



*"To enhance the quality of life in Boulder County, and protect people's opportunity to own, use, and enjoy their property by promoting environmentally sound, fair and consistent land use decisions."  
- Land Use Coalition Mission Statement*

© The Land Use Coalition  
P.O. BOX 20265 - Boulder, CO 80308  
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# The Land Use Lantern

Newsletter of the Land Use Coalition

May 2007

## *President's Column*

Greetings LUC Members and Landowners:

Before I tell you about all of the hard work that dedicated LUC members are doing for us, I must unfortunately share some disappointing news and ask for your help. In our February newsletter, we sent out our annual membership renewal form along with a request for member dues of \$25. At our May 2 meeting, Jeanne White (our wonderful treasurer for many years) informed the group that our renewals were the lowest in years. As you know, our group is 100% volunteer and annual membership dues are essential to helping us stay afloat. We run a tight ship and nearly all of our funds go toward educating LUC members, the public, and our local government about land use issues in Boulder County and the State of Colorado. We are the only voice speaking out for rural property owners' rights in Boulder County.

As we've said before, if we succeed in our goals, we will ultimately put the LUC out of existence. We have a hard-working core group of about 10-15 members who do nearly all of the work, year after year and with a smile. We are now two years into the painstaking land use code revision process and from the looks of it, this process is far from being complete. We all feel that there is still much work to be done and room yet for the LUC to make a difference for you and me. Please show your support in our ongoing efforts and send in your \$25 membership fee today - for your convenience, we've reprinted the membership renewal form on page 3. If you can afford to send more than the \$25 member fee, please do so. We rely on your generosity to keep us going. Thanks for your support!

The land use code revision process continues to be an ongoing endeavor of the LUC. Dick Schillawski has been in charge of the LUC's code committee and they have spent hundreds of hours reviewing and discussing code revision drafts, proposing alternative policies and improvements, and giving testimony at public hearings. On behalf of all LUC members, I'd like to offer our sincere thanks to the code committee for their dedication and perseverance. The Commissioners have continued to push their code revision agenda - square footage TDRs in the mountains, house size limitations, and green building - under the sustainability and code revision umbrellas. Even though the first two agenda items have a questionable connection to sustainability and the third has more to do with revising the building code rather than the land use code, they are rolling ahead with meetings scheduled through September.

The next important hearing is on Wednesday, May 16, at 7:00 PM, before the Planning Commission. The Planning Commission will likely be adopting the Sustainability Element into the Boulder County Comprehensive Plan at this hearing. On page 2, we've included the text of our last letter to the Planning Commission which we presented at their April 18 hearing. We need LUC members to attend and speak at the May 16 hearing in support of the positions in this letter. Following the adoption of the Sustainability Element in the Comp Plan, the subsequent public hearings will focus on the actual code changes. I encourage you to get involved with our code committee as this process will become more critical as time passes.

In our last newsletter, we welcomed the creation of the LUC forest land use committee and its chair, Bill Carpenter. Bill wasted no time in his education efforts and the LUC is co-sponsoring our first public workshop on Saturday, May 19. This free weed management workshop offers first hand instruction and demonstrations on managing and eliminating weeds on your forest property - details and RSVP info are listed on page 4. I hope to see you at one of our upcoming functions. Thanks in advance for your donation and membership renewal.

*Pam McElwain*

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### LUC REMINDERS:

- Send in Membership Dues
- Wed. May 16 - Planning Commission Hearing on Sustainability
- Sat. May 19 - Free Weed Management Workshop Co-sponsored by the LUC
- Wed. June 6 - LUC Meeting

April 18, 2007

Dear Boulder County Planning Commissioners:

We encourage you to take a broader look at the proposed Sustainability Element for the Comprehensive Plan, its potential impacts, and increasing possibilities for its success. Currently its limited focus is on TDRs, house-size limitations, and green building for new construction. Many of the proposals are either superficial or have a weak relationship to the sustainability concept. The lack of consideration of the effects of past policies, costs versus benefits of the proposals, and inability to demonstrate the overall benefit to Boulder County is troubling. We recommend you consider and discuss in detail the following comments and suggestions before implementing the Sustainability Element:

**TDRs - Thoroughly review the existing TDR program; use that feedback for any new TDR program.**

- The connection between a TDR program and Sustainability is somewhat tenuous at best; this connection must be made more clear.
- Address the issue of where receiving sites might actually be located
- Partial data indicate that over 70% of current TDRs came from County Open Space - consider whether this is desirable in the current program and/or any new program.

**House Size Limitations - Remove this component from the Sustainability Element.**

- You have previously indicated no interest in blanket, county-wide house-size restrictions.
- Concern about the energy use/efficiency of larger structures can be addressed via building codes.
- The concept of "Embedded Energy" recently introduced by staff has not been developed or defined, and is not even mentioned in the current draft of the Sustainability Element.
- Partial data indicate that houses on current TDR receiving sites probably average over 7,000 sq. ft. - thus many or most of the large houses recently built in the rural county resulted from this program. Much of the angst over increasing house size appears to be imposed by the county.
- Other concerns are mainly neighborhood issues that have little to do with Sustainability.

**Green Building - Create a simple, voluntary green building/renovating program county-wide.**

- The proposed "BuildSmart" program currently focuses mainly on new houses. With fewer than 100 permits for new houses in the past two years\*, this is not going to make much, if any, impact.
- Details of how the "BuildSmart" program would apply to renovations of existing structures are unclear.
- The Board of Review will consider whether "BuildSmart" is appropriate or beneficial next week. (Much of the proposed program covers non-energy-related issues already addressed by other county programs or processes; the energy issues could be addressed via the Building Code.)
- All existing and proposed structures should qualify for green building incentives.
- Incentives might consist of property tax adjustments or sales tax rebates (subject to constraints imposed by state tax laws) or some other clear benefit to the property owner.
- Free, or very low-cost, voluntary energy audits of existing houses are more likely to yield significant energy savings than the "BuildSmart" program, without the bureaucracy.
- Incentives and voluntary programs could include municipalities, county regulations are rural only.

