

B: Work Session Minutes

STEAMBOAT SPRINGS PLANNING COMMISSION PUBLIC WORK SESSION MINUTES October 27, 2025

The regularly scheduled hybrid public work session of the Steamboat Springs Planning Commission was called to order at approximately 12:00p.m. on Monday, October 27, 2025, in the Carver Meeting Room, Centennial Hall, 124 10th Street, Steamboat Springs, Colorado, as well as online via Zoom.

Roll Call

Planning Commission members in attendance were:

Chair Brian Adams, Calais Kruse, David Box, AJ Summers and Gavin O'Toole.

Staff members present included administrative assistant Jessi Hagerman, senior planner Toby Stauffer and Planning Director Rebecca Bessey.

Routine CDC Text Amendment

Toby Stauffer:

This amendment comes from updates to state law. One has come from a Supreme Court ruling; we always have to update our Code to be consistent with those. Most of it comes through our daily application of the Code, things that we need to change.

There are changes to heights in RR, MF and G1. In all of those sections, we have dimensional standards which indicate overall height, plate height and third-story height for a couple of those, because our large condo buildings are for the most part in RR, MF and G1. In those zone districts, they have standards for the large buildings. Most of them had one standard for single-family residential and 2-Family Residential that were pretty equivalent. Most of those zone districts did not say the height for 2-Family Residential. So, we were getting really big duplexes that were able to meet the multiple-family building height standards but didn't have a lot of units. This change will add 2-Family Residential for all those zone districts to be equivalent with Single-Family Residential. We didn't change the heights; we just added 2-Family Residential to those zone districts.

Agosta confirmed that the 63-foot max height is still the standard for multi-family residential buildings.

Stauffer: When they have underground parking, they can be taller; it's something like 50 or 58 feet when they have surface parking. So, we were seeing duplexes that were able to build up to 58 feet tall but not really providing the units. We may or may not

have had that much intentionality, but the theory was to trade off more units for more height.

Agosta: If someone purchased the land with the expectation of being able to build 63 feet, and we came it and changed it to 40, what are the implications?

Stauffer: When we change midstream with amendments like this, if someone has purchased a property and started developing it under the old Code, they can continue to develop under the old Code even after the new Code is adopted. They have to be a certain amount along the process to do that. If they haven't started developing it or applied for any building permits or applied for any Planning applications, then they would be subject to this new fee. So, there's a little window in there where we can use the old Code that was adopted when they purchased it, but they would have to be in process already.

Adams: When we talk about multifamily in RR zone districts and we're talking about added density, our multifamily only requires a base level of one added unit than a duplex unit would already allow. So, we're not really requiring a lot more density under this Code, anyway. I would rather fix that than fix the height.

Stauffer: I think our goal with the new Community Plan is to fix things like that, maybe to put some minimum density requirements into our zone districts. We don't have that anywhere. We've seen that as sort of a loophole. For the time being, we thought that this height was changing enough because we have the difficult lots left to develop. Whether they're multiple-family or duplex or single-family, they're all sort of pushing the boundaries of all of our dimensional standards. So, I think that's an aspect that we may want to address in the future with direction from our plan. But for now, we thought we could apply the Code much more consistently. There's some other language in other sections of the Code that really puts single-family and 2-family uses together in the same bucket. It seems to make more sense to have those together. But we do want to address the long-term implications of minimum density and lot sizes and such. I think we have the intention to go through our Code and update zone districts and dimensional standards so they're better aligned with our policies in the Community Plan. I think those changes to the CDC are going to take us a little bit of time, and in that time period we would probably be concerned that we would still see big duplexes coming in.

Adams: Most of the duplexes that are coming in are doing way more than three units. They're meeting the intent of multifamily; they're just breaking them up into duplex units. So, why should those buildings get hit on height when they're providing just as much multi-family as if they were doing three?

Stauffer: Duplexes are allowed in these zone districts by conditional use. We could discuss things like height during the conditional use process to see if the building is

really providing it. The Crawford on Burgess Creek is three sets of duplexes that are connected, so that turned into a multi-family project because duplex wasn't allowed up there. I think we can try to navigate those products as they go through the conditional use process and evaluate those impacts so we would not be penalizing. Urban Street had multiple buildings of triplexes, and we looked at that as a multi-family project, so they didn't get the duplex penalty. If we had four buildings of duplexes on one property, that would probably look more like a multi-family development, and we would process it in that way. We would hopefully have some flexibility throughout whatever process that went through if a specific building didn't have particular units because of topography or whatever. We don't have to put this in, but we have seen projects where we're getting two units that are just big, which is maybe not where we want to go.

Kruse: Is it possible to adjust the definition of duplex to define what you're saying. If that's the format that the multi-family is coming across in, it would be reviewed as multi-family to accomplish both goals?

Stauffer: It could be challenging. We've got that defined as a 2-Family Residential use. We have a 2-family building or a duplex, and we look at those the same. I think it would be challenging to call something that has two units in it multiple-family with special circumstances. I think that's hard to put into a definition; it's easier to do that in special circumstances when we're looking at what's actually happening on a lot-by-lot basis. I'm not sure if we could really change that definition because it's two units in a building or two units as a residential use, it's really just two units.

Bessey: If it's two units in a building, it's a duplex and a 2-Family Residential use, and we will review it as such, regardless of how many other units are on the site. I think Brian makes a good point: You could have 9-10 units on the site and attach three units at a time as far as multiple-family and get additional height. But if you're only attaching two units, it's a duplex, and I think in a lot of circumstances you're not using the land as efficiently because you have to separate that duplex from the other building. So, there's some separation distance there, whereas the more units you attach, the more efficiently you're probably using the land. That's a generalized statement; there's obviously going to be circumstances where that's not true. In the Code, you go from duplex, two units, to multiple-family, which is three on up to any number. So, I think there's some work to be done there in the Code. But generally, throughout the Code, single-family and duplex are considered to be more of a similar circumstance with similar standards. You see that throughout every other district in the Code with the exception of this handful where single-family was called out for lower height. We felt like it was a little bit of an oversight or an error that duplex wasn't wrapped into those circumstances.

Adams: I think the fact that all of those 2-family buildings are conditional uses in that zone district is our failsafe already. It's not necessarily the height that's the big concern. It's one of these areas that's trying to have more density. If they want to try and do it

with a single duplex, we're going to take a look at the conditional use and say no, we're looking for more than that because that's the intent behind the zone district. You could do it in six duplexes that are either connected or not connected, like the Crawford. The height doesn't become a problem if we're meeting the density; the height is just similar to what it would be next door if there was a multi-family. The height has never been the thing that's bothering me, and I don't think we're helping on the density by making this change. So, I'd rather work really hard on the density rather than specifically limit height that's already a conditional use.

Bessey: Do you feel that way about all the districts or just the resort?

