

**TOWN OF BASALT
PLANNING AND ZONING COMMISSION
REGULAR MEETING and PUBLIC HEARING
Tuesday, January 30, 2018**

CALL TO ORDER

The Planning & Zoning Commission was called to order at 6:00 pm. Commissioners present included Bill Maron, Joan Keefe, Gino Rossetti, Gary Wheeler, Patrick McAllister, Ryan Slack, and Alternate Tracy Bennett.

Staff present included Susan Philp, Town Planner; James Lindt, Assistant Planning Director; and Sara Nadolny, Staff Planner.

There was no public in attendance at this meeting.

M/S ROSSETTI AND KEEFE TO APPROVE MINUTES FROM JANUARY 16, 2018. MOTION CARRIED BY A VOTE OF 5 - 0 with one Commissioner abstaining (was not at the meeting in question). Commissioner Bennett arrived after this vote.

Maron stated that this meeting was about the Mid Valley Community Plan recommendation letter.

Lindt said this is a work session of the Town P&Z to discuss providing a letter on the Roaring Fork Valley Regional Planning Commission's effort to update the Mid Valley Area Community Plan that Eagle County is currently undertaking and having discussions on. As background, Eagle County is conducting a series of workshops with the Regional Planning Commission on whether to update the Mid Valley Area Community Plan which acts as the guiding document for development outside the town boundaries in the unincorporated area of Eagle County in concert with the Town's Master Plan. Also this is to provide comments on how they should amend it.

Lindt indicated the Commissioners have some packet materials – a draft letter is attached to the Staff Memo; the Commissioners have the prior comments from 2012 and 2013 that the Town provided to the Regional Planning Commission on the Mid Valley Community Area Plan when it was last being updated. Also in the packet, the Commissioners have the intergovernmental agreement (IGA) between Eagle County and the Town of Basalt, which establishes that the Town and the County provide each other with development referrals on potential development within the three-mile planning area for the Town of Basalt. It also establishes that the respective jurisdictions need to use the higher of the two jurisdictions' housing requirements in evaluating development applications.

Lindt continued that the Commissioners also have excerpts from the Mid Valley Area Community Plan that relate to the Hwy 82 Character Area that's in the plan, which is the main focus of the update, at least so far, in terms of comments that have been provided.

Lindt also advised the Commissioners also have the Highway 82 Character Area Future Land Use Map that's in the Mid Valley Area Community Plan (that's on the wall as well).

In terms of the draft letter, it's a mix of comments that Staff and the P&Z provided in 2012 and 2013 to the Regional Planning Commission, as well as other comments that have been provided by the Town to Eagle County on certain development reviews like the Tree Farm and the Fields development proposals.

Lindt stated that the letter requests a joint work session between the Town P&Z and the Regional Planning Commission to be done before the third work session on the Mid Valley Area Community Plan. They've already had one work session. The first work session was about process and moving forward with their process. A second one has been scheduled for Thursday night, February 1st. It suggests getting the Town and the Regional Planning Commission together to discuss topics related to the Mid Valley Area Community Plan as well as the update to the Town's Master Plan that we're starting to get into and other land use coordination that was requested by Chairman Maron as well as the Mayor at the first work session of the Regional Planning Commission. It wasn't received well, so we thought we would add it into this letter again for discussion by the Commission.

Commissioner Maron instructed Lindt to be clear as to why it wasn't received well.

Lindt replied that the Planning Director of Eagle County suggested it wouldn't be an appropriate mechanism to help with an inclusive process. So that can be a consideration of the P&Z as part of this letter.

Lindt continued that the letter in the draft packet identifies that there is a good base for the plan to provide some positive updates, but that it needs adjusting based on conditions that have changed from 2012 and 2013 when it was last updated.

The draft letter also suggests that there needs to be more definition in the future land use designations that are in the Plan, and also recommends that suburban and urban development shouldn't be considered appropriate outside of the Town's urban growth boundary, which can be seen on this map (indicates map hanging on the wall), and in areas that don't have future land use designation on the Town's Future Land Use Map. The letter suggests that all suburban/urban development should be centered and focused in those areas.

