

LUC Questions for 2008 County Commissioner Candidates
Answers by Bo Shaffer **Sept. 19, 2008**

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?

Changing rules on people who already live there is un-American. Any additional rules need to be approved by a super majority of residents, not by three Governors with an agenda or two.

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

Yes indeed! To remove some of the onerous rules out into place in the last 10 years, that stifle the economic well being of residents.

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

1. Less government
2. Removal of onerous rules that stifle the economic well being of residents.
3. Education on tolerance and what it takes to live together in harmony.

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.

Again, we have the County Government trying to tell people how to live their lives. Education, incentives and and a little bit of support would go further as a way to achieve our goals. I am a Persuader, not a Controller.

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 Agri-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.

I support Private enterprise wherever it may be found. Innovative ways to make a living and allow families to raise their children comfortably should be of more import than whether or not you can look out your window and see a cow or a crowd. Once again, my philosophy is to allow private enterprise and to persuade (not control) it to be right.

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?

Impact on the current neighbors needs to be weighed when contemplating changes in use. However, like the above answer, whether or not you can see a cow does NOT carry the same weight as trying to make a living for your family.

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?

Believe me, some of them NEED to be removed. Throw out the old and build the new. However, these types of decisions should be in the hands of the actual owners (who have

a *real* stake in it) and not in the hands of some busybody organization that only wants to further their perceived stake. I lived down the street from people who were essentially pushed out from their old (“historical”) farm because they didn’t have the money to renovate but the Historical Society wouldn’t let them tear down their OWN buildings. Shameful!

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?

As a director of the Left Hand Water District, I have come to see that there are many problems in Colorado related to water use. Maybe more than related to Land Use. The bare truth of the matter is, we are getting more people than we have water for. We can conserve only so much, before the actual quality of life starts to erode. Education is still the best route for improving water usage...but Colorado State Water Laws stand in the way of many potential conservation measures (like rain barrels...outlawed by Colorado Water Law) Facilitating the procurement of new water sources is the only viable solution.

“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.

Small operations shouldn't have to worry about housing for workers, otherwise, they aren't so small. Water, the prime concern is a limiting factor. If you haven't got the water, you won't be able to grow the crop. Both these issues should be handled by the operator, not the government. As for the leasing practices of Open space.....that would take another whole question and answer. Suffice it to say that I would change it.

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?

In two words....Big Brother. The Land Use Furher decides who gets to build what. Not good government in my book.

County residents rejected the Neighborhood Conservation Overlay District concept almost unanimously years ago. Recently residents of townsites 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 Allenspark, 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?

Of course not.

What role should the county take in neighborhood planning?

The role of persuader, not controller. Offering information and services, not forcing everyone in the county to conform to what *I* think is the right way to live.

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?

Of course, just like everyone else has to maintain theirs. Cut the acquisition of incredibly expensive little parcels and expand the maintenance portions of the budget for Open Space.

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

NO special funds!!! Programs to educate, and perhaps even lend the expertise of staff to homeowners that request it...that is the proper response. Persuade, not control.

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

Unfortunately, I see it as an obligation that the county has seriously underfunded in its headlong rush to acquire more and more property. If its not possible to re-direct Open Space funds, then the general coffers will have to take the hit to fulfill the County's obligations.

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?

I believe that term limits happen every four years...it's called an Election. Campaign finance has all but obliterated the "common man" as a viable Candidate. Even Third Parties are finding it difficult to run against the Political Machines of the two Ruling Parties. If we were to make the position onerous and not a cash cow, we could institute a lottery system and the "winner" would have to step up, get the job done and then probably *want* get out. No need for term limits.

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?

6. BUILDSMART

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

Current Commissioners

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

For Challengers

Very briefly comment on the following sections of BuildSmart. (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

The BuildSmart Pogrom is abhorrent to Libertarians. It controls in the worst way....you have to do it the way *they* want, unless you pay money. Then it's OK. I cite Eco-cycle as an example of County Government on the right track. It provides a place to do what everybody needs to have done and constantly tries to educate people on how to improve their ecological footprint. It doesn't provide a way to do what you want if you pay enough money....everybody is treated equally. Persuade and not Control!