

## LUC Questions for 2008 County Commissioner Candidates

### 1. LAND USE DECISION PROCESS

The Boulder County Land Use Code is complex, confusing, and occasionally contradictory. Much emphasis is placed on views and aesthetics, and interpretation is subjective.

#### Questions for Current Commissioners

Four years ago the commissioners committed to revising the Code to improve its “clarity, fairness, usability, (and) effectiveness . . .” Little, if any, progress has been made toward achieving these goals, and the Code revision process has been diverted into putting new and complex additions into the Code.

How do you explain this failure? What are your top 3 (or more) priorities to correct this failure now and in the continuing process? How do you plan to accomplish them?

#### Questions for Challengers

Terms such as neighborhood character, rural character, visibility, and public benefit are difficult to define. What criteria will you use to make decisions when these terms are applied to a situation?

Do you think the Land Use Code is in need of revision?

*Yes, this has been a request from citizens for quite some time.*

List your top 3 (or more) priorities in revising the Code. How would you go about making changes?

The current Code problems arise mainly in the Site Plan review but the following apply to all

1. The current flavor of asking for permission and the subjective response from the County of maybe is unfair. The proper format is to specifically outline what is not permitted and allow the citizen to submit using this criteria making the process objective and straightforward.
2. Reduce the turn around time from submission to approval. If the no 1 is in place this could be a matter of days.
3. The staff and expense of the current land use department disproportionate with the actual requests and needs in unincorporated Boulder County this should be reduced as well.

## Question for All Candidates

Should Boulder County have a role in restoring a barn-raising sense of community to replace today's confrontations between neighbors? If yes, suggest some approaches.

### **2. Economic viability in the Unincorporated County**

The Boulder County Comprehensive Plan supports preservation of agriculture. Regulations are often in conflict with modern agricultural operations, as well as modifications which are necessary to adapt to changing economic realities. Innovative approaches such as Agra-tourism (including lodging and recreation), Day Care, etc. have proven extremely effective as means of adding income and vitality to agricultural properties in Europe and elsewhere, but are rarely allowed or are excessively regulated in rural Boulder County. What, if any, of these types of uses would you support? If you do not support these kinds of uses, please state your reasons.

*All of these uses are not only beneficial but part of any agricultural society, it is wrong to reject the needs of this segment of our people*

Should businesses related to agriculture be allowed on farms or ranches (examples might include agricultural machinery repair and sales, welding shops, grain-storage facilities and farm stores, and irrigation equipment companies)? If not, why not?

*I would reiterate the answer to the first part of this question.*

Changes in agricultural operations often eliminate the need for agricultural buildings, which soon deteriorate if no new use for them is found. "Adaptive reuse" is a concept advocated by historical preservationists, among others, as a means of preserving such buildings and avoiding waste. New uses for buildings such as barns, sheds, etc. might include things like small businesses (shops, offices, or cafes), separate residences, Bed and Breakfasts, housing for agricultural workers, etc. Which of these uses would you support? If you don't support such uses, how do you propose to preserve such buildings and avoid wasting them?

*All of these mentioned are vital to a rural setting. Coming from a rural county in Kansas it is hard to believe why anyone would not allow any of the things you have mentioned*

A reasonably reliable and adequate supply of irrigation water is a key to viability for many agricultural operations. Distribution of irrigation water was originally grossly uneven in Boulder County, and aggressive purchases of water rights by municipalities have created further problems. At this point in time, water usage is far from optimum. Do you support the concept of increasing agricultural viability through better usage of the available water, including cooperation among private landowners, city and county open

space departments, and municipalities? If so, how would you facilitate such cooperation? If not, why not?

*Water rights are spelled out but can be very contentious and not necessarily in the best of use. For instance securing water rights with open space which is primarily native grass and not sharing those rights with local farmers is criminal in intent. No one can make the owner of water rights share but facilitating dialog between competing users is a beginning. Also, if the county has water rights on properties that do not use them but hoard them, those should be sold to those in need.*

“Sustainable agriculture” including “locally grown produce” from relatively small operations has received quite a bit of press lately, and some study of its feasibility. Problems which are emerging include irrigation water supply, housing for agricultural workers, and leasing practices by the open space departments (which favor large operations which are easier to administer). Assuming you favor such farming, how would you address these infrastructure barriers? If you don't support such operations, particularly on open space lands please indicate why not.

*A great deal of open space land has historically been agricultural used. When it is purchased by the County Government it is removed from the tax roles robbing schools and fire districts of badly needed revenue. It is then leased back to farmers and ranchers and the public is not allowed? What's wrong with this picture? Sustainable agriculture and small organic farming is a growing industry. We lament the loss of the family farm but here is an opportunity to revitalize it. I actually would support the sale of public owned agriculture land back to private individuals who would once again pay property tax and husband the land to its best and highest use.*

### **3. HOUSE SIZE LIMITS AND COMMUNITY PLANNING**

Recently, the Land Use Code has been lengthened and made much more complex by the addition of the Expanded TDR program and changes in Site Plan Review.