Adams: The resort especially, mostly because properties have more slope to them that they're trying to deal with. But I think the conditional use is capturing that everywhere, anyway. The reason why it never really bothered me that single-family and 2-family weren't equal in that is because I had even more of a problem with a single-family home showing up on a multi-family project than duplexes. Duplexes are efficient use of a shared-party wall that changes the construction type, but you can still have that density, but single-family was so different.

Box: In your opinion, what would the next level of good be? Add more language about density to make that clear?

Adams: We had talked about minimum density before, but I don't know how exactly that shows up, minimum FAR, number of units per square feet, minimum number of units with an additive depending on lot size? What's the smart way to do that? I don't know quite yet, but I think a minimum density makes more sense than height.

Summers: I think in RR, Brian's got a good point. [inaudible] You might need that height in that situation because a lot of those buildings are taller already. In the rest of the districts, I am supportive of including that duplexes meet the same design criteria as single-family homes because I think it matches what we had in our existing neighborhoods.

Kruse: Is there another way to memorialize the intention of this conversation?

Stauffer: I think in the Purpose and Intent for these zone districts, we would say this is what we're trying to do, and our new Community Plan gives us some good guidance there. I wouldn't want to do that right now because I think we should do that in response to our new Community Plan, but I think that could be our direction. We would take direction from the Community Plan and say this is what we're really going for with multiple-family in these areas. Hopefully, our zone districts, with their Purpose and Intent and dimensional and density standards would make that happen on the ground. That would give us all more guidance when we do have conditional uses. We're in a bit

of a gap right now with our Community Plan being adopted, but I think we can get that intent in there.

Box: What is our timeline to rewrite the Code, given staff's constraints?

Bessey: We haven't scoped that out. Design Standards is the first priority. We have some work to do to scope out how we tackle the zone districts and evaluating dimensional and density standards.

Stauffer asked if updating the MF zone district without updating the other zone districts would be satisfactory; Commissioners agreed.

Stauffer: Rich emailed to say he was concerned about the changes to Hotel specifically; I grouped Hotel and Hostile together.

Adams said he had the same question.

Stauffer: We kept Hotel as conditional use in RR because we feel like it's condo uses and maybe a bit different; it's more similar to multi-family sometimes, and RR is in a lot of places that transition right into residential areas. We did put Hotel as a use by right in all of the commercial zone districts. We didn't change anything in the TND. Rich had concerns about CK2. We have it as conditional in CO, CY and CK right now. Rich had concerns about CK.

Adams: CY is my other concern.

Kruse: I think CS would be on my list as well. I only know a few lots that are zoned CS, and picturing hotels on them gives me pause.

Stauffer: We have a lot of CS along the Highway 40 corridor west of town. East of town, it's CC, so those hotels are in CC right now. There's not a lot of difference between those. I think we have CS around Central Park, so those seemed like pretty high-intensity commercial districts where Hotel might be desirable.

Adams: I had a lot of pause for that hotel that we just approved by Taco Bell. I'm glad that we had that added review in that specific context, much more so than in CC. CC and G1 are fine; we have all these other standards to control if that's going to be successful.

Adams: The hotel by Safeway and the one by Taco Bell are in CC. I think the only CS zoning is on the west side of downtown.

Stauffer: The hotel on the west side that was approved a while ago where the nursery was is in CS. CS is high-intensity, community-wide commercial uses. CC is a little bit

broader: community-wide commercial and residential uses with lodging and compatible residential development between nodes. The nodes are at the big intersections in our old plan and in our current plan. So, these were based on our old plan.

Bessey: So, the CC Purpose explicitly calls out lodging, and CS does not.

Stauffer: Yes, CS is a bit more general. I think, from these statements, we envisioned a wider variety of uses in CC than CS. CS is supposed to provide commercial service type uses, whereas CC is supposed to be more community-wide uses. We've had this discussion before as to whether hotel is a community-wide interest. I think we've generally said that it is a community-wide interest. We need places for people to stay. Our Downtown Plan and Mountain Area Plan did say that we need to provide more ease in the process for hotel uses to maybe relieve some impacts from our STRs. If we had more hotels, we could maybe have less STRs. That's one thing specifically stated in the Downtown and Mountain plans.

Kruse: Maybe it would change if town keeps getting built out west, but right now it doesn't feel like we want everything to convert to Hotel.

Box: Do we see this table holding back folks from bringing hotel-type properties to the west side of town?

Stauffer: I don't think so. The conditional use is just a conditional step in their process. Those two hotels had a couple small variances. The Marriott had one variance to ground floor height. If it hadn't had that, you wouldn't have seen that project come through unless it had been conditional use. The EverHome Suites had a few, but it was pretty close to meeting our standards as well.

Box confirmed that the Marriott is CC.

Stauffer: The conditional use process would ensure that there's a public hearing on these. The Holiday Inn, in CC, didn't have a ton of variances, either. So, a hotel building has the potential to meet all of our current design and dimensional standards. So, if you wanted to make sure it had a public hearing, you might want to keep that as conditional use.

Adams: To me, it's less the dimensional standards than mitigating the impacts of that use on surrounding uses.

Agosta: If I go by the intent, it seems like by right in CC but conditional for CS.

Summers: The south side of town is where we find all the CC, which one would think is where you want hotels. If you start building them all across the west side, they're going

to contribute to the traffic problems on 40, whereas if they're closer to the base, people are more likely to walk or ride the bus or hop on a shuttle to get up there.

Adams agreed.

Box: CS talks about automobile; CC talks about pedestrian friendly.

Stauffer: They both emphasize pedestrian friendly and multimodal because I think that's generally what we want everything to emphasize. We always try to do that with every development, so that's the general intent of our plans and codes.

Commissioners agreed that Hotel should be use by right in CC with CS remaining a conditional use.

Stauffer: For the Hostile use, we thought that there was not a lot of reason for those two uses to be in different zone districts; we felt that they were basically the same. A hostile had a slightly different operating methodology and might be a slightly smaller size, but if we're interested in having lodging in these places, it seemed appropriate for us to have hostile lodging or hotel lodging in all the same places. We have Hostile in CS as a limited use; right now, it's prohibited in CS. We do have some standards there, which is why it's a limited use instead of a use by right. If it met those standards, then it would be like a use-by-right.

Stauffer asked if commissioners wanted Hostile to be a conditional use in CS.

Box asked if the term "lodging" had a requirement that stays be less than 30 days.

Stauffer: No. In general, our Code says that a short-term stay is less than 30 days, so that's how we define short-term and long-term stays, usually in an STR context. But we're not going to have anybody walk into a hotel or a hostile and see if anybody is living there.

Bessey: The definition of a lodging accommodation. I don't think it includes any specific day count, but it generally talks more about transient, temporary nature.

Adams: They seem to be the exact same; it's just the size. So, I would equate them with our same reasoning.

Summers agreed and said he didn't see why Hostile should be prohibited.

