

Meeting Minutes, Boulder Town Planning Commission

February 11, 2016

Commissioners present: Loch Wade, Donna Jean Wilson, and Alyssa Thompson. Tabor Dahl and Caroline Gaudy were absent. Peg Smith, Sec.; Pete Benson, Town Council Liaison.
Attending: Carla Saccomano, Steve Cox, Mikhaal Chillier, Jack Pollock, Gary Powell, Stacy Davis, Sylas Navar.

Loch called the meeting to order at 6:01 p.m. Donna Jean moved to approve the January 2016 minutes; Alyssa seconded the motion, and all approved.

Loch introduced the public hearing: Stacy Davis's mobile food trailer with two signs, applying for a conditional use permit. He opened the hearing to receive any public input:

Public hearing for Conditional Use Permit, Mobile Food Business (Pizza wagon), plus signage

Jack Pollock: Yeah, let's do it.

Mikhaal Chillier: Yes, think it's great. It gives someone the possibility to make a living.

There were no more comments. Loch closed the public hearing and reopened the regular meeting for discussion.

Discussion on Pizza Wagon CUP application

Loch asked if conditions needed to be placed on the application.

Donna Jean: Parking needs to be adequate, both for the business and so as to not interfere with the gas station business or the RV park.

After some discussion, Loch summarized the condition to be noted on the application: "appropriate parking signage needs to be displayed during business hours." (Parking here; No Parking Between x and Y... to be worked out with Cottam's store.)

In addition, add words the same as what appears on the Magnolia food cart regarding the requirement to follow applicable state and local health codes.

Loch asked for a vote to approve the application with those conditions: Alyssa so moved, Donna Jean seconded the motion. by Donna Jean. All approved.

BOSS CUP— discussion to void old application

As part of the CUP review from January, this application remained unhandled. Alyssa said we don't need to void a permit that was never approved. Loch agreed: there is nothing complete on file; it's as if the whole discussion never happened. It's in the town's hands to do what they want to do to enforce whatever. Whatever they're doing there, there are no permits.

Discussion on proposed Zoning Ordinance change: Accessory Dwelling Units (ADUs)

Loch read Alyssa's application, then opened the topic for discussion.

Donna Jean: The water company (Boulder Farmstead) is restricted from providing more than one hookup per lot. That would need to be addressed. And there's currently a 1000 sq ft. restriction on accessory units.

Alyssa: An ADU is not restricted to a separate structure; it can be an apartment in a basement. And there is currently a definition for Accessory Building in our ordinance that defines a maximum 1000 sq ft but it's different because that is not a dwelling, merely an additional structure (presumably a barn or workshop) Loch: So if an accessory dwelling is less than 1000 sq ft, there's no conflict. The two definitions are apples and oranges.

Alyssa: Also to be amended would be our Table 2 of Development Standards, not on the first draft--- talks about maximum allowed residential density would have to be changed. The Table of Uses, the definitions, and Conditional usage would have to be changed.

Questions? Does the county have anything on this? Alyssa said the county has nothing, neither does state. This gives us a way to define our own for Boulder's purpose. By defining it, it becomes allowed. What's not in our ordinances is not allowed.

Loch: Have you looked at any other Utah town? Alyssa said most of northern Utah and St. George have ADUs, largely because there are many caretakers living with older people. In Farmington, they're using ADUs to help preserve their ag land. They don't want apartments and duplexes, but they have the housing need and want to preserve ag land. Usually in smaller towns, it's the caretakers or second home owners who want caretakers. In Boulder, we're preserving the zones that already exist and allowing the extra usage on same zones.

Loch: There have been people who've approached the Planning Commission PC about smaller lot sizes and developing higher density. However, there's significance populace who would be concerned about essentially doubling housing density. That remains to be a town discussion. This is sort of a compromise situation of improving housing while keeping same acreages.

Discussion on Community Land Trusts (CLT)

Alyssa has been drafted a Housing Action Plan containing many possible solutions to be looked at, including creating ADUs, creating Community Land Trusts, creating zoning overlays to allow higher density lots--- problem there is how to prevent more second homes and vacation properties versus current housing---, and at the same time considering commercial development (encouraging cottage industry, seasonal business growth, etc.) each of which entail different types of housing needed.

