



Minutes

Planning and Zoning Commission

December 14, 2023

Room 1, Town Hall and Virtually

Commissioners Present:

Jay Engstrom	Chair
Nicholas DiFrank	Vice-Chair
Jarrett Mork	Member
Nick Miscione	Member
Jess Robison	Alternate
Cindy Suplizio	Alternate

Commissioners Absent:

Jeff Davlyn	Member
Kim Magee	Member
Kade Gianinetti	Member

Town Staff Present:

Jared Barnes	Planning Director
Kae McDonald	Planning Technician

1. Call to Order

Jay Engstrom called the December 14, 2023, meeting of the Carbondale Planning and Zoning Commission to order at 7:02 p.m.

2. Roll Call

3. Consent Agenda

Motion to Approve the October 12, 2023, Planning and Zoning Commission meeting minutes.

Moved by: Jess Robison

Seconded by: Cindy Suplizio

Aye Nicholas DiFrank, Jay Engstrom, Nick Miscione, Jarrett Mork, Jess Robison, and Cindy Suplizio

Carried 6-0

4. Public Comment for Persons Not on the Agenda

There was no one present, not on the agenda, to address the Commission.

5. Action Items

5. Impervious Lot Coverage Code Text Amendment

1 Jared reminded the commission members that at the October 12th meeting three options were reviewed for code amendments to impervious lot coverage. He explained that the Commission ultimately felt that Option 2, which removes the permeable paver exemption, was the best path forward as it would require site access to be considered in development applications, especially for single-family dwellings. He noted one concern the commission members had was the potential negative impacts on Accessory Dwelling Units (ADUs) -- which may be limited by the parking requirements and its impact on impervious lot coverage -- and after some discussion they recommended that required parking spaces for ADUs be exempt from Lot Coverage calculations to assist with expanding opportunities for ADUs. Jared explained the proposed language as it related to Section 3.7.2 (Maximum Impervious Lot Coverage, Residential Districts), Section 3.8.5 (Impervious Lot Coverage) and Section 5.8.3 (Off-Street Parking):

- Section 3.7.2, Maximum Impervious Lot Coverage, Residential Districts, sets forth the maximum impervious lot coverage permitted as a percentage of the total lot area. A footnote is proposed to cross-reference Section 3.8.5 as it relates to required parking for ADUs.
- Section 3.8.5, Impervious Lot Coverage, defines which improvements on a lot are included in the calculation of impervious lot coverage. The proposed code language overall simplifies and clarifies how impervious lot coverage is calculated, as follows:
 - Subsections A and B are modified to specify that all buildings are to be measured from the outside wall and do not include roof overhangs. This clarification aligns with the definition of Building Lot Coverage Area.
 - Subsections C and D remain unchanged for the currently adopted regulations.
 - A new Subsection E is proposed to better define what types of decks and patios are considered impervious. This subsection does specify that covered decks and patios are considered impervious as well as any uncovered deck which has an impervious material below.
 - Subsection F (formerly Subsection E) is clarified to tie the Deck/Patio exemption to those areas described in Subsection E. The overall exemption remains at 10% and is not modified.

- The Pervious Paver exemption (former Subsection F) is removed from the proposed regulations. The result is that all driveways are considered impervious regardless of surface or materials.
- A new Subsection G is proposed which allows the parking spaces for ADUs as required to meet the code to exceed the impervious lot coverage maximum up to 600 square feet. The maximum square footage was determined by allowing for two 10' x 20' parking spaces (200 square feet each, or 400 square feet total) and an additional 200 square feet to ensure that those parking spaces are functional.
- Section 5.8.3, Off-Street Parking Requirements, sets forth parking standards based on use for Carbondale. The existing regulations require that ADU parking spaces be included in the lot coverage calculation. The proposed code language modifies the requirement to state that these parking areas may be exempt from lot coverage calculations pursuant to Section 3.8.5. This cross-reference, along with that in Section 3.7.2, alerts applicants and staff of the potential exemption of ADU parking spaces from the impervious lot coverage area. The result of this proposed regulation will simplify what areas are considered impervious and make the calculation easier for applicants and staff to understand. It will however have a limited impact on the total amount of developed areas a lot can contain, removing the permeable paver exemption, but allowing for ADU parking to be exempt. The proposed regulations will support the Town's goal of increasing opportunities for ADUs, by removing the ADU's parking impact on impervious lot coverage.

