PITKIN COUNTY

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# BOCC & P&Z Joint Meeting

Presentation of Community Growth Advisory Committee

**Final Recommendations** 

June 6, 2023

### Agenda

- 1. **Introductions:** Overview of Committee Growth Advisory Committee Process
- 2. **Final Recommendations:** Committee Growth Advisory Committee Co-Chairs present Final Recommendations
- 3. **Q&A:** BOCC and P&Z Questions and Discussion with the Committee *Please hold questions until the end of the Presentation. No formal action or decisions will be made today.*
- 4. Next Steps: Staff overview of process looking ahead.



# Clarifying the Purpose

BOCC declared a Climate Emergency in 2019 and established the following...

#### **Climate Action Goals**

- Reduce annual emissions by 90% from 2019 levels by 2050
- All residential must be net zero by 2030

#### **Defining the Problem:**

Emissions from residential buildings are the largest contributor to GHG emissions in unincorporated Pitkin County, accounting for **47% of total 2019 emissions**.

#### Vision:

Utilize growth management and the Land Use Code to meet our climate action goals while creating an equitable, sustainable and resilient regional quality of life and economy for the future



# Community Growth Advisory Overview

Community Growth Advisory Committee (CGAC) established in July 2022 to develop recommendations for **managing the impacts of growth and development** to align our **community values** and **climate action goals.** 

The purpose of the Committee was to engage differing community perspectives on growth and development to **find compromises** for the community that meet the vision and stated goals for limiting and mitigating the impacts of growth.

- 26 community members
- 21 public meetings over the course of 10 months.
- <u>Zero</u> attrition
- Recommendations approved on May 17, 2023, with unanimous support from all 26 members.





# Community Growth Advisory Process

**BOCC Vision and Goals & Scope** 

Land Use 101 - How we got to where we are today

**Shared Values & Guiding Principles** 

What do We Want More/Less of?

**Clarifying the Problem** 

**Key Findings & Big Questions** 

**Scenario Planning** 

**Analysis & Compromise** 

**Recommendations** 

WE ARE HERE



Community Growth Advisory Committee

Final Report of Recommendations

# NOTES FROM THE CO-CHAIRS

Mona's Note





### *"Keep This Place Special"*

At the first meeting, the Committee all agreed that the Roaring Fork Valley remains an extraordinary place to live. We also agreed there's a problem that needs fixing.

#### Doing nothing is not an option

- We want to maintain the rural character and open lands that define our community.
- We want less reliance on fossil fuels and more energy efficiency for climate action.
- We want to reduce the sense of "overwhelm" that so many residents and visitors are feeling.
- Growth is no longer defined as density, but also intensity and activity.





# Defining Quality Of Life

As the Committee deliberated on how to define the desired outcomes we wish to achieve. The following goal explanations serve as short descriptions of our collective goals and core values and were instrumental in developing the Committee's recommendations.

- Pacing of Development
- Rural/Wild Preservation
- Rural Traffic and Highway Congestion
- Sustainable Economy
- Workforce and Housing Imbalance



### Summary of More / Less of





#### Sustainable & **Green Design**

Buildings should be energy-• and resource-efficient (code)

waste and

Congestion

and traffic

consumption

- + Sustainable, energy-Reliance on and water-efficient fossil fuels construction - Material
- + Climate-intentional resilient and integrative planning
- + Electrification
- + Production and use of renewable energy
- + Smaller homes



#### Housing & **Economy**

Homes should act like homes, not micro economies (limitation/mitigation)

+ Regional

- Material waste and consumption collaboration
- Residential-+ Affordable housing serving iobs
- + Smaller homes Residential
- + Flexibility in the demolition TDR program
  - GMQS complexity, exemptions
    - Investment homes and STRs
    - Congestion and traffic



- Location/density of growth should be intentional and contained within defined areas (land use/zoning)
- + Climateintentional. resilient and integrative
- planning + Regional
- collaboration
- + Walkable. transit-oriented communities
- areas - Congestion and traffic

- Geographical

between lodging

and places of

distance

- Residential-

serving jobs

- Sprawl in rural

work



#### **Rural & Wild Areas**

- Environmental corridors and natural resources should be preserved. Sprawl should be stopped (land use/zoning)
- + Climateintentional. resilient and integrative planning

+ Regional

distance between lodging and places of work

- Geographical

- Sprawl in rural areas
- + Rural/remote-- Congestion and traffic
- zoned areas + Flexibility in the **TDR** program

collaboration

**Community Accountability:** Codes should be simple, enforceable and aligned to values

### **Big Questions Identified**

- Should house size be limited?
- Should the TDR and GMQS systems be overhauled?
- Should we focus on future development and/or what already exists?
- Should the county's short-term rental (STR) policies be overhauled?
- Should the county's affordable housing policies be overhauled?
- Should urban growth boundaries be revised?
- Should growth be limited to areas deemed appropriate for increased density?





