

Boulder Zoning Process Memo #3

TO: Boulder Planning Commission, Curtis Oberhansly, Zoning Administrator, Mayor Steve Cox, Other Interested Parties

FROM: Lee Nellis, FAICP

DATE: May 15, 2020

SUBJECT: Guest Ranches - Commercial Zoning District

This memo discusses the Commercial Zoning District. Curtis and I also discussed the definition of guest ranch. I have been through the same question in other western resort areas, as well, and it fits into the overall conversation about commercial uses.

Step 1: Basis in General Plan

The plan provides for limited commercial activity in Boulder. I think its intent about the types of commercial development that are desirable is reasonably clear. We can talk about further clarification if you like.

Having attended the hearing on the proposed addition to the guest ranch, I think it is important to have a conversation about the capacity of Lower Boulder Road that is not tied to a specific application. Everyone seems to agree that there is an issue, but if you look at the Town plan, Lower Boulder Road is not included on the list of areas with traffic problems. The policy basis you need to impose conditions (or perhaps to deny a request for a zoning map amendment) is not there.

Ideally, the Town would conduct a “build-out study” of the area served by Lower Boulder Road. That study would provide a reasonable estimate of the traffic volume the road would have to carry if the properties along it were developed to the full extent allowed by the current land use regulations. The Town would then retain a transportation planning firm to assess the capacity of the road and list the improvements needed to safely carry the projected traffic. If the necessary improvements turn out to be unaffordable or essentially impossible due to physical or legal constraints, the Town could defensibly change its regulations to reduce the development potential of the lands served by Lower Boulder Road.

Step 2: Consistent Terminology

Having discussed the need for overall definitions of “commercial” and “industrial” at our last meeting, I don’t think there is a consistent terminology issue for this meeting.

Step 3: Definitions

We also need to discuss the definition of “guest ranch,” which does not clearly distinguish a guest ranch from other types of lodging. We also need to talk about why a guest ranch is permitted in the GMU and LDR when a motel is not. Here is a more specific definition of “guest ranch” to help begin the conversation.

Guest Ranch. A guest ranch provides overnight lodging for periods of 30 days or less packaged with at least some meals, and activities that originate on its premises. It may

offer limited retail sales as an accessory use and one accessory dwelling will be permitted for the owner or staff. Guest ranch activities could include the trail rides and chuckwagon suppers of a classic “dude ranch,” but may also include a mountain bike, fly fishing, Jeep tour, or guided hiking version of the same concept.

If you wanted to further reinforce the distinction between a guest ranch and other types of lodging, you could add a minimum length of stay to this definition.

Step 4: Commercial Zoning Standards

I hope you will all have given some thought to the idea I raised last time: That Boulder could eliminate future use of the Commercial Zoning District and permit commercial uses via Conditional Use Permits in all or some of the other zoning districts. This would eliminate duplicative procedures and the risks of creating a new commercial zoning district for a proposed use that either never materializes or fails.

I also asked you all to think about what standards should apply to new commercial uses – regardless of how they are reviewed - beginning with the standards we have discussed for home businesses. We’ll get started on that if time permits.