



*Town of Carbondale
511 Colorado Avenue
Carbondale, CO 81623*

**AGENDA
PLANNING & ZONING COMMISSION
THURSDAY, April 13, 2023
7:00 P.M. Carbondale Town Hall & Via Zoom**

ATTENTION: All regular Carbondale Planning and Zoning Commission Meetings, will be conducted in person and virtually via Zoom. If you wish to attend the meeting virtually, and you have a comment concerning one or more of the Agenda items, please email kmcdonald@carbondaleco.net by 4:00 p.m. on April 13, 2023. If you would like to comment virtually during Persons Present Not on the Agenda please email kmcdonald@carbondaleco.net with your full name and email address by 4:00 p.m. on April 13, 2023

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/81727198309?pwd=dmkrazU4MIRtTE1uVnF5UUVISVE5QT09>

1. CALL TO ORDER
2. ROLL CALL
3. 7:00 p.m. – 7:05 p.m.
Minutes of the March 9, 2023 meetingAttachment A
4. 7:05 p.m. – 7:10 p.m.
Public Comment for Persons not on the agenda (See instructions above)
5. 7:10p.m. – 7:30 p.m.
Upcoming Boards and Commissions Structural ChangesAttachment B
6. 7:30p.m. – 7:50 p.m.
P&Z/BOT Check-in DiscussionAttachment C
7. 7:50 p.m. – 7:55 p.m.
Staff Update
8. 7:55 p.m. – 8:00 p.m.
Commissioner Comments
9. 8:00 p.m. – ADJOURN

Upcoming P & Z Meetings:

4-27-2023 – 55 N. 7th Street – Little Blue Preschool Expansion Combined Application: Administrative Site Plan Review, Subdivision Exemption, Special Use Permit and Rezoning

5-11-2023 – TBD

Please note all times are approximate

MINUTES
CARBONDALE PLANNING AND ZONING COMMISSION
Thursday March 9, 2023

Commissioners Present:

Jay Engstrom, Chair
Nicholas DiFrank
Jerrett Mork
Jeff Davlyn
Nick Miscione
Jess Robison (2nd Alternate)

Staff Present:

Jared Barnes, Planning Director
Kelley Amdur, Planner
Kae McDonald, Planning Technician

Commissioners Absent:

Kade Gianinetti (1st Alternate)

Guests:

Hilda Ramirez, 470 N. 8th Street
Araceli Basurto (Spanish Language Interpreter)

The meeting was called to order at 7:03 p.m. by Jay Engstrom.

February 23, 2023 Minutes:

Nick ***moved*** to approve the February 23, 2023, meeting minutes. Jess ***seconded the motion***, and it was ***approved***.

Yes: Jerrett, Jeff, Nick and Jess

No: none

Abstain: Jay and Nicholas

Public Comment – Persons Present Not on the Agenda

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

PUBLIC HEARING: Roaring Fork School District Meadowood Employee Housing Major Site Plan Review, Alternative Compliance, Minor Plat Amendment, and Rezoning

Applicant: Robert Schultz Consulting LLC (Bob Schultz); also present were representatives from RFSD (Jeff Gatlin, and Reilly O'Brien), Sopris Engineering (Kyle Sanderson), and jv DeSousa LLC (JV DeSousa and Aaron Ladner)

Location: Lots 2A and 2B, Northface Base Camp Subdivision (East of Meadowood Drive and High School Access Road Intersection)

Jay opened the public hearing on the Roaring Fork School District Meadowood Employee Housing Major Site Plan Review, Alternative Compliance, Minor Plat Amendment, and Rezoning.

Jared began by noting that this a combined application for a Major Site Plan Review, Minor Plat Amendment, Rezoning Application and Alternative Compliance request and the combined application requires a public hearing and recommendation by the Planning and Zoning Commission (P&Z) and a subsequent public hearing and action by the Board of Trustees.

Jared noted that the proposal includes three main components:

1. First, rezoning Lot 2A from Community Arts (CA) to Residential High Density (R/HD), while Lot 2B remains as Commercial Business Park (CBP).
2. Second, a minor plat amendment to modify the property boundary between Lot 2A and 2B.
3. Third, a major site plan review and accompanying alternative compliance request. The alternative compliance request is for three project components: a private outdoor space reduction, deviation from Street Landscaping requirements, and a parking reduction of 3 space.

Jared stated that this application was publicly noticed in the Sopris Sun on February 9, 2023 and the applicant completed a mailed notice and posting of the property on February 13, 2023.

Jared explained that the subject property (Lot 2A, The North Face Base Camp Subdivision) was part of a land exchange between the Roaring Fork School District ("RFSD"), Town of Carbondale ("Town") and Carbondale Council on Arts and Humanities ("Carbondale Arts"). He summarized the timeline of the land exchange:

- A 2006 IGA conveyed Lot 2A to RFSD, the Launchpad (76 S. 4th Street) to Carbondale Arts, and the 3rd Street Center to the Town.
- Another IGA was agreed to between RFSD and Town concerning the development of the school site on Lot 2B. Sections of note are: Section 13 which states that if RFSD becomes the owner of Lot 2A that it will be subject to the IGA; Section 5 which requires that any use other than school uses and school buildings, including housing, are subject to the Town's codes and regulations including zoning, subdivisions, and building codes; and, Section 10 which states that the Town's inclusionary housing ordinance shall not apply to the development of the property.

Jared noted that the property is designated as Public Facilities on the Future Land Use Map (FLUM); this designation aims to ensure continued institutional uses such as housing. He stated that the Comprehensive Plan identifies housing as a top goal for Carbondale, with guiding principles to prioritize housing affordability and diversity, while climate action was also included as a guiding principle. Jared stated that Staff did determine that the proposal does achieve the goals and policies of the 2022 Comprehensive Plan.

Jared summarized the three applications being reviewed:

The first is the rezoning application. He stated the purpose of the R/HD zone district is to provide high-density neighborhoods which include common open space and schools and other public facilities. Although, the district is intended to be closer to commercial centers and downtown, the proposed R/HD zoning is located close to schools, parks, and other R/HD zoned properties. Jared commented that the proposed zoning amendment has a

greater level of compatibility with the surrounding residential uses than the CA zone district. Furthermore, rezoning from an obsolete zone district, CA, to a standard zone district, R/HD, is encouraged by and supported by the UDC and Comp Plan. Jared stated that after reviewing the application and the General Rezoning criteria, Staff has determined that the proposal meets the review criteria for a rezoning from CA to R/HD.

Jared commented that Minor Plat Amendment is a Staff decision but will track with the application. He described the proposed lot line adjustment and two exchange parcels, ultimately highlighting that the practice fields adjacent to the project and High School will be solely on Lot 2B, while the proposed housing and part of the High School Access Road will be on Lot 2A. Jared discussed one rationale for the minor plat amendment which is to adjust the lot lines between to ensure that 2A only contains the improvements associated with the housing, while the uses associated with the High School (e.g., practice fields) remain on Lot 2B. He stated another reason for the lot line adjustment is to ensure that Lot 2A contains enough lot area to meet all the dimensional standards as required in the UDC. Jared commented that staff has determined that the application has met all the criteria for approval and the decision will track with the Board of Trustee action.

Jared overviewed the Major Site Plan and Alternative Compliance Request highlighting that the project overwhelmingly conforms to the requirements of the UDC as outlined in the Staff report. He discussed in more depth the few areas where the applicant is proposing Alternative Compliance requests. The first of which is streetscape landscaping where the UDC requires streetscape landscaping and street trees for the first five feet adjacent to Meadowood Dr. The application proposes a 7.5-foot-wide sidewalk attached to Meadowood Dr's curb and then a 25-foot wide landscape area to mimic the existing street tree condition along Meadowood. Jared stated that Staff believes the proposal meets the intent of the streetscape landscaping requirement and the continuation of the existing condition is preferred by Staff instead of realigning the sidewalk.

Jared discussed a potential need for relief from the required landscape strips and parking lot islands throughout the site. Jared discussed the row of 33 consecutive spaces along the northeastern property line which would be covered, possibly as a second phase of the project. He stated that Staff recommends that a condition of approval require compliance with the parking lot landscaping requirements and relocation of the required parking spaces if the covered parking is not completed within 3 years of the first certificate of occupancy (CO) being issued, possibly resulting in the loss of up to four parking spaces.

The second Alternate Compliance requests relief from the private outdoor space requirement. Jared discussed the eight studio units within Building C which do not meet the minimum 60 square foot size requirement. Jared stated that the applicant has prepared a study which demonstrates how compliance would be achieved: Building C would be shifted two feet to the southwest and would get four feet wider resulting in the common open space area for all units shrinking by 629.75 SF. Jared commented that there is merit to the request and acknowledged that the reduced common open space area is detrimental to the entire project. He stated the P&Z should consider the Alternative Compliance request and determine if the review criteria listed below are met.

Lastly, Jared discussed the third Alternate Compliance request for parking. He stated that a total of 93 spaces is required per code and the application is proposing 90 spaces or a

reduction of 3 spaces. Jared stated that Staff agrees that the project benefits from the increased size and integrity of the central common area and the large RFSD parking lot could be used for overflow parking if the need arises. Jared raised concerns about the reduction and worked with the applicant to prepare an alternative design if the P&Z is not supportive of the alternative compliance request. Jared stated this alternative design would install three spaces on the southside of the High School Access Dr. He highlighted that if the covered parking isn't built, this location would be the most logical for the required parking and the design could be expanded from three to seven parallel spaces.