### Overview of Recommendations

Recommendations incorporates several changes and additions to county policies, land use code, and building code.

The Committee's recommendations would cut **potential emissions three-fold from the maximum buildout of the residential sector under the current code**, while also balancing the quality of life values of our community.

In creating our recommendations, the Committee identified five foundational tools that represent the most influential levers at our disposal

	Quality of Life Outcomes (Goals & Values)							
Model Scenario Components	Clim	ate	Balanced Economy		Community Character			
	Reduction of GHG emissions by 90% by 2050	Residential net zero by 2030	Workforce/ housing imbalance	Pacing of development	Rural/wild preservation	Rural traffic & highway congestion		
Floor Area Ratio								
Square Footage Cap (8,000 - 10,000)			$\checkmark$					
Tiering System								
Performance Standards		$\checkmark$						
Development Standards		< 						
GMQS	$\checkmark$				<ul><li>✓</li></ul>			
Square Footage Quota System					<ul><li>✓</li></ul>			
TDRs					<ul><li>✓</li></ul>			
Zoning Overlay/Rural Area	$\checkmark$		$\checkmark$		<ul><li>✓</li><li>✓</li><li>✓</li></ul>			
Administrative Policies		<						
Affordable Housing Solutions	$\checkmark$	$\checkmark$			$\checkmark$			
Mitigation/Impact Fees	$\checkmark$							
Redevelopment								

### Floor Area Ratio & Allowable House Size

	Quality of Life Outcomes (Goals & Values)						
Components	Clin	nate	ate Balanced Economy		Community Character		
	Reduction of GHG emissions by 90% by 2050	Residential net zero by 2030	Workforce/ housing imbalance	Pacing of development	Rural/wild preservation	Rural traffic & highway congestion	
Floor Area Ratio/Allowable House Size							

#### Rationale and Recommendation

• Limiting allowable floor area per parcel presents an opportunity to "right-size" a home by scaling it to the size of its parcel and the context of the surrounding community. It helps conserve rural/wild lands and contributes to climate action, but does not address the pacing of growth and development.

#### Component Achieves

- Scales homes to parcel size
- Net parcel size/slope reduction conserves rural wild areas
- Reduces total sq ft buildout potential

#### Component Does Not Achieve

- Does not address net zero and pacing goals
- Does not address maximum home size

### Square Footage Cap

Component	Quality of Life Outcomes (Goals & Values)							
	Climate		Balanced Economy		Community Character			
	Reduction of GHG emissions by 90% by 2050	Residential net zero by 2030	Workforce/ housing imbalance	Pacing of development	Rural/wild preservation	Rural traffic & highway congestion		
Square Footage Cap (8,750; up to 9,250 in UGB)								

#### Rationale and Recommendation

• As houses get larger, their energy use per sq ft increases geometrically, as does their GHG impact outside the building envelope and their VMT generation. House size was ranked as the top tool for evaluation by the committee. Many caucuses have already set caps lower than the current 15,000.

#### Component Achieves

• Reducing maximum allowable house size reflects our core community values, goals, and quality of life vision for the future

#### Component Does Not Achieve

• Does not address net zero and pacing goals

# **Tiering System**

	Quality of Life Outcomes (Goals & Values)						
Component	Clin	Climate		Balanced Economy		y Character	
	Reduction of GHG emissions by 90% by 2050	Residential net zero by 2030	Workforce/ housing imbalance	Pacing of development	Rural/wild preservation	Rural traffic & highway congestion	
Tiering System							

#### Rationale and Recommendation

• The committee agreed that as homes get larger, their obligations to the climate and the community should increase commensurately. A tiering system establishes a strong baseline of performance and development standards with requirements that get more stringent as house size increases and incentives for smaller homes via streamlined review.

- Incentivizes smaller homes
- Requires all electric for new homes across all tiers
- Requires more TDRs in Tiers 3 and 4, thus creating TDR demand

#### **Tiering System**

TIER 1

TIER 2

- Strong baseline of new performance and development standards
- Requirements get more stringent as house size and impacts increase
- Smaller homes are incentivized via streamlined review and larger homes are subject to tiered mitigation/impact fees
- Tiering is based on sq ft and percentage of disturbance to parcel

#### Under 3,250 sq ft

- Meets recommended baseline performance and development standards
- Accelerated review and decreased fee rates for building permits

#### 3,250 - 5,750 sq ft

- Mitigating additional on-site impacts/ site constraints
- More review criteria/requirements because of constraints

#### 5,750 - 7,750 sq ft

- Has impacts beyond the property that must be directly offset
- Subject to the most review criteria including: special review, quota system, mitigation fees, overlay uses

#### Above 7,750 sq ft

- Most stringent requirements and review for embodied carbon, Passive Housing criteria, etc.
- The highest level of on-site energy production and storage.
- The highest level of mitigation for VMT generation, waste, etc.