Stauffer reported that the City has had a number of inquiries around opening a hostile and that it has been difficult for developers to find a location.

Summers mentioned the lower price point.

Stauffer: That's what the hostile people have said, and they've come up against opposition from neighbors. We're changing the definition of Hostile a little bit because our Code was really pretty judgy towards a hostile. The price point would accommodate a larger variety of tourists and all sorts of people, and we haven't been able to do that, so we were trying to make this change to provide a better path for that type of use.

Downtown Uses:

Stauffer: We have the densest in CO, less dense in CY2 and CK1, and even less dense in CY1 and CK1. Our thought on adding CY and CK to this is they are commercial districts. Every district is mixed-use, but they are commercial districts. Our Downtown Plan in particular has said that we need to allow some more flexibility to get some lodging uses downtown. We've identified that as a need and a goal in our Downtown Plan. We did include the pedestrian active building frontage standard for Hostile in CO; we didn't do that for CK and CY. It would still be a conditional use in CK1 and G2.

Bessey: The reason why you see the Commercial Oak districts broken out between 1 and 2 in the use table – it's very different than any of the other zone districts where you see them all lumped together – is because Commercial Oak is a transition line between our commercial downtown core and our Old Town neighborhood. So, it felt really important for certain uses to not be allowed on the side of the street that directly abuts the alley with the residential, versus the commercial side where you're sharing an alley with commercial uses. It seemed like there were some uses that were appropriate on one side of the street and not on the other. The Commercial Yampa district is a little bit different in that it's not abutting a residential district. Yes, it abuts the river, and we address the different scale of the two sides of the street very much in the Dimensional Standards. If you compare CY1 versus CY2, you see very different heights, setbacks, FAR and lot coverage requirements. So, you're seeing a completely different scale of development on two different sides of the street, but the uses felt like they could be the same. To put a hotel in CY1, the river side of Yampa, there's very few properties on that side of the street; they're very shallow; there's going to be waterbody setbacks. It's going to be a very small-scale hotel because you're not going to get a lot of building. In reality, you're probably never going to get a hotel on that side of the street. If you do, it's going to be at such a small scale that the impact is not going to be much different than the restaurants that you see there now. So, we felt like that was addressed through the Dimensional Standards.

I think Oak Street is a very, very different story with how those different uses relate and potentially conflict with each other, which I think is a really important consideration as far as what uses are allowed there.

Agosta: For CK2, it doesn't appear the intent is meant for lodging.

Stauffer: It does allow compatible and permitted commercial uses. Lodging is a commercial use, so it does allow that.

Adams: I think commercial services and commercial retail are very different than lodging. Commercial services and retail can be utilized by anybody; you can open different things that might focus on one demographic or another. But lodging is very restricted to only the visitors and nobody else. That is a huge distinction.

Kruse: You added a piece that said that you can't put a Hotel use in the pedestrian active building frontage.

Stauffer: A hostile is typically a smaller footprint in form and character. Our thought was if you had a hostile in CO, it might feel a little bit more residential as you're walking in. Sometimes, a hotel lobby can have space where people can sit and hang out, and they might have stuff going on there. A hostile is generally going to be sort of small. We were likening it to The Alpiner. It used to be a hotel, and then it turned into apartments. They made that frontage on Lincoln be a commercial space 25 feet back, so it's a small commercial space. But we felt that was better than having that residential use right there on the corner of 5th Street. Typically, a lobby of a hotel does have the taller spaces and higher ceilings with the bigger entrance. It's a little bit different view that seemed more commercial.

Kruse: I think I would be okay seeing a hotel in some of those districts if we knew there was going to be retail or a restaurant or something on the ground floor.

Stauffer: We talked a lot about that in our Community Plan discussions, so we might have something that mandates a mix of uses in certain zone districts with our Community Plan guidance that says you can't put lodging or residential on the ground floor; you must put commercial. We haven't ever had a must in that sort of a way in these mixed-use districts. I would like to think that with our new Community Plan, it would have a lot more intentionality in what we're doing in those areas, and we might address that there rather than through our specific uses. We would just address it from a Community Plan standpoint: In these areas of our community, this is important, and you've got to do it this way.

Bessey: The Downtown Plan talks about trying to promote and allow for lodging uses downtown. It also talks about trying to preserve the retail commercial core between 5th and 9th. Beyond that, perhaps we can have a little more allowance for other types of uses.

Our downtown zoning is pretty restrictive. We don't allow a lot of building height; we have to accommodate parking. So, for example, the project you saw recently at 10th & Yampa where they're doing mixed-use with the small retail spaces with the townhome project, that was previously approved as a hotel. They changed their mind because the margins on that were so tight by the time they could design it, get enough rooms to make it work, and have enough parking onsite. To say they had to do something else on the ground floor I don't think would work unless we're willing to start going up

higher in our downtown, which I think is going to be a difficult case to make. In other walkable communities, hotels have an active lobby space. People are coming and going all day long because it's a destination, so they often will have a restaurant, maybe a bar, or maybe just an active lobby space that might be okay and still have that commercial feel and not disrupt that commercial pedestrian experience downtown. But to suggest that they can't be on the ground floor in that pedestrian active building frontage I think would be adding yet another zoning hurdle to getting lodging in our downtown. We hear all the time that developers cannot make a hotel work in our downtown.

Agosta: With a conditional use, it's not like we're disallowing it; we're just saying it has to go through Planning Commission.

Box: It's an additional cost and an additional hurdle, but we're saying we might do it.

Adams: A public hearing is good because hotels are an impactful use.

Box: So, why change conditional use?

Adams: If we're going to have a more detailed discussion about it soon, maybe it could change then but it doesn't need to now.

Box: Let's connect it with another discussion. Let's not leave it open now; let's connect the two.

Stauffer: Our Downtown Plan's highest recommendation was to get some lodging downtown. So, if we keep it at conditional use, we're not following our plan there. It was to remove some restrictions.

Summers wondered which places along Oak and Yampa could redevelop into a hotel. The two parking lots and a condo building were suggested.

Adams: By pushing it to a public hearing and looking at each individual site, I don't think we're going contrary to being able to support Hotel where appropriate.

Bessey pointed out that if someone is required to go through the conditional use process, they won't know whether their application will be approved, whereas a use by right with no variances would preclude a public hearing and be a much easier approval for an applicant.

Bessey: In the CO and CY zone districts, what impacts would a hotel have in those areas that a restaurant or retail store wouldn't also have if it met all the zone district standards? If there are impacts and it is different and there are locations where you don't think a hotel would be appropriate because of those impacts, I think conditional

use is the right way to go. But if you just want to have a public hearing just to talk about it, that's not a good reason for a conditional use. It is a big deal if a developer designs a project and comes forward and they don't know if they're going to get approved or not.