Jared stated that staff recommends conditional approval of the project as listed in the staff report. He did state that additional findings were prepared and listed after the staff recommended motion if the P&Z were supportive of the private outdoor space and parking reduction alternative compliance requests.

Questions for Staff

Jarrett noted that the project seems to have more parking spaces than those prescribed by neighboring communities and wondered what the philosophy was behind those numbers.

Applicant Presentation

Bob introduced the project team, noting that they worked together on the RFSD Third Street employee housing project. He pointed out that they hope to have the housing available for the 2024/2025 school year, so timing is a critical component of this project.

Bob shared his screen and walked the commission members through his thought process regarding the project, pointing out that employee housing is a big consideration for a large employer. He added that Lot 2A is a good location for housing given the nearby Carbondale South and Villas de Sante Lucia north and west -- both are residential/high density developments. He noted that RFSD, the Fire District, and the Town of Carbondale worked together to fund improvements to the intersection of Meadowood Drive and Highway 133. Bob commented that after building the employee housing on Third Street RFSD anticipated employees would move out, but many have not been able to find ways into the free market.

Bob reiterated the project recommendations as previously outlined by Jared.

Bob explained that the area was originally a part of the Smith Ranch that was annexed into the Town of Carbondale and the original intent for the property was the community school and artist village as promoted by George Stranahan. He noted that North Face then purchased the property, and the original Community Business zoning was intended to support the proposed North Face campus. He explained that during that process Lot 2A was carved off and zoned Community Arts to build an art center, pointing out that both the CA and CB zone districts were expressly designed for these lots. He referred to the three-way property exchange detailed by Jared, adding that the North Face deal was a "use it or lose it," if the arts council didn't develop the property it would revert back to the owner, RFSD was preparing to demolish the old elementary school and the Town had a parcel at the corner of 2nd and Main with the end result being the acquisition of the Third Street Center. Bob noted that he wanted to highlight this information because if none of this had happened, the zoning designation of this parcel might very well be residential/high density. Bob stated that he believes the proposed use is consistent with

the Comprehensive Plan, it conforms to the majority of the UDC requirements, and he is unaware of any significant impacts prompted by the rezoning application.

Bob itemized the features that led to the proposed site plan:

- Fantastic view of Mt. Sopris.
- Building frontage along Meadowood promotes a greater comfort level for pedestrians.
- RFSD employees can utilize existing trails to schools and community amenities.
- It was important to Roaring Fork High School programming that the practice fields were protected.
- The gravel lot next door wasn't an attractive view shed.
- The Ella Ditch sometimes overflows.
- Carbondale South is three stories and Villa de St. Lucia is two.
- Met with the Fire Department and no concerns.
- Allow possible future plan for additional connectivity.

Bob itemized stated Code requirements:

- Variety of Units.
- Buildings front along streets.
- Although energy efficiency is fully codified, they are aware of its importance to the community.
- Bulk storage.
- Private outdoor space.
- Vary roof lines and façade details.
- Optimize views.

Bob explained that the site concept was then developed utilizing the strong corner at the intersection of Meadowood and the High School Access Road and recognizing that without a sidewalk in front of the Fire Department, pedestrians cross over to the south side of Meadowood Drive. He noted that the High School Access Road will absorb any overflow from the Ella Ditch. He explained that the covered parking is an amenity they would like to provide, but whether that portion of the project moves forward in this phase is dependent on building costs. He added that the project also considered the responses from over 400 respondents, noting that they originally thought more studios would be needed but responses impressed upon them the need for more two- and three-bedroom units.

Bob commended JV and Aaron for the building designs, noting that it is rare to see a three-bedroom layout in an affordable housing project where one bedroom is separated from the other two. He also pointed out the Building C has more units than either Buildings A or B and the common area provides that front yard space thereby making the density more livable. He pointed out that even though the studio balconies on the second and third floors are undersized at 46 sq ft, they still exceed the 5% requirement as stated in the UDC.

Bob iterated other features of the building design:

- The material palette is like the 3rd Street housing.

- The buildings will be all electric, the Town will provide water, RFSD/Town share an existing irrigation system, and CDOT concurred that the existing intersection access control permit is adequate.
- The landscape plan is designed for low-water needs, the central area serves as the detention area, and the playground exceeds code.
- Although technically the State is responsible for building inspections, as part of the land exchange, RFSD agreed to have the Town complete the inspections and they will coordinate that stipulation with the State. Bob pointed out that the State is currently building to the 2021 IECC, while Carbondale is on the 2015/2018, and the designs will adhere to the 2021 code. Allowance for solar panels is incorporated into the roof design.
- Bob explained that he met with the Public Works Director who suggested the landscape alternate compliance request to be consistent with the existing streetside landscaping along Meadowood.

Bob provided his perspective on the alternate compliance request for parking, pointing out that the adjacent high school student parking provides 150 parking spaces, and it is rarely full. He added that if the additional three spaces are required, they could be placed on the south side of the High School Access Road, but the goal is to protect the proposed size of the common areas. He also noted that if they are required to provide 60 sq ft patios for the studios, they would need to bump the buildings out by four feet and reduce the playground by 640 sq ft.

Jeff Gatlin commented that RFSD was fortunate that voters approved funding for staff housing, pointing out that housing was difficult then and it is even more so now with demand increasing tenfold for each unit.

Questions for Applicant

Nicholas applauded the applicant for a very thorough design and presentation.

Jarrett concurred, noting that he was pleased to see the bulk storage allowance. He asked if there was any anticipation for conflicts between rogue balls from the RFHS practice fields and the housing development.

Aaron replied that the fence design will be staggered so it will be a permeable barrier -- not only to reduce having to run around the fence to retrieve a ball, but also to encourage use by residents of the housing development.

Bob pointed out that the proposed fence would be subject to a Town fence permit and its installation will be dependent upon budget.

Nick asked if all the storm water would be stored on-site.

Bob answered in the affirmative.

Nicholas asked if the graded slope for the retention area would be too steep to be used socially.

Kyle replied that although the main purpose is for water retention, the grade wasn't extremely steep -- averaging 4 to 5 degrees -- so it could be used for various activities.

Jay asked if the retention pond was included in the pervious surface calculation.

Nicholas asked why a shade study wasn't included for Building A.

Aaron replied that Building A doesn't butt up against a property line, so a shade study wasn't required.

Nick asked if surrounding lots drained onto Lot 2A.

Bob replied that the concern for drainage focused primarily on overflow from the Ella Ditch.

Kyle confirmed that the site can absorb a 100-year flood event without damage to the buildings.

Jay asked if the flow pattern analysis accounted for the short duration/high volume events that Carbondale can experience.

Kyle acknowledged that Carbondale does experience short events with high volume precipitation, but the differences between a 10-year/1 hour and a 25-year/1 hour event aren't much and the excessive water volume can safely pass through the property and onto Meadowood Drive.

Jeff Davlyn asked if there was any additional information regarding the planned solar panels and if the covered parking could accommodate solar panels.

Bob replied that they made sure there was sufficient flat roof area not occupied by heat pumps to accommodate solar panels and they will need to ensure there is sufficient wall area for battery storage. He acknowledged that there won't be sufficient capacity to satisfy each building's energy needs and that the installation of panels would be dependent upon the final budget calculations.

Jay noted that the plat didn't have verbiage regarding the High School Access Road and asked if there will be a street agreement to allow the development access along that road.

Bob replied that the plat was for illustrative purposes only and once the development has its approvals, the easement language will be included and signed off on.

Public Comment

Hilda Ramirez, 470 N. 8th Street, was representing the interests of her son. She listed her concerns regarding parking and traffic:

- There is not enough parking in the neighboring high-density developments and there are a lot of cars that park along Meadowood Drive.
- The allotted parking spaces don't seem to be sufficient for the project and without adequate parking there will be heightened competition for parking along Meadowood Drive.
- The road to Aspen is congested and it can take 1 ½ hours to get there, the added housing will place a greater burden on the commuting public.
- While she isn't against the additional housing, she urged the Commission to consider those Carbondale community members that commute long hours to job sites.

Motion to close the public hearing

Nicholas made a motion to close the comment portion of the public hearing. Jarrett seconded the motion, and it was approved unanimously.

Commissioner Discussion

Nicholas acknowledged Hilda's comments regarding parking along Meadowood Drive and asked if the parking spaces would be assigned.

Bob replied that he hasn't been part of the discussion regarding parking assignment but noted that there isn't assigned parking at the Third Street Center. He reiterated that the high school student parking lot can be used as overflow parking.

