

Meeting Minutes

Boulder Town Planning Commission

November 12, 2009, 7:00 p.m.

Commissioners present included Ray Gardner, Bobbie Cleave, and BJ Orozco. Tom Jerome and Brian Dick were absent. Also present were Commission Clerk, Peg Smith; and Sergio Femenias and Don Montoya.

Ray called the meeting to order at 7:07. Bobbie moved to approve the October 8 minutes; Ray seconded the motion, and all approved.

Discuss town survey categories

Ray asked for suggestions on how to proceed with the survey now that an outline has been established. Bobbie suggested either dividing the work into sections and write new questions or appoint a subcommittee to head up the effort. BJ agreed to that a subcommittee effort would be most expedient, with the committee bringing in its work each month. Don suggested having a member of the commission serve as chair of the committee, then selecting members of the public serve, assuming a good cross-section of the community. He further offered his expertise in survey methodologies that can be used to stay objective. Bobbie asked if she and Tom could work on the structure Tom formulated, then Don could go through the results, along with other town members.

Ray reviewed the decision: Bobbie will serve as head of the survey committee to come up with a draft. Ray said the first question is determining what we want to know; in the role of planning commissioners, what are we interested in? BJ said the subcommittee might come up with questions we wouldn't even think to ask, but we also have to be concerned with the next iteration of the General Plan and therefore need to consider growth issues, development, etc. We need to look at things as they are now and get a sense of how we want it to be five years down the road. Do we need more of some things available; are some things not being addressed now at all?

Ray said the subcommittee can schedule its own time, and report on progress at the January meeting. Bobbie and Tom will try to pull in people to help with the process once some base of questions is established. Peg offered to take an action to look at the survey sample. Don can help to ensure validity and stated that a sample beyond just property owners in Boulder Town need to be included.

Discuss Sign Ordinance and Infractions

Given that sign complaints continue to arise, Peg suggested a summary discussion is needed to review the specifics and actually change the ordinance if that's the prevailing opinion.

Ray asked about "neon" signs (even though the ordinance doesn't differentiate between neon and other inert gas signs.). Do we want such signs in every storefront? Don thought the key goes back to looking at intent. Intent actually is delineated in the Zoning Ordinance, Page 73, section 1018, which Ray then read. Bobbie said most business owners would probably like a small, non-flashing "open" sign in their windows. [*Clerk's note: Following this discussion Judi Davis informed us that window signs are exempt from the sign stipulations expressed in the ordinance.*]

Don said the issue is mainly lighted signs. BJ said maybe one lighted sign of a certain size in a window would be OK.

Ray suggested advertising a public hearing for changing the sign ordinance, and see if anyone shows up. BJ agreed. Let's see how much interest there is. Don said the thing he's noticed is the difference between compliance and enforcement. BJ suggested withholding approval for subsequent requests until initial action is in compliance.

Ray said this is the same discussion we've had before. The normal sequence is to discuss the issue, then write a letter. If there's no response, the Town Council and town attorney need to decide whether to pursue the issue or not. If there is still no response, the town attorney files with the court system to issue a summons and charge them, but there has to be some type of penalty attached. BJ asked how often a person has to reapply for a business license?. Maybe withholding that approval would be an effective enforcement mechanism.

Ray said that once we identify a non-compliance situation and we notify the town, then it's up to the town and town's attorney to continue or not continue with any action.

The Commission asked Peg to write a letter to the town describing the sign complaints, the Planning Commission discussion, and ask for guidance on how to proceed.

Next Meeting

- Town response to sign letter
- Update on survey work (Tom and Bobbie)

BJ moved to adjourn, Bobbie seconded, all approved. Ray adjourned the meeting at 8:04 p.m.

Peg Smith, Planning Commission Clerk] Date

Approved: _____ Date: _____