TIER

### Performance Standards

		Quality of Life Outcomes (Goals & Values)					
Component	Clin Reduction of	Climate		Balanced Economy Workforce/		y Character Rural traffic &	
	GHG emissions by 90% by 2050	Residential net zero by 2030	housing imbalance	Pacing of development	Rural/wild preservation	highway congestion	
Performance Standards							

#### Rationale and Recommendation

- Performance standards are one of the most powerful tools for achieving our climate goals.
- Require all new and redeveloped homes to be all-electric and powered with 100% renewable energy.
- Go beyond a HERS rating for building efficiency. Include internal amenity loads and external energy use into all energy requirements, including for redevelopment and demolition.
- Create a path for electrifying all buildings in Pitkin County

#### Component Achieves

- Dramatically reduces homes' GHG impacts
- Drives innovation and adoption of leading-edge home technology

#### Component Does Not Achieve

- Can't get to GHG goal without addressing transportation
- All non-GHG goals are unaffected by performance standards

### Development Standards

	Quality of Life Outcomes (Goals & Values)						
Component	Clin	nate	Balanced Economy		Community Character		
	Reduction of GHG emissions by 90% by 2050	Residential net zero by 2030	Workforce/ housing imbalance	Pacing of development	Rural/wild preservation	Rural traffic & highway congestion	
Development Standards							

#### Rationale and Recommendation

- Development standards are a critical tool for advancing our climate, economic, and quality of life goals. Standards will be progressively more restrictive as additional amenities and total site disturbance increase.
- Update site constraint standards to include ecological biodiversity, watershed protection, wildlife habitat, and wildfire prevention.
- Establish maximum disturbance area, onsite energy use limits, water-use reduction requirements, and a threshold for material waste.
- Adopt standards that limit exterior amenities based on water and energy requirements (e.g. pools, spas, and exterior ponds)

#### Component Achieves

• Helps to address impacts beyond sq ft

#### Component Does Not Achieve

 Does not address workforce generation and VMTs or pacing of development

### GMQS

	Quality of Life Outcomes (Goals & Values)						
Component	Clin	nate	ate Balanced Economy		Community Character		
	Reduction of GHG emissions by 90% by 2050	Residential net zero by 2030	Workforce/ housing imbalance	Pacing of development	Rural/wild preservation	Rural traffic & highway congestion	
GMQS					$\checkmark$		

#### Rationale and Recommendation

- Refocus GMQS to deal only with pacing through the permitting subdivisions, per its original intent. Square footage competition has been pulled out as its own separate land use tool.
- Maintain current quota, revise scoring and competition to reflect the goals and values in coordination with the special review criteria (see below).
- Remove GMQS competition for square footage and create the **Square Footage Quota System**.
- Update special review criteria to include addressing impacts of: waste, traffic, affordable housing, employee generation

- Opportunity to add affordable housing to scoring system
- Simplification

### Square Footage Quota System (SFQS)

	Quality of Life Outcomes (Goals & Values)							
Component	Climate		Balanced Economy		Community Character			
	Reduction of GHG emissions by 90% by 2050	Residential net zero by 2030	Workforce/ housing imbalance	Pacing of development	Rural/wild preservation	Rural traffic & highway congestion		
Square Footage Quota System (SFQS) *for houses over 5,750 sq ft								

#### Rationale and Recommendation

- There is still value in a quota system for square foot allocation but scoring and competition are subjective and not reflective of the impacts to the community. Replacing the current scoring system with special review criteria better reflects the values and goals of the community and more predictably manages impacts.
- Additional sq ft above 5,750 is required to go through a new SFQS (unless using TDRs), up to maximum house size.
- Update annual sq ft quota allotment to include redevelopment over 500 sq ft.
- Annual square footage allocation shall have a minimum yearly allotment and be determined based on the prior year's development and deduct exemptions, such as TDRs.

- Has special review criteria to address specific impacts (e.g., waste, traffic, housing, employee generation)
- Removes subjectivity of scoring "saying what we want and asking for what we need"

### Transferable Development Rights (TDRs)

	Quality of Life Outcomes (Goals & Values)					
Component	Clin	nate	Balanced Economy		Community Character	
	Reduction of GHG emissions by 90% by 2050	Residential net zero by 2030	Workforce/ housing imbalance	Pacing of development	Rural/wild preservation	Rural traffic & highway congestion
TDRs	$\checkmark$			$\checkmark$	$\checkmark$	$\checkmark$

#### Rationale and Recommendation

- TDR system is not broken, but we can get more out of it.
- TDRs now issued in 500 sq ft denominations.
- Landing TDRs is no longer a 1:1, (e.g., 1,000 sq ft TDR = 1,000 additional sq ft) if using TDRs for additional sq ft above 5,750.
- Reduce rural & remote TDR allocation from to the existing 2,500 sq ft. to allocation of 2,000 sq ft
- Maintain BOCC discretion for an award of other TDR sending sites, issued in 500 sq ft allotments.
- Review the TDR market annually and adjust allotments if the TDR market is not achieving the primary goal of preserving the backcountry and landing sq ft in appropriate ways that reduce community impacts.

- The use of TDRs now requires eliminating more square footage than is built, thus reducing future development's GHG.
- Continues to prioritize R/R preservation.

### Additional TDR Recommendations

	Quality of Life Outcomes (Goals & Values)						
Component	Climate		Balanced Economy		Community Character		
	Reduction of GHG emissions by 90% by 2050	Residential net zero by 2030	Workforce/ housing imbalance	Pacing of development	Rural/wild preservation	Rural traffic & highway congestion	
Additional TDR Recommendations							

#### Rationale and Recommendation

- Nomenclature: TDRs are TDRs and can be <u>created</u> in two ways:
  - Sterilization of **new development** rights (e.g. rural and remote) and **additional floor area from an existing home** ("residential TDR")
- Additional floor area from existing homes "residential" TDR sending sites apply only to EXISTING, LONG-TERM, FULL-TIME residential units.
- Pilot the residential and landing ratios and allocations of TDRs to phase implementation and ensure the rural and remote TDR market remains stable.
- Review annually and BOCC has the autonomy to adjust or sunset the program as needed if concerns emerge with rural and remote market.

- The use of TDRs now requires eliminating more square footage than is built, thus reducing future development's GHG.
- Continues to prioritize R/R preservation.
- Strives to keep locals in their homes vs selling them to a non-employee

# Zoning Overlay

O								
	Quality of Life Outcomes (Goals & Values)							
Component	Clin	nate	ate Balanced Economy		Community Character			
	Reduction of GHG emissions by 90% by 2050	Residential net zero by 2030	Workforce/ housing imbalance	Pacing of development	Rural/wild preservation	Rural traffic & highway congestion		
Zoning Overlay								

#### Rationale and Recommendation

- Decrease specific uses and impacts (e.g., TDR landing sites, special events, STRs) as homes get further away from urban services. The overlay categories establish strict standards and use for properties within each overlay area.
- Landing TDRs (per overlay area) will not exceed maximum floor area, house size cap or caucus restriction.
- Where TDRs are not allowed or are limited, additional sq ft may be obtained through SFQS (subject to maximum floor area, house size cap or caucus limit).
- Use overlay for special events permits, for special event venues with an exemption for existing/approved uses, overlay for (STRs)
   \*County should explore closing loopholes for rentals of 30 days or more, in the R/R district, without restricting long-term rentals
- <u>Component Achieves</u>
  - Helps to preserve rural character
  - Reduces rural traffic
  - Less cannibalization of workforce from STR/Special Events



### Affordable Housing Policies

	Quality of Life Outcomes (Goals & Values)						
Component	Clin	nate	Balanced Economy		Community Character		
	Reduction of GHG emissions by 90% by 2050	Residential net zero by 2030	Workforce/ housing imbalance	Pacing of development	Rural/wild preservation	Rural traffic & highway congestion	
Affordable Housing Policies			$\checkmark$				

#### Rationale and Recommendation

- The Committee's work has largely focused on managing the types of development that are inconsistent with community values; however, more affordable housing is the type of development we do want and that should be incentivized.
- Revise the Land Use Code
- Allow affordable housing beyond the UGB
- Preserve the existing stock
- Establish an Affordable Housing Certificates System similar to the City of Aspen's
- Create additional mechanisms for funding affordable housing
- Work regionally across jurisdictions

- Incentivizes smaller/more affordable housing stock
- AH beyond UGB allows housing to exist in the areas of the county where the workforce is being generated.

### Redevelopment

Component	Clin	Quality		mes (Goals &	Values) Community Character	
	Reduction of GHG emissions by 90% by 2050	Residential net zero by 2030	Workforce/ housing imbalance	Pacing of development	Rural/wild preservation	Rural traffic & highway congestion
Redevelopment						

#### Rationale and Recommendation

- Addressing remodels and redevelopment is critical to meeting the Committee's goals. Since 2020, permits for redevelopment comprise the majority of all building permit applications, greater than new build and additions combined.
- Redevelopment of sq ft OUTSIDE the EXISTING footprint area above 5,750 is subject to TDR/Sq Ft allocation. This is considered new development and subject to new code changes in this table of recommendations.
- Apply the tiered system to all redevelopment of more than 500 sq ft of measurable floor area.

#### Component Achieves

• In some ways, this is the most powerful recommendation. Applying all of the Table of Recommendation changes to redevelopment achieves all of the positives we get with new development but on a considerably larger scale.

### Mitigation/Impact Fees

Component	Quality of Life Outcomes (Goals & Values)						
	Climate		Balanced Economy		Community Character		
	Reduction of GHG emissions by 90% by 2050	Residential net zero by 2030	Workforce/ housing imbalance	Pacing of development	Rural/wild preservation	Rural traffic & highway congestion	
Mitigation/Impact Fees	$\checkmark$	$\checkmark$	$\checkmark$			$\checkmark$	

#### Rationale and Recommendation

- Significant interest exists in exploring innovative ways to expand current mitigation/impact fees to address equity and further contribute to critical community priorities, such as affordable housing and prioritizing energy retrofits of existing housing stock.
- While not a direct mitigation, impact fees provide an effective offset to address adverse impacts and complement many of the other components of the Committee's recommendation
- A re-evaluation of existing impact fees (road, renewable energy, and affordable housing) is recommended, as well an analysis of additional impacts that are not currently accounted for (embodied carbon, VMTs, other large home impacts).
- Mitigation and impact fees will be scaled to recommended tiering system:
  - Tier 1: Less than 3,250 sq ft No mitigation/impact fees
  - Tier 2: 3,250 5,750 sq ft Some mitigation/impact fees
  - **Tier 3: Above 5,750 sq ft -** Significant mitigation/impact fees
  - **Tier 4: Above 7,750 sq ft -** Most significant mitigation/impact fees

#### Component Achieves

• Mitigation funds are versatile and can pay for community benefits we might not otherwise be able to afford.

### **Administrative Policies**

Component	Quality of Life Outcomes (Goals & Values)						
	Climate		Balanced Economy		Community Character		
	Reduction of GHG emissions by 90% by 2050	Residential net zero by 2030	Workforce/ housing imbalance	Pacing of development	Rural/wild preservation	Rural traffic & highway congestion	
Administrative Policies							

#### Rationale and Recommendation

- Development of a program to provide financial incentives for smaller and more energy-efficient homes is consistent with core values and goals.
- Incentivize houses under 5,750 sq ft via streamlined review with baseline performance and development standards.
- Incentivize and prioritize permit review by house size and impact (e.g. disturbance area).
- Review is progressively more stringent as homes get larger and mitigation to code standards/impacts are required (tiering system)

#### **Component Achieves**

• Incentivizes smaller/more affordable housing stock

# Q&A With Committee

Clarifying questions? Questions on deliberations? Questions on process, compromises?



### **Process Ahead**

Develop Recommendations Advisory Committee

Review Recommendations BOCC

Recommendations to Implementation Staff

Comprehensive Plan P&Z Code Adoption BOCC

1

Advisory Committee develops suite of recommendations to meet BOCC's stated goals.

Timeline

on June 6th

Recommendations

presented to BOCC/P&Z

BOCC reviews recommendations. BOCC will direct staff to proceed with any code changes (land use, building or otherwise) and an implementation approach. Based on BOCC direction, staff will draft amendments to codes to turn recommendations into implementation. This is where there may be additional work groups to guide the policy recommendations into detailed code language Land Use Amendments: Planning & Zoning (P&Z) amends and approves Comprehensive Plan Includes public hearing

Concurrently, P&Z reviews and refers Land Use Code amendment(s) to BOCC. Includes public hearing Building Code: BOCC reviews amendments; formally adopts by ordinance Includes public hearing

Land Use Code: BOCC reviews Land Use Code amendments and P&Z recommendation. Formally adopts by ordinance Includes public hearing

#### Timeline

TBD - subject to BOCC adoption of recommendations

#### <u>Next Up:</u> BOCC continues deliberations on June

13th

Timeline TBD - subject to BOCC adoption of recommendations

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Timeline

TBD - subject to BOCC

recommendations

adoption of

# Thank You