*“Neighborhood” is now defined as a subdivision of 7 or more lots, specified townsites, or properties within 1500 feet of a parcel under consideration (defined subdivisions and towns are excluded). Now, any residential development in excess of 125% of the median development in a “Neighborhood” must be “minimally visible” as determined by the Land Use Director.*

#### **Question for Current Commissioners**

How are these changes consistent with the objectives of the Land Use Code revision process?

## Question for Challengers

What do you think of these recent changes?

*I have spoken on numerous occasions against TDR's which are unconstitutional, the idea of buying and selling rights is preposterous.*

County residents rejected the Neighborhood Conservation Overlay District concept almost unanimously years ago. Recently residents of town sites rejected being planned from the top down as Special Character Areas. With the adoption of the recent Code changes, residential development on lots in rural towns such as Allen spark, Eldora, etc. is effectively limited to 1500 square feet maximum because of visibility constraints until, and unless, the residents and the county arrive at some other "threshold".

Given this history, was this imposition on the rural towns proper?

*Yes it was, one has to ask what were the purpose and the driving force behind this.*

What role should the county take in neighborhood planning?

*Local government is by far the most attentive to the needs of those affected. The county should not be devising their own plans and foisting it on neighborhoods. The reverse should happen. Should the citizens in a local area want to make restrictions on themselves they should be allowed to work this out as they know best. Reacting to a few individuals or a vocal group and impacting everyone is inappropriate.*

### **4. OPEN SPACE/FOREST MANAGEMENT:**

Currently there are 3 separate sales taxes earmarked for open space in Boulder County. The County either owns or controls thousands of acres of open space through outright acquisition, conservation easements, deed restrictions or other methods.

*Management of our open forest and open space lands, including establishment of slash sites, wildfire mitigation, controlled burns, fire safety, thinning of overgrown forests, noxious weeds, and beetle kill prevention, are of great concern to homeowners and other residents.*

Please answer the following questions, addressing specifically the above concerns in your answer, and any other concerns you may be able to identify:

Do you agree that the County has a responsibility to maintain its own forest land? If not, explain why not. If so, given that resources may not be sufficient to cover the costs of management, how would you prioritize the above concerns?

*Yes, the County has a responsibility like any citizen who owns land to husband it particularly if it means impacting the neighbor's health or safety. Fire mitigation coupled with the current beetle infestation is a notable concern. Funding must be drawn from the open space purse to take care of these needs before more acquisition.*

What should the County do, if anything, to support homeowners in managing their own forest land? How should the effort be funded?

*As a Libertarian I believe individuals are far more capable and motivated to maintain and protect their investment. Good government will make information available for their use to help them go about their business. This of course would be far better received than heavy handed laws and litigation to force a particular avenue or approach to solving problems associated with various land issues.*

Should there be a special tax for open space or forest maintenance, or should we use general tax funds?

*No new taxes are needed; the existing funds are more than adequate to maintain the existing open space without further purchases of new lands.*

## **5. TERM LIMITS**

Boulder County voters rejected the effort by previous County Commissioners to abolish limits on their terms. Do you agree with the current limit of 8 years for county commissioners?

*Yes term limits are important to keep entrenched politicians from staying in power. It has not however kept them from staying on the public payroll!*

### Questions for Current Commissioners

Do you plan to repeat your predecessors' attempt to abolish term limits for Boulder County Commissioners? Will you commit to not doing so?

*I will not, and I will make such a commitment.*

## **6. BUILDSMART**

See <http://www.bouldercounty.org/lu/buildsmart/index.htm>

Current Commissioners

How do you plan to monitor the effectiveness of Build Smart? Will cost effectiveness be included in your evaluation?

For Challengers

Very briefly comment on the following sections of Build Smart. (What should be mandatory? Importance of cost effectiveness, etc.)

1. Deconstruction
2. Waste Reduction and Recycling
3. Energy and carbon emissions
4. Renewable energy offsets for outdoor energy uses
5. Water Conservation
6. Indoor Air Quality

*I would like to address the whole concept of build smart rather than by each topic. Build smart may very well be a dinosaur in the next few years. The whole idea of specifying such things also makes it restrictive to even newer and more innovative ideas. This legislation should be rescinded and replaced with open dialog and encouragement and maybe even rewards to people for their efforts. I personally believe that most people are conscientious and fair. That, with information will make good choices. As a Libertarian this is the concept of liberty and with it come responsibility for your choices. The question is why are we parenting people who are adults?*