

MINUTES

CARBONDALE PLANNING AND ZONING COMMISSION

Thursday May 11, 2023

Commissioners Present:

Jay Engstrom, Chair
Nicholas DiFrank, Vice-Chair
Nick Miscione
Jarrett Mork
Kim Magee
Jess Robison (2nd Alternate)

Staff Present:

Jared Barnes, Planning Director
Kae McDonald, Planning Technician

Commissioners Absent:

Jeff Davlyn
Kade Gianinetti (1st Alternate)

Guests:

Kurt Carruth, Hinge Architects

The meeting was called to order at 7:04 by Jay Engstrom.

April 13, 2023 Minutes:

Motion Passed: Jarrett ***moved*** to approve the April 13, 2023, meeting minutes. Jess ***seconded the motion***, and it was ***approved by the majority***.

Yes: Jay, Nick, Jarrett, Kim, Jess

Abstained: Nicholas

Public Comment – Persons Present Not on the Agenda

There were no persons present to speak on a non-agenda item.

1629 East Dolores Way Development Approval Extension Request

Jared summarized his memo included in the meeting packet, noting that in 2021 Cooper Duplex, LLC, had requested a Special Review for Site Plan and Architectural Design as outlined in the Kay PUD. He explained that the proposal included the construction of nine residential units – eight on a newly-constructed 2nd floor and one ADA accessible unit on the ground floor – with the remaining ground floor units remaining commercial/warehouse space. Jared noted that the building owners proceeded with the commercial space improvements, but due to some challenges were not able to complete the residential units and they are requesting a two-year extension. He added that in reviewing the approvals stipulated in Resolution No. 9, Series of 2021, as approved and adopted on May 13, 2021, an extension until May 13, 2025, is warranted and to that end he has prepared Resolution No. 2, Series of 2023, with conditions of approval as set forth in Resolution No. 4, Series of 2021, incorporated by reference (with the same force and effect as though fully set forth herein) for Commission review.

Kurt Carruth, representing the building owners, stated that there was a slowdown in the mechanical plans along with the general challenges that are common these days.

Jay asked Jared if he had any reservations in approving an extension.

Jared replied that he didn't, noting that the original approvals allow for an increase in deed restricted units over and above that stipulated by the Town's guiding documents. He added that the building is located near the Roaring Fork Transportation Authority Park-N-Ride.

Nicholas asked if a partial Certificate of Occupancy has also been requested.

Jared replied that this is an existing building with a presumed CO already in place. He reiterated that while the commercial unit improvements have been completed, the construction on the residential units has not yet begun. He assured the Commission that the standards for issuing a future temporary CO or CO will apply.

Jarrett asked if the Kay PUD stipulates any time frames.

Jared replied that the Kay PUD is silent on this guideline and when this happens the Unified Development Code is referenced; UDC Section 2.3.9 states that the lapsing period shall be two years from the date of approval if a lapse of approval is not specified for a specific process.

Jarrett asked if there were any Planned Unit Developments still active in Carbondale.

Jared replied that River Valley Ranch has an active Design Review Committee, but regardless of whether there is an active DRC the PUD guiding documents are still applied.

Nicholas stated that the request seems straight-forward. He applauded the project, noting that it is the kind of thoughtful density that Carbondale needs.

Motion Passed: Nicholas ***moved*** to approve Resolution No. 2, Series 2023, approving a two-year extension of the Special Review for Site Plan and Architectural Design approval for 1629 East Delores Way. Jarrett ***seconded the motion***, and it was ***unanimously approved***.

Yes: Nick, Jess, Kim, Jarrett, Jay, Nicholas

No: none

Worksession: EV Parking Spaces, Solar Roof-ready, Mandatory Solar, and Beneficial Electrification Requirements

Jared explained that this topic is intended to be an open conversation among the commission members to give staff direction on the type of code amendments, along with the compilation of necessary documentation for commission members, to have a quality conversation in the context of a public hearing. Jared added CLEER and Carbondale's Environmental Board have been collaborating to move the Board of Trustees initiatives forward and while some of the initiatives are out of the Planning & Zoning Commission's scope, CLEER has recommended updates to the Unified Development Code that staff has divided into two sets:

1. EV charging, mandatory solar, beneficial electrification, and solar ready roofs
2. Solar orientation, building orientation and driveway orientation.

Jared referred to the memo included in the meeting packet, noting that while the items identified under #1 are captured during the building permit phase of a project, CLEER thought it beneficial to cross-reference information between the UDC and building codes to ensure developers are designing buildings appropriately.

Jay suggested commission members focus on EV charging, mandatory solar, beneficial electrification, and solar-ready roofs and save the building orientation discussion for another meeting. He noted that the intent of mandatory solar, beneficial electrification and solar-ready roofs is to eliminate natural gas from new construction.

Jarrett commented that he didn't like the concept of sole reliance on electricity because it places a lot of demand on the grid and seems like overreach to dictate what energy source property owners use. He thought it was important, however, to promote readiness in building design.

Jay noted that the reliance on natural gas is slowly disappearing and wondered if it was necessary to pursue code text amendments.

Nick pointed out that there are two separate, but linked, topics -- "whole house electrification" versus "on-site energy generation." He explained that "whole house electrification" puts the community on the path towards energy resiliency.

Jess clarified that beneficial electrification is moving to a "no gas" policy in buildings (ie. "all-electric") and then the conversation pivots to mandatory solar to offset the electrification.