Kruse: I'd rather see it as a limited use that specifically mitigates all the things we're concerned about so that there's more clarity. I think there are some impacts, particularly to locals. We're not going to those hotels, but we would go to a restaurant or a store. Imagine a whole block turned into hotel lobbies. That splits downtown, and you would only go to one part of downtown. You can already kind of feel it in some places where there's a dead area and you have to walk past all that dead area to get to Table 79, so they don't get as much foot traffic. So, I do think there are impacts, but I don't want there to not be hotels downtown.

Adams: Making a hotel feasible comes with an expectation of density that I think is going to be nearly impossible on the river side. That's why there shouldn't be a hotel there. But if we've got dimensional standards that are at a limited criteria, maybe that's okay.

Kruse: I think it's pedestrian activity for everyone versus just hotel patrons creating more dead zones downtown. I know there are pedestrians there all the time, but to locals, it's dead, and we're the ones who have to support these entities all year long. So, I think that creates a completely different feel than continuous places to actually be. Summers agreed with Kruse and Adams regarding activity downtown and dimensionality concerns on Oak and Yampa.

Summers: A hotel on Lincoln would have a restaurant or two, a bar, a coffee shop and everything else.

Summers pointed to a flagship hotel in a downtown ski area as an example of an active hotel that brings in locals.

Kruse: If that's what's making those hotels okay, then maybe that should be a requirement.

Stauffer: We could come up with a use standard and see what you think. If that doesn't work, then we would probably just not make that change and do this later. I think making it a limited use is more consistent with our plan. A limited use would still end up being a by-right use if they met that standard, so that gives a developer a little bit more certainty.

Commissioners agreed with that approach for CO.

Summers: I think the dimensional standards in CY kind of take care of our concerns there.

Stauffer will change Hostile to conditional in CK.

Stauffer asked whether Hotel and Hostile should be treated differently. Summers didn't see why they should be treated differently, though he pointed out that public perception of a hostile is different than that of a hotel.

Kruse: I think a neighbor might have a bigger problem with a hostile than a hotel just because of their reputation. So, opening a hostile up to a public hearing versus specific things we want to require of them to make it happen, that's where it changes. That's why I'm a bigger fan of everything being limited use because I like to know what's required.

Stauffer: A Hostile is a limited use right now in CK; a Hotel is a conditional use.

Agosta worried about a hostile essentially being a STR; Bessey pointed out that this would be in the Green STR zone.

Stauffer asked whether commissioners were comfortable with Hotel and Hostile being uses by right in CK. Hostile would have a use standard that it must be supervised.

Adams: How people arrive at downtown, at Oak Street, they're connecting from walkability or rideability from neighborhoods. It's more of our locals melding into downtown. I think that it's a much better place for small restaurants or retail or those kinds of uses than a heavy visitor use that is Hotel.

Some commissioners agreed and suggested that Hotel should be a conditional use on Oak Street, while others felt that since the dimensional standards would preclude a large hotel there, Hotel could be use by right.

Other Changes:

Natural Medicine Healing Centers were added in a manner consistent with State law.

Stauffer noted that City Council did not want to add any additional regulations to those required by the State.

Kruse: Is the intention of substantial conformance to re-review anything that has changed or things that were applicable to Code that have changed? Example: A zone district where materials on a building or glazing is changed.

Stauffer: It's supposed to be small things like changing the type of windows or the location of the dumpster. Typically, this is how substantial conformance is used: What they're building on the ground is not consistent with what was approved. So, we do an administrative review to check that. We have some deviations of what is minor in a lot of categories. That's typically how it goes between development plan and building

permit. It can also be building permit to CO, so we can make those changes before we get through there.

In the Code, we had two other locations in PUD and conditional use where we said that we would use the substantial conformance process to make several small changes, but our Substantial Conformance section didn't reference the PUD or Conditional Use sections. So, we're clarifying this so that we can do more minor, administrative reviews for small changes on more processes to be consistent with how we're applying it. Because sometimes, a conditional use has minor site development or makes minor changes to what they're doing, and the only way we can really make those changes right now is to go through another conditional use process, which doesn't seem necessary. Same thing with PUD. We do have a major PUD, so if they make big changes, there's a hearing process, but if they make some small changes, we could do that through Substantial Conformance. So, those changes are to make our processes talk to each other a little bit more, and it helps us administratively and gives us a bit more clarity. It does give a little more flexibility to the developer because it allows us to do more minor changes. There are some pretty decent criteria for what is minor. We also have a catch-all that says we can just kind of look at it and say that it's minor based on all the impacts. But it's an administrative appeal to facilitate changes, mostly in construction.

Kruse: I would love to have a conversation about that being limited to things that are in the Code applicable to those projects. I've seen it happen where a piece of code that doesn't even apply to a project gets reviewed as a substantial conformance. There is no code that says what materials or glazing, but it gets reviewed just because windows change. So, it would be nice if this section referenced exactly what was applicable to Substantial Conformance, and I wasn't sure if this was where that language could be added or not.

Stauffer: I don't think that's where that language would be added. This is the applicability, so it's how substantial conformance applies to various applications. You have to have an approved application to be able to use the Substantial Conformance process.

Adams: The Substantial Conformance process does describe what dimensional standards can be varied in that process.

Kruse: It does, but then there are standards that aren't even subject to Code.

Bessey: Are you trying to say, for example, in the I zone district, if we don't have a minimum transparency standard, you could just change the whole building and not have to go back through review?

Kruse: Yes. If there's no glazing standard and you change the glazing...

Bessey: What you propose in your development plan is what you're expected to build, and that's what gets approved for construction. Minimal changes here and there to window size or the type of window are probably okay. But what gets approved is what the community expects to see built on that site.

Kruse: What happens when the only thing that changes is the window size or location? What's that reviewed against?

Stauffer: There is some criteria for architectural standards and such. We list all the standards that we can look at. Transparency can vary by 5%. If it's more than a 5% variance, it would have to go back through the development plan process, conditional use process or PUD process that it already went through. If the change is not called out in a specific category, we have that general catch-all. It's subjective. Is it a small change? Is it going to have a big impact? Even little changes can have big impacts.

Commissioners agreed to continue the discussion at the November 10 work session.

Adjournment

The meeting adjourned at approximately 1:30 p.m.

**STEAMBOAT SPRINGS PLANNING COMMISSION
PUBLIC WORK SESSION MINUTES
November 10, 2025**

The regularly scheduled hybrid public work session of the Steamboat Springs Planning Commission was called to order at approximately 12:00p.m. on Monday, November 10, 2025, in the Carver Meeting Room, Centennial Hall, 124 10th Street, Steamboat Springs, Colorado, as well as online via Zoom.

Roll Call

Planning Commission members in attendance were:

Chair Brian Adams, Calais Kruse and Lou Tortora.

Staff members present included administrative assistant Jessi Hagerman, planning technician Darby Kenyon, senior planner Toby Stauffer, principal planner Bob Keenan and Planning Director Rebecca Bessey.

