

Meeting Minutes, Boulder Town Planning Commission

Work Meeting on Parallel Roads

November 21, 2017

Commissioners present: Carla Saccomano, Colleen Thompson, Tabor Dahl, Perry Tancredi. Secretary, Peg Smith; Town Council Liaison Pete Benson. Members of public: Curtis Oberhansly, John Veranth. Carla called the meeting to order at 6:10 p.m.

Discuss Parallel Roads Problem

[This discussion generally arose from a recognition by Planning Commission during the initial Fox Grove subdivision discussion that having two parallel roads serving adjacent subdivisions running is not desirable in the future.]

Pete referred to current development standards that allow a small subdivision (four or fewer lots) to be served by a “private road” but larger than that requires a public, dedicated road. Perry said it makes more sense that the town has more say over the roads that get built, public or private. Pete said the problem that can occur is if the owners in the small subdivision don’t have the resources to maintain their road properly. This affects general access, public safety, etc. The town should beef up its requirement for a formal road association, and that requirement should be part of the plat map. (Discussed Subdivision Ordinance, Street Standards. p.16)

Curtis: The town can differentiate between a “blank slate” new developments where you can require properly, useably configured lots and existing, “old town” strangely configured lots that present hardships where land is already chopped up. You can define different requirements for those.

Carla talked to Robert Powell, Traffic Operations Engineer, about the 200 foot space between road accesses to a main road: it’s not ideal but not considered a safety issue. Perry agreed that it’s more to do with aesthetics, preserving usable land, and not creating excessive infrastructure.

Discussion continued with the example of the recent Fox Grove subdivision. Tabor thought it was important to not let the 200 foot space between roads end up cutting through the middle of ag land. Our General Plan talks more about agriculture. It would have been the ideal thing if the landowners of the adjacent development would have allowed him access, but we can’t assume it.

Perry thought a major goal of road development was 1) to prevent developers from closing off parts of Boulder through private roads, and 2) rewrite that 200 foot thing to avoid future “illogical” parallel roads. The reason this is happening is that we’re allowing people to build private roads that service very limited number of lots.

Perry: We’re allowing people to build private roads that service very limited number of lots, potentially landlocking other lots. Clarify whether there’s a limit of lots on private roads and consider increasing it. Also, we shouldn’t allow people to build private roads that cut off access to lots that exist now or could exist. It could still be a private road, but you’d have to willing to open up your road covenant to additional lot owners.

Curtis asked if the town wants to maintain most of the roads as a policy? It’s a maintenance issue.

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Perry: No, the town is happy to not maintain more roads. Peter: the 4 lot thing creates a problem.

Curtis: It's a good point to not cut off new owners. Those two lots subdivided years ago (Kennedy's situation) is the perfect example to figure out what to do with accessing those remaining lots. ...Most jurisdictions will not allow landlocked lots. It's on the developer to correct the situation. Pete said there should be some language about landlocking lots.

Carla: I see the point about one road and open fields. We need to find out how many roads are private. People have this expectation of creating a private road and it stays private. Is there language other towns have used to say if land next to you is subdivided, their road can be used?

Tabor: Does it dissolve a subdivision if there are inaccessible lots? Peter: current ordinance says you can't get a building permit unless lots go through the subdivision process.

Perry: The reason we allow private roads is cost. If we were a richer town, we'd plan the roads and build the roads. The point isn't to give developer their own private section of Boulder cut off to everyone else, the point is to offload the cost of building roads to developers. Tabor: But if an owner wants to build a road through his ranch, why can't he? Perry: I'm talking about subdivision and those roads that access two or more properties. If we're going to allow people to build private roads, we should be able to say we have authority to determine where roads go and conditions of them.

Tabor: How about as simple language: If you have a lot that does not front a town road, then the number of other lots that can use that road is unlimited.

Perry: Take existing four lots. Lot #5 wants in on their road assoc. We're saying the four original owners can't say no. Tabor: Likewise, the fifth guy can get in free. The road association includes the appropriate language that allows for new members, and the ordinance can refer to that boilerplate language.

Perry: How close do I have to be to an existing road to be able to come in? Any adjacent lot? Anything that abuts the road?

Carla: We're not talking about town roads maintained by town, but at such a time as when properties are developed within a certain distance (to be defined), then these private roads will be opened up—that's the language we need. Is there a road owner's agreement that can be presented from the town to a developer... boilerplate but contains the minimum? Curtis said that would be an easy thing to draft. It could be referred to as an Exhibit A in a land sale.

John: Words that say when you do a subdivision, private roads have to be created considering access to adjacent parcels.

Curtis: Your latitude on public roads is great. You can do what you want with public roads. When it comes to private roads, people can define a neighborhood with a cul de sac. Perry: That's what we need to consider---what types of neighborhoods Boulder wants to develop. One solution is to make all roads public. The developer develops, but the town would need to maintain. Pete: We need to strengthen the idea of clustered development. Curtis: To bring out a Planned Unit Development, you need to incentivize. A PUD would include a road association to take care of the road and a field association to take care of the open space. The town could define an Exhibit B that expands to a common area, road, and field association, and the town has the ability to see that agreement and review it. Those associations' requirements and costs can't be arbitrary, and all their requirements apply to everyone in the association.

Perry: To recap options: 1) dedicate all roads. Make every road public so we have some control over how the roads are developed. 2) Bind private road owners to an association with minimums that we establish with extensions to lots beyond that. Question about how to do that.

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The solution to not having parallel roads is having existing roads extendable to more lots.

Carla: I think we know the end result we want and we agree on what we're trying to do. We just need to find the appropriate language. Curtis: the big thing is does the town want to dedicate all future roads? It does give the town more control, but there's the expense of the maintenance. The town is within its rights to push on the developer's plans and make sure it isn't creating problems.

John suggested looking at Wasatch Front townships with big parcels getting chopped up into subdivisions: Look at their Development Standards about access. Springdale. Oak City (by Delta).

Next steps: find out how many private roads we're talking about to see what we have. Look for legal language.

Carla adjourned the meeting at 7:55 p.m.

Peg Smith, Planning Commission Clerk

Date

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