Additionally, the draft letter suggests the Regional Planning Commission needs to evaluate a couple of future land use designations on the map such as the Field's development parcel which is located west of the UGB and El Jebel. It's well outside of the Town's urban growth boundary. Back in 2012/2013 the Town voted against and objected to their changing the future land use designation on that property to allow for a more suburban style of development. So the draft letter suggests they consider changing that back and providing for a less intense development designation.

Lindt stated that a build-out analysis for the mid valley should be coordinated between the Town and the County because we need to see whether the overall development that is allowed by the Town's Master Plan as well as the Mid Valley Area Community Plan combined would be within

the carrying capacity of the mid valley. He noted that there really hasn't been an overall analysis that's been done between the two plans and Staff thinks that's an important piece.

Lindt added that the plan should address protecting the Town's two commercial centers, which is downtown as well as the Willits Town Center so that a whole lot of additional commercial is not being programmed outside of the Town's boundaries to poach business from the Town's two commercial centers. This was a big topic during the Tree Farm discussions.

Overall, Town Staff recommends the Commission ask any questions that they may have about the draft letter and the plan in general. Town Staff will answer any questions about the letter that the Commission may have. The Commission can recommend sending the letter as drafted or can provide direction for changes to the letter.

Staff would like to get a letter out to the Regional Planning Commission and Eagle County likely tomorrow before they have this second work session on Thursday. And once again, the second work session is next Thursday (February 1st) at 4pm at the El Jebel Community Center. P&Z members are able to attend and provide comments. The meeting will take place at the Eagle County building next to Crown Mountain Park.

Philp explained that this meeting was posted both for Council as well as the P&Z so Commissioners can come without concern of holding an illegal meeting.

Lindt stated that Staff will now answer questions from the P&Z, or they can provide comments.

Commissioner Maron indicated he had comments about the overall nature of the draft letter. The letter is really good on some points, whereas on other points it draws too much of a line in the sand. He stated he would like to not piss them off, and would like them to actually read the letter. The most important outcome is to get a joint meeting. So I'd like to not poke them in the eye, in an administrative way. The comments about the build out analysis is extremely important, and should move further up the list. Some the articles in here, specifically 3,4, and 5, the ones that talk about the urban growth boundary, while I agree with everything that is said in there, it is not necessarily salient to this letter because I don't think it will get any action. This may anger them. They'll do what they'll do. This will be the thrust of what will be discussed in the joint meeting, in addition to a build-out analysis. A build-out analysis is crucial to all of us in putting our Master Plan together. But what we need to hammer out with them is how they treat things within our three-mile boundary and our urban growth boundary.

Commissioner Wheeler asked if the Town is prepared to pay our portion of that analysis, should they agree to it?

Commissioner Maron replied no, they're going to do theirs, and we're going to do ours. We'll have a mutual understanding of what everyone thinks. Or we can do it together. That's something we could discuss, whether that analysis was done in concert with the Town of Basalt. It would probably yield a better result.

Commissioner Wheeler agreed.

Commissioner Maron continued that it is a good point to go forward in a combined effort. Also, if it were done as a combined effort it may be cheaper for both parties. Comment 6,7,8 are extremely important and should move up the list. The Climate Action Plan, the coordination of the intergovernmental agreement is not adhered to as much as we would like. The tone should be fairly appealing because we want to get a meeting, and then talk about the hard stuff in the meeting.

Commissioner Rossetti questioned whether the letter in 2012 was actually mailed out?

Lindt confirms that the letters were mailed and received by the original planning commission.

Commissioner Rossetti continued that he thought the letter was well written for what it was about. He agreed that an earlier overture would be to have a joint meeting that may quiet down some of the things you may have. Reading it, he doesn't not have the same concerns as Commissioner Maron.

Commissioner Maron expressed that he is basing his concerns on what he heard from the Eagle County Planning Director who was so opposed to getting the groups together. He indicated he does not want to stir that pot.

Commissioner Rossetti questioned if that was during the meeting that Commissioner Maron went to last week, and Commissioner Maron indicated that it was.

Commissioner Rossetti asked Commissioner Maron what he recommends. Should points 3,4,5 and 6 just be eliminated?

