity to include this information in contractor test/licensing.

1.e Implement purchasing policy for new City and County vehicles to include hybrid, electric, or alternative fuel vehicles whenever possible. All vehicles purchased should score at 8 or higher for both air pollution and greenhouse gas emissions as listed in the EPA’s green vehicle guide. (I – EH, CI) check on: government contracts/other appliances gov’t purchases (Lee is checking on this, will have update at 7/28 meeting)

ADD: Incentivize the use and purchase of hybrid and electric vehicles by the public, including rental car companies (LT - CI)

ADD: Require any business that does business with City to be a member of ZGreen. (I – EH) (Lee is checking on this, will have update at 7/28 meeting)

1.f Incentivize air travelers to voluntarily offset impacts from flights through the purchase of Canary Tags. (I – CI)

1.g Continue to work with FAA on options to further reduce the impact of the airport. (LT – CI)

ADD: 1.h Encourage use of bikes through prioritization and implementation of bike lanes and a bike sharing program in the Aspen Area. (I – T, P/OS)

ADD: 1.i Encourage and increase the use of carpooling and carsharing in the Aspen Area, including educating the public on the options and availability. Lynn: ways to use cars over night, etc. (I – T)

**Comment [j2]:** Comment from Building: Including this in contractor licensing isn’t really or easily feasible as the contractor licensing test is valley wide and from Rifle to Eagle.

**Comment [j3]:** Comment from Canary: This seems like a good idea, but there’s no direct funding for this at this point.

**Comment [j4]:** Comment from Transportation: The bike sharing idea has been explored a few times and has run into a couple of obstacles that need to be addressed. 1. How will the program be funded and managed (ie: public or private). 2. How do we reconcile a free bike program with the several businesses in town who rent/sell bikes?

**Comment [j5]:** Comment from Canary: We have developed a carbon calculator for commuting which will be used by the Transportation Options program and will reward employers who encourage alternative commuting. I believe in the past, the city had a bike fleet that was available to the public. I know Washington, DC has such a program.

**Comment [j6]:** Comment from Transportation: Carshare vehicles can be used overnight, but there is an hourly/mileage charge associated with that use. We encourage our members to use our rental car partner for longer trips. Free, convenient parking is the best tool we’ve found for encouraging carpooling. FYI – we have received a grant with which we are purchasing a real-time carpool matching system. We hope to have this up and running by winter season.

<p>2. Strive for development that produces zero greenhouse gas emissions post-construction.</p>	<p>ADD: Link with Transportation, also in EQ: Set aside a highly visible area for parking hybrid and electric vehicles only in the commercial core area. (I – T)</p> <p>2.a Revisit elements of the efficient building checklist to minimize the use of unsustainable resources and those that have high levels of embodied energy. (I – CI, B)</p> <p>2.b Quantify construction emissions in order to evaluate ways to reduce the amount of emissions. (I – EH)</p> <p>2.c Amend the City and County land use codes to require all development go through an environmental review that ensures it will meet the established thresholds. (I-P, B, EH)</p> <p>2.d Establish greenhouse gas thresholds for various scaled developments. Any development that varies from the land use code (i.e. PUDs) should go through the highest threshold. (I – P, B, EH)</p>
<p><b>II. AIR QUALITY POLICY</b></p> <p>1. Improve existing air quality.</p> <p>2. Eliminate the wintertime brown cloud.</p>	<p><b>II. AIR QUALITY ACTION ITEMS</b></p> <p>1.a Improve public education and awareness of toxic pollutants, such as pesticides, and implement programs to decrease their use. (I-EH)</p> <p>2.a Reduce the number of PM-10 days each year in the winter when inversions create a brown cloud. This should include tracking the use of street sanding and ensuring it is used as little as possible, and investigating alternatives to street sanding. (LT – EH)</p> <p>2.b Continue to work with the state/CDOT to investigate alternatives for treatment of Highway-82. (LT – EH)</p>

**Comment [J7]:** Comment from Transportation: Even if a vehicle has cleaner technology, it still contributes to traffic and PM-10 pollution. Transportation would prefer that preferential parking be provided to permitted carpools only.

Comment from Canary: This is a good goal, and there is some work on that now. This will be right in front of city hall when we get the plug-in stations installed (6 spots). The project is on hold while we wait to hear if we are getting federal funding (should know in the next month).