**What's missing from the Sustainability Element?** Sustainability programs elsewhere recognize and include economic and societal factors. These topics need to be explored and incorporated into the county's Sustainability goals. More specifically, Agriculture, Forests, Housing Affordability, and Efficient Transportation are just a few of the very important topics left out of the current draft language and discussions. As you consider the currently proposed language of the Sustainability Element please include goals and concepts, rather than fixed policies that leave little flexibility for the future.

Sincerely,

**Members of the Land Use Coalition**

\* Statistic obtained from Boulder County Land Use Dept. public presentation materials on Sustainability

**SECOND REQUEST!** In order to continue receiving LUC newsletters and updates, please complete and return the membership renewal form below, along with your membership dues. We want our members to know that all of our staff is strictly volunteer with no paid positions whatsoever. Many of us work tirelessly on all issues that concern the property rights of thousands of landowners in Boulder County. Please help us continue our efforts to educate the public about land use issues that affect us all by making a contribution to the LUC. Your prompt payment of renewal fees/donations is greatly appreciated.

## LUC MEMBERSHIP DUES & DONATIONS

Enclosed is my \$25 LUC 2007 membership fee     I am making an extra donation of \$ \_\_\_\_\_

Please send me a bumper sticker:     Respect Prop. Rights     Take Politics out of Prop. Rights

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We do not share our donors list, mailing list or e-mail list with anyone. If you give us your e-mail address, you will receive the newsletter and current actions and announcements online.

Many Thanks for your generous donation!

Please mail this completed form along with your check made payable to:  
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### LUC CALENDAR

- Planning Commission (PC) Hearing on  
Sustainability - 7:00 PM . . . . . May 16
- Board of Review (BOR) Hearing on  
Green Building - 3:30 PM . . . . . May 17
- Weed Management Workshop - 8:30 AM . . . . . May 19**
- BOCC Study Sessions (*Open to public, but no public testimony*)  
w/ BOR on Green Building - 5:00 PM . . . . . May 23  
w/ PC on TDRs & House Size - 7:00 PM . . . . . May 23
- Board of Review (BOR) Hearing on  
Green Building - 3:30 PM . . . . . May 30
- BOCC Public Meeting on TDRs - 5:00 PM . . . . . June 5
- LUC June Meeting - 5:30 PM . . . . . June 6**
- Board of Review (BOR) Hearing on  
Green Building - 3:30 PM . . . . . June 11
- Planning Commission (PC) Hearing - TBA . . . . . June 20

LUC monthly meetings are held the first Wednesday of each month at 5:30 PM at the Olive Garden, located at 2685 Pearl St. on the northwest corner of Pearl and 28th in Boulder.

Boulder County hearings and public meetings are held in the BOCC (Board of County Commissioners) hearing room on the 3rd floor of the Boulder County Courthouse on the Pearl St. Mall. Please confirm all Boulder County calendar items in advance.



Do you currently receive LUC newsletters by mail? If so, you can help us save money on printing and postage and keep up-to-date on Boulder County land use events by opting to receive our newsletters by e-mail. To switch to e-mail, please contact Betty Gibbs at: [bgibbs@wcox.com](mailto:bgibbs@wcox.com)

#### LAND USE COALITION OFFICERS

President:	Pam McElwain
Vice President:	Dick Schillawski
Secretary:	Betty Gibbs
Treasurer:	Jeanne White

#### BOARD OF DIRECTORS

Karl Anuta, Dirk Arnold, AJ Chamberlin,  
Jim Hester, Ann Mygatt, Kevin Probst,  
Barbara Taylor, Jo Wiedemann

#### COMMITTEES

- Boulder County Land Use Code Revision Committee -  
Dick Schillawski (303-664-0156)
- Forest Land Use Committee - Bill Carpenter (303-619-2635)
- Luncheon Committee - Jo Wiedemann (303-447-2569)
- Merger Committee - Pam McElwain (303-666-7903)
- Newsletter Committee - Ann Mygatt (303-449-8007)
- RS2477 Roads Committee - AJ Chamberlin (303-441-5682)

*Please make donations out to: Land Use Coalition  
PO Box 20265, Boulder, CO 80308*



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Boulder, CO 80308

OUR NEXT LUC MEETING IS  
WED. JUNE 6 - 5:30 PM  
OLIVE GARDEN IN BOULDER  
(NW CORNER OF 28TH & PEARL)

## FREE WEED MANAGEMENT WORKSHOP - SAT. MAY 19

Sponsored by:



Attend our FREE Weed Management Workshop and learn how you can manage and eliminate weeds on your forest property. Irene Shonle, Gilpin County Weed Coordinator, and Charlie Henry, Ag West Forest Products, will talk to us about the value of creating and using a realistic weed management plan on your forest property. We'll discuss how to identify various weeds, the value and elements of a weed management plan, and how to put together a successful weed plan. We will also spend time evaluating a site, then go back to the classroom to put together a practice plan. FREE LUNCH is included.

- Location: Carpenter Mountain Ranch (1.8 mi. west of Pinecliffe, on Hwy 72)
- Date: Saturday, May 19
- Time: 8:30 AM (finish by 4:00 PM)
- RSVP: Reservations Required - Please call Bill Carpenter at 303-619-2635

Co-sponsored by:

