



Land Use

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Allenspark Regional Comprehensive Plan – Phase 2

May 24, 2012 – 6:30-8:00 pm

Meeting #5

Topics: Wrap Up Business Zoning, continue Building Materials

Agenda

- Business Zoning, continued from 4/26/12
 - Application of the district
 - Uses discussed
 - Questions for Land Use Staff to answer
 - What is an appropriate front setback considering Business Rt 7 ROW is 60-66 feet wide and Ski Rd ROW is 70 feet wide?
 - Can mining uses be prohibited?
 - Parking requirements similar to Niwot RCD?
<http://www.bouldercounty.org/property/build/pages/lucode.aspx>, click on Article 4-116 Niwot Rural Community District
 - List of desirable/suggested building materials for townsite
- Building Materials, continued from 1/12/12
- Wrap-up and next steps

May 22, 2012

NOTE: This version combines the DRAFT Allenspark Historic Business District proposed by the 747 Community Project and the uses discussed at the April 26, 2012, meeting with Abby Shannon. Changes discussed at the April 26, 2012, meeting (or suggested by Abby Shannon that differ from the 747 draft) are indicated with either a ~~strike through~~ or an underline. Notes and commentary are provided in *italics*.

Allenspark Historic Business District

~~(This district is a new zone district for the businesses which lie outside the Business district but within the boundaries of the Allenspark Regional Comprehensive Plan (ARCP) geographic boundaries. It would replace the current Forestry Zone District)~~

Note: I propose we try this zone district out on the existing businesses in the Allenspark townsite first. We can keep the proactive application of this zone district to businesses outside the townsite as a goal to be pursued when there is availability from Land Use staff.

A. Purpose: A zone which acknowledges that the recreation and tourism history of the Allenspark area contributed greatly to the establishment of the community and which seeks to recognize those existing historical uses in order to preserve and promote the remaining recreation and tourism

operations that exist in the community and which continue to have a positive social and economic influences in the community and help to define the community character.

B. Principal Uses Permitted

1. Agri-business Uses

- a) None Permitted

2. Agricultural Uses

- a) Farm Stand
- b) Open Agricultural Uses

3. Commercial/Business Service Uses

~~None Permitted~~

- a) Building Contracting Shop
- b) Carpentry, Woodworking, or Furniture Making Facility
- c) Commercial Bakery
- d) Machine Shop
- e) Printing and/or Publishing Establishment

4. Community Uses

- a) Adaptive Reuse of a Historic Landmark (I)
- b) Camp
- c) Church
- d) Educational Facility (S)
- e) Membership Club
- f) Reception Halls and Community Meeting Facilities
- g) Use of Community Significance (I)

5. Forestry Uses

- a) Forestry

6. Industrial Uses

- a) None Permitted

7. Lodging Uses

- a) Bed and Breakfast – in this zone district, up to 6 guest rooms and twelve guests per night are permitted
- b) Campground (S) *[Note: we discussed removing this during the 4/26/12 meeting because it would not be appropriate in the core Allenspark business area. But if this zone district is expanded and applied to parcels with businesses that are outside of the core area, this use may be appropriate given the specifics of the location.]*
- c) Overnight Lodging
- d) Resort Lodge, Conference Center, or Guest Ranch
- e) Short-Term Dwelling Rentals

8. Mining Uses

- a) ~~Oil and Gas Drilling or Production, on subdivided land~~
- b) ~~Oil and Gas Drilling or Production, on unsubdivided land~~

[Not sure if we can prohibit Mining Uses if someone owns the mineral rights in the area, but we discussed removing these uses from the Allenspark townsite, in particular, if possible.]

9. Office Uses

- a) Professional Offices

10. Recreation Uses

- a) Livery or Horse Rental Operation
- b) Outdoor Recreation, for day use
- c) Park or Playfield, for day use

11. Residential Uses

- a) Boarding House
- b) Group Care or Foster Home (S)
- c) Single Family Dwelling
 - i. Maximum gross residential density one dwelling per building lot

12. Retail and Personal Service Uses

- a) Bank
- b) Convenience Store
- c) Day Care Center
- d) Emergency Care Facility
- e) Eating or Drinking Place, without drive through
- f) Indoor Theater
- g) Mortuary
- h) Recycling Collection Center, Small (I)
- i) Retail or Personal Service Facility
- j) Vehicle Service Center
- k)

13. Transportation Uses

- a) a) Park and Ride Facility (S) *[Discussed possible deletion of this use.]*

14. Utility and Public Service Uses

- a) Central Office Building of a Telecommunications Company (R)
- b) Community Cistern (I)
- c) Fire Barn (I)
- d) Fire Station ~~(H)~~ (S)
- e) Public or Quasi Public Facility other than listed (S)
- f) Public Safety Telecommunications Facility (I)
- g) Sewage or Water Transmission Lines (R/L)
- h) Small Solar Energy System or Solar Garden ~~(S)~~ (SPR/I)
- i) Small Wind Powered Energy System

- j) Telecommunications Facility, utilizing an existing structure and meeting the height requirement of the zone district.
- k) Telecommunication Facility requiring a new Structure or accessory structure exceeding the height limitation of the district in which the facility is located, or exceeding the accessory building size limitations (S)
- l) Utility Service Facility
- m) Water Reservoir (S/R/L)
- n) Water tank or treatment facility (S/R/L)
- o) ~~Wind Powered Electric Generator (I)~~ *[This use no longer exists in the Code. It was replaced with Small Wind Powered Energy System]*

15. Warehouse Uses

- a) None Permitted

C. Accessory Uses Permitted

- 1. Temporary Accessory Community Meeting Facility
- 2. Accessory Dwelling (I)
- 3. Accessory Horse Keeping
- 4. Accessory Outside Storage
- 5. Accessory Solar Energy System
- 6. Accessory Structure
- 7. Grading of more than 500 Cubic Yards (I)
- 8. Home Events
- 9. Home Occupation
- 10. Household Pets
- 11. Noncommercial Telecommunication Site, one structure which meets setback and height requirements
- 12. Noncommercial Telecommunication Site, multiple structures and/or not meeting setback or height requirements (I)
- 13. Small Wind-Powered Energy System, Roof-Mounted

D. Temporary Uses Permitted

- 1. Emergency Noncommercial Telecommunication Site (A)
- 2. Garage Sales or Occasional Sales
- 3. Group Gathering (A)
- 4. Temporary Construction or Sales Office (A)
- 5. Temporary Dwelling Unit (A)
- 6. Temporary Farm Stand
- 7. Temporary Special Use (S)
- 8. Temporary Weather Device Tower

E. Lot, Building, and Structure Requirements

- 1. Minimum lot size
 - a. As existing at the time of rezoning to this zone district

2. Minimum setbacks

- a. Front yard...15 feet
- b. Side yard...7 feet
- c. Rear Yard...15 feet

[Note: Land Use Staff will look at these numbers more closely to compare with existing conditions. For example, 15 feet might still be too much, causing existing buildings to be non-conforming with respect to their front setback]

3. Maximum building height

- a. For new construction and additions 30 feet; structures existing at the time of adoption of this code shall be permitted at their existing height.

F. Additional Requirements

1. Multiple Principal Uses – shall be allowed unless the uses otherwise trigger Special Review.

2. Special Review is required:

- a) When the use of motorized recreational activities or the use of firearms is proposed.
- b) When redevelopment of a parcel, resulting in the deconstruction of more than 20% of the existing structures, is proposed.
- c) When a use or combination of uses would generate at least 20% more traffic to and from the facility (traffic volumes measured as average daily trips as defined by the Institute of Transportation Engineers) than the established baseline or the previously permitted traffic levels. Note: 20% increase is what CDOT uses for a trigger to require a new access permit.
- d) When a use or combination of uses would result in the addition of at least 25% more user capacity to the facility than the established baseline or the previously permitted level of use.
- e) When a use or combination of uses would result in the addition of at least 25% more total floor area to the facility than the established baseline or the previously permitted square footage. Note: unless the square footage increase is agricultural in nature, e.g., hay storage, barn, riding arena, etc.

[Note: The language proposed here implies an existing use seeking to expand but it would also trigger special use review on vacant land that would perhaps otherwise require site plan review. Vacant land developed with anything will result in more than 20% traffic increase or more than 25% user capacity, for example. Perhaps it should read, "Special Review will be required when an existing use proposes to expand or change uses and:"....]

3. Limited Impact Special Review is required:

- a) When a use or combination of uses would generate at least 10% more traffic to the facility (traffic volumes measured as average daily trips as defined by the Institute of Transportation Engineers) than the established baseline or the previously permitted traffic levels.
- b) When a use or combination of uses would result in the addition of at least 10% more user capacity to the facility than the established baseline or the previously permitted level of use.
- c) When a use or combination of uses would result in the addition of at least 10% more total floor area to the facility than the established baseline or the previously permitted square footage.

[Note: Same comment as above]

Abby suggests incorporated the following Special Use triggers in addition to those (above) which seem to be better suited to parcels with existing development.

Special Use is required for any new use which:

- 1. Generates traffic volumes in excess of 150 average daily trips per lot as defined by the Institute of Transportation Engineers;*
 - 2. Has an occupant load greater than or equal to 100 persons per lot;*
 - 3. Has a wastewater flow greater than or equal to 2,000 gallons per day; or*
 - 4. Has a total floor area greater than 25,000 square feet.*
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Building Materials

What we heard: Community wants to have their choice of siding material such as natural wood siding in High Hazard and Extreme Hazard-designated areas, and would be willing to provide greater wildfire mitigation to do so.

Land Use Department Concerns: Property maintenance in wildfire-prone areas is imperative but we aren't going to monitor or regulate cleaning out one's gutters. Spilt log siding is one of the Building Team's big concerns – smooth siding tends to resist ignition while rough textures could allow embers to collect and then ignite.

Common Ground: The 747 Project proposal supports other building code requirements including structure vents, unenclosed under-floor protection, class A roofing materials, perimeter gravel requirements. And the ignition-resistant materials requirements in the Building Code allows any type of siding to be used in areas of Moderate Hazard.

Additional concerns to be addressed:

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For more information, contact Abby Shannon: ashannon@bouldercounty.org or 720.564.2623

Allenspark Regional Comprehensive Plan – Phase 2

May 24, 2012 – 6:30-8:00 pm

Meeting #5

Topics: Wrap Up Business Zoning, continue Building Materials

6:20: Pre-meeting discussion of future meetings:

- June: 3rd Thursday 1-5pm (workshop in Boulder, approx. 4 hours)
- July and future: 2nd Thursday (workshop in Boulder, approx. 4 hours) & 4th Thursday (evenings in Allenspark)
- Friday, June 22th: workshop on the Built Environment w/ County staff

6:30: Meeting begins

- Abby talks about business zone district: front yard setbacks, Forestry (F) zone district, Limited Impact Special Review (LISR) process, have businesses become conforming as staff time is available
- The group discussed whether Eagle Plume's and Bishop Gallery should be incorporated into a new Allenspark Business district. Tammy advocated for rezoning them business when the townsite businesses are rezoned; Abby stated it would complicate the analysis because they are not within the town core and not adjacent to each other. Jeff stated Tammy's points are valid but tabling them for consideration at a later point is better than doing nothing.
 - Comment: Table it, but make an implementation plan.
 - Abby supported the idea of creating an implementation plan that would plan when and how the comprehensive plan would get implemented.
- Someone asked while it is difficult to rezone a property to Business. Abby replied that staff looks at a lot of different factors such as compliance with other existing regulations, access, other businesses that could establish in that zone, etc. Must look at all sites individually. Comprehensive rezoning could be processed as one application moving forward (all townsite businesses at the same time), but each site might have a different conditions of approval.
 - Seemed to be consensus for discussing/pursuing the rezoning of Eagle Plume's and Bishop Gallery at a later time.