**Comment [J1]:** Resource Experts: Efforts are underway to address this goal, including: adoption of the IECC 2009 Energy Code, the commercial and residential REMP programs, and a system to look at the environmental impacts of development.

<p>3. Maintain a maximum PM-10 level of 50 or less with 98% of days with PM-10 levels below 35.</p> <p>4. Achieve and maintain healthy ozone levels.</p> <p>5. Maintain or reduce trips to 1993 levels across Castle Creek Bridge to reduce total emissions.</p>	<p>3.a Inform the public of rising PM-10 levels and implement programs to encourage bus and carpool use and discourage burning wood at those times (I – EH, T)</p> <p>3.b Amend the land use and building codes to require development to mitigate a portion of the PM-10 the project will generate in order to prevent PM-10 levels from increasing. (I – P, EH)</p> <p>4.a Monitor and determine baseline ozone levels for the Aspen Area. (I-EH)</p> <p>4.b Evaluate ozone monitoring data and develop a program to attain and maintain healthy ozone levels. (LT-EH)</p> <p>5.a Develop a comprehensive set of strategies that can be implemented if trip levels are exceeded. (LT-P, B, T, EH)</p>
<p><b>III. WATER POLLUTION POLICY</b></p> <p>1. Reduce the amount of urban pollutants in stormwater runoff that discharges from the Aspen Area into the Roaring Fork River and its tributaries.</p> <p>2. Ensure runoff is treated before it enters the Roaring Fork River and its tributaries.</p>	<p><b>III. WATER POLLUTION ACTION ITEMS</b></p> <p>1.a Conduct master planning of the Aspen Area’s subwatersheds and install regional stormwater treatment facilities to capture and treat runoff, beginning with the most heavily developed areas. (I-E/SW)</p> <p>1.b Reduce the potential for stormwater pollutants from municipal facilities and operations, such as vehicle maintenance and street flushing, by reviewing facilities and operations and implementing stormwater best management practices. (LT – E/SW)</p> <p>1.c Pursue partnerships between government and local businesses and property managers to develop and showcase measures to reduce the amount of urban pollutants in stormwater runoff. (LT – E/SW, EH)</p> <p>2.a Educate and engage the public in Clean River Initiative project. (I – E/SW)</p> <p>2.b Develop and implement a plan to detect, identify, and eliminate illegal or</p>

**Comment [j8]:** Staff comment: Is this a policy that can be moved to a linkages section, or incorporated in the Transportation chapter?

<p>3. Require new development to treat its storm water runoff on site.</p> <p>4. Reduce the amount of impervious areas throughout the Aspen Area.</p>	<p>improper discharges to the stormwater system. (LT – E/SW)</p> <p>3.a Amend the land use and building codes to require development and redevelopment to incorporate best management practices that will permanently manage stormwater runoff on site. (I-P, B, E/SW)</p> <p>3.b Require Construction Management Plans to include provisions for the installation and maintenance of pollution prevention measures on construction sites. (I-B, E/SW)</p> <p>4.a Examine amending land use requirements to help reduce the amount of impervious surfaces in the Aspen Area. (I – P, E/SW)</p> <p>4.b Create incentives to increase the amount of pervious surfaces (like driveable grass, and lot coverage) in the Aspen Area. (I – E/SW)</p>
<p><b>IV. WASTE MANAGEMENT AND REDUCTION POLICY</b></p> <p>1. The Aspen Area’s recycling rate should exceed the national average.</p> <p>2. Implement programs and encourage behavior that aims to move as close to creating a zero-waste community as possible and increasing the life of the Landfill by increasing the amount and effectiveness of recycling, and by diverting construction and organic waste from the Landfill.</p>	<p><b>IV. WASTE MANAGEMENT AND REDUCTION ACTION ITEMS</b></p> <p>1.a Implement programs to significantly increase recycling and reduce waste, including evaluating amending the regulations to require that all residences and businesses in the Aspen Area recycle office paper, comingled, magazines/newspaper, and cardboard and compost. (I-EH, L)</p> <p>2.a Develop a system for food waste pickup and a permanent food waste compost operation at the landfill. (I – EH, L)</p> <p>2.b Incorporate a program to promote “zero waste,” with education and incentives into the existing ZGreen program. (LT – EH, L)</p> <p>2.c Require all events in the Aspen Area to meet the zero waste and low impact requirements established by the ZGreen Program. (I – EH) <u>add language that anyone we do business with meet the ZGreen standards. (Lee is checking on this, will have update at 7/28 meeting)</u></p>

<p>3. Increase the amount of construction and development materials that are diverted, reused or recycled.</p>	<p>2.d Ensure there are adequate facilities to accommodate increased recycling levels and a greater diversity of materials. (LT – EH, L)</p> <p>2.e Eliminate the free distribution of paper and plastic bags in the Aspen Area. (I – EH)</p> <p>2.f Explore the ability to regulate the sale of plastic bottles in the Aspen Area. (I – EH)</p> <p>2.g Incentivize businesses to use reusable and biodegradable cups and containers. (I – EH)</p> <p>3.a Amend the land use and building codes to require deconstruction of existing structures and recycling of materials rather than demolition so that materials that can be reused are separated and materials and components can be made available for salvage and reuse. <u>DEFINE DECONSTRUCTION.</u> (I/LT- B, EH, P, L) <u>Clarify</u></p> <p>3.b Explore opportunities to create incentives in the building process for using the Pitkin County Landfill and increasing deconstruction and salvage. This could include giving discounted access to the Pitkin County Landfill, coordinating landfill/building permit fees when a building is deconstructed instead of demolished, imposing fees at time of building permit to cover the costs of construction waste that goes to the landfill, or prioritizing building permit review based on the amount of construction and development waste that is recycled. (LT – EH, B, L)</p> <p>3.c Explore opportunities in the state to recycle construction and development waste that cannot be accommodated at the Pitkin County landfill, including evaluating the possibility of recycling sheet rock at the plant in Gypsum. (LT – EH, L)</p>
<p>4. Ensure adequate funds are available for environmental monitoring and eventual remediation of the Pitkin County Landfill.</p>	<p>4.a Explore mechanisms to ensure there are adequate funds for the landfill operations. (LT – L, EH)</p>

**Comment [j9]:** Staff Comment: The final draft should have a list of defined items. Since there is sometimes confusion on the difference between deconstruction and demolition we suggest this be one of those terms. A definition from Stephen Kanipe is: "In the context of physical construction, *deconstruction* is the selective dismantlement of building components, specifically for re-use, recycling, and waste management. It differs from demolition where a site is cleared of its building by the most expedient means."

**Comment [j10]:** Resource Expert Comment: Not everything can be re-used or recycled.

**Comment [j11]:** Resource Expert Comment: It may use more energy to truck sheet rock to Gypsum than it is to put it in the landfill. Preferred wording would include evaluating the option instead of forcing the option.

<p><b>V. RENEWABLE ENERGY POLICY</b></p> <p>1. Reduce our dependence on <del>the conventional energy grid</del> <u>non-renewable energy sources.</u></p> <p>2. Reduce electricity and natural gas usage in the urban growth boundary by 15% from 2004 levels <u>by 2020.</u></p>	<p><b>V. RENEWABLE ENERGY ACTION ITEMS</b></p> <p>1.a <u>Retrofit existing city and county buildings with renewable energy sources and efficiency improvements, when applicable. (I – CI, R, U)</u></p> <p>1.b Amend the building code to require a central switch to turn off electronics. (I-B)</p> <p>1.c <u>Support technologies that reduce phantom energy loads. (I – B, U)</u></p> <p>1.d <del>Evaluate and quantify the remaining square footage to buildout under the zoning and its average energy and employment needs. Consider whether square footage should be decreased to conserve energy and reduce trips. (LT P, B)</del> <u>Evaluate potential energy requirements and greenhouse gas emissions if the Urban Growth Boundary was completely built out according to current zoning. Make any necessary changes to the allowable square footage, etc following the evaluation. (LT – P, EH, CI, T, R, B, U)</u></p> <p>1.e <u>Implement programs to reduce the use of non-renewable energy in large homes. (LT – CI, B)</u></p> <p><u>ADD: 1.f Educate and engage the public regarding energy usage and opportunities to increase energy efficiency. (I - EH, CI)</u></p> <p>2.a <del>Create incentives for Aspen Area property owners to convert from Holy Cross to City of Aspen Electric, including preferential rates and tax credits. (LT - P, B)</del> <u>Work with Holy Cross to ensure they provide the Aspen Area with a higher renewable energy mix in their electricity. (LT - R, CI, U)</u></p> <p>2.b <u>Promote efficiency programs in conjunction with Source Gas, fuel switching from natural gas to ground source heat pumps, the creation of geothermal heating districts, and the use of renewable energy where applicable. (LT - R, CI, U)</u></p>
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**Comment [j12]:** Resource Comment: the Resource experts were not sure what is meant by “conventional energy grid,” so they proposed the alternative language.

**Comment [j14]:** Resource Expert proposed change.

**Comment [j15]:** Resource Expert Comment: we cannot force people to switch to our utility. Many people do not have an option on which utility they have to use (City or Holy Cross) – this is a physical impossibility in many cases.

<p>3. Encourage existing development and require new development and redevelopment to utilize renewable energies to the greatest extent possible and discourage cash in lieu except where there is a demonstrated benefit to the community, and discourage offsets outside of the Aspen Area.</p>	<p>2.c Invest in renewable energy production and encourage others, including utility providers and local, state and national governmental bodies, to make similar investments. <u>(LT – CI, R)</u></p> <p>3.a <del>Amend the City and County building codes to require electric generation from solar/hydro</del> the use of renewable energies for new development, additions and significant remodels. <u>(I-B, CI, R)</u></p> <p>3.b Amend the City and County land use codes to require all mixed use developments, PUDs, and development requiring a rezoning <del>to add criteria that considers demonstrate</del> whether the proposed development has utilized renewables to the greatest extent possible. (I-P)</p> <p>3.c Amend the City and County building codes to prohibit outdoor fire pits, hot tubs and snowmelt unless it is powered by 100% renewable energies. (I-B)</p> <p>3.d <u>Require energy audits when a home is sold so the new buyer is aware of the energy costs of the building. (LT – CI)</u></p> <p>3.e <u>Explore adopting a program that would allow property owners to get a loan from the City or County for energy upgrades that would be paid back over time through increased property taxes (i.e. a lien on the property). (LT – CI, R)</u></p> <p>3.f <u>Explore land use code amendments that would eliminate existing barriers to the use of renewable energy, such as solar panels, on development. (I – P)</u></p> <p><del>3.g Extend the REMP program to commercial [and mixed use?] permits. (I-B)</del></p> <p>4. Continue to pursue efforts to establish an electric grid of 100% renewable energy.</p> <p>4.a <u>Complete and implement the Clean Energy Plan. (LT – R, U, CI)</u></p>
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**Comment [j16]:** Resource Expert Comment: Two programs are already starting to do this. 1. The new REMP program gives more credit for onsite renewable, and 2, there are tiered electric rates. To do more, REMP could be amended to more strongly encourage renewable onsite.

**Comment [j13]:** Resource Expert Comment: While there is some debate, the best numbers we have indicate that we get 2 to 3 times the “bang for our buck” when we get cash-in-lieu as opposed to on-site renewables.

**Comment [j17]:** Staff and Resource Expert Comment: This has been done.

**Comment [j18]:** Resource Expert Comment: This is a white paper that will be formally adopted by City Council in the upcoming months.

