

Meeting Minutes, Boulder Town Planning Commission

September 10, 2013

Commissioners present: Cindy Wilson, Caroline Gaudy, and Donna Jean Wilson. Loch Wade arrived after the public hearing. Alyssa Thompson was absent. Also present, Secretary Peg Smith and Town Council Liaison, Tom Jerome. Members of the public present: Bill Muse, Dennis Bertucci, Colleen Thompson, Sergio Femenias.

Caroline called the regular meeting to order at 6:15 p.m.

Public Hearing on Proposed Table of Use Changes

Caroline introduced the public hearing items editorial changes on Professional Office definition, addition of Elderly Care facility provided by Bruce Parker, and changes to RV and Campgrounds usage—changing to eliminate permitted use in low, medium, and high-density residential zones, and editorial change to Home Occupation minor. Wording changes to Home Occupation, major, will probably wait for Loch.

Cindy moved to open the public meeting and Donna J seconded the motion. All approved.
Caroline

Dennis B: Asked about the elderly care facility. Caroline explained this is a state mandated addition, accepted by the PC as submitted by Bruce Parker.

Bill M: I believe this thing that started this out was a lawsuit in Vernal, so this revision has gone through cities and towns throughout the state with this language.

There were no further comments on the elderly care addition.

RV and campground provision.

Dennis asked for clarification. Caroline said what is proposed is to remove it as permitted in L, M, and H density residential. Would continue, as today, to be allowed in Commercial and GMU zones. Donna Jean said there are all other sorts of restrictions in an existing section of the zoning ordinance. This is just an amendment to the Table of Uses. Caroline pointed out that it would still remain a conditional use, so applicants still need to meet conditions that are set.

Home occupation, minor.

Caroline: What currently exists in the Table's definitions will become the definition of Home Occupation, Minor. A new usage and definition---Home Occupation, Major--- is yet to be fleshed out.

Professional office

Caroline: The change would be editorial, "Professional office [singular]"

Dennis: What about the definition saying "no storage"? Donna Jean said this referred to sale and storage of merchandise.

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Tom: I have certain items in my home, when I'm performing services, that I give to people at cost that are part of the treatment. So I would think you would have to have some type of storage of items that are directly related to practicing your profession. We have no other local business where patients can get these items, and this would be burden on the patient. This would also include a vet, for example, who needs supplies to dispense for animals.

Donna Jean suggested striking the storage phrase. Caroline said she wouldn't want to open the door to some combined sideline of merchandise. How about, "...where no storage of or sale of merchandise exists except where related to the practice of the profession." Everyone agreed to this wording.

Discussion on Home occupation, major will be tabled for Loch's input. No one had further comments.

Cindy moved to close the public hearing, with Donna Jean seconding. All three commissioners approved, and Caroline closed the public hearing at 6:37 p.m.

Discussion and Vote on Proposed ToU Changes

Caroline reopened the regular meeting. Approval of the August minutes needs to be delayed as the appropriate quorum was not present.

Donna Jean asked why all the changes to the Table of Uses couldn't be made at one time. Caroline said the Commission had decided to do it in pieces, as some items are simple or editorial changes while others could involve lengthy discussion. It seemed better to move quickly on the items that could be readily addressed. Bill said, as mayor, that the council has "no problem with it coming in in bits and pieces" for the same reasons.

[Loch joined the meeting.]

Tom, concurring with Bill: It might be easier for [the Town Council] to deal with a few items at a time. We could end up with a public hearing that goes on for 2-3 hours. I'd like to clear as much as possible at a time, rather than one big lump. It would be easier for us if, as you discuss and agree on [changes], you go ahead and pass them onto us.

Loch suggested leaving the Home Occupation, Major discussion for later. Caroline asked for a motion to approve the other proposed changes, as discussed. Cindy so moved, Donna Jean seconded the motion, and the vote was unanimous to recommend the following changes for approval by the Town Council:

- Accept Table of Use, definition, and ordinance change related to Elderly Care Facilities, exactly as submitted by Bruce Parker.
- Modify usage table on RV and Campground usage: keep conditional use in Commercial and GMU zones; prohibit usage in all residential (L, M, H) zones.
- Rename current table and definition for Home Occupation to "Home Occupation, Minor"
- Modify definition on Professional Offices to "Professional Office" (singular)

Continue discussion related to additional Table of Use revisions

Summary of discussion:

- Cindy asked for the definition of "borrow pit."

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- Loch would like the commission to work on “Home Occupation, Major” wording at the next meeting
- Big discussion on “retail sales” definition; it needs to allow local residents to sell simple items, particularly ag items without restrictive burdens on them; it needs to specify some conditions if an operation grows and impacts neighbors and traffic; why can’t it be covered under Home Occupation?; consider Retail Sales and Service? Discussion ended with decision to let Bruce Parker provide sample language that would work for Boulder.
- School zones: considering all different types of “school” including adult training, it should be changed to allow conditionally in a Commercial zone.
- Social detox facilities: another question for Bruce Parker. Presumably these definitions are required as written; can they be combined? Perhaps a section in the ordinance can specify requirements similar to what we have for RV parks.
- Temporary use: Current situation does not specify clear cut rules. It would be good to add some requirement for handling parking. Possibly set up two categories. One would require a simple signature, as for bake sales. The other would handle long-term, recurrent events—say 120-day permit--- and would need to specify hours, frequency, notification to neighbors, need for restrooms, parking, etc. Put a cap on number of TUs one could get within a year? The Commission could come up with a simple table or checklist to make it easy for people to see what they need. There shouldn’t be fees; the point is the town having some indication of the events happening in town. We need to be careful: things we wouldn’t normally permit, could be presently allowed on a TU. Try to stay in spirit in General Plan, and think about as we do this.

Discuss Upcoming Business and Next Meeting Agenda

Upcoming business for the October 8 meeting will include. Approval of August and September minutes, revisit retail sales and services definition, clarify issue of detox facility, work on wording for the major home occupation, and work on a checklist for temporary use permits. Meetings will start at 6 p.m.

Cindy moved to close the meeting, Loch seconded. Caroline adjourned the meeting at 8:14 p.m.

Peg Smith, Planning Commission Clerk

Date