

Meeting Minutes, Boulder Town Planning Commission

April 13, 2016

Commissioners present: Loch Wade, Donna Jean Wilson, Caroline Gaudy, Tabor Dahl, and Alyssa Thompson. Peg Smith, Sec.; Pete Benson, Town Council Liaison. Attending: Dan Hitt, Cindy Meier, Walt Gove, Michala Alldredge, Heather McDevitt, Ashley Coombs, Jeremy Stebel, Nina Brownell, Tony Jacobsen, Kate McCarty, Ryan McDermott, Andrew Alldredge, Syllas Nevar, Court Lewis, Donna Owen, Conrad Jepsen, Josh Ellis, Colleen Thompson, Stephanie Love, Mary Jane Coombs, Steve Lowder.

Loch called the meeting to order at 7:07 p.m. Caroline moved to approve the March 2016 minutes; Alyssa seconded the motion; motion passed.

Loch asked Alyssa to read the version on the proposed changes since the last meeting, based on the comments and also on subsequent discussion with individuals. He closed the regular meeting and opened the public hearing at 7:13.

Public hearing: Adding Accessory Dwelling Units to the Zoning Ordinance.

Syllas Nivar: I am in support of this ordinance.

Conrad Jepsen: He asked why this isn't considered a two-family dwelling? (Because it's part of the same structure as the original house.) What is its purpose? (For long-term rentals as well as caretakers or family.) This opens up a can of worms.

Mary Jane: I agree with Conrad. If things aren't going to be enforced, don't do it.

Walt Gove: There are 10 units already in town now? (They exist because of need.) So the new ordinance would allow for 10 new units. (Yes)

Court: I'm in favor of ADUs.

Nina Brownell: Even though this is different than before, where it was separate before, it's not doubling. I'm in favor.

Josh Ellis: I speak to enforcement. Maybe we don't care there are 10 in town right now. It's not that big a deal what is done on one's own land. I would guess that adding the requirement that it's attached to the house would reduce the appeal to do this. I'd be shocked to see 10 people in a year decide to do this. That would almost be one per month. I don't see this as a big deal. If a couple people added to their houses over the next couple years, it would be a good thing in a lot of ways for those people and would have almost no measurable impact for anyone else. Some way or another, there's a housing opportunity that will be acted on. There's a market opportunity and someone is going to capitalize on that sooner or later. So does it look like someone adding on to their home or someone building a big development of multi-houses? I like this approach to increasing the number of rental properties in town in that there's a huge self-regulating aspect to this, and that's a good thing. This would support self-regulating in that way. Wouldn't be that appealing to most people and would promote the self-regulating we're good at?

Conrad Jepsen: Is there a cap of how many time you can do this to your property? (Yes, one ADU per lot.)

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Brandie Hardman: Clarification? So the 750 sq ft is just for the ADU? (Yes).

Conrad: Basically this is opening up to people coming to town to work. (No short term rentals; also people who live here year long.)

Walt: Could the owner move out and rent both units? (Yes, for 6 mo minimum; no vacation rentals.)

Donna Owen: At first this was added to the home as well as separate. Now that's changed? (Alyssa: Most towns are written in this revised way. By definition it would have doubled the density of the lot. By attaching it to the home, it eliminates that.) If you have a rental and you have two more people in your "house" or in separate, why is that different? (Alyssa: there was a problem with attaching water and sewer to a separate structure. It's not an issue when connecting to the house.) Donna: I think you've taken peoples' options away.

Sylas: Health department would require you to accommodate additional bedroom space. It's another \$6K to dig up and put in another septic. That's speaking to the fear of these things popping up all over the place. There are cost considerations that will preclude much.

Brandie: Has this been priced out? (Alyssa: the county doesn't have to consider this for tax purposes as a two-family dwelling. You could have a house that's a 10 person family, and that's not a problem.)

Caroline: If someone added or converted a bedroom to this and decided to move into and rent out the main house, do they have to come to town for CUP or is it not allowed. (Alyssa: right now we don't have a vacation rental ordinance.)

Ken: So where do people stay? It doesn't seem to matter how much acreage you have. Why not just build yourself a big house and not have this definition? If it's a single-family dwelling, it doesn't seem like it will open up much. So where's the opportunity to make room for people? (Loch: Our General Plan is currently aimed at limiting growth, so this needs more general discussion. Right now we're pretty restrictive.)

Tony Jacobsen: I liked the old plan better. I've heard Boulder chews people up, but it depends on your bank account. The working class here is the one that gets rolled over. There's no way to stop the world from changing. We'll hit 7 billion people this year. Money situation isn't really changing--- \$20K for single person salary? It would be nice to see something open up more for the working class. This is for someone to add to their own house. I don't see this as a slippery slope. These are human beings living in substandard places. I am very much in favor of this or anything that helps.

Colleen: This is so much different from last month's version. I'm not necessarily in favor of it.

Kate McCarty: I am in support of the idea, but I liked the old one better.