**NATURAL RESOURCE POLICIES**

**NATURAL RESOURCE ACTION ITEMS**

<p><b>I. WATER POLICIES</b></p> <ol style="list-style-type: none"> <li>1. Maintain minimum stream flows for the Roaring Fork River and its tributaries.</li> <li>2. <u>Reduce detrimental effects of river diversions for the Roaring Fork River.</u></li> <li>3. Maintain and preserve existing riparian habitat and wetlands.</li> </ol>	<p><b>I. WATER ACTION ITEMS</b></p> <ol style="list-style-type: none"> <li>1.a Pursue dedication of water rights to maintain minimum stream flows. (I-U?)</li> <li>1.b <u>Develop a reliable methodology for dedication of water rights for instream flow purposes. (LT – U)</u></li> <li>2.a <u>Increase mitigation efforts targeted at lowering the detrimental effects of river diversions. (LT – U, E/SW)</u></li> <li>2.b Modify existing water policies and regulations to incentivize hookups to municipal water sources. (I-U?)</li> <li>3.a <u>Examine existing land use policies to ensure they protect the riparian habitats to the best extent possible. (I – P, OS/P)</u></li> </ol>
<p><b>II. WEED MANAGEMENT POLICIES</b></p> <ol style="list-style-type: none"> <li>1. Ensure there is proper resource management on all land in the Aspen Area</li> </ol>	<p><b>II. WEED MANAGEMENT ACTION ITEMS</b></p> <ol style="list-style-type: none"> <li>1.a. Broaden education of the public on specific techniques to limit the spread of invasive noxious weeds. (I-LM, OS/P)</li> <li>1.b Partner with other governments, businesses, educational facilities, and non-profits in the Roaring Fork Valley to address proper land management. (LT-LM)</li> <li>1.c Create new and enhance existing policies that enable partnerships and cost sharing between government and property owners to achieve compliance with the Colorado Noxious Weed Act. (LT – LM)</li> </ol>

<p><b>III. WILDLIFE AND WILDLIFE HABITAT POLICIES</b></p> <p>1. Sustain, protect and restore biodiversity and native ecosystems through land use planning, acquisition and best land management practices on public and private lands.</p>	<p><b>III. WILDLIFE AND WILDLIFE HABITAT ACTION ITEMS</b></p> <p>1.a Pursue a regional approach to buffer development from the riparian ecosystem associated with the Roaring Fork River and its tributaries by implementing coordinated City and County stream buffer/setback standards. (LT – P)</p> <p>1.b Develop and/or improve, and coordinate existing City and County standards for mitigating removal of and providing for replacement of riparian and wetland habitat. (I – P, OS/P)</p> <p>1.c Provide incentives and develop guidelines for the restoration of riparian habitat on private lands, (LT – EH, E/SW, OS/P)</p> <p>1.d Use designated funds to purchase title to or easements on riparian habitat along the Roaring Fork River as opportunities become available. (LT – OP/P)</p> <p>1.e. Support use of City and County Open Space and Trail funding for purchase and maintenance of intact, unfragmented wildlife habitat, or connections between habitats where it is critical for the preservation of native plant and animal species. (LT – OS/P)</p> <p>1.f. Promote the diversity and vitality of the “urban forest” that exists both within the City of Aspen and in the Wildland Urban Interface. (LT – OS/P)</p> <p>1.g Improve existing standards, enforcement and education as needed to enhance the co-existence of bears and people in the City of Aspen and in Pitkin County. (LT – EH, LM)</p>
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## DRAFT AACP HOUSING CHAPTER

### VISION

In a resort environment, affordable housing lays the foundation for a strong, authentic and genuine year-round community. It is also a cornerstone for a reliable local workforce, and helps relieve pressure on a challenged regional transportation system. Continuing to create deed-restricted housing is necessary to safeguard our sense of community, strengthen the workforce and minimize transportation impacts.

### PHILOSOPHY

We know what a strong and thriving year-round community can be: It means the “lights are on” in neighborhoods, it means we have a reasonable chance to stay here for the long-term, forming lasting friendships and becoming part of local groups and institutions, it means the school system is a social center for families, that after-work recreation programs are strong and healthy, that there are identifiable places where local residents tend to congregate and enjoy each others company. There is a shared value placed on quality of life and enjoyment of the outdoors, there is passion and engagement to shape our own future through healthy debate. A strong, year-round community gives Aspen an authentic local identity that is experienced and appreciated by visitors on the street, in favorite gathering places, on the lifts. Community is communal; it goes both ways. People give their time to volunteer and receive appreciation and a sense of community in return.

Affordable housing is the foundation for a strong community in a resort environment. Past community plans have used the phrase “critical mass” to describe the number of year-round residents needed for a strong and sustainable year-round community. Simply put, we know it when we see it, and we’re not there yet.

We continue to believe, as was stated in the 2000 AACP, that, “Our housing inventory should bolster our economic and social diversity, reinforce variety, and enhance our sense of community by integrating affordable housing into the fabric of our town. A healthy social balance includes all income ranges and types of people. Each project should endeavor to further that mix and to avoid segregation of economic and social classes by project.” (Page 25, Philosophy section of Housing chapter)]

Today, there is acknowledgment that continuing economic pressures in the Aspen area and downvalley require ongoing efforts to expand the affordable housing program, to safeguard and build upon the year-round community that exists today. We also understand that there are limited opportunities for further new development in this geographical “bowl” at the top of the Roaring Fork Valley.