Commissioner Maron replied that should be combined into one article, and do it in a much more broad, general fashion. Currently it sounds like a demand, and it should sound like a suggestion.

Commissioner Wheeler asked given the history with pursuing Eagle County in the past, do we feel that we're going to be able to make headway, given the Planning Director's comments?

Commissioner Maron stated that he intends on giving it his best shot and spearhead this as much as possible. He will attend their meetings and state his piece. They've done more than they used to, decades ago, but they still ignore a lot of what the Town says. We should try to make the bridge a little bit closer than it used to be – inch it together.

Commissioner Slack questioned why is that?

Commissioner Maron responded that Eagle County has their own goals and their own needs. Each municipality and government has their own needs. A lot of what we're talking about is protecting the revenue from our financial centers. We need the revenue, they want the revenue. If we talk about it together in the same room maybe we can come to an understanding. At the political level, that's where it happens. At the planning and commission level, no. But we can still get there, if we talk about what's really important.

Commissioner Wheeler asked Lindt if he is comfortable with what is being proposed.

Lindt replied that he would like to ask a question to Commissioner Maron. Lindt asked Commissioner Maron if he agreed that having the discussion further down about the Highway 82 Character Area where it cites the specific policies was important - Staff thought those were important because if they do launch into a discussion about the specific goals and whatever the issues are that the Town had, Staff thought it was important for them to understand what those concerns were if they do decide not to have a joint meeting based on the Planning Director's tone.

Commissioner Maron responded that's the thing – what do we do if Eagle County won't meet with us? Do we rewrite the letter and sent it again? Maybe. If they won't meet with the Town, then we let loose with both barrels and state that this is what we think.

Lindt replied that he is concerned that Eagle County will launch into the discussion items and just go.

Commissioner Maron replied yes, and as far as the Highway 82 Character Area issues, he has a question with 1.12(b), because it addresses the Urban Growth Boundary.

Philp interjected that the Commission may want to make a more general statement. We need to be prepared that they won't meet with us.

Commissioner Maron agreed that the letter should contain a general statement about the UGB.

Philp stated that we do need to be prepared that Eagle County won't meet with us. And after we send the letter we should talk about what we want to discuss with them.

Commissioner Maron stated that he believes there to be only a 20-30% chance that we will get a meeting with them. He doesn't want to lower that chance by sending them a letter that makes them feel put off.

Commissioner Wheeler posed the question of inviting them to our meeting

Commissioner Maron replied that this would be good too. We should be flexible about whether they come to our meeting or we come to their meeting.

Commissioner Wheeler posed that we ask them to join their meeting, and if they say no, then we ask them to join our meeting.

Commissioner Maron responded that he thinks that is a good plan.

Commissioner McAllister asked if the Regional Planning Commission is the counterpart to our P&Z?

Philp responded that yes, for this area. They have two P&Zs. There is a P&Z for the Eagle River Valley and a P&Z for the unincorporated area here, and that's the Regional Planning Commission.

Commissioner McAllister stated that they're probably a little more hard-pressed to say no, they're not going to come and meet with us.

Commissioner Maron explained that Eagle County has a new Planning Director, and he does not know him, so he's not sure what to expect.

Commissioner Wheeler stated that it's their plan that we're wanting to join in the conversation about. We probably should ask them and hopefully they'll invite us. If they don't, then certainly we can invite them to a meeting with us. And if they turn that down, then it's on them.

Lindt stated that in response to Commissioner Maron's suggestion we can certainly combine letter points 3, 4 and 5 and make them more general; however, it is important to have something in there about 3, 4 and 5. We can move them down the item list.

Commissioner Maron agreed with this and added that by doing so we indicate that these are issues that are important to us, that we want to discuss with the Regional Planning Commission.

Commissioner Keefe stated that it's like saying "These are our concerns."

Commissioner McAllister stated that sometimes this approach will work, sometimes it doesn't.

Commissioner Maron stated that it depends on the nature of the Staff on the other end. He asked Planning Director Philp if she knew more than the Commission does on this subject.

Philp replied that years ago we had joint meetings, here on our plan, and we had a couple of them when we did the '99 plan. They were good because the two groups together were talking. It was really helpful. If you can really talk as two bodies, and not talking through Staff, having a discussion would be really helpful.