Discussion ensued regarding parking along Meadowood Drive and the impact of the alternative compliance request for a reduction of required parking from 93 to 90 along with corresponding language in the Findings for Approval. Items discussed include:

- Lease requirement that overflow parking is limited to the high school student parking (Jared responded that enforcement would fall on the school district).
- There are a lot of existing conditions with Carbondale South and Villa de St. Lucia and there may not have been sufficient parking allotted when those developments were approved.
- Three parking spaces doesn't feel like a lot on balance.
- There will be a WeCycle station close by – will there be any additional public transit support (Bob responded that trail connectivity is good from the proposed development to schools, employees of the school district won't be driving past Basalt, the RFTA circulator costs \$500,000 per year and for 50 units the costs outweigh the benefits).
- Possibly reference the Town-owned gravel lot in Findings for Approval #4 (Jared responded that the UDC generally doesn't permit private development requirements to be satisfied with public parking lots and didn't recommend including that verbiage as part of the Findings for Approval).
- Meadowood Drive is a public right-of-way, and the use of those parking spaces are available to everyone.
- The project benefits supersede the resulting reduction of three parking spaces.
- Reduced parking requirement results in the benefit of a better common area that exceeds the subject standard.
- Locating RFSD employee housing close to local schools is a benefit.
- Concern that approving a reduction in parking requirements will set a precedent.

Based on Commission feedback, Jared added a new Condition #6:

"6. 3 years after the first Certificate of Occupancy being issued, the Planning and Zoning Commission and the Roaring Fork School District will address any parking complaints or impacts due to the reduction of 3 parking spaces. The Planning and Zoning Commission can require the Roaring Fork School District to construct three additional parking spaces along the High School Access Road in conformance with the alternative parking plan as submitted by the applicant."

And edited two of the Findings for Approval for the Alternative Compliance Request for Parking Reduction:

“3. ...benefits associated with the subject standard by increasing the size of the private common open space...

“4. ...the Roaring Fork School District can accommodate overflow parking on the adjacent school-owned surface lot and an alternative design for parking along the High School Access Road exists if issues arise.”

Motion

Motion Passed: Nicholas ***moved*** to recommend approval of the Rezoning Application, Major Site Plan, and Alternative Compliance request for the construction of 50 multi-family residential units on Lots 2A and 2B, North Face Base Camp Subdivision with the following conditions and findings.

Conditions

1. All representations of the Applicant in written submittals to the Town or in public hearings concerning this project shall also be binding as conditions of approval.
2. The Applicant shall pay and reimburse the town for all other applicable professional and Staff fees pursuant to the Carbondale Municipal Code.
3. Approval of the Major Site Plan Review is contingent upon Town approval of a Development Improvements Agreement which addresses construction of public improvements associated with the development prior to issuance of a building permit.
4. Approval of the Major Site Plan Review is contingent upon Town approval of the engineering plans.
5. If the covered parking is not completed within 3 years of the first Certificate of Occupancy being issued, then the site plan will be revised to bring the parking along the northeast property line into compliance with the parking lot landscaping and landscape island requirements. Any required parking spaces which are impacted will be relocated to another location on Lot 2A, North Face Base Camp Subdivision.
6. 3 years after the first Certificate of Occupancy being issued, the Planning and Zoning Commission and the Roaring Fork School District will address any parking complaints or impacts due to the reduction of 3 parking spaces. The Planning and Zoning Commission can require the Roaring Fork School District to construct three additional parking spaces along the High School Access Road in conformance with the alternative parking plan as submitted by the applicant.
7. The covered parking area has not been designed yet, but should be compatible with the main buildings by using similar design details and elements. A building permit will be required and architectural compatibility will be required.
8. A separate fence permit shall be required for all site fencing.

9. All lighting shall be in compliance with Section 5.10 of the UDC (Exterior Lighting). The lighting plan shall be subject to review and approval of Town Staff.

10. Fees in lieu of water rights may be required and due prior to recordation of a development improvements agreement.

11. The applicant shall enter into an agreement with the Carbondale & Rural Fire Protection District that addresses payment of impact fees prior to the issuance of any building permits for this project.

Findings for Approval, General Rezoning

1. The rezoning from Community Arts (CA) to Residential High Density (R/HD) is consistent with the prior agreements between RFSD and Town as outlined in the 2006 Land Swap and IGA;

2. The rezoning to R/HD will promote the public health, safety, and general welfare;

3. The rezoning from CA to R/HD removes a parcel from an obsolete zoning district and utilizes a standard zoning district which is consistent with the Comprehensive Plan and the purposes stated in the UDC;

4. The subject property's proximity to other R/HD zoned properties and RFSD school and supports the rezoning and is consistent with the stated purpose of the R/HD zoning district;

5. The rezoning to R/HD is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, stormwater management, wildlife, and vegetation, or such impacts will be substantially mitigated;

6. The rezoning to R/HD is not likely to result in material adverse impacts to other property adjacent to or in the vicinity of the subject property; and

7. Facilities and services (including roads and transportation, water, gas, electricity, police and fire protection, and sewage and waste disposal, as applicable) will be available and adequate to serve the subject property and proposed development.

Findings for Approval, Site Plan

1. The site plan meets the purposes of the Residential High Density (R/HD) zoning district;

2. The site plan is consistent with the 2022 Comprehensive Plan;

3. The site plan is consistent with the North Face Park Subdivision, the 2002 IGA Concerning Development of School Site between Town of Carbondale and RFSD (Reception #609155), and the 2006 IGA Regarding Land Exchange (Reception #694548);

4. The site plan complies with all applicable development and design standards set forth in this Code; and,

5. Traffic generated by the proposed development will be adequately served by existing streets within Carbondale.

Findings for Approval, Alternative Compliance – Streetscape Landscaping

1. The proposed streetscape landscaping design achieves the intent of the subject standard to a better degree than the subject standard by increasing the amount of landscaped area between the street and the adjacent buildings;

2. The proposed streetscape landscaping design advances the goals and policies of the Comprehensive Plan and the UDC to a better degree than the subject standard by providing continuity and consistency along the eastern side of Meadow Wood Dr while improving the overall pedestrian experience;

3. The proposed streetscape landscaping design results in benefits to the community that exceed benefits associated with the subject standard by increasing the amount of landscaped area between the roadway and buildings and creating a consistent and continuous pedestrian experience along Meadowood Dr; and

4. The proposed streetscape landscaping design imposes no greater impacts on adjacent properties than would occur through compliance with the specific requirements of this ordinance.

Findings for Approval, Alternative Compliance – Private Outdoor Space

1. The reduced private outdoor space for the 8 studio units in Building C achieves the intent of the subject standard to a better degree than the subject standard by increasing the common private outdoor space for the entire development;

2. The reduced private outdoor space for the 8 studio units in Building C advances the goals and policies of the Comprehensive Plan and the UDC to a better degree than the subject standard by creating a larger and more functional private common open space and reducing the size of Building C;

3. The reduced private outdoor space for the 8 studio units in Building C results in benefits to the community that exceed benefits associated with the subject standard by reducing the overall mass of Building C; and

4. The reduced private outdoor space for the 8 studio units in Building C imposes no greater impacts on adjacent properties than would occur through compliance with the specific requirements of this ordinance.

Findings for Approval, Alternative Compliance – Parking Reduction

1. The reduced parking requirement achieves the intent of the subject standard to a better degree than the subject standard by mitigating the parking need through proximity of RFSD housing to employment areas and providing overflow parking

as needed within close proximity;

2. The reduced parking requirement advances the goals and policies of the Comprehensive Plan and this Code to a better degree than the subject standard by prioritizing proximity between housing and workplace for RFSD employees, providing alternative transportation opportunities, and providing overflow parking as needed within close proximity;

3. The reduced parking requirement results in benefits to the community that exceed benefits associated with the subject standard by increasing the size of the private common open space, locating RFSD housing close to RFSD employment and increasing access to alternative transportation opportunities; and

4. The reduced parking requirement imposes no greater impacts on adjacent properties than would occur through compliance with the specific requirements of this ordinance as the RFSD can accommodate overflow parking on the adjacent school owned surface lot and an alternative design for parking along the High School Access Road exists if issues arise.

Nick ***seconded the motion***, and it was ***unanimously approved***.

Yes: Jay, Nicholas, Jerrett, Nick, Jeff, Jess

No: none

Staff Update

Jared informed the Commission that the Multi-Modal Mobility and Access Plan Request for Proposals -- which is being guided by the Bike, Pedestrian and Trails Commission -- has been reviewed by the Board of Trustees and will be advertised in the next few weeks.

Jared announced that the updated Comprehensive Plan has been printed in both English and Spanish and to let him know if Commission members would like a hard copy.

He noted that the Town of Carbondale has hired a planner – Kelley Amdur – and he asked her to introduce herself.

Kelly introduced herself and explained that she has lived in Carbondale for about 10 years. She noted that she was an Urban Planner for 20 years prior to that, spending much of that time working for the City and County of San Francisco. She noted that although San Francisco is considered a large city, it is really a lot of connected small towns and neighborhoods. She pointed out that although she and her family have only lived here for ten years, she has been visiting family that live in the valley for more than 30.

Nicholas asked Jared what projects might be coming out of the Comprehensive Plan.

Jared noted that based on two previous work sessions with the Commission and Board of Trustees priorities, four items are being considered:

- Accessory Dwelling Units and associated regulations
- Revisions to Historic Commercial Core zone district code requirements
- Other housing initiatives (tiny homes, short-term rentals, etc.)
- Downtown North

Jared reported that the Historic Preservation Commission is also considering an update to the historic design guidelines, and he will update the Commission as needed.

He cautioned that code amendments can spiral so he wants to limit what is undertaken.

Jay asked for clarification if parking would be considered as one of the HCC code revisions.

Commissioner Comments

Nicholas commended the Commission for the good discussion and quick closure for tonight's applicants.

Motion to Adjourn

A motion was made by Nicholas to adjourn, Jess seconded the motion, and the meeting was adjourned at 9:27 p.m.



TOWN OF CARBONDALE
511 COLORADO AVENUE
CARBONDALE, CO 81623

Board of Trustees Agenda Memorandum

Meeting Date: March 21, 2023

TITLE: Coordination and Uniformity of Boards and Commissions

SUBMITTING: Town Manager

ATTACHMENTS: Board and Commission Data Comparison spreadsheet; relevant excerpts from Municode and UDC

BACKGROUND: Over the past several months, there have been several instances of confusion by boards and commissions regarding appointment methods to fill vacancies. In researching these items, it was found that there are varying standards for appointments, differing numbers of members and terms of office, different renewal dates, numbers or allowable out of town members, etc. from one board to another. I have been asked by the Mayor and the Board to research the differences and make some suggestions for better uniformity as well as opportunities for recruiting and training new board members.

DISCUSSION: There does not appear to be specific rationale for determining the various details of the make-up, term length or renewal dates for filling vacancies on Carbondale's Boards and commissions. When vacancies arise, there is minimal response from the public, and there is no consistent way to keep track of expiring terms since they expire at different times of year depending on the particular Board. Some of the incorporating documents speak to meeting frequency and meeting procedures while others do not. Some require periodic reporting to the Board of Trustees and some do not.

Additionally, since new members are added throughout the year either by expiring terms or resignations, there is no uniform or regularly scheduled training regimen to orient new members to the structure and requirements of public meetings or the responsibilities and relationships of the commission members to the public, Town staff or the Board of Trustees. It would serve Carbondale well to coordinate the rules surrounding the Boards and Commissions to make them uniform where appropriate and to make the regular term expiration and appointment dates happen at the same time each year to allow for better recruitment, training and orientation of new members. It has been suggested that May or June would be a good time of year so that new commission members may familiarize themselves with commission business prior to the beginning of budget season and recruitment would not need to occur during the summer vacation months when many people are away. A Board and Commission open house could occur each spring to better inform the public about the various commissions and the work that they do, how to volunteer, and the obligations inherent in being a commission member. This memo is intended to begin a discussion of possibilities with the Board so that staff can coordinate with the various commissions and bring a specific proposal to the trustees during the month of April.

RECOMMENDATION: That the Board of Trustees have a frank discussion and provide guidance to staff for better coordination of commission recruitment, appointment, membership requirements and orientation for new members.

Prepared By: Lauren Gister, Town Manager

[illegible]

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ARTICLE 7 - Parks and Recreation Commission

Sec. 2-7-10. - Establishment; membership.

There is hereby created a Parks and Recreation Commission for the Town, consisting of seven voting members, and two alternate member with voting rights only in the absence of a regular member. Three members of the commission, whether voting members or alternate members, may be residents of the area served by the Recreation Department, but need not reside within the Town limits. One of the alternate members shall be a Youth Commissioner, under 18 years of age at the time of appointment, who shall serve a term of one year. The Parks and Recreation Director shall be an ex officio, nonvoting member of the Parks and Recreation Commission.

(Ord. No. 16, 1977 §1; Ord. No. 6, 1992; prior code 2.31.010; Ord. No. 8, 2015 §1, 8-11-2015; Ord. No. 8, 2021, §2, 10-26-2021)

Sec. 2-7-20. - Powers and duties.

The Parks and Recreation Commission shall have the power and duty to:

- (1) Act in an advisory capacity to the Board of Trustees in all matters pertaining to parks and recreation.
- (2) Review the preliminary budget prepared by the Recreation Director and provide input as needed before submission to the Town Manager and Board of Trustees.
- (3) Assist in the planning of a recreation program for the inhabitants of the Town and surrounding area, promote and stimulate public interest therein and, to that end, solicit to the fullest extent possible the cooperation of the school authorities and other public and private agencies interested therein.
- (4) Advise the Board of Trustees with respect to the acceptance of money, personal property or real estate donated or offered to the Town for recreational or park purposes.
- (5) Create and recommend to the Board of Trustees for approval a parks and recreation master plan and review such plan annually prior to the budget process, for the purposes of updating the contents.
- (6) Review all proposed subdivision plats for conformance with the parks and recreation plan and make suggestions and recommendations to the Board of Trustees with respect to the conformance to the Town's standards of proposed park and open space improvements contained in such plats.
- (7) Offer recommendations to the Town Manager for selection of the Recreation Director.
- (8)

Perform such other duties not inconsistent with this Article as may be requested by the Board of Trustees, Town Manager or other Town departments or agencies.

(Ord. No. 16, 1977 §2; Ord. No. 6, 1992; prior code 2.31.020; Ord. No. 8, 2015 §1, 8-11-2015)

Sec. 2-7-30. - Appointment; terms.

- (a) Appointments to the Parks and Recreation Commission shall be made by the Board of Trustees. Persons interested in serving on the Parks and Recreation Commission shall complete an application expressing their interest in serving on the Parks and Recreation Commission and responding to representative questions as approved by the Parks and Recreation Commission.
- (b) Members of the Parks and Recreation Commission shall be appointed as outlined in this Section. Nothing shall preclude a member from serving succeeding terms if so appointed.
- (c) Upon receipt of the application, Town staff will schedule with the Parks and Recreation Commission an interview of prospective candidates at a special meeting. The interview committee shall consist of a Board of Trustees liaison and the full Parks and Recreation Commission. Upon completion of the interview, the Board of Trustees shall then make the appointment.
- (d) In the event a regular member of the Parks and Recreation Commission resigns his or her position, the alternate, if interested in filling that position, will be required to submit an application, respond to the aforementioned questions and participate in the interview process.
- (e) The terms of the regular members including the other alternate member, shall be for a period of three years. The term of the Youth Commissioner shall be for one year.
- (f) If and when there is a vacancy on the Parks and Recreation Commission due to a resignation or other reason, the Chair, acting Chair or Recreation Director shall be responsible for notifying the Town Manager within two weeks of the vacancy.
- (g) The Parks and Recreation Commission shall formulate an appropriate application form for prospective members. The terms of office of the Parks and Recreation Commission members shall begin and end on August 31.

(Ord. No. 16, 1977 §3; Ord. No. 6, 1992; Ord. No. 7, 1994; Ord. No. 26, 2004; Ord. No. 27, 2004; prior code 2.31.030; Ord. No. 8, 2015 §1, 8-11-2015; Ord. No. 8, 2021, §2, 10-26-2021)

Sec. 2-7-40. - Meetings, officers.

- (a) As soon as practicable following the first day of September every year, the Parks and Recreation Commission shall organize by electing three of its members to serve as Chair, Vice Chair and Secretary, respectively, to serve at the pleasure of the Parks and Recreation Commission.
- (b)

The Parks and Recreation Commission shall hold such regular and special meetings as may be required. All proceedings shall be open to the public. The affirmative vote of a majority of the entire membership of the Parks and Recreation Commission shall be necessary for it to take any action except to adjourn. The Parks and Recreation Commission may prescribe regulations for the conduct of its internal affairs, which shall be consistent with this Article and other provisions of this Code. Copies of such regulations shall be kept on file in the office of the Town Clerk, where they shall be available for public inspection.

(Ord. No. 16, 1977 §4; Ord. No. 7, 2000; prior code 2.31.040; Ord. No. 8, 2015 §1, 8-11-2015; Ord. No. 8, 2021, §2, 10-26-2021)

Sec. 2-7-50. - Compensation.

The members of the Parks and Recreation Commission shall serve without compensation for their services as such, but may receive reimbursement for necessary travel and other expenses incurred on official duty when such expenditures have received prior authorization within the municipal budget.

(Ord. No. 16, 1977 §5; prior code 2.31.050; Ord. No. 8, 2015 §1, 8-11-2015)

Sec. 2-7-60. - Vacancies.

- (a) Any vacancies in the Parks and Recreation Commission, from whatever cause, shall be filled as required by Section 2-7-30 of this Article.
- (b) The office of Parks and Recreation Commission members shall become vacant, and shall be so declared by the Board of Trustees, under the following conditions:
 - (1) If a member is absent from three consecutive regular meetings of the Parks and Recreation Commission without first having notified the Parks and Recreation Commission or Recreation Director, the notification to be expressed in the minutes of the Parks and Recreation Commission's meetings.
 - (2) If a member is convicted of a crime involving moral turpitude.
- (c) The Board of Trustees may remove any member of the Parks and Recreation Commission for cause. The Board of Trustees shall consider removal of any member of the Parks and Recreation Commission for cause upon recommendation by a majority vote of the Parks and Recreation Commission.

(Ord. No. 16, 1977 §5; Ord. No. 6, 1992; Ord. No. 26, 2004; prior code 2.31.060; Ord. No. 8, 2015 §1, 8-11-2015)

Sec. 2-7-70. - Ex officio members.

The Mayor, with the consent of the Board of Trustees, may from time to time appoint ex officio members to the Parks and Recreation Commission. Such members shall serve at the pleasure of the Mayor and the Board of Trustees. Ex officio members shall not be entitled to vote on any matter brought before the Parks and Recreation Commission.