We believe that “A buy-down program that preserves the existing housing stock for working residents must accompany new *affordable* housing production.” (Page 26, Philosophy section of Housing chapter, *italics* have been added by P&Z to original quote)

Creating a foundation of community means pursuing the development of new affordable housing as well as a new, comprehensive and strategic effort to convert existing structures for this purpose. Both of these goals present serious challenges and should properly be the subject of ongoing discussion.

**POLICIES AND ACTION ITEMS**

The following policies and action items are adopted to address the following critical issues: 1) healthy workforce, 2) community diversity, 3) role of the public sector, 4) private sector mitigation, 5) buy-down program, 6) ADU, CDU programs, 7) new construction, 8) a sustainable housing inventory, and 9) an overall affordable housing target.

The action items are arranged alongside the policies, so the purpose of the action item is understood. Each Policy is numbered, while the associated Action Items are lettered. For instance, Action Item “1.a” is associated with Policy “1.” Because this is a ten year plan, the action items are prioritized in terms of “immediate” (“I”) and “longer term” (“LT”), so that there is immediate progress made to implement the immediately necessary policies of this section, while still allowing for development of ideas and legislation that may further the broader policies of the plan in the long-term. The government department or agency responsible for any given action item is indicated as follows: Aspen/Pitkin County Housing Authority (“APCHA”); Planning (“P”); Building (“B”); Environmental Health (“EH”); Canary Initiative (“CI”); Capital Asset Department (“CA”).

<p><b>I. HEALTHY WORKFORCE POLICIES</b></p> <p>1) Ensure the provision of affordable housing opportunities for a broad spectrum of workers that make the community function.</p>	<p><b>I. HEALTHY WORKFORCE ACTION ITEMS</b></p> <p>1.a Create a Community Housing Collaborative representing local governments, all Aspen Area taxing districts and large to small employers to identify common interests and coordinate in new construction and/or buy-down activities. Emphasize flexibility to accommodate a range of partners on a project-by-project basis. Identify inducements necessary to make this an effective program that is attractive to taxing districts and employers, including small- and mid-sized entities. Establish transparent process model for planning, design, budgeting, construction and buy-down with emphasis on fiscal</p>
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	<p>responsibility. (I – City Manager, County Manager, APCHA.)</p> <p>1.b Study the potential for replicating the model used by Aspen Volunteer Fire Department for lease of units, with partial return to renter for down payment program.</p>
<p><b>II. COMMUNITY DIVERSITY POLICIES</b></p> <p>1. The housing program should contribute to improving social diversity in the Aspen Area.</p>	<p><b>II. COMMUNITY DIVERSITY ACTION ITEMS</b></p> <p>1.a Conduct a study determining the profile of existing affordable housing residents, including age, income, family status etc., relying on existing survey information and other information sources if necessary. (I - APCHA)</p> <p>1.b Establish a database that can be continually updated to illustrate the demand profile of those who are bidding on affordable housing (sale and rental), using same measures as above. Establish standardized waiting list for all rental housing facilities to contribute to this database. (I - APCHA)</p> <p>1.c Rely on studies above (1.a-b) to determine profile of new housing product or buy-down acquisitions, including unit type, category, rental v. sale, seasonal – based on the need for a healthy workforce and social diversity in the Aspen Area. (This has been done on an informal basis to date.) (LT - APCHA)</p> <p>1.e Investigate options to provide greater flexibility for movement of existing users within APCHA inventory to accommodate shifts in household/family needs. (LT - APCHA)</p>