Routine CDC Text Amendment

Toby Stauffer:

Our proposal initially was to add 2-family residential buildings to an overall height of 40 feet and a plate height of 28 feet in RR, MF and G1 zone districts. This group said remove that height restriction from RR and G1. I thought we landed on keeping it in MF, so we're adding 2-Family to the Single-Family height restriction in MF.

Hotel Uses Downtown:

Adams: You had Hotel listed as a use-by-right on Oak Street.

Stauffer: I probably do need to change those use-by-rights. I could put them as a limited use because we do have a use standard, but it wouldn't apply to anywhere except CO. We didn't apply that standard from our last discussion to hotels in CK; we just applied it to CO, and we did add it as a use by right. When we ended last time, the room wasn't settled on whether we should allow hotels on Oak Street. We kept it in there as staff because that was our initial proposal. We thought we would have that discussion at the public hearing with the larger group. We could still change that, but I still think we might want to discuss it with the larger group.

Our recommendation is consistent with our plans to have more hotels in downtown. Our reasoning for that was it's this side of Oak Street with a little bit more intensity; we're not going to have hotels over there. There are some other limitations on this side

of the street that are just sort of inherent between the zone districts, dimensional standards and the lot sizes. So, actually creating a hotel over here could be a little challenging. You could put a sizable one on Wells Fargo; that's the only assembled piece of property. Other pieces of property would have to be assembled. The physical limitations shouldn't direct our policy, but those physical limitations are here.

Keenan: I think we could have that as a limited use with or without permit. I think when we try and add the permit is when it seems like it needs some sort of verification. But with these types of uses, they would have to go to public hearing, anyway, so it might not matter.

Stauffer: If a Hotel use met that condition, it wouldn't have to go to public hearing; it would basically be a use by right in CO.

Keenan: It would likely have a development plan.

Stauffer: Yes, so that would also be at a public hearing; we wouldn't be talking about that use question at the public hearing.

Adams: Whether that use has an adverse impact on anybody is a discussion that's kind of off the table at that point, which is potentially a missed opportunity.

Stauffer: If there's concerns about the Hotel use, then perhaps it should be conditional, but our plans are sort of contradictory to that. We would have a hearing on the hotel development if it was a hotel that was big enough to warrant a hearing. A hotel could also be developed administratively if it met that limited use standard in CO or CK, as it's written now. So, if we feel that a Hotel use is enough of an impactful use to warrant a public discussion, then it should probably be a conditional use. Our feeling was that it is not that impactful of a use in our commercial zone districts.

Adams: From the Downtown Plan, do we really feel like we have that much of a specific mandate about all areas of downtown being great to support hotel uses as opposed to just downtown in general? How many people were really effectively communicating whether they would support hotels on Oak Street during the creation of the Downtown Plan?

Stauffer: I can't say we got that specific. I don't know if we have data to say whether people were talking about that specifically, but I think on the whole it was to think about downtown. There are some aspects of that plan that say what can and can't happen. We still have the core area of downtown where we want retail. I haven't looked at the Downtown Plan, so I could do that, but I think lodging could have been added in the core but also could have been positioned outside the core. I think the core would include the Oak Street portion, but I don't know if our plan is that specific as to

hotels here and not here; I think it's just a general goal that lodging downtown is complementary to everything else that happens downtown. It's complementary to some of our other plans. If you can get transit, you can get everything here. You can get from the airport to here, and you can get transit here pretty easily.

Keenan: You can do an STR by right.

Stauffer: It's a green zone, so it's already a lodging area.

Keenan: Some of our proposals are for multifamily that just go into an STR.

Adams: When you think about it from the visitor experience and whether all those uses support the visitor experience, it makes a lot of sense. But when you think about walkable neighborhoods and services that support locals in a walkable sense, we've gotten rid of all those opportunities over on the Walton Creek side of town. There could have been commercial that could have supported those neighborhood communities. Oak Street is still the closest thing that supports a walkable, theoretically local neighborhood in our RO zone district. So, that's actually fronting that from a local experience as opposed to from the visitors. From a locals experience, providing something like a hotel offers literally nothing to the walkability and walkable services, whereas pretty much every other use here from a commercial sense could.

Stauffer: Yeah, there are always tradeoffs in the priorities. I do think there's some pretty good and clear priorities that we have a lot of services downtown, so why not also have lodging downtown that provides a good service to those tourists with less traffic and less travel back and forth. The locals can and still do use all of the downtown [inaudible]. If we didn't have a Hotel use and there was some other development, they would probably have commercial on the ground floor, certainly if it was in the core area, even on Oak Street, I think our plan would warrant that.

Adams: I like the limited use that you were talking about in CO, and I'm curious if that helps solve my boundary crossing on Oak Street as well, requiring some level of use that actually supports the locals at that interface as well.

Bessey: The second Land Use goal of the Downtown Plan says to encourage a diversity of land uses that support locals and tourists. There are four strategies listed under that goal: Allow other types of complementary ground floor land uses east of 5th and west of 10th that contribute to local and visitor services as uses by right. These might include health and recreation centers, lodging, active offices, small-scale craft manufacturing, education and other uses which contribute to pedestrian active street frontage.

That specifically talks about the fringe areas outside of the core, and it references by-right uses.

There's a Land Use goal specific to lodging, LUZ6: Increase lodging opportunities. The rationale states that lodging uses and types are limited in downtown. Lodging is an

important land use in downtown because the accommodations host a variety of visitors year-round, activating street life and contributing to the local economy.

One of the strategies under that goal is to increase opportunities for lodging uses by modifying the CDC to allow hotels as a by right or limited use instead of a conditional use in CO, CY1, CY2 and CK2.

So, it does specifically call out all four of those districts.

Adams asked how commissioners would watch a recording of this meeting; Bessey reported that the meeting recordings are not publicly available, but the minutes could be included in the packet.

Tortora asserted that if hotels were a use by right, someone could buy up individual properties and put a hotel there.

Bessey: The Hotel use is by right; that doesn't mean your development is; you're going to submit a development plan and building permit.

Keenan: Probably a plat.

Bessey: If it's listed as by right or limited in the Code, then the use itself doesn't become subject to the reviewing body. Whether they were by right or they met the limited use criteria in the Code, we assume it's an appropriate use.

Tortora: So, it's a nudge of encouragement to build a hotel somewhere.

Keenan: A developer may or may not buy a property based on if it's a use by right or conditional. That does send a message.

Kruse: Does the new Area Plan line up with everything you just read to us from the Downtown Plan?

Bessey confirmed.

Adams: Could we apply that limited use in CO to Oak Street? Wouldn't that provide that interface and solve that? You're already doing it in the core.

Kruse: Oak Street just feels really different. You could put a single-family home in a lot of these lots. There are many, many places along here that aren't activated. So, it doesn't feel strange to me to just have hotel rooms on the ground floor on this line; downtown it does, but on this street it doesn't.