(Ord. No. 16, 1977 §6; prior code 2.31.070; Ord. No. 8, 2015 §1, 8-11-2015)

ARTICLE 9 - Tree Board

Sec. 2-9-10. - Creation.

There is hereby established a Tree Board, consisting of seven members and one alternate member. The Tree Board shall serve in an advisory capacity to the Board of Trustees in all matters relating to trees within the Town.

(Ord. No. 5, 2002; prior code 7.10.050; Ord. No. 8, 2015 §1, 8-11-2015)

Sec. 2-9-20. - Appointment; term.

(a) Members of the Tree Board shall be appointed by the Board of Trustees.

(b) The term of each member of the Tree Board shall be for two years, except that the term of two of the members appointed to the first Tree Board shall be for one year.

(Ord. No. 5, 2002; prior code 7.10.050; Ord. No. 8, 2015 §1, 8-11-2015)

Sec. 2-9-30. - Compensation.

Members of the Tree Board shall serve without compensation.

(Ord. No. 5, 2002; prior code 7.10.050; Ord. No. 8, 2015 §1, 8-11-2015)

Sec. 2-9-40. - Vacancies.

In the event that a vacancy occurs during the term of any member, his or her successor shall be appointed by the Board of Trustees for the unexpired portion of the term.

(Ord. No. 5, 2002; prior code 7.10.050; Ord. No. 8, 2015 §1, 8-11-2015)

CHAPTER 16 - Historic Preservation

ARTICLE 1 - General Provisions

Sec. 16-2-10. - Establishment.

The Carbondale Historic Preservation Commission (CHPC) is hereby established in and for the Town by the Board of Trustees.

(Ord. No. 3, 2007; prior code 19.50.010; Ord. No. 8, 2015 §1, 8-11-2015)

Sec. 16-2-20. - Composition.

The CHPC shall consist of seven members and up to three alternates. At least 40 percent of the CHPC members shall be professionals in preservation-related disciplines, such as architecture, landscape architecture, architectural history, archaeology, history, planning, American studies, American civilization, cultural geography or cultural anthropology. This requirement may be waived if there has been a good faith effort to recruit professionals and the composition of the CHPC is capable of carrying out CHPC responsibilities. All CHPC members must have a demonstrated interest, competence or knowledge in historic preservation. All CHPC members shall also be residents of the Town or own property within the Historic Commercial Core area; provided, however, that:

- (1) The Board of Trustees shall have discretion to appoint up to two nonresidents who do not own property within the Historic Commercial Core area, should it deem appropriate to do so;
- (2) If possible, two Planning and Zoning Commission members shall be given priority for appointment as regular voting members; and
- (3) If possible, one member shall be a representative of the Mount Sopris Historical Society.

Information on the credentials of the CHPC members shall be kept on file and available to the public.

(Ord. No. 13-2007 §1; prior code 19.50.020; Ord. No. 8, 2015 §1, 8-11-2015)

Sec. 16-2-30. - Appointment and compensation.

The regular members of the CHPC shall be appointed by the Mayor, with the advice and consent of the Board of Trustees, as volunteers with no compensation. ;hn0; (Ord. No. 3, 2007; prior code 19.50.030; Ord. No. 8, 2015 §1, 8-11-2015)

Sec. 16-2-40. - Terms of office.

The regular members of the CHPC shall be appointed each August and shall serve staggered terms, with three members serving three-year terms, two members serving two-year terms and two members serving a one-year term. Thereafter, all appointments to the CHPC shall be for three-year terms. In his or her

Rehabilitation means the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural and cultural values.

Relocation means any relocation of a structure on its site or to another site.

Repair means any change that does not require a building permit, that is not construction, relocation or alteration.

Secretary of the Interior's Standards means standards of appropriate activity promulgated by the U.S. Secretary of the Interior that will preserve the historic and architectural character of a structure or area, as more fully set forth in Section 16-1-30 below.

Structure means anything constructed or erected, the use of which requires permanent or temporary location on or in the ground, including, but not without limiting the generality of the foregoing, buildings, fences, gazebos and radio and television antennae, including supporting towers.

(Ord. No. 3, 2007; prior code 19.10.005—19.10.160; Ord. No. 8, 2015 §1, 8-11-2015)

Sec. 16-1-30. - Secretary of the Interior's Standards.

- (a) *Standards and guidelines.* Except as otherwise provided in this Chapter, the Standards for Rehabilitation and Guidelines of Rehabilitating Historic Buildings, a section of the Secretary of the Interior Standards for Historic Preservation, revised in 1990 as part of Department of the Interior Regulations (36 C.F.R. Part 67, Historic Preservation Certifications), as amended from time to time, shall be hereby adopted by the Town as it relates to the rehabilitation of historic buildings, excepting any standards relating to aesthetic color schemes. In addition, the Historic Preservation Design Guidelines shall be adopted in conjunction with the Secretary of the Interior's Standards for Historic Preservation. Copies shall be provided to any citizen upon request.
- (b) *Rehabilitation.* The standards for rehabilitation, a section of the Secretary's Standards for Historic Preservation and the Historic Preservation Design Guidelines, address rehabilitation.
- (c) *Materials and construction types and sizes.* The Secretary's Standards for Rehabilitation and the Historic Preservation Design Guidelines pertain to historic buildings of all materials, construction types, sizes and occupancy and encompass the exterior and the interior (as it affects the exterior) of historic buildings. The standards also encompass related landscape features and the building's site and environment, as well as attached, adjacent or related new construction. The Secretary's Standards and Historic Preservation Design Guidelines shall be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

(Ord. No. 3, 2007; Ord. No. 16, 2012 §1; prior code 19.45.010—19.45.030; Ord. No. 8, 2015 §1, 8-11-2015)

ARTICLE 2 - Carbondale Historic Preservation Commission

discretion, the Mayor may also appoint up to three alternate members of the CHPC for up to three-year terms.

(Ord. No. 3, 2007; prior code 19.50.040; Ord. No. 8, 2015 §1, 8-11-2015)

Sec. 16-2-50. - Vacancies.

Vacancies on the CHPC shall be filled for the unexpired term in the same manner as originally appointed.

(Ord. No. 3, 2007; prior code 19.50.050; Ord. No. 8, 2015 §1, 8-11-2015)

Sec. 16-2-60. - Officers.

At the first regular meeting after the seating of the new CHPC, the members shall elect from the CHPC members a Chair and Vice Chair, who shall each serve until August of the following year. Thereafter, the CHPC shall annually elect a Chair and Vice Chair, who shall hold office until August of the following year. The CHPC shall have the authority to elect such other officers as it may deem necessary.

(Ord. No. 3, 2007; prior code 19.50.060; Ord. No. 8, 2015 §1, 8-11-2015)

Sec. 16-2-70. - Duties of officers.

It shall be the duty of the Chair to preside over all meetings of the CHPC. In the absence of the Chair, the Vice Chair shall preside.

(Ord. No. 3, 2007; prior code 19.50.070; Ord. No. 8, 2015 §1, 8-11-2015)

Sec. 16-2-80. - Rules and procedures.

The CHPC may adopt a set of rules to govern its own meetings and procedures. The rules may be amended from time to time, but only upon notice to all CHPC members and the Board of Trustees.

(Ord. No. 3, 2007; prior code 19.50.080; Ord. No. 8, 2015 §1, 8-11-2015)

Sec. 16-2-90. - Meetings.

- (a) *Regular meetings.* The CHPC shall meet in regular open session a minimum of six times a year at a time and place selected by the vote of its members. The time and place of said meetings shall be posted in accordance with the Colorado Open Meetings Law. Additional meetings may be called as needed.
- (b) *Special meetings.* Special meetings may be held at any time upon a call by the Chair of the CHPC, subject to compliance with posting in accordance with open meeting laws. Written notice of special meetings shall be given to all members.

- (c) *Quorum*. A quorum of four members shall be required for any action to be taken by the CHPC. A majority vote of those members present shall be necessary for a motion to be approved or denied.
- (d) *Absence of members*. Absence from three unexcused meetings in a calendar year without the formal consent of the CHPC may be deemed to constitute the retirement of a member, and the vacancy thus created shall be filled thereafter by the Board of Trustees by the appointment of a successor to fill the unexpired term of office in the same manner as first appointed.

(Ord. No. 3, 2007; prior code 19.50.090; Ord. No. 8, 2015 §1, 8-11-2015)

Sec. 16-2-100. - Powers and duties.

