

Meeting Minutes

Boulder Town Planning Commission

January 8, 2009, 7:00 p.m.

Commissioners present: Brian Dick, Mike Nelson, BJ Orozco. Sergio, Mark Nelson, and Cookie were in the audience. Also present were Peg Smith, clerk.

Brian opened the meeting at 7:08 p.m. Mike moved to approve the minutes from the November 13 meeting, Brian seconded, and all approved.

Discuss Signs

Mike moved to deny Gibbs Smith's conditional use application for the Aquarius Ranch sign permit because the sign exceeds the height restriction imposed by the Zoning ordinance. BJ agreed. The commissioners then discussed the issue:

Does a sign include the cross beams on which it sits? That would necessarily mean a sign would start out at 24 feet high. Maybe there are other ways to define an entry?. Other residents have applied for the same type of ranch sign and have been denied. The commissioners agreed that it's important for everyone to receive the same treatment. In the past, things would just go up and not be dealt with. While the specific ranch sign situation isn't covered in the ordinance, based strictly on height, said Mike, Gibbs' sign doesn't comply. He can resituate the sign, or he can bring the sign down. "Our [the commissioners] job is to decide that it either meets the requirements or doesn't, and it doesn't."

In another sign matter, Mike asked that the minutes from 9/11/2008 (regarding John Austin's non-compliant sign) be forwarded to the town council with a note attached that no permit was allowed for him either.

Brian called for a vote on Mike's motion. BJ seconded the motion, and all voted to deny the conditional use permit for Gibbs Aquarius Ranch sign.

Mike asked Peg to send the letter to the town about the commission denying Gibbs permit and also stating that John Austin's sign is still out of compliance but remains in place. He wants the town to know that it now has two non conforming signs.

BJ asked if the Austin sign, which is a replacement of an old sign, was considered "grandfathered" in. According to page 89 of the Zoning ordinance, a non-complying, non-conforming sign cannot be replaced other than to bring sign into compliance, so the answer is "no."

Discuss 2009 Meeting Schedule and Other Business

Mike mentioned the Jan 7 Town Council meeting at which the General Plan was approved, minus the section dealing with residential, high-density housing. Mark Nelson has a problem with the wording in that section and the lack of definition of densities. Mike suggested that Mark take on the assignment to work with Randy Ripplinger to come up with wording that he could put forward for discussion. Mike was concerned about someone coming before the Planning Commission when "we have no definition of high-density. We can't it take out completely."

Mark said the existing words leave too much to case by case decisions and exceptions, and need to be stricken. He said, "Boulder can't be all things to all people. We can't accommodate all new ideas." He suggested that someone from the Utah League of Cities and Towns (ULCT) come to instruct the Planning Commission on takings laws and other zoning information.

Mike said he would talk to Bruce Parker in the meantime to get some guidance. This subject will be on the agenda for the February meeting.

At any rate, a 2009 version of the General Plan now officially exists. However, Mike said various sections still need to be changed, which is fine, as the General Plan should be considered a living, working document.

Brian revisited everyone's goals for 2009. He would like to further define the new clustering section of the Subdivision ordinance. Mike wants to find another committee member to replace Elaine. BJ wants to see everything in compliance, catching those things that "come back to bite us," and start with a clean slate. He said that Boulder now has its rewritten, cleaned up ordinances and the General Plan; we should now figure out the issue of compliance/enforcement. Peg wants to find someone in ULCT who will come to Boulder to provide updated training.

At this point, the February agenda includes the following items:

- Mark Nelson and Randy Ripplinger on high density issues
- Gibbs decision on how he's proceeding

Mike moved to adjourn, BJ seconded, and Brian adjourned the meeting at 8:12 p.m.

Margaret Smith, Planning Commission Clerk

Date

Approved: _____

Date: _____