



# AVON PLANNING & ZONING COMMISSION MEETING AGENDA

WEDNESDAY, FEBRUARY 22, 2023

## MEETING DATE ADJUSTED

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1. THE PLANNING AND ZONING COMMISSION MEETING FOR FEBRUARY 22, 2023 HAS BEEN ADJUSTED TO A WORK SESSION AT 5PM IN THE HOLY CROSS ROOM, SECOND FLOOR

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MEETING AGENDAS AND PACKETS ARE FOUND AT: [WWW.AVON.ORG](http://WWW.AVON.ORG)  
AGENDAS ARE POSTED AT AVON TOWN HALL, AVON RECREATION CENTER, ONLINE AND AVON PUBLIC LIBRARY  
IF YOU HAVE ANY SPECIAL ACCOMMODATION NEEDS, PLEASE, IN ADVANCE OF THE MEETING,  
CALL MATT PIELSTICKER AT 970-748-4413 OR EMAIL [MATT@AVON.ORG](mailto:MATT@AVON.ORG) WITH ANY SPECIAL REQUESTS.

**TO:** Planning and Zoning Commission members  
**FROM:** Jena Skinner, AICP, Senior Planner  
**RE:** Upcoming Development Code Modifications - Worksession  
**DATE:** February 17, 2023



**INTRODUCTION:** This report provides a list of Staff recommended Avon Municipal Code (“AMC”) updates considered at the joint meeting on February 14, 2023 by Town Council and PZC. As Staff considers new development projects or as Staff discovers ineffective or outdated code criteria during the development review process, some of the older provisions of the AMC need to be updated. Additionally, Staff feels that managing programs, such as code enforcement and the associated licensing tied to the building department, could be enhanced to improve the administration of these programs. Importantly, Staff feels that if a commonly used aspect of the AMC is difficult for the public to navigate, or, so inflexible that a secondary process is then needed to achieve a reasonable goal of the public, that the code should be reviewed and amended to be more efficient, effective, and less onerous in its application.

## **PROPOSED CODE AMENDMENTS:**

### ***Community Development***

#### **A. Minor / General Updates**

##### **Title 7: Development Code**

1. **7.08.010 General Definitions.** Update and addition of new definitions to reflect current conditions, uses, and new uses that lack definition.
2. **7.16.020 General Procedures and Requirements.** Update to public notification section 7.16.020.(d) Step 4: Notice.
3. **7.16.060 Planned Units Developments.** The purpose of which is to allow the TC to be one of the permitted entities that may initiate an amendment, similar to Rezoning (7.16.050)
4. **7.16.070 Subdivisions.** The purpose of which is to allow condominium plats to be processed administratively, no matter how many units are within the structure.
5. **7.16.080 Development Plan.** The purpose of which, is to update the list of what modifications require a Minor or Major Development Plan review, as well as add notice requirements for this process.
6. **7.16.120 Alternative Equivalent Compliance.** The purpose of which, is to use the Alternative Equivalent Compliance (“AEC”) process to support variations needed for improved signage. Staff also proposes to change the name to “Alternative Design” as the process is intended to offer an opportunity to improve or modify a design standard for the betterment of a project.
7. **New Section: 7.20.070 Residential and Commercial Setback Encroachments.** The purpose of which, is to permit certain non-habitable encroachments for limited, building and development elements.
8. **7.20.100 Employee Housing Mitigation.** The purpose of which, is to cross-reference this section with more current housing plans, including the Avon Housing Guidelines.
9. **7.24.080 Temporary Uses.** The purpose of which, is to add provisions related to uses that produce noise, as well as to modify length of temp use permit.

10. **7.28.020 (f) Handicapped/Accessible Parking.** The purpose of which, is to add further clarification of space locations.
11. **7.28.080 Fences.** The purpose of which, is to update the wind speed reference.
12. **7.28.100 Natural Resource Protection.** The purpose of which, is to strengthen and improve design and development controls on properties with significant excavation/grading needs.
13. **7.32.080 School Site Dedication and Park Dedication.** The purpose of which, is to clarify when fees must be paid during the application process.

#### **CHAPTER 15.30 - Outdoor Lighting Standards**

14. **New Section:** Update of this Chapter to improve “Dark Sky” protections to include *indoor* lighting effects on neighboring properties.

#### **B. Major Modifications**

1. **Chapter 7.34 Sign Code.** The purpose of this amendment is to add flexibility to the sign code in order to avoid the need for a Variance. *RELATED: Proposed Amendment A.5 – “AEC”*
2. **Chapter 7.16 Development Review.** Specifically, simplifying the development review process. This will also include the clarification of what process is required for Temporary Uses and the Development Bonus applications.

#### **C. Other.** Staff requests feedback from Town Council regarding the following potential amendments:

1. **Chapter 8.24 Public Nuisances. New Section.** Establishing a threshold for acceptable noise levels during specific times of day, similar to Vail.
2. **Rezoning Industrial Zoning** to “Heavy Commercial” to add a greater level of compatibility between these uses and residential uses (e.g., existing uses on Metcalf and Tract Y). This would affect Chapter 7.24.
3. **Town Core Map.** Establish a process by which to amend this map. This would affect Title 7.

#### ***Finance Department***

- D. **Chapter 5.04 Business Licenses.** General update to this Chapter. Aside from STR provisions, this Chapter has not been significantly updated in several years.

**NEXT STEPS:** Staff has earmarked the components on this list over the last year as amendments considered necessary for the AMC. Staff is proposing these amendments for several reasons: to increase the ability of the public to understand and implement the requirements of the Code clearly; to simplify and clarify processes for both the public and Staff; and to update the Code to reflect current conditions, standard procedures and best practices of development; and updates to reflect present taxation modifications.