The CHPC shall have the following powers and duties:

- (1) Adopt criteria for review of historic resources and for review of proposals to alter, demolish or move designated resources.
- (2) Review resources nominated for designation as a historic landmark and recommend that the Board of Trustees designate by ordinance those resources qualifying for such designation.
- (3) Review and make decisions on any application for alteration to a designated historic landmark.
- (4) Review and make decisions on any application for moving or demolishing a historic landmark.
- (5) Provide a courtesy review of new structures, alterations or relocations in the Historic Downtown Area.
- (6) Review alteration, demolition or relocation requests for buildings that are at least 50 years old.
- (7) Advise and assist owners of historic properties on physical and financial aspects of preservation, renovation, rehabilitation and reuse, including nomination to the National Register of Historic Places.
- (8) Develop and assist in public education programs, including but not limited to walking tours, brochures, a marker program for historic properties, lectures and conferences.
- (9) Conduct surveys of historic areas for the purpose of defining those areas of historic significance and prioritizing the importance of identified historic areas.
- (10) Advise the Board of Trustees on matters related to preserving the historic character of the Town.
- (11) Actively pursue financial assistance for preservation-related programs.
- (12) Determine whether an economic hardship exists in order to allow an exemption from the certificate requirements.
- (13)

RESOLUTION NO. 7
SERIES OF 1998

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF
CARBONDALE, COLORADO, ESTABLISHING THE CARBONDALE
ENVIRONMENTAL BOARD

WHEREAS, the Board of Trustees of the Town of Carbondale, Colorado has determined that it is appropriate to formally establish the Carbondale Environmental Board and set forth its duties, which shall include consideration of environmental issues and making recommendations with respect to such issues to the Board of Trustees; and

WHEREAS, said environmental issues may include environmental pollution, solar orientation, water quality, air quality, use of pesticides and herbicides, transportation, water conservation, and recycling and solid waste; and

WHEREAS, the Board of Trustees desires by resolution to set forth the duties of the Carbondale Environmental Board, appointment of members, and other matters as set forth more fully below;

BE IT THEREFORE RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF CARBONDALE, COLORADO, that:

1. There is hereby created the Carbondale Environmental Board (Environmental Board). The Environmental Board shall provide analysis and recommendation to the Town Board of Trustees regarding environmental issues including those described above. Such analysis and recommendation may include recommendations to the Board of Trustees in order to accomplish a coordinated development and handling of issues within the Town and its environment which will, in accordance with present and future needs, best promote health, safety, order, convenience, prosperity, and general welfare of the Town and its citizens.

2. The Environmental Board shall consist of up to twelve members with a minimum of seven full members and two alternate members who shall be appointed by the Board of Trustees. Three of the members, whether alternates or voting members, may live outside of the town limits. The alternate members shall act in the absence of any regular member at the request of the chairman.

3. The term of office of members of the Environmental Board shall be two years, provided that three of the members and one alternate initially appointed to the Environmental Board shall serve terms of office of one year so that terms of office are staggered. Vacancies occurring at any time shall be filled by appointment by the Board of Trustees. Any member of the Environmental Board may be removed by a majority vote of the Board of

Trustees for any reason, including inefficiency, neglect of duty, or non-attendance at meetings.

4. The Environmental Board shall elect from its membership a chairman who shall be responsible for chairing all meetings and a vice-chairman who shall act in the chairman's absence.

5. The initial members serving two year terms are:

- a. Scott Chaplin.
- b. Laurie Stone.
- c. Betsey Kipp.
- d. Auden Schendler.
- e. Joyce Wright.

6. The initial members serving one year terms are :

- a. Doc Philip.
- b. Annie Runyan-Worley.

7. The alternate with a two year term is: Debby Van Cott.

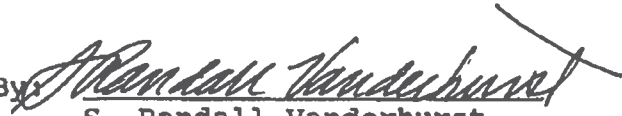
8. The alternate with a one year term is: Jeff Dickinson.

9. The Environmental Board shall set meetings at such time and with such frequency as the Environmental Board determines is necessary or appropriate. It shall keep records of its findings and actions, which shall be filed as soon as practicable at the Carbondale Town Hall and which shall be open to public inspection. All meetings and procedures shall be conducted and governed by Roberts' Rules of Order. Special meetings may be called by the chairman upon forty-eight (48) hours prior notice to the board members.

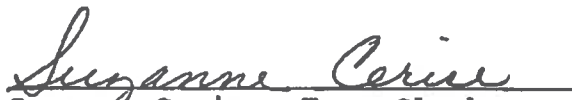
INTRODUCED, READ, AND PASSED this 27th day of January, 1998.

TOWN OF CARBONDALE

By:


S. Randall Vanderhurst
Mayor

ATTEST:


Suzanne Cerise, Town Clerk

**RESOLUTION NO. 21
SERIES OF 2012**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN
OF CARBONDALE, COLORADO, ESTABLISHING THE
CARBONDALE PUBLIC ART COMMISSION FOR THE
PROMOTION OF ART IN PUBLIC PLACES PROVIDING FOR
ITS COMPOSITION, AND SETTING FORTH ITS POWERS
AND DUTIES**

WHEREAS, the Board of Trustees has determined that it is appropriate to establish a Carbondale Public Art Commission as an advisory board to make recommendations and perform other tasks on behalf of the Board of Trustees; and,

WHEREAS, the Board of Trustees has determined that the composition of the Carbondale Public Arts Commission shall consist of fifteen (15) members, with no more than five (5) members from outside the limits of the Town of Carbondale;

BE IT THEREFORE RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF CARBONDALE, COLORADO, as follows:

1. Establishment: The Carbondale Public Art Commission is hereby established in and for the Town of Carbondale by the Town of Carbondale Board of Trustees.
2. Composition: The Carbondale Public Art Commission shall consist of fifteen (15) members. The composition of the Commission shall be citizens at large, with not more than five (5) members from outside the Town limits of the Town of Carbondale.
3. Appointment: The members of the Commission shall be appointed by the Board of Trustees.
4. Terms of Office: The members of the Commission shall be re-appointed each January and shall serve staggered terms with four 4 members serving three (3) year terms, four 4 members serving two (2) year terms, and one (1) member serving a one (1) year term. Thereafter, all appointments to said council shall be for three (3) year terms.
5. Vacancies: Vacancies on the Commission shall be filled for the unexpired term as provided in Section 3 above. The Commission shall recommend to the Board of Trustees persons to be appointed to fill membership vacancies.
6. Officers and Terms of Office: Within fourteen (14) days after appointment of members, the members of the Commission shall meet in regular session and elect from their members a Chairman, Vice-Chairman and Secretary. The first Chairman, Vice-Chairman and Secretary shall serve until December 31st. Thereafter, the

Commission shall elect a Chairman, Vice-Chairman and Secretary who shall hold office until December of the following year. The Commission shall have the authority to elect such other offices as it may deem necessary.

7. Duties of Officers:

a. Chairman – It shall be the duty of Chairman to preside over all meetings of the Commission. In the absence of the Chairman, the Vice-Chairman shall preside.

b. Secretary – It shall be the duty of the Secretary to keep a record of all proceedings of the Commission.

8. Rules and Procedures: The Commission shall adopt a set of rules to govern its own meetings and procedures. The rules may be amended from time to time, but only upon notice to all Carbondale Public Art Commission members and the Board of Trustees.

9. Meetings:

a. Regular Meetings – The Commission shall meet in regular open session at least once a month at a time and place selected by vote of its members. The time and place of said meetings shall be posted in accordance with the Colorado Open Meetings Law.

b. Special Meetings – Special meetings may be held at any time upon a call by the Chairman of the Commission, subject to compliance with posting in accordance with open meeting laws. Written notice of special meetings shall be given to all members.

10. Members Absent. Absence from three (3) consecutive regular meetings or a total of six (6) meetings in a calendar year without the formal consent of the Commission shall be deemed to constitute a retirement of a member and the vacancy thus created shall be filled thereafter by the Commission by the appointment of a successor to fill the unexpired term of office in the same manner as first appointed.

11. Powers and Duties. The Carbondale Public Art Commission shall have the following powers and duties:

a. To evaluate sites within the Town of Carbondale appropriate for public art.

b. To promote local artist's work.

c. To recommend to the Board of Trustees the purchase or other acquisition of works of art that are suitable for public display.

d. To pursue all means of funding to purchase, promote & commission works of art.

e. To work in cooperation with other public agencies and private individuals to promote art awareness.

12. Advisory Capacity. The Commission shall appoint an Art Selection Committee. The Art Selection Committee shall be selected by the Commission and shall consist of five (5) members, two (2) from the Commission, and three (3) at-large members. The powers and duties of the Art Selection Committee shall be to recommend potential art pieces from all mediums for acquisition by the Town, and provide to the Board of Trustees those recommendations. The Committee shall serve at the pleasure of the Commission and may be in place on a per project basis or for more than one project as may be necessary.

13. Annual Report. The Carbondale Public Art Commission shall render a quarterly report of its work to the Board of Trustees and shall annually submit a proposed budget for the next calendar year.

INTRODUCED, READ AND PASSED this 13th day of November, 2012.

