

Meeting Minutes, Boulder Town Planning Commission

June 10, 2014

Commissioners present: Tabor Dahl, Donna Jean Wilson, Caroline Gaudy, Alyssa Thompson, and Loch Wade. Also present, Secretary Peg Smith, Lisa Varga, Tom Jerome, Carla Saccomano, Mike Nelson, Scott and Brynn Brodie.

Loch called the meeting to order at 7:05 p.m. Carolyn moved to approve the May minutes, and Alyssa seconded the motion. All approved.

Tabor training

Tabor Dahl took the first commission-led training session, looking at the online “Supertool.” Through Planning and Resources>Supertool> Land Use Ordinance Library, you can view different ordinances, listed by category and alphabetically to help us in clarifying the language in our own ordinances.

The month’s training topic will be conducted by Alyssa. She’ll pick a topic from the APA website and provide info on how to navigate through it.

Dark Skies

Alyssa presented her plan to submit an ordinance change/addition to specifically deal with outdoor lighting and dark skies. There has always been support in town for this; in fact, she said most people probably town believe we already have a dark sky ordinance.

Nathan Ament, the Dark Sky coordinator for Colorado Plateau Dark Sky Cooperative is available as a free resource for drafting ordinance language. A simple sample ordinance, which could be adapted more or less as is, is available.

Tom asked Tabor, as an example, how low intensity lighting would impact work on the ranch. Tabor said he counts heifers at night and checks them throughout the night and just leaves the lights on. Would it be possible to have lighting that comes on when needed and off when not needed? Not practical. Tabor said he wasn’t comfortable with having such an ordinance. “I feel like ordinances like this restrict our freedoms in a community like this. I don’t see a need for it.”

Loch: Your lights are already there and set up. I would think all existing lights would be considered “legal, non-conforming” (aka “grandfathered”). Anybody that has lights would get to use their lights. Tabor asked about the next person who moves in, wanting to do the same thing he does.

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Alyssa: We are the darkest spot on the Colorado Plateau maps, and we don't have an ordinance. This wouldn't change existing lights in town. It does affect them if a light needs to be fixed or replaced. We would be trying to prevent more streetlamps that are unshielded or new businesses putting up new unshielded lights, etc.

Lisa: The main issue is the shielding. People have the lights they need to have, but the light itself can be focused on the topic, not spread out. Dark skies are a real resource for this community. Lots of tourists coming here remark on seeing stars for the first time. The biggest attraction at Bryce Canyon National Park is their star program.

Tabor: Our General Plan does mention dark skies, but it also cites preserving the ranching and ag as a value of this community. If someone were looking to buy a ranch and wanted to fix it up, they couldn't because they couldn't have the lights you need to do the work that is part of ranching. This ordinance wouldn't help farming and ranching. Letting what is realistic makes more sense than just adding ordinances.

Tom: I appreciate the ranchers' point of view. The Planning Commission is trying to serve the needs of the entire community. I don't appreciate the vapor lights shining into my home, but I'd like to find a meeting ground in the middle.

Alyssa asked that everyone please read the model ordinance first before making a judgment. In general, ag is mostly exempt; shielding or motion sensors accommodate most usage.

Caroline: I don't want to see people not be able to ranch the land. It's not the intent to stop ag or future ranching, but not everyone might be as responsible as you are. I also don't like to see the excessive number of ordinances, but I would rather see some controls.

Donna Jean: We already have lighting restrictions defined in the zoning ordinance now. We already say, no neon lights, no lighted signs. It mentions shielding there too. (p 57. Section 10-12....requires shielding, shrouds to minimize light trespass, indoor lighting can't illuminate exterior, etc. It's better not to have umpteen ordinances. We could add what else we might need to this section.

Alyssa what's not addressed is restricting mercury vapor lights, no spotlights, ag being mostly exempt...

Temporary Use Permit Discussion

section 9.01-9.03

Loch said we can rewrite the entire ordinance and then come up with an application. Or we can come up with an application that fits our existing ordinance. Which do we want to do?

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Caroline: I'd be in favor of changing the ordinance because now it's too broad. The only restriction now is needing to prove you own property.

Loch: We don't need to change the farmstand stuff. It seems like we really need a separate application for events to make sure there's sanitation, parking, hours. They check off those items and then they can be good for 45 days. Tom said he thought 45 days was really long.

Alyssa suggested looking at the Springdale TUP ordinance and application---they use about five inches of text to deal with temporary use events. The application itself is very nice. Caroline said she thought the Springdale application covers her issues with our existing ordinance. We really need to add frequency and length of time.

Scott asked about the same subject of just adding more and more ordinances: Do we foresee our town is going to be bringing events in and creating all these problems.

Tom: I'd seen temporary use as an option for the Red House Farm to legalize what they're doing in a low-density residential zone. Remember that the town spent a lot of money right here on a large open space, smack in the middle of town. This would be a great space to host events and its part of town property. It would do away with issue of private property owners having issues with neighbors. Caroline said the way our ordinance currently reads, an event could go on 12 months out of the year. It's the frequency and length of time that we need to be able to specify.

Loch asked the Planning Commission to take Springdale's temporary use ordinance and application and edit it with Boulder words to present as our remedy.

Scott asked if there is a differentiation between meetings/gatherings and events. Would each movie would require a separate application?

Agenda Items

The following items were listed for discussion at the July 8 meeting:

1. Temporary Use Permits
2. Outdoor lighting/night sky
3. Bill Muse conceptual plan for subdivision.

Alyssa moved to adjourn, Caroline seconded. Loch adjourned the meeting at 8:06

Peg Smith, Planning Commission Clerk

Date