

# Meeting Minutes, Boulder Town Planning Commission

## February 11, 2014

Commissioners present: Loch Wade Tabor Dahl, Donna Jean Wilson, Caroline Gaudy, and Alyssa Thompson. Also present, Secretary Peg Smith and Town Council Liaison Tom Jerome. Members of the public present: Cyndie Butcher, Vicky Stepp, Jim Catmull, Randy Catmull, Rod and Pauline Torgerson, Farlan and Mary Behunin, Judi Davis, Josh Ellison, and Dennis Bertucci.

Loch called the meeting to order at 7:01 p.m. A quorum was present to approve the January minutes. Tabor moved to approve, Alyssa seconded, and Loch, Donna Jean, Alyssa, and Tabor approved the minutes. [Caroline hadn't yet arrived from SLC.] Loch opted to reorder the agenda to accommodate the out-of-town presenters.

### ***Discuss Fay Jepsen Subdivision***

Loch reviewed the online discussions among Rod, Judi, the town attorney, and others. The outstanding questions were about deciding whether the larger, remainder portion needed to be designated a lot or just be called a remainder, and also whether the remainder section required some infrastructure development and contours determined in order to complete the subdivision process. Rod still had a question regarding bonding requirements.

Loch said he was satisfied with all the commentary that the remainder just be designated on the plat map as an undeveloped lot. [Caroline arrived.] Rod asked about phased development, with lots 1 and 2 designated as Phase 1. Loch and Donna Jean agreed that there is no description in the ZO related to a phased development. Donna Jean said the subdivision can be amended later if/when the larger lot is to be further divided. She suggested just calling Lot 3 "undeveloped lot." Loch agreed that there is no requirement for perc test or water hookup, etc. right now on the undeveloped lot. Rod said that was what the owners would like to avoid right now. Another concern would be that the owners of lots 1 and 2 not be able to object or obstruct future development on Lot 3. Loch agreed that that also needs to be recorded as a note on the plat; that lots 1 and 2 owners waive any right to obstruct development on Lot 3.

The plat notes would be: 1) Lot 3 is an "undeveloped lot" with no improvements provided, that infrastructure requirements and contour map are waived on Lot 3, and that owners of Lots 1 and 2 waive any right to obstruct future development of Lot 3.

At this point, the Jepsen subdivision preliminary application can proceed.

### ***Discuss Farlan Behunin Subdivision***

Farlan presented his rough map of the subdivision of his property into three lots. The larger piece of 54 acres is what is being sold; the other two lots include a 6-acre and a 6.6-acre parcel. Both of the smaller parcels already include septic and water (and the two houses); the larger piece is undeveloped pasture area.

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Because the 54 acres will remain as agricultural land, Rod said don't they won't have to go through a final application process, just the preliminary application process. He will be doing the surveying required for the subdivision maps.

Rod asked if there would be any problem with the lots' frontage width to depth ratio, which is supposed to be 3:1. Loch asked Rod to check the dimensions when he's surveying. Farlan said the pieces can be adjusted to make sure they comply. Rod will do the survey and prepare the preliminary plat following the standard procedure.

### ***Complete Permitted/Conditional Uses on Major Home Occupation and Retail Sales)***

The new definition of Major Home Occupation was recommended for approval following the January public hearing. However, the Commission still needed to establish the permitted zones in the table. Loch proposed maintaining the current definition of Minor Home Occupation, permitted in all zones, and to add to the new definition of Major Home Occupation to be conditional in all zones.

Caroline proposed to advertise a public hearing to alter the Table of Uses to indicate Minor Home Occupation to be permitted in all zones and to add a new designation of Major Home Occupation to be conditional in all zones. A public hearing will be schedule at the March meeting. No change is needed to the retail sales entry in the table of uses.

### ***Discuss Definition for Agricultural Farmstand Sales***

There was a long discussion on how to or whether to revise the Table of Uses in regard to definition of farmstand/retail sales. The intention of the discussion is to develop a definition that covers the types of home occupation/farmstand sales that people in town are already trying to do and what the Boulder General Plan purports to support.

Temporary Use permits do not adequately cover the need for continual small retail sales (such as Alyssa's Boulder Mountain Baking home occupation.)

Tom Jerome offered to write up a suggestion to consider: if it fits under either ag or home occupation, retail sales should be allowed anywhere in town.

### ***Continue Discussion of Temporary Use Permitting Process***

Postpone until March meeting.

### ***Discuss Upcoming Business and March Agenda Items***

Upcoming business for the March 11 meeting will include: work meeting to discuss Bruce Parker revisions to the Zoning Ordinance, continued discussion on retail sales, continued discussion on temporary use permits, and possible preliminary applications for subdivisions.

Caroline moved to close the meeting, Alyssa seconded the motion. Loch adjourned the meeting at 8:15 p.m.

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Peg Smith, Planning Commission Clerk

Date