The Commission talked about whether there would be merit in having the Chair have lunch with the Chair of the Roaring Fork Valley Regional Planning Commission and whether it would be appropriate. Chair Maron also asked if notice is required for meetings with three or more board members. Ultimately Maron asked Philp to check on this.

Philp responded that is correct, three or more, and if it were a land use development item then this could not be done. However, this is regarding a Master Plan, so it is ok.

Commissioner Maron stated that the Town has no open applications of any sort with the Regional Planning Commission and wants Staff's input.

Philp agreed, and reiterated that in the letter Staff would combine items 3, 4 and 5, and asked Assistant Planning Director Lindt if he was clear on what we would be doing regarding the policies.

Lindt stated that what he heard about the policies is that generally it's a good idea to keep them in if everyone agrees.

Commissioner Maron stated that if we made a broad statement first and then put that as part of the policy this is still okay. It's not as in your face as putting it up front.

Commissioner Keefe stated that we have zero leverage, right? We have nothing.

Commissioner Maron agreed, we have nothing other than the goodwill of citizens of the same county.

Commissioner Rossetti stated that we just don't want to turn it into a negative thing.

Commissioner Maron agreed that we want this to be a positive thing.

Commissioner Keefe agreed, and added that we have a good neighbor policy.

Commissioner Rossetti asked if there is a need for a goal, as all the other policies are attached to a goal.

Lindt replied that Eagle County breaks the plan up. There are certain policies and then there are sets of goals too, and it's just the way that they label them. The rest are policies that really relate to the Highway 82 Character Area and then they've got a specific goal too.

Commissioner Rossetti stated that we're following their lead on it.

Lindt agreed, and stated that we're following what's in their current plan and then we're saying that they should adjust this specific goal or policy in this way.

Commissioner Rossetti asked Lindt if this letter could be sent out tomorrow?

Lindt responded yes, certainly.

Commissioner Maron offered to come to the Planning office to sign the letter tomorrow.

Lindt asked the Commission whether there are any other comments from P&Z members or suggested edits?

Commissioner Rossetti replied that he appreciates the effort Staff put into this letter.

M/S MARON AND MCALLISTER TO ACCEPT THE LETTER WITH THE CHANGES AS SUGGESTED. MOTION CARRIED BY A VOTE BY A VOTE OF 7 – 0.

Philp stated if the Regional Planning Commission does say yes to a meeting, it will be all hands on deck to ensure the P&Z does show to the meeting, and we will need to talk about what we will say. Philp asked Commissioner Maron if he had any thoughts on that.

Commissioner Maron replied that if they say yes the Commissioners should circulate an agenda to get everyone's thoughts and then the Commission can work on it back and forth.

Philp explained that we try and avoid too much back and forth. If the Regional Planning Commission says yes, we will work out a time for another meeting where the P&Z can talk. We really don't want to have back and forth over email, as this has worked out poorly in the past. She told the Commissioner that if they have some thoughts on how they'd like to handle this, to give her a call.

Commissioner Maron stated that we'll know by the 6th if we're going to get a meeting.

Lindt replied that we'll probably have to be ready for a joint meeting relatively quick. The Regional Planning Commission has set work sessions for February 1st, February 15th, March 1st and March 15th.

Philp adds that they're also set for a meeting on April 6th or 7th.

Commissioner Maron suggested getting some of Tim Malloy's time to talk about the interface points, between our plan and theirs. That would be really useful.

Philp responded yes, and that if the Regional Planning Commission does not agree to meet, then we'll regroup.

Philp reminded the group that February 1st is the Regional Planning Commission over in El Jebel. The 6th is our normal meeting day, and we will hold that date for now.

Commissioner Maron stated that he will be there and can report to the group.

ADJOURNMENT

M/S MCALLISTER AND KEEFE TO ADJOURN. CARRIED BY A VOTE OF 6-0.

The Planning and Zoning Commission adjourned at 6:31 pm.

TOWN OF BASALT
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By 
William C. Maron, Chair

Attest 
Susan Philp, Planning Director