

Meeting Minutes, Boulder Town Planning Commission

July 8, 2014

Commissioners present: Tabor Dahl, Donna Jean Wilson, Alyssa Thompson, and Loch Wade. Caroline Gaudy was absent. Also present, Secretary Peg Smith, Bill Muse, Tom Jerome, Carla Saccomano, Gary Powell, Scott and Brynn Brodie.

Loch called the meeting to order at 7:05 p.m. Donna Jean moved to approve the June minutes, and Alyssa seconded the motion. All approved.

Alyssa: Commission training

Alyssa described the American Planning Commission website: Go to the Resources tab from Home page and select Webcasts. We will need our APA username/password to actually run a webcast, which is usually 1.5 hr long.

Rezoning Question by Gary Powell

Gary Powell is requesting information on changing from a GMU to Commercial zone. Loch explained the process: get an application from Judi for zoning change or download it from the town website. Provide a legal description of the property, including plat map, notarized statement of paid up property taxes, brief description of why the request. Gary wanted basic information.

Conceptual Plan for Muse Farms Subdivision

Bill Muse presented his plan for dividing off three lots, each approximately 6.5 acres, with water, all along the 50-foot easement roadway easement along all south side of his property. The end lot, Lot 3, will include a turnaround. The plan currently describes an easement for water, power and phone.

The lots are currently pasture land, recorded as part of the 73-acre Muse parcel. Donna Jean said the remainder also needs to have a lot number (it'll be #4). Bill has applied for and been approved for a well, to be on the line between Lot 2 and 3. In addition, access to Boulder Farmstead water (easement is recorded) can be available. Question: do the people on lots 2 and 3 have the option to hook on together to the well? Yes, they can elect which they want to do. A well is going in for sure. A water hookup with Boulder Farmstead isn't required as long as the property will have water provided (from a well).

Tabor asked if Bill would be administering the well. Bill said no, they'd be on their own with it. That will all be in their contract at their closing. Donna Jean asked about the power bill and who would be collecting. Bill said there would also be something in the agreement as to how the

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power bill on the pump is handled. Right now, he only knows that the potential owner of Lot 3 wants the well water. Lot 1 already has water available. Donna Jean said you can only have one source of water going into your house.

Bill said the perc test has been done, and all have passed. Alyssa asked if the road would remain as a private road. Bill said that would be up to the buyers. Right now it's a two-track down the south side of the property. They could turn it over to town if they build it up to the standard of a class C road. It has a 50-foot easement, 10 feet of which is for utilities. At the preliminary application hearing, Bill will have a title report that will show the irrigation easement for all the lines covering the right for repair, replacement, etc. The driveway into Lot 2 will include a 12-14-inch culvert to the irrigation pond. Loch said the water runs into a swale. Bill said the swale is in Lot 1, on the east side. Loch said Bill may need to build up and possibly add culvert in that area too, and that the contour map will show where. Bill said it's flat ground, no hills, but we'll identify where the swale is. Loch said it would be good to show the drainage, so that's why you may need (a contour map).

Bill will measure where that drainage is and it will be on map. He'll also add the 50 ft turnaround. The requirement for fire hydrant is waived if you put in a huge tank or if you have reasonable access for Wildlands fire truck--- that's up to the fire marshal. However, Bill said if he's required to add a hydrant, he'll do it. A hydrant would be located near the well on Lot 3. Alyssa said they have the 10,000-gal tank that they keep filled; the requirement is for 800 gallons.

Jack Lyman is the surveyor. The name of the subdivision is Muse Farms.

Alyssa asked about the road maintenance agreement, that an appropriate method of maintenance has to be proposed. Bill said it would be part of the landowner agreement. Loch noted the Subdivision Ordinance, pages 15-16, standards for proposed streets. It requires the roadway surface be an all-weather surface, not just dirt. Gravel is ok.

Loch said the plan looks good. We'll need a new map with the revisions, showing Lot 4, the easements and the subdivision title on the map.

Scott asked how much water each lot will get. Bill said 3 A shares for each lot.

Outdoor Lighting

Alyssa presented her ideas on dark skies/outdoor lighting. Currently, the Zoning ordinance includes mention of site lighting; it provides for shielding and eliminating light trespass. She doesn't want to change that but add on to what is currently in the ordinance. Suggestions: Change to "outdoor lighting" not site lighting. Add requirement for security lighting to be put on motion sensors; require commercial lighting to be turned off at a certain time; prohibit use of

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mercury vapor lights on future installations; prohibit interior-lit commercial signs. All new lighting would need to be shielded. As a community we need to protect our dark sky resource.

She said only a couple additional sections---maybe a page--- needs to be added to the current ordinance. Loch said if we passed a restriction on business lighting, would that affect current businesses. Donna Jean said service stations have to have lighting available for running credit cards, and Tabor agreed that he wouldn't want to impact businesses --- if they're dark, no one will stop. Alyssa said there is a way to deal with this. The light can be directed at the pumps; it doesn't have to allow light trespass.

Alyssa said we have wording already that requires shields on lights. These are just adjustments to what we have. We're already requiring lights to be replaced are replaced according to ordinance. That hasn't changed.

Temporary Use Permit Discussion

Discussion involves Zoning Ordinance, section 9.01-9.03.

Loch: can we require a certain amount of parking without an ordinance to back it up? (Can the wording be contained on the application and not in the ordinance itself? Tom said you don't necessarily have to have an ordinance, you can just say adequate parking and sanitation is necessary. Loch said, "So let's just say I'm going to hold my event anyway because you haven't defined "adequate" parking and sanitation." Donna Jean said we just need to add the wording into the ordinance from the top paragraph of the application about "proper conditions."

Tom: There should be a way to differentiate between commercial, nonprofit, and private uses, and also the number of people expected. It doesn't have to be super complicated. Alyssa said we can differentiate between commercial and private property. The special events and larger uses can be confined to the commercial properties.

Loch: There should be a rewrite of the ordinance, including approval of an application, together. Here would be my suggestions for changes to the ordinance:

- Section 903.1: define the word "use" in #1---how many days, how long.
- #2 is pretty well defined. --- in event section, how many events per year
- Expectations: sanitation and parking
- How many events per year
- Create a checklist for the application.

Scott: The Springdale ordinance doesn't define "event" other than "organized outdoor events." According to the Boulder Zoning ordinance, pretty much everyone would be illegal in Boulder. From the Red House Farm perspective, things are pretty restrictive.

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Alyssa: The Springdale ordinance is good for commercial and public land references, but not so much private land. Tabor agreed that the big discussion in Boulder relates to private land usage.

Tom: If you're going to have an event, street parking for a certain distance is allowed. A person holding the event should measure available spots on street. He would suggest parking for event be on the street in a way that does not obstruct traffic. Donna Jean said if you have parking on the street, you have to have enough space for a fire truck or ambulance. Tom said the sponsors of the event need to put up "no parking" signs where cars aren't allowed. We just need to add that to the ordinance.

Tabor: I like the Springdale ordinance first paragraph that deals with health and safety; this protects both sides.

Scott asked at what point do we define an event that requires a TUP? Things we do now for a party that's open to the public now requires a TUP? Tom said the number of invitees is an issue. If you invite 200 people to your house and they're parking in the street, that does impact the community. Our ordinance is written for the public health and safety.

Tabor said the number of attendees is the only way to draw a line. Bill suggested throwing this question to Meg Ryan of Utah League of Cities and Towns.

Tabor: To get to anything that has meat to it would have to get restrictive. It's that or leave things as they are. There's no way to eliminate loopholes. People here like it wide open, to be worked out between neighbors.

Loch suggested adding something defining "adequate of sanitation and parking" adding a checklist for the application, and adding events to the Table of Uses.

Actions:

Have an email discussion and work on these action points. Approve suggested changes for a public hearing in September.

Agenda Items

The following items were listed for discussion at the August 12 meeting:

- Public hearing for Muse Farm SD
- Public hearing for proposed ordinance change on outdoor lighting.
- Actionable new info on temporary use permits
- Training--- Loch---zoning changes

Tabor moved to adjourn, Alyssa seconded. Loch adjourned the meeting at 8:50

Peg Smith, Planning Commission Clerk

Date