

MINUTES TO BE APPROVED AT MAY PLANNING COMMISSION MEETING
Boulder Planning Commission Regular Meeting & Public Hearing
April 17, 2025, 7:00 PM
Meeting Minutes

Call To Order And Roll Call

The meeting was called to order at 7:04 PM by Nancy Tosta, Planning Commission Chair. Roll Call was conducted:

- Nick Vincent: Present
- Tina Karlsson: Present
- Elena Hughes: Present
- Colleen Thompson: Present
- Nancy Tosta: Present
- Darrell Fuller: Absent initially, entered at 7:07 PM

Agenda Approval

Tina Karlsson moved to approve the agenda. Colleen Thompson seconded the motion.

The motion passed unanimously.

Conflict Of Interest Disclosure

No conflicts of interest were disclosed by any of the commissioners.

Meeting Minutes Approval: January 13, 2025; March 13, 2025; January 13, 2025 Minutes

Nancy Tosta noted that the January 15, 2025, minutes had been reviewed at the previous meeting, with the only question being about a motion where it was unclear who had seconded it.

Tina Karlsson moved to approve the January 15, 2025 minutes. Elena Hughes seconded the motion.

The motion passed unanimously.

March 13, 2025 Minutes

Nancy Tosta mentioned that these minutes were generated by software called ClerkMinutes within 5 minutes of the meeting. Colleen Thompson noted a typographical error where "Grant County" should be "Grand County."

Tina Karlsson moved to approve the March 13, 2025, minutes with the correction of "Grant County" to "Grand County." Elena Hughes seconded the motion.

The motion passed unanimously.

Public Comments On Agenda Items – 3 Minutes Per Person

Donna Owen commented on the misconception regarding commercial districts and zoning. She expressed confusion about statements made in public meetings about commercial districts being done away with, while commercial use is still on the table of uses. She questioned the fairness of businesses paying high taxes on property that is no longer commercial and asked if anyone had consulted the county on this matter. Donna also mentioned that ordinance 7.5 states that any change from one zone to another requires an application for a zone change.

Mark Nelson urged the commission to be cautious about following other towns' examples, encouraging them to use wisdom and go slow in their decision-making process. He suggested conducting a new town survey, noting that it had been a long time since the last one. Mark emphasized the importance of knowing the community's

needs and desires, especially considering the influx of new residents who may not be familiar with the town's history.

Staff Reports

Erin Smith, Zoning Administrator, reported that there had been one project permit since the last meeting.

Direction From The Town Council – Liaison Report

John Veranth, Town Council Member, provided several updates:

- He thanked everyone for their efforts on the two hearings scheduled for the meeting.
- He mentioned a recent administrative meeting discussing what should be included in meeting packets and post-meeting outputs.
- He discussed the charge document for the area north of the town hall, noting that it was now available online and should serve as a model for future project initiations.
- He highlighted upcoming work priorities, including addressing commercial standards, which is a high priority for Council Member Josh Ellis.
- He mentioned ongoing discussions about affordable housing with Ray.
- He indicated that there might be requests from the town council to make procedural changes, particularly regarding zoning and business regulations.

Discussion On Town Council Direction

Nancy Tosta elaborated on the recent meeting about file management and storage. She mentioned that Josh had compiled a detailed checklist for town council and planning commission meetings. Nancy noted that the planning commission was somewhat ahead of the curve in managing meeting folders and making materials available to the public.

The commission discussed the need to address commercial standards, including clarifying what the general plan, zoning code, and commercial code say about commercial areas. Nancy emphasized the importance of cleaning up these inconsistencies.

Darrell Fuller cautioned against scope creep and rushing through changes, suggesting that a slower, more deliberate approach might be beneficial.

Public Hearing On The Duplex Ordinance

Darrell Fuller moved to close the regular meeting and open the public hearing on the duplex ordinance.

Elena Hughes seconded the motion.

The motion passed unanimously.

Donna Owen expressed support for duplexes but stated she was not a fan of the current ordinance. She felt it didn't go far enough and lacked specifics on design elements like door placement and parking locations.

Jen Bach raised questions about how ADUs (Accessory Dwelling Units) fit into the duplex regulations. She asked if each half of a duplex would be considered a single-family dwelling and if they would be eligible for internal ADUs by state law and external ADUs by local ordinance. She also inquired about the potential impact on density.

Mark Nelson expressed concern about the potential for developers to create large developments of duplexes, similar to townhomes. He suggested considering limits on the number of duplexes allowed in a development.

John Veranth clarified that state law prohibits municipalities from imposing architectural standards on one and two-family dwellings.

Josh Ellis shared an anecdote about housing density changes in suburban Seattle, noting that some areas only allow triplexes or higher-density housing.

Keith Watts pointed out that Boulder already has some duplexes, mentioning upstairs-downstairs arrangements that work well in the community. He suggested that denser housing closer to the town center could benefit walkability and affordable housing.

After public comments, the commission closed the public hearing and returned to the regular meeting.

Discussion And Action On The Duplex Ordinance

The commission discussed various aspects of the proposed duplex ordinance:

- ADUs and duplexes: Nancy Tosta clarified that state law only allows ADUs with single-family homes, not with duplexes.
- Zoning considerations: The commission discussed how duplexes fit into different density zones and whether changes were needed in the high-density residential category.
- Table of uses: The commission noted that the table of uses needed to be updated to reflect the new duplex regulations.

