

Memorandum

To: Planning and Zoning Commission
From: Susan Philp AICP, Planning Director
Date: September 1, 2015
Re: Worksession: Our Town Planning - Zoning Options

I. Purpose

Staff asked land use attorney Don Elliot, Clarion Associates, to summarize some of the pros and cons of zoning options for the Our Town parcels. Don will discuss these in more detail during a conference call that we have scheduled with him for the P&Z's September 1st meeting. Some of the P&Z members will remember Don as he provided assistance on the Community Priority Scoring System, some of the 2009 C-2 District Amendments, and more recent work on the amendments to the Town's replacement housing requirements.

II. Background

The P&Z has been holding worksessions on the Our Town Planning Process since February 3rd. A public hearing was held at the library on June 2nd. The P&Z presented recommendations to the Council on Tuesday, July 28th. The Council at that meeting approved Resolution No. 34, Series of 2015 (attached). Section 3 of that resolution stated:

Section 3. The Town Council supports the direction of the P&Z as presented for buildings within the area covered by Resolution No. 19 and asks the P&Z to:

- Continue its work on the remainder of the Our Town Planning Area
- Work on the zoning changes necessary to implement the P&Z's recommendations.
- Provide for additional opportunities to listen to the public to further the future adoption of the Master Plan amendments and zoning changes that will be necessary to implement the community's vision.

The DAAC report advocated that the P&Z look at the Community Serving Commercial (CSC) Zone District for its possible use in the Our Town Planning Area. The P&Z worked on potential revisions to the CSC District to make it useful for the Our Town Planning area this last spring. Other suggestions have been using the C-2 District or a

Form Base Code. Staff also asked Don Elliot to look at the pros and cons of an overlay district and creating a new District.

III. P&Z Discussion

At the September 1st Worksession the P&Z will be given an opportunity to ask questions of Don Elliot and provide direction for the next steps in this discussion.

Attachments:

August 28, 2015 memorandum from Don Elliot, FAICP, Clarion Associates

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Community Planning
Zoning/Design Standards
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Growth Management
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CLARION

MEMORANDUM

TO: Susan Philp, Town of Basalt Planning Department
FROM: Don Elliott, FAICP, Clarion Associates
DATE: August 28, 2015
RE: Zoning Options for Out Town Planning Area

We understand that the Town of Basalt has been engaged in a lengthy and inclusive process to determine future development options and patterns for several of its high visibility areas generally located between the existing downtown and the Roaring Fork and Frying Pan Rivers. As that discussion has progressed, the Town has also discussed what zoning tools might be best suited to achieving its vision for the area. You have asked Clarion to very briefly summarize some of the pros and cons of four options identified by you as background for a conference call with the Basalt Planning and Zoning Commission on September 1, 2015. This memo sets forth our brief summary of those pros and cons, based on our understanding of current and proposed uses and image for the area. We will be happy to discuss these thoughts in more depth (and to correct any misunderstandings of the situation on our part) during our conference call next week.

Option 1: Amendments to the C-2 District

This is a more traditional downtown zoning district designed to fit the fabric of the existing downtown but without an overt focus on social capital goals.

Pros:

- A mapped (not floating zone) – area of applicability is known
- Community vitality uses required.
- Well suited to the fabric of older downtown Basalt – particularly the narrow historic lots along Midland Avenue
- One-step process. No pre-determination of “community serving” needed

Cons:

- Not a particularly good fit for the areas between Two-Rivers Road and the rivers, where parcels are larger and the proposed uses of those parcels will require significant tailoring of specific buildings to sites over time.
- Fixed depth of community vitality zone is a bit rigid – could be projects that cannot meet this standard but still contribute to a use mix that promotes community vitality although there is a process in the District for accommodating that mix.
- District does not permit residential uses on the first floor.

Option 2: Amendments to the CSC District

This relatively new zone district is intended to blend the economic vitality goals of the current C-2 (downtown) zoning district with new social objectives to provide substantive and procedural incentives to new development that is “community serving”. Recent proposed amendments would improve the usability of this district a lot.

Pros:

- Community vitality uses required – and flexibility on depth and location of community vitality zone
- Permitted use and dimensional standard flexibility is probably better suited than C-2 to the types of proposed development south of Two Rivers and east of Midland Avenue
- Very negotiable and flexible – which may be necessary given the wide variety of uses and facilities proposed for the area
- Procedural streamlining means less time than a traditional three 3-step PUD process

Cons:

- Floating zone (although the Town could change this requirement). This area will probably need a zone that defines the fabric and doesn't require "opt-in"
- Use list is somewhat open to interpretation and may require more time to evaluate
- Procedural streamlining is offset by use of subjective standards at several points in the process so it could take more time

Option 4: Create a New Zoning District (Perhaps based on the draft River District of 2004)

This district could apply to lands on the south side of Two Rivers (and potentially on the north side parcels) that are currently zoned C-2/PUD, C-2 or P Public.

Pros:

- A mapped (mandatory) rather than "opt-in" district
- Uses could be tailored to include the mix of commercial and community serving uses shown in planning efforts to date.
- Dimensions could be better matched to the flexibility needed than C-2 is today – could require general street orientation with more flexibility as to exact building location.
- Two-step process would allow more review, but avoid the need for a third "determination of community serving" step now included in amended CSC.

Cons:

- Requires rezoning of current C-2, C-2 PUD and P Public parcels

NOTE: A fourth possibility would be to draft a new overlay – rather than base –zoning district, but it is not clear that it has any advantages over a new base zone district. If the Town needs to revise not only permitted uses but also the dimensional/siting standards and the review process included in the C-2 District, then, leaving the base C-2 or C-2/PUD district in place may not make sense.

Option 4: Create a New Form-based Zoning District

Form-based zoning controls focus on prescribing building forms and features in more detail than more traditional zoning controls, and offer builders "by-right" approval if they meet those prescriptive standards. In theory, they provide more a more flexible range of uses, but that does not always happen.

Pros:

- Stronger controls on the exact form and features of new buildings
- Potential for a one-step development approval process.

Cons:

- Irregularly shaped lots will make it difficult to identify specific building forms that could be generally used in the area

- Long-term buildout of downtown Basalt makes it likely that today's plans will change before any "picture" of the future is completed – so "zoning to a picture" is probably not wise
- The added flexibility in permitted uses may not be an advantage in this case, since both the CSC and C-2 districts offer a wide range of appropriate uses for the area
- Faster review may not be a good fit for Basalt – as the review and approval procedures for both CSC and C-2 show a desire for significant review of individual projects