TOWN OF CARBONDALE

By: _____
Stacey Bernot, Mayor

ATTEST:

Catherine Derby, Town Clerk

**RESOLUTION NO. 13
SERIES OF 2010**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF
CARBONDALE, COLORADO, ESTABLISHING THE CARBONDALE
BICYCLE, PEDESTRIAN AND TRAILS COMMISSION.**

WHEREAS, the Board of Trustees of the Town of Carbondale, Colorado, has determined that it is appropriate to formally establish the Carbondale Bicycle, Pedestrian and Trails Commission and set forth its duties which shall include consideration of safe and convenient bicycle and pedestrian access to all parts of the community and making recommendations with respect to such issues to the Board of Trustees; and,

WHEREAS, said bicycle and pedestrian issues may include ensuring all town policies, plans, codes and programs are updated and implemented to take advantage of every opportunity to create a more bicycle and pedestrian-friendly community; educate and develop programs to encourage bicycle and pedestrian transportation; improve the environment and reduce vehicle congestion; educate all road users to share the road and interact safely; and,

WHEREAS, bicycling and pedestrian trails use can enhance and promote recreational activities and further contribute the quality of life in the community and improve the health and well being of the population by promoting routine physical activity; and,

WHEREAS, a Bicycle, Pedestrian and Trails Commission will establish information programs to promote bicycling and nonmotorized mobility for all purposes, and to communicate the many benefits of bicycling and pedestrian trail use to residents and businesses. Educate cyclists of all ages how to ride safely in any area from single-track trails, BMX parks, multi-use trails and congested town streets, and

WHEREAS, the Board of Trustees desires by resolution to set forth the duties of the Carbondale Bicycle, Pedestrian and Trails Commission, appointment of members, and other matters as set forth more fully below;

BE IT THEREFOR RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF CARBONDALE, COLORADO, that,

1. There is hereby created the Carbondale Bicycle, Pedestrian and Trails Commission. The Bicycle, Pedestrian and Trails Commission shall provide analysis and recommendation on nonmotorized mobility issues including those described above. Such analysis and recommendations may include recommendations to the Board of Trustees in order to accomplish a coordinated development and handling of issues within the community which will, in accordance with present and future needs, best promote the

health, safety, order, convenience, prosperity, and general welfare of the Town and its citizens.

2. The Bicycle, Pedestrian and Trails Commission shall consist of up to nine members with a minimum of seven full time members and two alternates. Three of the members, whether alternates or voting members, may live outside the town limits. The alternate members shall act in the absence of any regular member at the request of the chairperson.
3. The terms of office of members of the Bicycle, Pedestrian and Trails Commission shall be two years, provided that three of the members and one alternate initially appointed to the Bicycle, Pedestrian and Trails Commission shall have terms of office of one year so that terms of office are staggered. Vacancies occurring at any time shall be filled by appointment by the Board of Trustees. Any member of the Bicycle, Pedestrian and Trails Commission may be removed by a majority vote of the Board of Trustees for any reason, including inefficiency, neglect of duty, or non-attendance at meetings.
4. The Bicycle, Pedestrian and Trails Commission shall elect from its membership a chairperson who shall be responsible for chairing all meetings and vice-chairperson who shall act in the chairperson's absence.
5. The Bicycle, Pedestrian and Trails Commission shall set meetings at such time and with such frequency as the Bicycle, Pedestrian and Trails Commission determines is necessary or appropriate. The Commission shall keep minutes and records of its findings and actions, which shall be filed as soon as practicable at the Carbondale Town Hall and which shall be open to public inspection. All meetings and procedures shall be conducted and governed by the Robert's Rules of Order. Special meetings may be called by the chairperson upon forty-eight (48) hours prior notice to the board members.

INTRODUCED, READ, AND PASSED this 28th day of September 2010.

TOWN OF CARBONDALE

By: Stacey Bernot
Stacey Bernot, Mayor

ATTEST:

Cathy Derby
Cathy Derby, Town Clerk



2.8. Review and Decision-Making Bodies**2.8.4. Board of Adjustment****2.8.4.B Powers and Duties****CHAPTER 17.02: ADMINISTRATION**

arrangement; wise and efficient expenditure of public funds; the promotion of energy conservation; the protection of environmentally sensitive areas; the adequate provision of public utilities, open space and other public requirements; provisions of this Code; and input from the staff, the applicant, and the general public.

C. Organization and Membership

1. The Planning and Zoning Commission shall consist of seven members and two alternate members appointed by the Board of Trustees. A total of two members, either alternates or full-voting members, may live outside the Town limits. The alternate members shall act in the absence of any regular member at the request of the chairman.
2. The term of office of the members of the Planning and Zoning Commission shall be four years. All terms of the members and alternates shall commence from the time of appointment by the Board of Trustees.
3. Vacancies occurring other than from the expiration of a board member's term shall be filled for the remainder of the unexpired term by the appointment of the Board of Trustees.
4. The Planning and Zoning Commission shall elect from its membership a chairman, a vice-chairman and such officers as it may deem necessary during the first commission meeting of each calendar year. The Director or a designated representative shall serve ex officio as secretary of the Commission, but shall have no vote.
5. Any member of the Planning and Zoning Commission may be removed by majority vote of the Board of Trustees, after public hearing for inefficiency, neglect of duty, or malfeasance in office. The Planning and Zoning Commission may request that the Board of Trustees remove members who fail to attend three consecutive meetings without excuse from the chairman of the Planning and Zoning Commission. If the Board of Trustees removes a member of the Commission, it shall file with the minutes of the hearing a written statement of the reasons for such removal.
6. The appointments of existing members and alternates to the Planning and Zoning Commission are hereby ratified, and such terms shall continue until a successor lawfully takes office, until the expiration of the terms ratified by this subsection, or until the member resigns or is removed.

2.8.4. BOARD OF ADJUSTMENT**A. Affirmation**

The Board of Adjustment, heretofore created and existing by resolution of the Board of Trustees of the Town, is hereby affirmed.

B. Powers and Duties

1. The Board of Adjustment shall have the powers and duties set forth in Section 2.2, *Summary Table of Procedures*, to be carried out in accordance with the terms of this Code.

2.8. Review and Decision-Making Bodies**2.8.5. Town Administration****2.8.5.B Planning Director****CHAPTER 17.02: ADMINISTRATION**

2. The Board shall not have the power to change the terms of this Code or to change the zone district map of the Town or to grant a variance that allows a use which is not permitted in the zone district in which such use will be located;
3. A majority vote from members of the Board shall be necessary to reverse any order, requirement, decision, or determination of any Town administrative official, or to decide in favor of the applicant any matter upon which it is required to pass, or to grant any application for a variance.

C. Membership

1. The Board shall have five members and up to two alternate members which shall be appointed by the Board of Trustees from applicants after such positions have been advertised. In addition, in the event that less than five persons, whether members or alternate members, are available to serve due to absence, conflict of interest, or otherwise, members of the Carbondale Planning and Zoning Commission shall be special alternate members of the Board of Adjustment to hear matters in such circumstances. Alternate members and special alternate members shall serve in the absence of a regular member at the request of the chairman so that to the greatest extent possible, all matters shall be heard and considered by five persons. No member of the board shall be a member of the Town board. All members shall be residents of the Town.
2. The term of office of members of the Board of Adjustment shall be four years.
3. Vacancies occurring on the Board other than from the expiration of a member's term shall be filled for the unexpired term in the same manner as the initial appointment.
4. The Board shall elect from its membership a chairman, and a vice-chairman and such officers as it may deem necessary at its first meeting during each calendar year. The Town shall provide the board with a secretary who shall keep and maintain the minutes of the board meetings.
5. Members of the Board of Adjustment may be removed by majority vote of the Board of Trustees, after public hearing for inefficiency, neglect of duty, or malfeasance in office. The Board of Adjustment may request that the Board of Trustees remove members who fail to attend three consecutive meetings without excuse from the chairman of the Board of Adjustment. If the Board of Trustees removes a member of the Board of Adjustment, it shall file with the minutes of the public hearing a written statement of the reasons for such removal.

2.8.5. TOWN ADMINISTRATION**A. Town Manager**

See Title 2, Chapter 2.02.

B. Planning Director

1. There is established the office of the Planning Director (or Director). The Director shall be appointed by the Town Manager and shall be charged with the general responsibility for administering, interpreting, and enforcing this Unified Development Code.
2. The Director shall have the review and decision-making responsibilities set forth in Section 2.2, *Summary Table of Procedures*, to be carried out in accordance

2.8. Review and Decision-Making Bodies**2.8.5. Town Administration****2.8.5.B Planning Director****CHAPTER 17.02: ADMINISTRATION**

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C. Membership

1. The Board shall have five members and up to two alternate members which shall be appointed by the Board of Trustees from applicants after such positions have been advertised. In addition, in the event that less than five persons, whether members or alternate members, are available to serve due to absence, conflict of interest, or otherwise, members of the Carbondale Planning and Zoning Commission shall be special alternate members of the Board of Adjustment to hear matters in such circumstances. Alternate members and special alternate members shall serve in the absence of a regular member at the request of the chairman so that to the greatest extent possible, all matters shall be heard and considered by five persons. No member of the board shall be a member of the Town board. All members shall be residents of the Town.
2. The term of office of members of the Board of Adjustment shall be four years.
3. Vacancies occurring on the Board other than from the expiration of a member's term shall be filled for the unexpired term in the same manner as the initial appointment.
4. The Board shall elect from its membership a chairman, and a vice-chairman and such officers as it may deem necessary at its first meeting during each calendar year. The Town shall provide the board with a secretary who shall keep and maintain the minutes of the board meetings.
5. Members of the Board of Adjustment may be removed by majority vote of the Board of Trustees, after public hearing for inefficiency, neglect of duty, or malfeasance in office. The Board of Adjustment may request that the Board of Trustees remove members who fail to attend three consecutive meetings without excuse from the chairman of the Board of Adjustment. If the Board of Trustees removes a member of the Board of Adjustment, it shall file with the minutes of the public hearing a written statement of the reasons for such removal.

