



Zachary Hendrix <zachary.hendrix@pitkincounty.com>

Growth Management Update

3 messages

David Kelly <dbk@okglaw.com>

Tue, Oct 13, 2020 at 2:40 PM

To: "zachary.hendrix@pitkincounty.com" <zachary.hendrix@pitkincounty.com>

Cc: "steve.child@pitkincounty.com" <steve.child@pitkincounty.com>, "kelly.mcnicholas@pitkincounty.com" <kelly.mcnicholas@pitkincounty.com>

Hi Zach,

I had a few thoughts on the public outreach process.

I think much of the frustration from the public was the feeling that they didn't know what was going on. Meanwhile, planning staff was frustrated that they had been trying to reach out for months and had a large group contributing but that the public at large was silent until the Caucus meeting on 10/2 and the BOCC meeting on 10/6. I'm sure Cindy was surprised at how unanimous and strong the opposition was from the Caucuses and this had to do with the lack of easily digestible information.

I believe that the public notice needs to explain, in bullet point fashion, what is being proposed as part of the land use code rewrite. Even if it includes options A, B and C it would help people feel that things aren't being "hidden" from them.

Saying that 'Growth Management Planning' meetings are happening doesn't provide enough information for the public to know if they should be interested. GMQS turns off even the most civic minded citizen.

I would also like to see the process include the ability for people to contribute their own ideas in an informal way. This would include ideas on how to incentivize the existing housing inventory to adopt energy efficiency rather than just punishing new development or building it into REMP fees for new construction. Given what a large contributor vehicle travel is to the carbon footprint, people could also volunteer their ideas for reducing miles traveled and adopting EVs. Addressing the few new home starts a year doesn't really tackle the 800 pound gorilla. Highway 82 has been full in 25 years I've been here, in good years and bad. Making new houses smaller without basements isn't going to change that.

The bullet points from this last go round would be something like this, though hopefully the next round is significantly less controversial:

- Reduce maximum allowable house size from 15,000 SF to 10,000 SF;
- Reduce growth management exemption from 5,750 SF to 3,250 SF;
- Eliminate the Current sub-grade exemption of up to 4,000 SF;
- Require all new homes to be as close as possible to "net zero";
- Introduce the concept of "social equity" to all zoning decisions (Not clear exactly what that means);
- Discontinue TDR program. Reduce value of each existing TDR from 2,500 SF to 1,000 SF so that existing inventory of TDRs is burned off quicker. Once TDRs that are currently available for purchase in the market have been fully utilized, no new TDRs will be issued. Annual growth management allocations were already reduced by 50% early this year to levels that would support no more than 2 or 3 new homes each year. Modify GMQS so that Growth Management allocations could only be used for new development rights and not for larger homes.
- Put cap on the number of building permits that can be issued annually.
- Increase employee housing impact fees.
- Modify code with regard to demolition and redevelopment so that a large home can no longer be torn down and replaced with a similarly sized home.

This would allow the public to make informed decisions on which of the proposals they agree with and to provide meaningful input or alternatives.

It would be great if the bullet points were more accessible from the Pitkin County home page. It took way too much digging to figure out what was actually being proposed and I have no idea if I have it right. The problem is that things can get blown out of proportion if people are hearing about it second hand instead of reading it for themselves.

Thanks for all of your work on this.

Sincerely,

David B. Kelly
Oates, Knezevich, Gardenswartz, Kelly & Morrow, P.C.
[533 E. Hopkins Avenue, Suite 201](#)
Aspen, Colorado 81611
(970) 920-1159 (direct)
(970) 920-1700 (main)
(970) 920-1121 (fax)

This message is intended only for the individual or entity to which it is addressed and may contain information that is confidential and exempt from disclosure pursuant to the attorney-client and attorney work product privileges or as otherwise provided by law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by reply e-mail and destroy all electronic and hard copy versions of this message and all attachments.

Zachary Hendrix <zachary.hendrix@pitkincounty.com>
To: David Kelly <dbk@okglaw.com>

Tue, Oct 13, 2020 at 2:47 PM

Thank you for your thoughts. I will ensure that they are presented to Cindy and are taken into consideration in developing whatever public process is decided on to continue the growth discussion. We appreciate your participation!

[Quoted text hidden]

--

Zachary Hendrix
Long-Range Planning & Climate Action Plan Admin
Community Development, Pitkin County
530 E Main, Ste 205
Aspen, CO 81611
Phone: (970)429-3339
Cell: (970)319-2336 (Use this number if calling))

Please visit pitkincounty.com for a detailed list of department contacts and available services. Most of our staff are working remotely and our main phone line (970-920-5526) is available for questions you may have.

For the latest information regarding COVID-19, please visit any of the following sites:

- [Pitkin County's COVID-19 website](#)
- [Colorado Department of Public Health and Environment's COVID-19 website](#)
- [Center for Disease Control and Prevention's COVID-19 website](#)

For general questions about COVID-19, please call the Colorado Health Emergency Line for the Public (CO-HELP) at 1-877-462-2911, 7 days a week from 8 am to 5 pm. You can also email COHELP@RMPDC.org for answers in English, Spanish (Español), Mandarin (普通话), and more.

Zachary Hendrix <zachary.hendrix@pitkincounty.com>
To: Cindy Houben <cindy.houben@pitkincounty.com>, Ellen Sassano <ellen.sassano@pitkincounty.com>

Tue, Oct 13, 2020 at 2:47 PM

[Quoted text hidden]

[Quoted text hidden]