Brandie: I am definitely in favor of ADU. This is going to be little more difficult for an add-on. I liked the separate unit. I'm curious about the additional cost of a septic tank installed. This version takes away from the privacy of the owner. It's difficult for another family encroaching. This town really needs additional housing.

Conrad: I'm somewhat in favor of this, that this would help the agenda of no more yurts. Those that have been allowed are far too much. I'm tired of people trying to live off the land here for nothing and expecting people to give up everything to let them live here. So I'm in favor of people doing this, but it's almost impossible to come and stay and make a living here. I've watched too many people come and go out of here, every year.

Tabor: Thinking about Tony and Conrad... a lot of what's going on in Boulder, there isn't that much private land to do anything with. To own a piece of private land, people have had to pay a

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premium for it. To be fair to property owners, if people are willing to build housing for employees, that's great. I benefit from that. I couldn't buy a piece of land and live here and work here. If we want to work here, we need to take it up with the people we're working for.

Caroline: To Brandie, I agree it may not be so great, right on your house. But this also becomes a hedge against low income. No matter how small your house and you can get the scratch together, this gives you another opportunity to make some money. It becomes a helpful way to hedge your fixed income, and also have a good neighbor there to help you take care of things. To Tabor, I think we have plenty of private land here, but do we want to break the 5-acre limit? If we did that one thing, we'd have more private land in Boulder.

Tony: I do have a piece of property here. Those 1 acre lots in King Estates have saved a lot of people. We can't expand too far here. It's really hard for me, looking at national average of land prices, it's hard to hear people who either got land from a family or from the Homestead Act. There's not a lot of programs for my generation. I've had to say goodbye to a lot of good people who can't make it here, who would have helped make this a great place.

With no more comments forthcoming, Loch closed the public hearing at 7:52 and reopened the regular meeting.

Planning Commission Discussion on ADU Comments

Loch: We've now heard comments from two public hearings. What does the Commission think?

Donna Jean: It does equal two families, even if it says it doesn't. To me you'd have to change the ordinance to allow two families. Alyssa: That statement comes directly out of other community ADU ordinances, and allows complying with local health code.

Loch: I understand Donna Jean's point. If a person ends up renting out both parts of their house, it would essentially be two families living in the same house. It would solve the legal problems, so we wouldn't have to rewrite the ordinance..

Tabor: If someone wants to rent out there house, that's fine and not an issue. There's a real need for more housing. This is a good way to get there. I do think this is a big change—the add-on—but it does help. At our last meeting, I had a fear of a wedge in the one house/5 acre standard. I think this takes care of that. I agree you wouldn't have the privacy. The cost for additional utility hookups, the other separate structure would have been almost too expensive. I don't think you should cap at 10 per year. I don't think there would be a huge rush to do this. If someone had a friend in Boulder who was willing to do this, it's not really fair if the 10 was already met. Let the market dictate that rather than be restricted in the ordinance. Let's look at it again in two years. This is a good way to address housing in Boulder and not open it wide open.

Caroline: If you do put a cap on the number of additions, make it a calendar year measure.

Alyssa: Most of these changes came out of the comments of last time and the additional meeting. There's a large fear of doubling the density by having two homes on one lot. This is step one, a tiny step. It's not the only thing we can address. This can help people out immediately. It can happen in an existing home that can have an apartment inside it. It's already being done. I personally don't want the caps on the permits either. That's in because of many of the fear-based comments.

Loch: Is everyone willing to delete the cap of 10 per year? Caroline, yes. Maybe best to leave for the town council to decide?

Donna Jean: I can't see sense whether caps or not caps. If you put an ordinance in place, may loosen it, but you won't do away with. Alyssa: We do need to revisit this in two years. We need to evaluate how it's worked.

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Loch: When you have a sunset clause, does it automatically go away if you don't reapprove it. (Yes.)

Donna Owen: The two years seems pretty restrictive. You might create a rush of people trying to get at it. Make it five years.

Tabor: If someone gets underway, and we meet again on it in two years, we can always say this doesn't really work. Maybe people will need more time.

Donna Jean: A regular building permit is supposed to be 180 days to start building.

Loch: Sounds like we want to do away with the cap of 10 years; otherwise we're voting on the proposed ordinance as written. He asked for a motion to accept this ordinance, omitting the cap of 10 units, for recommendation to town council. Alyssa moved, Tabor seconded. All voted in favor except for Donna Jean abstaining because of wording that calls it a single-family dwelling.

Loch: We either call it an ADU and say it's a single family dwelling, or scrap this and say we approve duplexes. Tabor: as long as you call it an ADU and the County is ok with that, then that works.

Open Meetings Training; Other Training Opportunities

Peg conducted the yearly open meetings training session.

Regarding the long term planning webinar, Caroline said at least one person should attend.

Loch and Alyssa are attending the APA conference May 6 in Hurricane.

Upcoming business for May 12 meeting

- Discussion of trainings session.

Alyssa moved to adjourn, Tabor seconded, motion carried. Loch adjourned the meeting at 8:34 p.m.

Peg Smith, Planning Commission Clerk

Date