

Boulder Town
Planning Commission
Meeting Minutes
September 14, 2023

Commission present: Tina Karlsson, Colleen Thompson, Shelley Price-Gipson, John Veranth, Elena Hughes, alternate Nancy Tosta. Also present or on Zoom: Planning Commission Clerk Peg Smith, Town Clerk Jessica LeFevre, Town Council Liaison Elizabeth Julian, Zoning Administrator April O’Neal, and Consultant Lee Nellis, and Town Attorney Michael Winn.

Tina called the meeting to order at 7:00 pm.

Approve agenda; approve August 10 minutes

Nancy moved to approve the agenda; John seconded. Tina moved to amend the motion, requesting a switch in the order of amendment discussion and remove the report on “Great Planning Meetings.” John seconded. All approved by voice vote. John requested three edits to the minutes. Peg made the corrections as suggested and presented one correction received in public comment. John moved to approve the corrected August 10 minutes; Colleen seconded. All approved.

Lee Nellis and Commission Discussion and Vote on Edited Amendments: Average Lot Size, Housekeeping, Duplexes

Tina called for questions for Lee first, then discussion, motions, and votes. Following several suggested changes as well as clarification on how lot averaging works on future subdivisions of the same parcel, John moved to accept the highlighted/edited version of the Lot Size amendments, as posted, as the baseline draft; Colleen seconded. Elena, John, Colleen, Shelley, and Tina voted ‘aye.’

John moved to change the title to “Ordinance Changing Lot Size Requirements” and Colleen seconded. All voted ‘aye.’ John moved to change the third whereas clause by changing “intensity” to “density.” Colleen seconded. All voted “aye.” John moved to accept Nancy’s editorial corrections through page 3; Colleen seconded; all voted “aye.”

Colleen made a motion to add editing clarification on defining basis of lot averaging (period after code, remove dependent clause, capitalize “While.” John seconded. John aye, Colleen aye, Shelley aye, Elena aye, Tina aye.

Elena moved that Peg makes grammatical and typographic edits. John seconded. All voted “aye.”

John read a comment from Rachel Levinson supporting the changes to the ordinance. John moved that the revised ordinance Changing Lot Size Requirements be forwarded to the Town Council with the Planning Commission recommendation that it be taken to public hearing and adopted. Colleen seconded. John aye, Colleen aye, Elena aye, Tina aye, Shelley aye. Vote passes.

John moved that Peg prepared a clean draft, authorized to make grammatical correction that do not affect the meaning. Shelley seconded. All voted aye.

Discussion on “Housekeeping” ordinance: John moved to discuss the markup of the August draft; Elena seconded. All voted ‘aye.’

John moved to change the title to Ordinance to Improve Consistency in Subdivision and Zoning Chapters. Colleen seconded. No discussion. All voted ‘aye.’

John moved to edit the Whereas statements as marked; Colleen seconded. All voted ‘aye.’

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John moved make 5 typographical corrections: to delete 152-006 (f) as marked; 152-042 typographical correction on strikeout; 152-046 (1) include ongoing strikeout that was not included in August markup; Elena's reading about development agreement and preliminary approval subsequent actions. Colleen seconded. All voted 'aye.'

John moved to delete section 152-069 as marked; Elena seconded. All voted 'aye.'

John moved to recommend to Town Council the Ordinance to Improve Consistency in Subdivision and Zoning Chapters, as amended, and for Peg to prepare and transmit clean draft for transmittal. April asked for clarification on 152.041(h)1. Lee explained that the Planning Commission cannot allow non-public, prescriptive easements to block access, creating a landlocked parcel. Elena stated her ongoing subdivision application but will not recuse herself as the changes being discussed will apply to all subdivisions moving forward. Tina seconded the motion. Elena John, Colleen, Shelley, Tina all voted 'aye.' The ordinance will be passed onto the Town Council.

Peg asked about schedule: The TC will need the clean drafts by Sept 26 to enable public hearing posting. The drafts should be to the Town Clerk by Sept 22. She asked for some help preparing the clean drafts and transmittal letter as she is leaving town and will have only two days to complete.

Tina asked for Planning Commission support at the Town Council meeting when the ordinances are presented. All agreed to be there.

The Planning Commission voted to take a short break.

Discuss plan for achieving state-mandated Subdivision Ordinance amendments

Tina said the Subdivision Ordinance needs complete rewriting, but also affects the Zoning ordinance to meet state requirements.

Lee said the intent of the legislature is to remove elected officials from the subdivision approval process. The Planning Commission will have a 15-day review period. Any land use protection, compatibility, housing, etc. will have to be covered in the Zoning ordinance. The SD ordinance will be basically a checklist of the procedure. Recurrent items are access and street standards, housing choices, and protecting open space/agricultural land (which goes with the housing discussion). These need to be resolved in order to move on with the Zoning Ordinance cleanup and rewrite of Subdivision Ordinance. Lee recommends another November public forum on the three items.

John said a subdivision application that meets the rules will have to be approved. Zoning/development standards will need to be cleanly defined and comprehensive to provide the "checklist" that a developer needs to meet. To enhance the streets discussion, John suggested inviting Sam Stout to the next meeting.

Shelley would like to explain at the forum why the changes are required.

Nancy wants description of what the state changes come and what do we currently have that would go away. What do we want to preserve and how do we implement these protections. She suggested a staff memo formatted succinctly for discussion on each of the three recurrent items.

Colleen agreed with Nancy on understanding what can be kept and what necessarily goes away.

Elena is interested in facilitating housing choices through Zoning and thinking outside the box to achieve goals. Identify the things we have now that we want to retain.

Tina wants to try for a November forum, starting with the access/street standards. Need mapping of existing roads and issues therein. Maybe a workshop meeting will be required.

John said the SD ordinances need to be in place by December 2024 (at the Town Council meeting). Anything the Planning Commission does needs to be passed to the TC in Oct 2024 at the latest. Therefore, work meetings need to start soon, regardless of whether all can attend or not. Start fleshing out the ideas. Ideas can come out in the work meetings; the regular meetings can summarize

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and vote on the ideas. Colleen went back to John's originally proposed Oct 19 work meeting. John seconded. Nancy thought state code requirements can be discussed then. All voted 'aye.'

The guidance from Sam Stout is standard of a road to be constructed in Boulder that meets our public safety requirements.

Staff and Commissioners reports

Tina requested that all commissioners review distributed documentation as soon as possible after they receive it.

Public comments

One commenter thanked the Commissioners for having listened to and utilized the public hearing comments.

Upcoming business for October 12

- Discuss access and street standards, housing choices, and protecting open space/agricultural land
- Invite Sam Stout to talk about Boulder streets
- Prepare some information for Oct 19 work meeting
- Comments about the Robert's Rules training and subsequent effect on meetings
- Revisit Duplex ordinance, including a revised Nellis memo
- BCA update on school housing project; look at current RV ordinance
- Possible rework from TC on recommended ordinances?

Elena moved to adjourn, seconded by Colleen. All approved. Tina adjourned the meeting at 9:51 p.m.

Clerk: 

Draft submitted: October 7, 2023

Approved: