

# Meeting Minutes, Boulder Town Planning Commission

## July 9, 2013

Work meeting: 6 p.m. Participants were Commissioners Cindy Wilson, Loch Wade, Alyssa Thompson, Caroline Gaudy; and Peg Smith, Tom Jerome, Dennis Bertucci, Bob and Naomi Brems, Mark Nelson, Scott Brodie, and Colleen Thompson. Topic discussed was the Table of Uses in the Boulder Town Zoning Ordinance.

### ***Regular Meeting***

Loch called the regular meeting to order at 7:01 p.m. Commissioners present: Loch Wade, Alyssa Thompson, Cindy Wilson, Caroline Gaudy. Also present: Commission secretary Peg Smith, and Town Council liaison Tom Jerome. Members of the public: Bill and Judith Geil, Brynn, Pete and Cookie. Cindy moved to approve the June minutes, Caroline seconded and all approved.

### ***Continued Discussion on Revising Table of Uses***

The Commission agreed to request clarification from Bruce Parker, planning consultant, on several questions, including the following: Sample definitions from more than one other small town regarding retail sales, major home occupation, and density for elderly care facilities. Also, why does the current table of uses include so many different categories of residential and treatment facilities, and can we combine some of those? Was that a state requirement at some time in the past? Why is “resort” conditionally permitted in a GMU zone, but not permitted in a commercial zone? (These are other questions that arise should be compiled and sent to Bruce for response.)

Regarding residential facilities, Loch and Alyssa favored removing all but the elderly care facilities from our table of uses.

Tom remembered Bruce Parker specifically stating that the General Plan, and the underlying vision of the Town, should guide the uses and their various levels of permitting.

Caroline questioned maintaining “RV parks and campgrounds” as conditional in all zones. Alyssa agreed that those entities would result in a defacto increase of density; does that make sense in a low density zone? Caroline said that when the Commission decided to revisit the Table, they had decided to look at everything, including not just items and definitions but the permitted/conditional designations as well. “We’re bound by non-discriminatory obligation and if an item is included as a permitted use.” We might decide to leave the Table alone, but we should look at everything that’s in there now and consider it.

Tom: One of the reasons we have control over campgrounds, although it’s in the Table of Uses, there’s a whole section within the ordinance that controls very restrictively what a developer can and can’t do.

Caroline: I’d suggest we have a big zoning map so we can actually see exactly what we’re talking about--- we need an updated copy as a point of reference. Where are the GMUs in town,

## Boulder Town Planning Commission, Meeting Minutes

would we be comfortable in any GMU or LDR to allow the things that are currently allowed? If we decide we are comfortable, then we should leave them alone.

Peg asked about the decision on “Professional offices” which had been discussed last meeting. Discussion continued without clear resolution. Alyssa clarified that at the previous meeting the only change agreed upon was to change the definition to “a building for a profession including but not limited to . . . . etc., and conditional in all zones. That’s the only change we talked about. It includes the restriction on sales or storage. Caroline said that doesn’t make sense; an artist would storage his/her finished pieces there. Alyssa: But things aren’t retailed from there.

Loch: I think we’re taking this to extremes; I think we can safely leave it as is. If someone wants to file a complaint citing this ordinance against storing a box in your closet . . . I think we can safely leave it in.

Caroline: Back to making a professional office conditional in all zones that would mean we can’t say “no”, we can only hang conditions on a request. Alyssa suggested looking at where people will be living and considering what types of services they’d likely need.

Alyssa: We’re going over the same things from last month. We should probably put these in for change, since we’re not adding anything new now. Let’s put one item on the agenda for a public hearing, one thing at a time. Put in a change of definition for professional offices, one building for one profession. We could also remove the “C” RV campgrounds and parks for HDR and NDR. Also from last month’s meeting: “Campground” definition. We talked about adding a 90 days total stays and 2 weeks between periods. Do we still agree on that? Loch doesn’t think so. We have people in town who are actually working and staying in campgrounds. We can’t ask them to pack up and leave. Alyssa said a campground is different from RV park or a mobile home park. Tom: now we have a 90-day limit on residential stays in campers, cumulative for the whole year. It makes sense to have a restriction on time allowed for someone to be in a campground. Loch said if someone is working, they aren’t here “for recreational or vacation purposes.”

Caroline: The reality in town is there isn’t the housing for seasonal employees, and the season goes from March through Dec for some. Do we want to rule out that use? Right now it’s allowed in everything but HDR. How do we distinguish that from your residential guests?

Alyssa: It now says a campground is for recreational or vocational purposes--- If we ever do actually have that, I think it the “vacation” should be limited to 90 days.

Tom: I suggest you do away with the whole leisure or recreation situation and just say 90-day limit, period. Alyssa: how does that open up to the septic issue? According to the current definition, this could be happening in my backyard. Tom: Again, it’s a conditional use. Someone would have to apply for this and you could verify the toilet situation. Caroline: I think this sets up the owner of a property to have a complaint brought against them.

Loch: section 10-16, page 66—tent sites. If all you have is a tent-site campground, you’d still have to fall into this ordinance. Question: If they can stay for 90 days, are we asking them leave for two weeks or to renew a permit? Campground owner gives 90 day permit at the point of renting the space. You can stay here, but you have to go get new permit from the town.

Alyssa: The BLM or Forest allows only 14 days; effectively, Boulder doesn’t specify. Loch said when the campground landowner tells the camper they can camp for up to 90 days. Dennis said they means virtually perpetual camping.

## Boulder Town Planning Commission, Meeting Minutes

Tom: A possible solution is to limit campgrounds to commercial zones. A person who wants to build has to come to town to ask to rezone property. Then it becomes a commercial venture and takes it out of the element of the individual landowner. It doesn't matter if there's a charge or not. If people are staying for an extended period of time, then you have to come before Planning Commission and also Town Council to get a zoning change.

Alyssa: We're making "campground" a completely separate use. Nothing to do with residents or seasonal workers. Loch: I'm happy removing "RV parks and and campgrounds" from medium and high density zones, but I'm not sure about fixing a campground problem that I don't see yet.

Summary of agreed upon, changed items to be included in a public hearing:

- Changes to definition of professional office and removing the conditional use from MDR and HDR for "RV parks and campground."

### ***Discussion of Proposed Ordinance Regarding Care Facilities***

No official discussion of this item.

### ***Discuss Upcoming Business and Next Meeting Agenda***

Change to Tuesday, August 6, with a work meeting at 6 p.m. and regular meeting discussion on the Table of Uses.

A public hearing will be scheduled on definition for professional offices, removing RV and campground from MDR and HDR, and elderly care and persons with disabilities.

The work meeting can discuss Bruce Parker's responses if we get them.

Cindy moved to close the meeting, Alyssa seconded the motion, and all approved. Loch adjourned the meeting at 7:58

---

Peg Smith, Planning Commission Clerk

Date