

RESOLUTION 2015-56

A resolution approving Boulder County Land Use Docket #DC-15-0001: Text Amendments to Boulder County Land Use Code Article 15-200.A Historic Preservation Advisory Board Selection

Recitals

A. Pursuant to Title 30, Article 28, Part 1 of the Colorado Revised Statutes as amended, the Board of County Commissioners of Boulder County (“the Board”) is authorized to amend the text of the County’s Zoning and Subdivision Regulations in accordance with the procedures set forth in those provisions and the applicable County regulations.

B. Pursuant to other statutory authority, the Board is empowered to adopt additional regulations which are related to the control of land use, including but not limited to Article 65.1 of Title 24 (Areas and Activities of State Interest); Articles 67 and 68 of Title 24 (Planned Unit Developments and Vested Rights, respectively); Article 20 of Title 29 (Local Land Use Enabling Act); Articles 11 and 15 of Title 30 (County Powers and Police Power, respectively); Article 1 of Title 32 (Special District Control); and Article 2 of Title 43 (County Highways), C.R.S.

C. Pursuant to the above-referenced authority, by Resolution 94-185 adopted October 18, 1994, effective October 19, 1994, the Board approved a unified Boulder County Land Use Code (“the Code”), which the Board has amended on numerous subsequent occasions.

D. Article 16-100 of the Code allows for amendments to the Code.

E. In the present Docket, DC-15-0001 (the “Docket”), the Boulder County Land Use staff proposed text amendments to Article 15-200.A.2 of the Code, as further described in the memorandum and written recommendation to the Board by Boulder County Land Use Department Planning Staff dated March 24, 2015, together with its attachments (the “Staff Recommendation”).

F. Article 15-200 specifies areas of expertise required to be represented on the Boulder County Historic Preservation Advisory Board (the “Advisory Board”). The County also must follow state guidelines regarding board composition that are different than those contained in Article 15-200. Given both sets of criteria, it can be difficult to always fill every required position on the Advisory Board.

G. Staff recommended removing the requirements for the Advisory Board from the Land Use Code and instead recommended adding provisions to the Advisory Board Bylaws that make

some of the positions on the Advisory Board aspirational rather than mandatory.

H. The proposed amendments to the Land Use Code are set forth in the attached Exhibit A. Proposed deletions to the Code are shown as stricken.

I. The Board initiated these text amendments (the "Proposed Amendments") at a Business Meeting on February 3, 2015. The existing text is in need of the proposed amendments in order to attract and retain more people to the Advisory Board, and to increase inclusivity and diversity on the Advisory Board.

J. The Docket was referred to the Advisory Board, which voted unanimously to support the amendments.

K. The Boulder County Planning Commission considered the Docket at a public hearing held February 18, 2015, and recommended approval to the Board by a vote of 8-0.

L. At a public hearing on the Docket held March 24, 2015, the Board considered the Staff Recommendation as well as the documents and testimony presented by County Land Use Planning staff, with no members of the public speaking, as further reflected on the official record of the public hearing.

M. Based on the Public Hearing, the Board finds that the Proposed Amendments, specifically at set forth in the Exhibit A attached hereto and incorporated into this Resolution, meet the criteria for text amendments contained in Article 16 of the Code, in that the existing text is in need of amendment; the proposed amendments are not contrary to the Code, and they are in accordance with the Boulder County Comprehensive Plan.

Therefore, the Board resolves:

Docket #DC-15-0001 is approved on the basis and terms set forth in this Resolution, and the Proposed Amendments, specifically as shown on the attached Exhibits A incorporated into this Resolution, are approved for incorporation into the Boulder County Land Use Code, to be effective on this date.

A motion to approve the Docket was made by Commissioner Jones, seconded by Commissioner Gardner, and passed by a 2-0 vote, with Commissioner Domenico being excused.

ADOPTED as a final decision of the Board on this 2 day of April, 2015.

**BOARD OF COUNTY COMMISSIONERS
OF BOULDER COUNTY:**


Deb Gardner, Chair


Elise Jones, Vice Chair



Cindy Domenico, Commissioner

ATTEST:


Clerk to the Board

Exhibit A

Boulder County Land Use Code

Article 15-200 Boulder County Historic Preservation Advisory Board

A. Selection

1. The Boulder County Historic Preservation Advisory Board (HPAB) shall consist of no less than seven and no more than nine members who are appointed by the Boulder County Board of County Commissioners.
- ~~2. HPAB shall have at least one member who is knowledgeable in mining practices and the history of mining in the county, at least one member who is knowledgeable in agricultural practices and the history of agriculture in the county, at least one member who is an architect, at least one member who is a member of the historic preservation community in the county, and at least one member who is not affiliated with the historic preservation community.~~
3. All members shall be residents of Boulder County.