<p>2. Ensure the community is prepared for the growing phenomenon of employees retiring in affordable housing by exploring the adverse impacts and productive opportunities related to this issue.</p>	<p>2.a Establish reliable data on the trend of employees retiring in affordable housing. (LT – APCHA)</p> <p>2.b Explore the opportunity for a new senior housing development that ranges from independent living to assisted living. (LT – Housing Frontiers Committee)</p> <p>2.c Establish an Active Retiree Database that includes a list of retirees and their talents/skills, along with a list of volunteer and part-time/full-time “help wanted” opportunities to match people with activities/jobs. (LT – APCHA, ACRA)</p>
<p><b>III. BUY-DOWN PROGRAM POLICIES</b></p> <p>1. Establish a comprehensive buy down program that preserves existing housing stock.</p>	<p><b>III. BUY-DOWN PROGRAM ACTION ITEMS</b></p> <p>1.a Conduct a comprehensive study that establishes Buy-Down Program priorities regarding types of unit, locations, cost, functionality, durability, energy efficiency, rental v. sale, potential for seasonal use. The study should identify buy-down opportunities for a range of large to small entities, including local government, non-profits and the private sector. (The study should address concerns about buying one unit in a free market building, where assessments can be costly.) (I-APCHA)</p> <p>1.b Leverage real estate community to make bi-annual recommendations to buy-down program list, based on developed criteria.</p> <p>1.c Explore private sector equity-sharing model to allow for employer and employee shared ownership stakes. (This may be applicable to new construction as well.)</p>

<p><b>IV. PRIVATE SECTOR MITIGATION POLICIES</b></p> <p>1. New development should “do no harm” by offsetting all employee generation.</p>	<p><b>IV. PRIVATE SECTOR MITIGATION ACTION ITEMS</b></p> <p>1.a Undertake a job generation study as a foundation for full mitigation policy, with a focus on job generation related to residential uses and a variety of lodging types. (Current data on retail and office job generation are deemed adequate.) (I – P)</p> <p>1.b Identify the types of development that offer critical community benefits as part of re-evaluation and amendment of GMQS system. Development that offers critical community benefits may be partially exempt from full mitigation. (I – P)</p> <p>1.c Amend APCA Housing Guidelines to establish an increased rate for payment-in-lieu of housing that reflects the cost of development. (LT - APCA)</p>
<p><b>V. ACCESSORY DWELLING UNIT POLICIES</b></p> <p>1. Ensure that the Accessory Dwelling Unit (ADU) Program results in a substantially higher rate of occupancy.</p>	<p><b>V. ACCESSORY DWELLING UNIT ACTION ITEMS</b></p> <p>1.a For existing and potential future ADUs and CDUs, create an updated database of inventory including current rate of rental, establish system to match willing owners with housing applicants. (I – APCA, P)</p> <p>1.b Conduct a comprehensive re-evaluation of City ADU Program and County Caretaker Unit Program to determine overall effectiveness. Study will include contacting ADU owners to explore effective incentives for higher rate of rental, and investigating legal capability of requiring mandatory occupancy. (LT – APCA, P)</p> <p>1.c Determine whether new incentives or occupancy requirements are effective in generating a substantially higher rate of rental, or discontinue ADU program. (LT – APCA, P)</p>