Tortora: I would think, if you have commercial lodging, you're going to have visitors here for the most part. That generates a need for additional retail close to that. So, putting something on the first floor might be a really good idea. If I have a hotel, I

have a restaurant in my hotel. Is that a good thing or a bad thing? It competes with the other restaurants, but now we have another restaurant.

Adams: For the most part, all the residential buildings have converted their uses. You've got dance, offices, nonprofits, a couple restaurants. that's largely what Oak Street is.

Kruse: They may not look commercial but most of them are.

Bessey: If you look at the development standards in CO, without residential on the upper-most floor, you can go up to 28 feet. The Downtown Plan also says we should amend our Code to let hotels get the higher height standard, which is what is allowed in CO with residential on the upper-most floor, which is 38 feet. It has a 200% max floor area; front and side setbacks are 0; rear setback is 10. So, you're going to get quite a bit of development on a CO lot as opposed to CK2 on the other side of the street. You're at a FAR max of 100%; you have 10-foot front setbacks, 10-foot side and rear setbacks, and a maximum height of only 32 feet. So, if you require some sort of additional use as part of that lodging establishment, are you really going to ever achieve the number of rooms you need? You're requiring a significant portion of that building to be a restaurant.

Kruse: And it would have to have higher ceilings to be a restaurant.

Stauffer: You probably would need 14 feet at least, I would think, so you're sort of limited with 32 feet. You couldn't get another two stories in there.

Bessey: Given that Oak Street is a little bit of a transition from Lincoln to the neighborhood, requiring a retail or restaurant type use might actually increase the impacts. I think we would probably hear that such a requirement makes achieving some sort of a lodging use not sustainable.

Stauffer: The Downtown Plan has a pretty intentional statement that they want by-right hotel uses, not limited or conditional. They want us to remove some of those barriers. There was probably some evaluation of the zone district standards and such and the uses allowed within them. There's enough restrictions on CK2 that we're going to have a smaller hotel. Then, it could be a little bit less impactful than what might be there anyway, so it's already set up that way without the extra limited use or use standard to restrict it.

Kruse: In 13, the Hotel use standard feels a little vague. It says: In the CO zone district, eating and drinking uses, and retail sales and service uses, shall be included in lodging uses and located on the ground floor.

Does there need to be a little corner coffeeshop? Does it need to be the whole ground floor? Does it need to be in the pedestrian active building frontage? Maybe the intention

is to be that vague, but as a developer I feel like I might have a hard time understanding what you're looking for there.

Stauffer: Most of our standards are similarly vague, so it's based off those. We do have another section in our Rules of Measurement standards that says what the depth of a commercial use shall be; I believe it's 25 feet. So, anything on the ground floor would have to be a minimum depth of 25 feet, but it could be 25 feet and done. We talked about this last time with 10th & Yampa. We weren't sure if some of our older uses downtown had the whole ground floor. We might have envisioned the whole ground floor, but we are not trending towards a whole ground floor sort of thing. So, I think that is a topic; I don't know if you want to put it in this use standard. If we did it, we would probably do it as some kind of dimensional standard or zone district standard in CO or the core area. If we wanted to implement these plans a little bit better, we would say: You must have a whole ground floor that is commercial or retail. I think we would probably want to do it on a bigger scale rather than just for this Hotel use.

Bessey: Should it just say within the pedestrian active building frontage rather than the ground floor, because that's where the 25-foot measurement comes from?

Stauffer: Yeah, we could say that.

Keenan: Another approach is to just not allow the hotel rooms.

Kruse: No lodging within the pedestrian active building frontage.

Stauffer: "In the CO zone district, eating and drinking uses or retail sales and service uses shall be included with the lodging use and located in the pedestrian active building frontage."

Parking Lot Definition:

Kruse: We've also been talking about the landscaping recently and that how a parking lot is defined can affect the landscaping rules. So, if this was a definition, what you would have to screen got bigger. So, they matter together. #27 redefines Parking Lot.

Keenan: I had noted that there can be some grey area interpreting where the parking lot stops and begins for the application of landscape screening. That's primarily having to do with the perimeter landscape screening. The other ones are dealing with islands, and I think they're a little bit less subjective. Staff has talked about this a little bit, so I think we understand the issue.

Stauffer: We had an interpretation a while back that because we used the terms "parking facility," "parking facilities," and "parking areas" within our Code in different

places, so we wanted those to be Parking Lot, and we did want to separate out the single-family or duplex parking areas so those aren't included. We also did include drive aisle, circulation and maneuvering space, because sometimes you can have a drive aisle in front of a parking lot, and when that's in front of a building, we wanted to also manage the impacts of that drive aisle as a parking lot, and it didn't say that more specifically. Those were the two purposes of this amendment. It probably does make the asphalt use for the parking lot bigger, but I think that is sort of our intention is to manage something like an access drive in front of some spaces. That has the same type of impact and from a landscaping perspective should probably also be screened. If that's in front of the building, we would want that to be screened. Our overarching goal in the Code for nonresidential uses is to put the building in front. We want to be seeing the active stuff and putting the parking behind. This is just hopefully to align those thoughts a little bit better than they are in Code right now.

Adams: I had one development plan where the multi-family garage was considered underground parking and was kind of being given requirement similar to a parking lot. I was wondering how you guys see that differently from single-family/duplex, which I think you do call out very well within this. But how is multifamily and individual parking like that as opposed to underground parking structure seen differently? I think it should be called out a little bit differently.

Stauffer: I think we just have to draw the line somewhere, so we draw the line between 2 and 3 units, duplex versus multiple family. Underground is really not surface; it's structured parking. That's just where we're drawing the line. We don't see a triplex sort of building in our Code as different from an 80-unit building.

Adams: A lot of these are doing kind of town home style residential are kind of being given parking lot applications to garage doors, which is a very different type of parking than underground structured.

Keenan: I remember that came up on that Eagle Ridge one. Where is the differentiation between driveway and parking lot?

Adams: And where is the encroachment of parking, things we're trying to do to get parking away from it as opposed to the building, but the garage is actually in the same building, and now they can't really be even though it's a townhome with a garage kind of a thing. I don't think it's a fully baked parking CDC. I think there's a way now that we're changing the definition of Parking Lot, there's an opportunity to clean up how multi-family is considered as parking lots. At the time, only the corner of the garage was considered parking; now, that entire driveway would have that issue. Is that really solving something in those instances as well as in the CS zone along the highway. Those are two very different attempts at it.

Stauffer: There's definitely some grey areas in this definition, but this is a parking lot, so I think we're trying to say that a parking lot is not structured parking; it's not covered parking; it's not inside. So, it includes the drive aisles to it. In our multiple-family zone districts and in our Design Standards, we have structured parking and surface parking. So, structured parking would be a garage. In a townhouse in a multiple family, that would be covered under a design standard and handled differently. Structured parking in that context is handled differently than a parking lot. So, while we haven't totally addressed how we manage the impacts from a driveway to a townhome garage, that's the standard, and we would really be looking at that in our design standard application. The driveway to a townhouse would be looked at differently, I think, because we would not think of garage spaces as a lot.