After the discussion, the commission voted on the duplex ordinance.

*Darrell Fuller moved to transmit ordinance 2025-B (the duplex ordinance) to the Boulder Town Council.
Elena Hughes seconded the motion.*

The motion passed unanimously.

Discussion On The Residential Short-Term Rental (RSTR) Ordinance

The commission reviewed and discussed various aspects of the proposed RSTR ordinance:

- Definition of RSTR: The commission discussed removing language that included listings on accommodation websites from the definition of RSTRs.
- Five-year limit on RSTRs: There was extensive discussion about a proposed five-year limit on RSTR permits. Some commissioners expressed concern about the economic impact on permit holders, while others saw it as a way to distribute opportunities more fairly.
- Number and distribution of RSTRs: The commission debated changing the number of allowed RSTRs in Lower Boulder from 5 to 3, considering the density and impact on the neighborhood.
- Enforcement: The commission discussed the need for better enforcement of RSTR regulations, particularly for those operating without proper licenses.

Public Hearing On The RSTR Ordinance

Tina Karlsson moved to close the general meeting and open the public hearing on RSTRs. Elena Hughes seconded the motion.

The motion passed unanimously.

Several members of the public provided comments:

Jen Bach expressed concern about the potential impact of RSTRs on long-term housing availability. She suggested considering a balance between short-term rentals and long-term housing needs.

Cheryl Cox emphasized the importance of the residency requirement for RSTR owners and cautioned against imposing too many limitations, including a five-year limit. She also mentioned the significance of transient room tax revenue for town services.

Mark Nelson urged the commission to prioritize protecting Boulder's sense of community over financial considerations. He suggested freezing the current number of RSTRs and potentially phasing them out over time.

Keith Watts discussed the fragmentation of communities due to RSTRs and suggested capping the number allowed. He also recommended considering the impact on Lower Boulder Road separately due to its higher density of short-term accommodations.

Donna Owen (Online via Zoom), an RSTR owner, shared her perspective on the benefits of short-term rentals for property maintenance and personal income. She emphasized that RSTRs are not the sole cause of increased traffic on Lower Boulder Road.

Josh Ellis (Online via Zoom) reiterated that the original intent of revisiting the RSTR ordinance was to make it easier to administer. He acknowledged the balance between wanting and not wanting RSTRs in the community.

John Veranth suggested considering the bed and breakfast model as an alternative to the Airbnb-style RSTR. He also mentioned the importance of maintaining a certain level of short-term rentals to qualify for additional sales tax as an impacted community.

Potential Action On The RSTR Ordinance

After closing the public hearing, the commission made several decisions regarding the RSTR ordinance:

- They voted to remove the language that included listings on accommodation websites from the definition of RSTRs; passed unanimously.
- They voted to remove the proposed five-year limit on RSTR permits; passed unanimously.
- They approved reducing the number of authorized RSTRs in Lower Boulder from five to three; the motion did not receive unanimous consent.
- The discussion addressed enforcement for non-compliant operations, primarily involving a letter from the town attorney. Once the Town Council approves the new ordinance, immediate action will be taken to address illegal operations.

Current RSTR CUPs remain valid until February 2026, and future renewals must follow the updated ordinance, including the three RSTRs in Lower Boulder.

- They approved removing language referring to criminal penalties for violations, choosing instead to implement civil penalties; the decision was unanimous.

Elena Hughes moved to transmit ordinance 2025-C on RSTRs to the town council, as amended during the meeting. Colleen Thompson seconded the motion.

The motion passed unanimously.

Discussion On General Plan Updates

Nancy Tosta presented an overview of potential updates to the general plan:

- Reformatting the document to reflect goals, actions, and responsibilities better.
- Updating current numbers and data, potentially using state-provided information.
- Addressing town council priorities, including clarifying commercial zoning, listing capital projects, and considering potential uses for the land north of town hall.
- Conducting a new town survey to affirm the community vision and priorities.
- Addressing state requirements for moderate-income housing strategies.

The commission discussed the possibility of holding a public forum to gather input on the general plan updates and the potential uses for the land north of town hall. They tentatively planned to hold this forum in late June or early July.

Discussion Of Additional Work Priorities

This item was deferred due to time constraints.

Discussion Of Topics And Timing For The Joint PC-TC Meeting

The commission discussed potential topics for a joint meeting with the Town Council:

- An overview of state laws that apply to towns and their impact on local ordinances.
- A presentation by Elizabeth Julian on her findings regarding administrative processes and potential improvements.

The commission tentatively set May 22, 2025, as a possible date for the joint meeting.

Summary Of Meeting Decisions

Nancy Tosta summarized the key decisions made during the meeting:

- Approval of the RSTR code with amendments.

- Approval of the duplex code.
- Development of a plan for updating the general plan, including using the property north of the town hall.
- Discussion of the joint PC-TC meeting topics and potential date.

Potential Upcoming Business At May Meeting

The commission identified the following items for the May meeting agenda:

- Further discussion on the general plan updates and forum planning.
- Review of a draft RSTR CUP application form.

Final Public Comments. 3 Minutes Per Person.

No final public comments were made.

Adjourn

Tina Karlsson moved to adjourn the meeting. Colleen Thompson seconded the motion.

The motion passed unanimously. The meeting was adjourned at 9:58 PM.

Date Minutes Approved:_____

Jessica LeFevre, Town Clerk