Jarrett commented that the proposed language reflected the Commissions conversation from the last meeting.

Jay asked for clarification on the extent of roof overhangs before it triggers the impervious consideration.

Jared replied that if the overhang is uniform throughout the design it doesn't trigger impervious consideration, but if there is an excessive overhang in response to a deck that would be considered impervious.

Jay asked if the text language provided sufficient clarity for a planning review.

Jared thought it could be beneficial to add a clarifying phrase such as "covered decks and patios where the roof overhang extends in response to the deck and patio, uncovered decks extending over an impervious surface and decks and patios which are solid."

Jarrett asked for clarification on what surface materials might be considered impervious for a patio, specifically as it relates to decomposed granite or crusher fines.

Nicholas replied that as a landscape architect, he defines a patio as a solid surface such as cement and a deck is a framed wood structure.

Jared added that regardless of surface material, if it is covered in response to the design element, it is considered impervious. He noted that historically, patios have been defined as any at grade surface treatment.

Jess pointed out that that material is considered impervious if it is applied to driveways or parking areas.

Nicholas asked why/when that decision was made.

Jared replied that Town Staff made the interpretation several years ago that all driveways and parking spaces regardless of surface are impervious unless a permeable paving system is installed; the intent is that over time the surfaces compact so much it loses permeability.

Jay stated that there is a flaw in the term of impervious lot coverage because it is less about imperviousness of materials – which would be hardscaping materials and roofs – but more about how the lot is covered between certain design elements and landscaping.

Nick thought that all pervious surfaces must be landscaped, and driveways can't be landscaped and that is the distinction.

Jared replied in the UDC there are definitions for both impervious lot coverage and pervious surface:

- Impervious Lot Coverage are the portions of a lot or parcel covered by buildings, parking areas, carports, driveways, accessory structures, covered porches, sidewalks, cantilevered portions of building, and other areas covered by water-impervious surfaces.
- Pervious Surfaces are the sum of areas of a lot or parcel that are landscaped with vegetative material and other areas not covered by buildings, parking areas, carports, driveways, accessory structures, sidewalks, or other areas covered by impervious surfaces.

Nicholas asked if the large swath on the north side of Carbondale Center Place is considered permeable.

Jared replied that the definition of pervious surface does include decorative rock, but it could be revisited when reviewing the landscape codes.

Nick asked if dry wells in lieu of pervious surface had been discussed.

Jay replied that that was a topic of conversation a few months ago, adding that the goal of the impervious lot coverage calculations is to target how much of a lot is being developed rather than a function of stormwater management.

Move to recommend to the Board of Trustees approval of Amendments to the Unified Development Code related to Impervious Lot Coverage and Sections 3.7.2, 3.8.5, and 5.8.2 as presented in Attachment B to the December 14, 2023, P & Z memorandum.

Moved by: Jess Robison

Seconded by: Nicholas DiFrank

Aye Nicholas DiFrank, Jay Engstrom, Nick Miscione, Jarrett Mork, Jess Robison, and Cindy Suplizio

Carried 6-0

5.2 **CLG Grant Letter of Support**

Jared explained that Carbondale's Historic Preservation Commission is submitting a grant application in January that will add a chapter to the existing Design Guidelines that focuses on the Old Town Residential zone district to help professionals and homeowners design compatible additions, remodels, or infill develop that supports the historic building stock. He noted that the HPC applied for the grant last year and one of the comments received was the need for demonstrated community support. He explained that the HPC is taking a three-pronged approach including requesting letters of support from the Board of Trustees, the

Planning and Zoning Commission and the community, and the letter included in the meeting packet is for the Planning and Zoning Commission's consideration.

Nicholas asked whether community engagement has taken place.

Jared reminded the commission members that during the comprehensive plan update, several survey questions were geared towards preserving small town character. He acknowledged that while the survey didn't specifically call out the OTR, it was inferred. He noted that the HPC has been working in tandem with community members and feels there is a net benefit to larger community. He added that the design guidelines are anticipated to be used in a similar fashion to the HCC, which is a required courtesy review for Structures of Merit and any buildings older than 50 years prior to a building permit being issued.

Jay clarified that the grant is asking for funding to provide a study and engage the community to figure out what the best approach is.

Jared replied that it is a little more targeted than that, noting that there will be community outreach and a component that will fine-tune the process.

Nick pointed out that the Town of Carbondale was in strong support for preserving buildings, and he agrees with that. He added that the HPC's purview is currently the Historic Commercial Core -- which is designed to serve the public -- and the courtesy reviews are only advisory.

Jared replied that part of the grant proposal would be to define that process for the OTR.

Nick countered that he didn't consider the OTR part of the public realm and that it doesn't serve the greater community. He added that in his opinion the guidelines should facilitate a shared experience.

Jared reiterated that the project is centered on developing the design guidelines and if the community is supportive a required nonbinding review would be considered. He asked the commission members not to pre-judge the outcome and noted that the BOT has already signed a letter of support. He added that the topic could be revisited at the January 11th meeting and staff are willing to provide additional background information.

Jay stated that his concerns have been addressed and noted that a big part of the proposed project will be to gauge how to implement the guidelines.

Jess stated that she thought the design guidelines would be used to prevent development from happening in the OTR.

Jared countered that the design guidelines have been in place in the HCC for some time and projects have proceeded both in alignment and completely out of alignment with that document, but there hasn't been an example of a project prevented from happening. He agreed that the guidelines might present a threat to Carbondale but sought to reassure the commission members by pointing out that the consultants that could be engaged have worked with the Town before. He agreed to add the topic to the January 11th meeting agenda.

5.3 2024 Planning and Zoning Commission Schedule

Kae presented the 2024 Planning and Zoning Commission meeting calendar for review.

After a brief discussion, the Commission approved the 2024 meeting calendar.

6. Staff Update

Jared noted that Room 1 has a new configuration because Room 2 will be utilized as a night shelter to house approximately 20 Venezuelan refugees.

Jared announced that the first meeting in February will likely be scheduled as a public hearing for the 111 Main Street annexation, adding that the resolution to entertain an annexation petition is likely to be heard at the Board of Trustees January 9th regular meeting.

Jared added that the MAP Carbondale project is moving along with a draft of final recommendations anticipated late in the first quarter of 2024. He asked the commission members to review the interactive map associated with the project on Carbondale Connect and add their feedback.

7. Commissioner Comments

Nicholas reported that they had great feedback at their kick-off event on December's First Friday. He noted that he has also met with the Parks & Recreation Staff and Commission and the Chacos family and will meet with Town leadership tomorrow. He added that the steering committee has been formed and the first meeting is scheduled for Monday, December 18th from three to five p.m. Nicholas related that a phone booth prop will be in place throughout the public outreach process with a new question posed each week; to date, amenities that are most preferred is a permanent stage, seating and chairs, and shade. He explained that the next phase will focus on visual preferencing and there are upcoming plans to lead a series of focus groups along with a large scale public meeting.

8. Adjournment

Jarrett moved to adjourn the December 14, 2023, meeting of the Carbondale Planning and Zoning Commission meeting at 8:45 p.m. The next regular meeting is scheduled for Thursday, January 11, 2024, at 7:00 p.m. in Room 1 at Town Hall.