Nicholas commented that he agreed with Jarrett that the community is not ready for all-electric and while he doesn't support the use of natural gas, he isn't sure if the community has the capacity to dictate energy choice right now. He also pointed out that it is expensive to build right now and all-electric requirements will only add to that cost.

Jess pointed out that as a contractor, home owner and tenant she has firsthand experience that the technology hasn't caught up with the desire for all electric and gave the example that tenants of the all-electric Aspen Police Department building were being given vouchers to offset the increased expense of their electric bill. She agreed that eliminating the option of natural gas doesn't make sense right now.

Kim agreed and reiterated that it was cost prohibitive to go all electric. She pointed out that the grid isn't ready for the extra load but thought progress was being made.

Jess did think it made sense to have new construction solar ready because most of the costs are front-loaded in the construction.

Jay noted that there are degrees of "solar ready" that should be clarified.

Nick pointed out that technology is developing at a rapid pace and design/build with two energy systems in place is very expensive.

Jared asked what the cost per square foot would be to design an all-electric building.

Jess replied that solar-ready includes the mechanical, electrical, and plumbing systems and it could easily be 25% of the budget – even with a gas hybrid – and it doesn't perform as well.

Jarrett added that the inefficiencies are also compounded.

Jared pointed out that CLEER had recommendations, but it is up to the Commission to consider what might be right for Carbondale. CLEER didn't recommend one way or the other and it could be as simple as plan for solar or there could be direction that new buildings are all-electric, but they need some direction.

Nicholas thought the biggest potential for all-electric construction would be a large development that could absorb the cost – like the recently approved Meadowood school district housing – but not for single-family residences.

Nick reiterated that the technology is rapidly advancing and with that, costs for design/build will come down.

Jay agreed with Nick and thought market forces will naturally drive the trend to all-electric. He suggested verbiage promoting “electric-ready” would benefit the transition while not altogether eliminating a limited reliance on natural gas.

Solar-ready Roofs

Jay stated that he liked the simplicity of Pitkin County's guidance: 35% of the roof must be oriented in a good direction for solar panels. He didn't know if installation or pre-wiring would be included but thought there might be a range of items that fall under the term “solar-ready.”

Jess pointed out that Carbondale requires that solar is roughed-in on all new construction – which means conduit must be laid on all residential buildings. She stated that the building codes already stipulate all these requirements and wasn't sure what the efficacy of including it in the UDC would be.

Jared explained that CLEER recommended that if there are standards stated in the building codes, those should be mirrored in the Planning code to assist in preparing building plans that don't require massive changes during plan review.

Nick wondered if “Mandatory Solar” should be discussed first and pointed out that it is important to clarify what “solar-ready” roofs mean. He pointed out that mandatory solar puts an onerous financial burden on a homeowner.

Nicholas stated that there are gray areas in designing for new construction versus infill and thought it was unnecessary to orient the building too much. He stated that the roof dictates the orientation of the building.

Jay agreed it was unnecessary to place that burden on homeowners but thought it could be thoughtfully used on larger developments noting that the City Market roof could have been utilized for a solar farm.

Nicholas pointed out that realistically Carbondale doesn't have the roof expanses that would lend themselves to such an endeavor. He reminded the commission members that Carbondale Center Place had wanted to utilize their rooftops for solar, but it wouldn't have

compensated for the energy use of the development. He pointed out that given the Town's emphasis on creating affordable/equitable housing, the added costs of all-electric housing contradict that intention.

Jess agreed that that is the conversation around electrification, because the cheapest installation is baseboard heat -- but that is the most expensive way to heat a building.

Jarrett pointed out that Aspen specified required typologies of mechanical equipment.

Jay noted that there appears to be some enforcement in the building code already and that solar ready roofs are already required, but maybe need to be clarified for commercial.

Nick suggested considering an offset requirement such as cash-in-lieu.

Kim pointed out that building owners can currently sign up for solar/wind energy with Excel.

Jess commented that she views this effort as political posturing when the requirements are already included in the building code. She suggested a better strategy would be to ensure commercial construction follows the same requirements as residential.

Jared pointed out that the Town will be adopting the 2021 IECC and IGCC this year.

Jarrett stated that there should be a definition and suggested referring to Crested Butte's.

Jared summed up that he sensed hesitation from the Commission to pursue a code text amendment for this topic since it is already stipulated in the building code.

Nicholas agreed and pointed out that the Town is still grappling with how to deal with the unprecedented growth and development of the last few years.

EV Parking

Jared stated that this topic does have a place in the UDC because it isn't outlined in the code.

Nicholas suggested wrapping this topic in with the larger discussion about parking. He requested that any research by staff include parking space ratios, so the comparisons are congruent.

Staff Update

Kelly reminded the commission members that the Public Hearing for the Blue Lake Preschool expansion is scheduled for the next meeting.

Jared added that the Senate Bill related to housing died on the floor, but a House Bill has moved forward. The House bill is related to building permit moratoriums. Given the Senate Bills failure, he envisioned a conversation on accessory dwelling units in the coming months.

Commissioner Comments

Jess noted the length of time it takes to obtain a building permit and wondered if the lead time would get better.

Jared explained that the Building Department is critically short-staffed, but interviews for a Building Official are ongoing.

Motion to Adjourn

A motion was made by Nicholas to adjourn, Jarrett seconded the motion, and the meeting was adjourned at 8:47 p.m.