Bessey: I don't think this definition addressed what Brian is talking about.

Stauffer: I think it would be something we would look at in Design Standards on if we wanted to manage garages in multiple-family buildings differently depending on whether it was a garage or what we think of as structured parking. I think right now, a garage and a parking structure under a condo building are the same thing in our Code. So, if we wanted to separate those, we would probably have to do that right here.

Keenan: Darby was just answering a question about this. At what point is it the access from the street before it becomes the circulation for parking?

Stauffer: We were trying to put this interpretation in because it's better to have those in the Code rather than existing on their own where they still apply, and work on circulation. We could not do this, but I think it sort of kicks the can down the road. So, if we have a less grey definition, that's better, even though it might not be perfect yet.

Kruse: I don't think I have any issues at all with the new definition. I think the conversation may happen with landscaping because this really defines one as needing to be screened.

Substantial Conformance:

Tortora: On the substantial conformance process, we approve something, and during the course of construction and final design, things change. This implies that somebody is going to know they changed. So, I would assume that the applicant must inform us that they made a substantial change, but we don't define what a substantial change is.

Stauffer: We do. In that substantial conformance process, there's a long list of criteria. There is one general one that just says the change should be minor, so there is some subjectivity, but we have criteria that says you can change your parking spaces by 5%, landscape by 5%, your FAR by 20%, (which we think is maybe off,) and a couple of other things. You can't change your building footprint too much or your roof slope too

much. It's very specific on parking, landscaping, architecture, uses, and there's one general. If a change doesn't fit into that category, it's not substantially conforming and needs to go back through development plan because the change is bigger and might have bigger impacts to other things. So, there is a cut-off for that.

Tortora: In a recent hearing, they moved the building during construction, and we didn't know they did it, and now we're looking at it in the past. There's not much we're going to do. Where are the guides for the process that say you can't do this.

Stauffer: In the building permit process.

Tortora: Were people really inspecting that? I assume there was an enforcement action.

Stauffer: Yes, people inspect; people enforce; it happens. I'm sure there are accidents that happen all the time, too. Actual accidents, or we just miss it. That happens. But when you get an approved development plan, you have to actually build what you show in your development plan. We understand that things change in real life, but the project manager of that project looks at the building permit. We look at the building permit plans compared to the development plans, and then we say it does or doesn't match. Then, the inspector is supposed to go out there to make sure the building matches the building permit plans. So, we should get there through all of it, and if we don't see any of that either with the project manager looking at it or the building inspector looking at it, we can enforce at any of those points. We're supposed to do that through every step of the process, and we usually check it again at CO, and that's where these substantial conformance changes come in, at building permit or CO. They're supposed to be minor, so we're looking at the changes and comparing them to what the community was expecting. If it's really different, you have to do the process again because you built a different thing.

Tortora: On this project, there were two issues: they moved the building and moved the railing and steps, and there was the retaining wall. During construction, they decided they had to do a different type of wall. That makes sense. During construction or design or something, they said we're going to move our building. That doesn't make any sense.

Bessey: In that particular situation, they suggested there was an error in the initial surveying. I don't think they moved the building.

Stauffer: It might have been a little bit of both. I think there was a drive aisle that shifted, and the building shifted, and there was a surveying error. It shouldn't happen. We did review some building permit processes. We failed them. The building happened. So, it happens.

Keenan: The way it should work is they should file an addendum to their building permit plans. In this case, we stopped work because they weren't following their plans.

Stauffer: We did fail the addendum, and then we stopped the work.

Keenan: Sometimes, we see this at CO, but technically it needs to be done prior to the construction as an addendum or prior to the initial building permit. Things move around a little bit when they get to the construction level documents as opposed to the conceptual documents at development plan.

Stauffer: In this case, when we recognized that the driveway and building had to move, that's what we review at an addendum so we can all get on the same page before we build the building. That's how it could have been done in the ideal world and how it would typically be done. So, we can catch things like that before substantial conformance or after substantial conformance. Sometimes, we will do substantial conformance with this building review, and sometimes we need to do it as a little bit extra because there's too many things that changed, and we really need a whole new set of plans.

What we're changing here was really to align some existing words in our Code with our substantial conformance process. We had some places in the Code where we said we'll use substantial conformance, and the substantial conformance process didn't reference back and allow us to do those things. So, we're allowing ourselves to do substantial conformance correctly.

Tortora: That specific project, would that have been a substantial change?

Keenan: Yes, we couldn't approve substantial conformance.

Stauffer: On that project, it evolved to where it came back to you.

Bessey: To your initial question, we don't define what a substantial change is. The term "substantial conformance" for that process, think of it as substantially conforming to the prior approval. We don't mean "substantial" to mean major, really big, substantial change. It's either substantially conforming to the original approval and therefore we can do it through this review process, or it needs to go through a whole new development plan.

Stauffer: I'll come prepared with some Downtown Plan and additional information for you and the changes to that standard when we come to hearing, and I'll try to get the minutes from these work sessions.

Sign Code Amendment

Stauffer: After we adopted our Sign Code, we got our CityView system that we use now. The main process we do with the Sign Code is a sign permit. Those signs don't come to you pretty much ever, unless we have an appeal on a sign. If there's a change to a sign permit or they can't meet their sign permit standards, it's a major adjustment and goes to the BOA. So, you guys don't see much on signs, but they do impact our community character and such.

So, people request a sign permit, and those are approved administratively on the whole by our staff through the CityView system. That system doesn't work real well for the sign permit process because it's sort of a special snowflake that doesn't work like everything else. So, after using that process in CityView, we decided we need to make some changes to our Sign Code to make that work. So, that's the crux of these Sign Code changes. We're changing the Sign Code to reflect a new process, and we're aligning a couple things for consistency. There are a couple places that are a little more focused on character changes.

We're allowing internally illuminated signs in the Single-Family Residential context area. That's only for changeable message signs. The reason for that is because we have a lot of institutional and religious uses in Single-Family context areas; the other side of Oak Street is one such area. They often have signs that often have a changeable message that does need to typically be internally illuminated. The changeable message portions of those signs are minimal. They're reduced in area, and we have standards for the lighting of those signs. I think that was an oversight in our first version of this Sign Code.

Adams asked if every residence could put up such a sign.

Stauffer: No, those are only allowed for nonresidential uses. The other example of a free-standing sign in the Single-Family Residential context is a neighborhood sign. I suppose those could have changeable messages as well, but it is supposed to be for a neighborhood area, and you have to indicate that.

Tortora asked about the proportion of signs that conform to the current Sign Code. Stauffer thought it was more than 50%.

Stauffer: There are some old signs that you're going to see as you're driving on Highway 40; there's some signs that we need to enforce on; there always are. When we wrote the Sign Code, we really tried to look at what was existing that we thought was okay, and we wrote the Code to say that's okay.

Tortora: We had a long discussion about remediating signs that don't fit the Code and somehow providing an incentive for those people. That was shot down.

Stauffer: We do have incentives. We have two different types of incentives for legal nonconforming signs. If they want to come into compliance, we have a set of incentives for that. We also have some incentives if you just want to do a great-looking sign that doesn't quite fit our standards. We are changing those incentives a little bit with this amendment to encourage use. We're trying to give a little bit more incentive in height and area if you want to take a bad sign and turn it into a good sign.

Tortora: What about cost subsidies?

Stauffer: We haven't done that. Their only cost is the sign permit, so I suppose we could waive those fees, but we don't waive too many fees. The only incentive that we did give that's sort of similar to that is you can change your sign to be bigger than the standard, and you wouldn't have to go through the major adjustment process, which is a money and time savings.

Tortora: The physical act of changing a sign can imply a cost.

Stauffer: It could be a cool program if the City wanted to implement that.

Tortora: I thought we had talked about it, and that wasn't on the table.

Bessey: I think you might be thinking of amortization where we were going to give them x number of years and then require that nonconforming signs come into compliance.

Stauffer: That's off the table.

Tortora: Can we bring it back?

Stauffer: We would have to take an inventory and see what's compliant and what's not and then offer some sort of incentive program that had money attached to it that said: If you come in now, you get money; if you don't, we're going to enforce and make you take down your sign. You have to have that enforcement piece, otherwise there's no incentive to do that. That would be a program that we would have to institute. We never really have the staff time to do a bunch of sign enforcement.

Adams: Get in Council's ear during their yearly prioritization.

Tortora thought it would be worth doing to have consistency across signs.

Kenyon: If it's on the Historic Register, the sign fee is waived, so that's kind of an incentive.

Tortora: I like the amortization.

Stauffer: It was shot down at Council. It does work better if you have an inventory and/or enforcement. Those are the things that are time intensive for staff, so we didn't go there, but maybe someday.

Adams: Those design incentive criteria are up to interpretation, but the one that was consistent was: Bring a different or complementary style to the context area. Isn't every single sign either different or complementary?

Stauffer: We were thinking of if there were no projecting signs and they brought a projecting sign into the context area, something like that. I suppose it could also mean they came up with something new that we haven't thought of.

Adams: If projecting signs aren't allowed in a context area, and they come in with a projecting sign, they're getting a point for something that's not allowed. I didn't understand how that was...

Stauffer: I think there's some other language that says you're not supposed to do something that's prohibited. If an area like Central Park or Anglers had a sign plan, and all the signs were the same style, you could bring in a new style now that we've changed our Code. That could be what this incentive is talking about. Like, they could only do channel letters before, and now they can do a nice-looking wall sign instead of channel letters. So, that could be their complementary style to that context area. Conversely, you couldn't do channel letters in some places before, so now you could do that. So, they're bringing a new sign type into the context area that we now find to be compatible.

Adams: Why do we want to incentivize that?

Stauffer: We wanted to add some variety and allow people to comply with the Code. The design incentives don't get used that often, but there is a cost to creating a new sign, so perhaps they had a sign that worked and now they can do a different type of sign, and they want to get a new sign and spend that cost. We were just hoping we would get better signs. Sometimes, people want a bigger sign, and we wanted to incentivize them to do some better stuff with it. Our goal was to allow people to be creative, and nobody has really used them, I don't think – maybe once.

Adams didn't think there was a lot of certainty in the Code around these incentives.

Stauffer: There's not a lot of certainty; there is a lot of grey area. This is the first place in the Code, I think, where we've had any sort of design incentives in this way, so we may have missed the mark on how these work. They're not being used, so maybe they don't make sense. They could use some improvement, perhaps.

Adams: If they're not being used, they're not very high on the list of priorities. But we were talking about it.

Stauffer: Sign area is about 32 feet for some of these, which amounts to 6 square feet. That doesn't really change very much for you. Why would I do all this extra fancy stuff for 6 square feet? So, we were trying to make it a little bit more enticing. These might come into play when we're looking at a major adjustment. They've got some design in mind, and maybe if they tweak a couple things to meet these incentives, they wouldn't have to get an adjustment, which is a pretty substantial cost. I think that YVHA development by Walgreens did some design incentives. We maybe considered it with the Community Foundation sign; they ended up getting an adjustment. A lot of our other signs have complied. We may not have quite hit the mark with these incentives, so feel free to mark it up.

I wish that people would use the nonconforming incentives a little bit more. We run into that more often, so we were really hoping that people would use those incentives. So, I wanted to change those incentives, but if I changed those, I kind of needed to change these. They are a little bit related. I would like to get rid of some of those signs, but they're hard to get rid of.

Kruse: Defining sign versus art.

Stauffer: We have that defined. It's in Article 5. We're not changing that now. A sign generally has to have content that's of a commercial nature. It has some very special language because signs are regulated by the Supreme Court and case law. Art has no commercial content. It says a bunch of other things because we can't really define what art is; we just try to say that art is not a sign and a sign is not art. I think the words are working pretty well. We have had to walk that line of art versus sign a couple times since we implemented this, and it has worked so far. The artists don't like it, but I think it works.

Kenyon agreed.

Stauffer: We have encountered that with a lot of the murals downtown. We've always been pretty reluctant to define art, and I think it's only defined in the Sign Code. We don't really want a mural that's a huge advertisement. If you want to do that, we'll go through a process to talk about whether you can have such a huge advertisement. We get a couple new murals a year, it seems like.

Kruse: Did you incentivize that?

Stauffer: I think Steamboat Creates is really encouraging that and wants that to happen in our downtown. I think there's mixed feelings on that.

Adams: One building did a mural instead of glazing, and then two other buildings said that's a fantastic idea.

Stauffer: We have a lot of that, too. I don't know if that's a trend. I think they're kind of related, because the arts community wants us to have a lot of murals, so that might be marketed to those developments that want to do that. That's speculation, but we have seen an increase in that, and I don't know why.

We are taking out the linear frontage requirements for wall signs. I know we talked about that a lot. We find in our application that our maximum sign size on wall signs really does the trick, and we don't need an additional limitation of linear frontage. We are changing the wall sign size for secondary frontage, again. In our application of both of those standards, we find that we can do a little bit more sign area and a little bit less regulation, and we're not killing the community character.

Kenyon: It also helps the customers have an efficient application and be able to understand the standards. We don't have to have a long conversation every time around interpreting the standard and why we have it.

Stauffer: Our process is really going to be a much better process. I do think it's going to be much better for customer service once we get this implemented.

Adjournment

The meeting adjourned at approximately 1:20 p.m.;