7:02

- The group discussed uses currently allowed in the Business zone district and continued the discussion from April 26, 2012 discussing what should be allowed in the Allenspark-specific business zone. They talked about construction companies, what process would be appropriate for that use (perhaps Limited Impact Special Review), perhaps requiring a review process if outdoor operations are proposed, recommending hours of operation for outdoor uses to minimize negative impacts to neighbors, and more.
- Abby asked if the businesses in Allenspark should be for tourists or locals? The group responded, "both."
 - Comment: want to preserve the area and have some kind of economy up here. Need some kind of balance between sleepy town and tourist destination.
 - Comment: Seasonal town. Businesses gear up in the summer. Also, a lot of the residential uses near the businesses are seasonal. Have different issues in summer and winter. Neighbors are always going to complain, might complain more in the summer.

7:40

- Gary Goodell: The International Building Code (IBC) allows bed & breakfasts with 10 or less occupants to be built like a house. More likely 5 rooms/10 guest; but Abby noted that the LU code does not currently align with building code. (The Land Use Code allows a maximum of 3 guest rooms and 6 guests per night.)
 - Jeff mentioned we could make local amendments to the building code. Gary concurred but said we need a really good reason to amend the building code.
- The group discussed severed mineral rights in the townsite, crematorium as a mortuary use, and park and ride facilities.
- Abby: Setbacks of 15' as stated in the proposal put together by Tammy's subcommittee might still be too much, will need to look at it more. If a structure is non-conforming, the owner can do health & safety upgrades. Staff will continue to look at setbacks, try and get estimates for existing setbacks.
- The group discussed the Special Use triggers and whether there should be a lower trigger for the townsite. Perhaps 10,000 square feet instead of 25,000 square feet? Also discussed the 2,000 gallons per day of wastewater trigger – Abby will check to see if that still aligns with the state (CDPHE) trigger.
- Land Use staff will look at existing parking with the existing businesses.
- The group discussed architectural styles and building materials for the townsite area and whether that should be required in a new zone district. There seemed to be consensus for design guidelines although it wasn't clear whether those guidelines should be mandatory or encouraged (but not mandatory). Abby suggested folks look at the Niwot design guidelines.

Building Materials: 8:10

- The focus of the last discussion and the area of disagreement seem to be siding materials: wood siding is allowed in areas of Moderate hazard but not in areas of High or Extreme hazard. High and Extreme areas require ignition resistant materials. Someone suggested it would be good to know before deciding to make improvements what their property is rated.
 - Garry: Rating determinations are made on a site-specific basis when someone requests one (usually when they are in a planning review process).
- Comment: In looking at criteria for fire rating, it seems some property owners can change their fire rating to a lower level.
 - Abby: Yes, but are some unalterable characteristics.
- Jeff: two different philosophies at work – don't want the house to burn attitude of the County vs the property rights of mountain folk. Our structures look similarly here, like to keep it that way. People are saying that we know it might burn tomorrow. Are okay with it.
 - Joy: But not increase the chance of neighbor's house burning
- Comment: if we do something with good intentions, need to be aware of what might happen in the future. Hear stories of people renovating old cabins, who have wood slab siding, can get

historic money to do it. How do you reconcile historic character with need for fire mitigation; is out of character with architectural style. Get county and community to recognize individuals.

- We've worked through this in other historic areas [Gold Hill, Eldora]

- Mike: People want Allenspark to look like Allenspark in 50 years, not Taos or Santa Fe
- Garry: There is more to ignition resistant material than just stucco.
- Tammy: should be able to use same material when doing a renovation.

- Comment: Be a matter of individual choice unless it is a danger to a neighboring house. Use the educational approach (Ryan Ludlow's presentation), not the government-mandated approach.

8:40: Wrap-up

- Thursday June 24th meeting in land use
 - Will have numbers on what properties fall into different hazard ratings
 - Existing conditions on parking

Community members present: Tammy Ackerman, Becky Brandli, Bill Ellis, Leon Bartholomay, Bob Snell, Mike Johnston, Jeff Kolen, Dave Pinkow, Joy Spatz

Land Use staff present: Abby Shannon, Gary Goodell, Jessica Potter