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2. The Director shall have the review and decision-making responsibilities set forth in Section 2.2, *Summary Table of Procedures*, to be carried out in accordance

- (a) The Planning and Zoning Commission shall consist of seven members and two alternate members.
- (b) The Board of Trustees shall appoint members and alternate members of the Planning and Zoning Commission. An alternate member shall act in the absence of any regular member at the request of the Chair. A total of two members, either alternates or full voting members, may live outside the Town limits.
- (c) The members of the Planning and Zoning Commission shall serve terms of four years or until their successors lawfully take office, whichever occurs first.
- (d) Any member of the Planning and Zoning Commission may be removed by majority vote of the Board of Trustees, after a public hearing, for inefficiency, neglect of duty or malfeasance in office. The Planning and Zoning Commission may request that the Board of Trustees remove a member who fails to attend three consecutive meetings without excuse from the Chair of the Planning and Zoning Commission. If the Board of Trustees removes a member of the Planning and Zoning Commission, it shall file with the minutes of the hearing a written statement of the reasons for such removal.
- (e) Vacancies occurring on the Planning and Zoning Commission, either from the expiration of a member's term or from the resignation of a member, shall be filled in the following manner.
 - (1) Persons interested in serving on the Planning and Zoning Commission shall complete an application expressing their interest in serving on the Planning and Zoning Commission and respond to representative questions as approved by the Planning and Zoning Commission.
 - (2) Upon receipt of the application, Town staff will schedule with the Board of Trustees and Planning and Zoning Commission an interview of prospective candidates at a special meeting. The interview committee shall be made up of the Board of Trustees and the Chair and one other member of the Planning and Zoning Commission selected by the Chair. In the event the Chair is unavailable to attend said special meeting, two members of the Planning and Zoning Commission will be selected by the Chair to participate in the interview process. Upon completion of the interview, the Board of Trustees shall then make the appointment.
 - (3) In the event a regular member of the Planning and Zoning Commission resigns his or her position, any existing Planning and Zoning Commission alternate interested in filling that position will be required to submit an application, respond to the aforementioned questions and participate in the interview process. Existing alternate members will retain their status as an alternate member if not appointed as a regular member.
 - (4) The Town shall be responsible for advertising for positions that need to be filled. Application forms shall be available at Town Hall. All applications shall be delivered to Town Hall. If and when there is a vacancy on the Planning and Zoning Commission due to a resignation or other reason, the Chair or acting Chair of the Planning and Zoning Commission shall be responsible for notifying the Town Manager within two weeks of the vacancy. The Planning and Zoning Commission shall formulate an appropriate application form for prospective members. All new appointments to the Planning and Zoning Commission shall be made by August 31 of each year, and the terms of Planning and Zoning Commission members shall begin and end on August 31.
- (f) If any member of the Planning and Zoning Commission is elected or appointed to the Board of Trustees, that

member shall resign from the Planning and Zoning Commission within 120 days of the date of said election or appointment.

(Ord. No. 15, 1992; Ord. No. 7, 2000; Ord. No. 26, 2004; prior code 2.30.030; Ord. No. 8, 2015 §1, 8-11-2015)

Sec. 2-8-50. - Meetings.

The Planning and Zoning Commission may hold meetings at such times as the Chair calls such meetings and gives written notice thereof to the members of the Planning and Zoning Commission at least 48 hours prior to the time of the meeting and posts such notice at the Town Hall at least 48 hours prior to the time of the special meeting.

(Ord. No. 11, 1976; prior code 2.30.050; Ord. No. 8, 2015 §1, 8-11-2015)

ARTICLE 10 - VALE Board

Sec. 2-10-10. - Creation.

There is hereby created the Victims and Witnesses Assistance and Law Enforcement Board (the "VALE Board") for the Town.

(Ord. No. 8, 2015 §1, 8-11-2015)

Sec. 2-10-20. - Membership.

The VALE Board shall be formed and shall be composed of the members set forth below. Members shall be appointed by the Board of Trustees.

- (1) Two citizens who are residents of the Town, who shall serve for a four-year term.
- (2) Two members of the Board of Trustees, who shall serve for a term consistent with their terms of office.
- (3) The Town Manager.

(Ord. No. 16, 2002; prior code 9.27.010; Ord. No. 8, 2015 §1, 8-11-2015)

Sec. 2-10-30. - Powers and duties.

- (a) The VALE Board shall designate one of its members as Chair, shall establish rules of procedure and order and shall hold meetings as it might deem necessary.
- (b) The VALE Board shall submit minutes of its meetings to the Board of Trustees at the next regular Board of Trustees meeting following the VALE Board's meeting.

(Ord. No. 16, 2002; prior code 9.27.020; Ord. No. 8, 2015 §1, 8-11-2015)

Sec. 2-10-40. - Surcharge imposed.

A surcharge equal to 30 percent of the fine imposed for violation of this Code or all Town ordinances, including ordinance violations under the Model Traffic Code, is levied on each Municipal Court action resulting in a conviction, plea of guilty or no contest, or a deferred judgment and sentence, which violation is charged pursuant to this Code. All

Sec. 7-4-130. - Plant Management Advisory Commission.

Pursuant to Section 35-5.5-107, C.R.S., the Board of Trustees appoints itself as the Plant Management Advisory Commission.

(Ord. No. 19, 1992 §2; Ord. No. 25, 1997; prior code 9.29.130; Ord. No. 8, 2015 §1, 8-11-2015)



**TOWN OF CARBONDALE
511 COLORADO AVENUE
CARBONDALE, CO 81623**

Planning and Zoning Commission Agenda Memorandum

Date: 4/6/23

TITLE: P&Z Annual Check-in with Board of Trustees

SUBMITTING DEPARTMENT: Planning Department

ATTACHMENTS: None

BACKGROUND

Historically the Board of Trustees (BOT) has held annual check-ins with all Carbondale Boards and Commissions. This practice has been slightly more inconsistent since 2020, but the Board of Trustees has recommitted to annual check-ins in 2022. When reviewing old BOT packets, the P&Z historically met with the BOT during the 1st quarter of the year. Due to scheduling conflicts the BOT check-in and worksession update is rescheduled to April 18, 2023 and a calendar invite has been sent to all P&Z members.

The topics of the check-in usually had a few components.

1. P&Z Accomplishments during the prior year
2. Development projects approvals and ongoing reviews
3. Project, plan and code updates
4. Upcoming year goals

At the February 23, 2023 Meeting, the P&Z had an initial discussion regarding the check-in and provided feedback on the desired topics of conversation. Below is a draft memo for the check-in to help guide the conversation. Please provide feedback and additional discussion topics.

DRAFT BOT Worksession Memo

Commission Introduction & Service Tenure

- Jay Engstrom, Chair, 6 years
- Nicholas DiFrank, Vice Chair, 4 years
- Jeff Davlyn, Member, 7 years
- Nick Miscione, Member, 5 years
- Kim Magee, Member, 2 years
- Jarrett Mork, Member, 2 years
- Kade Gianinetti, 1st Alternate – 1 year
- Jess Robison, 2nd Alternate – 1 year

2022 Accomplishments

- 2022 Comprehensive Plan Update Adoption
- UDC Code Text Amendments – Definitions related to STRs

2022 Development Project Approvals

- 761 Industry Place Subdivision Exemption Plat
- Lot 1, Carbondale Marketplace Condominium Plat
- 604 Graceland Dr ADU
- 728 Euclid Ave ADU
- Clay Center Rezoning
- 340 S. Second Street ADU
- Stepping Stones Condominium Exemption Plat
- Carbondale Center Place – Carport Approval
- Red Hill Annexation and Rezoning
- 39 Maroon Drive ADU

2022 Comprehensive Plan Update Recap

- Requesting feedback and lessons learned:
 - Significant input from community and not all input was on the sections to be updated.
 - This was a challenge to process for the Project Steering Committee (PSC)
 - Need for better bi-lingual integration from the outset.
 - The entire Update process was lengthy and challenging for continued public engagement.
 - Project Steering Committee was comprised only of P&Z members which created problems:
 - Trustee input was needed at times for policy questions and feedback.
 - Confusing for defining roles (e.g. P&Z versus PSC review)
 - Mixing PSC review with regular P&Z hearings limited focus on Comp Plan review and lengthened the review time.
 - Scope creep existed due to feedback and PSC review challenges. Having BOT involvement could have helped address this earlier in the Update process.
 - The Update should have been a full rewrite given timing (close to 10 years since the prior comp plan) and scope of and volume of input from the public.

2023 Priorities

- UDC text amendments:
 - EV Parking Requirements
 - Solar Ready Roofs
 - Accessory Dwelling Unit (ADU) Regulations
 - HCC and/or Downtown North Zoning

- Multi-Modal Mobility and Access Plan/Transportation Master Plan

RECOMMENDATION

Staff recommends that the Planning and Zoning Commission provide any additional feedback to Staff on the Draft Board of Trustee memo. Staff will include any final thoughts and prepare a memo for the April 18, 2023 Worksession.

Prepared By: Jared Barnes, Planning Director