<p><b>VI. NEW CONSTRUCTION POLICIES</b></p> <ol style="list-style-type: none"> <li>1. Ensure that new Affordable Housing is compatible with the massing, scale and character of the neighborhood, at the same time optimizing density on-site to the extent it realistically fits with the site and the neighborhood.</li>   <li>2. Ensure that new Affordable Housing emphasizes functionality and durability/longevity with a focus on energy efficiency, safety and the use of environmentally responsible materials and equipment.</li>   <li>3. Ensure fair and equal treatment of affordable housing and free market regarding development review and post-construction regulations.</li>   <li>4. Complete Burlingame Ranch Affordable Housing Development. <i>(Staff Comment: While specific projects aren't typically referenced in policy sections, resource experts suggested that because of its size and significance, the project should be included in the AACP record, largely to outline the Action Items needed to complete the project. This also makes it a distinct item, separate from the proposed New Affordable Housing Starts plan – see next section, Role of the Public Sector / Action Items.)</i></li> </ol>	<p><b>VI. NEW CONSTRUCTION ACTION ITEMS</b></p> <ol style="list-style-type: none"> <li>1.a Amend the city and county land use codes to establish policies 1 and 2 as standards of review for new affordable housing development. (I – P)</li>   <li>1.b Amend city Residential Design Standards to ensure that <u>all new development</u> is compatible with the massing, scale and character of the neighborhood.</li>   <li>2.a Amend Housing Guidelines to establish standards for materials, equipment and utility systems that emphasize durability and environmental stewardship. Allow for amendments to keep pace with technological improvements. (I – APCHA)</li>   <li>3a. Apply city and county rules equally according to the overall constraints of the neighborhood, such as prohibitions on pets and parking regulations etc. (Past examples re: Bavarian, Ullr ...) (I – P)</li>   <li>4a. Resolve total unit count with a vote of Burlingame homeowners on amending declarations if necessary.</li>   <li>4b. Complete design based on input from citizen groups such as the current Burlingame homeowners, 2008 CBTF, Performance Audit and CEG recommendations, and attain a bid proposal for development.</li>   <li>4c. Seek voter authorization for bond financing for proposed development.</li> </ol>
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<p><b>VII. ROLE OF THE PUBLIC SECTOR POLICIES</b></p> <ol style="list-style-type: none"> <li>1. The public sector should partner with private sector businesses, non-profits, including small- and mid-sized employers to build new housing units.</li>   <li>2. New development should focus first on publicly-owned land in order to encourage private sector partnerships.</li>   <li>3. Strike a community-supported balance between a new buy-down program and new housing development.</li> </ol>	<p><b>VII. ROLE OF THE PUBLIC SECTOR ACTION ITEMS</b></p> <p>1.a Create Community Housing Collaborative representing local governments, all Aspen Area taxing districts and large to small employers to identify common interests, coordinate planning for new construction and/or buy-down activities and explore financing models. Emphasize flexibility to accommodate a range of partners on a project-by-project basis. Identify inducements necessary to make this an effective program that is attractive to taxing districts and employers, including small- and mid-sized entities. Establish transparent process model for planning, design, budgeting, construction and buy-down with emphasis on fiscal responsibility. (I – City Manager, County Manager, APCHA)</p> <p>2.a All public entities in the Aspen Area shall coordinate to establish an inventory of existing publicly-owned land that is useable for affordable housing and establish a New Affordable Housing Starts plan for new development, including types of unit, locations, costs, functionality, durability, energy efficiency, rental v. sale, potential for seasonal use. (LT – APCHA City, County, USFS, etc.)</p> <p>3.a Upon completion of Buy-Down Program study, ADU Reevaluation Study and New Affordable Housing Starts plan, conduct community outreach to help establish 2020 Housing Master Plan that will strike a balance of all methods. (Criteria used for evaluation will be identical for each approach, including but not limited to types of unit, locations, costs, functionality, durability, energy efficiency, rental v. sale, potential for seasonal use.)</p>

<p><b>VIII. SUSTAINABLE INVENTORY POLICIES</b></p> <ol style="list-style-type: none"> <li>1. All existing deed-restricted housing units should be maintained for the longest possible term regarding functionality, with an emphasis on the use of durable, environmentally responsible materials.</li> <li>2. Existing deed-restricted housing development that carries an expiration on its deed-restrictions should be converted to apply in perpetuity.</li> <li>3. Demonstrate fairness and equal treatment by ensuring that users are complying with APCHA rules and regulations</li> </ol>	<p><b>VIII. SUSTAINABLE INVENTORY ACTION ITEMS</b></p> <ol style="list-style-type: none"> <li>1.a Create incentives for affordable housing residents to improve the energy efficiency and safety of their units. (I – APCHA, CI/EH, B)</li> <li>1.b Conduct an inventory study that sets priorities for public maintenance program. (LT – APCHA)</li> <li>2.a Identify all deed-restricted housing development that carries an expiration on its deed-restrictions, such as Centennial, Castle Ridge, and conduct negotiations to convert the deed restrictions to apply in perpetuity. (LT -- APCHA)</li> <li>3.a Identify steps necessary to improve APCHA’s ability to enforce. (LT -- APCHA)</li> </ol>
<p><b>IX. AFFORDABLE HOUSING TARGET POLICIES</b></p> <ol style="list-style-type: none"> <li>1. This policy can only be determined as part of broader discussion regarding Managing Growth and ultimate population ceiling.</li> </ol>	<p><b>IX. AFFORDABLE HOUSING TARGET ACTION ITEMS</b></p> <ol style="list-style-type: none"> <li>1.a TBD</li> </ol>