A Community Land Trust is generally (not always) set up as a community nonprofit. Its purpose is to provide an area of land that is donated to and retain use value for the benefit of the community. The owner donates the land to the land trust. The community can determine the use--- orchard, ag, home development... This works well across the country, especially in rural areas. The town could set it up, individuals could set it up. It doesn't have to be tax exempt/nonprofit; that's usually involved with housing. A lease could run for 99 years. Say 20 acres has been donated. The town can create an overlay for CLT property that allows more density within that trust. With the property taken care of, you're just buying the house, not the land. You can't resell the house in the trust for more than you bought it for. It can also set up as farmland or an orchard. Say the town wants a community orchard and needs workers. Part of the land is for the ag purpose; the other part is for one or more small dwellings. You can set up

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the land as well as what's needed for housing for the caretakers. All this goes back to what the town residents see as part of Boulder's future and how they want it to go.

Loch: What is the role of the town in this? Alyssa said the town would be acquiring the land as a gift within the structure they've created. They would need to develop a land use plan for the purpose of the CLT. If it's set up as a private trust, the town can facilitate by its ordinances and overlays. On the whole, it benefits the town most to do it itself. It becomes part of the town's General Plan. At the base is a holistic plan that coordinates housing and commercial needs.

Jack: Can the county still collect taxes on the land? Alyssa: yes, and it already exists within Garfield County. Loch: Say you set up a land trust--- the county assesses, the people on the land pay as part of their lease. You'd similar to a homeowner association fee to help maintain it. There are CLTs in Torrey right now.

Mikhaal said it isn't always donated land. It could be vacant lands that are purchased by the entity at a certain rate and it stays at that rate when it's sold. Also I see a little different role for the town: if there were some land available but not donated, would it be possible for the town to buy it, build houses on it, and have that become an income for the town.

Alyssa: There's an organization called Fund for Affordable Housing which does exactly that. It is a way for a town to control the way the housing looks or is developed. You can bring in organizations like that, and within HUD, to work with the town to purchase land, say in a tax auction, on which to do affordable housing project. There are many possible options.

Donna Jean: Why would someone want to put money into a house on a lease... when you can't give it to your kids or sell it and make a profit? Loch: we're in an era now where people's expectations aren't as expansive as they are now. Not everyone is motivated by gain.

Silas: The land stays the same, but you'd still get the appreciation on the actual structure.

Mikhaal: we don't all want the same thing. There's room for both, no one forced to be involved in that.

Alyssa: We're just looking for creative ways to house the people who are here now and don't have places to live. They're in temporary situations now. I currently can't house my employees; Blake and Jen would say the same. It all has to work with our Commercial Action plan.

Housing action plan

This is identifying our current housing situation. What types of lots do we have? Where are the homes? Are they occupied? Where are the second homes? Both Planning Commission and the Town Council should be involved in a general work meeting. Doing an Inventory of assets and needs. We've talked about seasonal campgrounds, which would be allowed already in our ordinances.

Commercial Development Action plan

Identify what we have: Industrial, residential, mixed use areas. Need for new development? Development of isolated cottage industries? Consider current commercial entities and allowable uses for further development; what are current boundary limitations? Our current General Plan emphasizes cottage industries and ag. Is that all we want do we want more? We need to get the community involved in this discussion because it affects the future. Do we want a highway 12 commercial zones or maintain cottage industry within homes?

Loch: These are general plan elements, so we should keep separate file of the questions/discussions as we proceed. This is just the very opening discussion.

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Upcoming business for March 10 meeting

Finishing up from the CUP discussion, it was decided that the Town should draft a letter to Sam Stout informing him that there is no record of his having a CUP for storing his excavating equipment for his company. Alyssa so moved, Donna Jean seconded, and all three approved sending the letter to the town requesting this action.

- Public hearing on accessory dwelling units (proposed Zoning Ordinance change)
- Discussion on action plan for determining housing needs in Boulder
- Upcoming business for April 14 meeting (Daylight Savings time meetings begin-- 7 p.m.)

Alyssa moved to adjourn the meeting, Donna Jean seconded the motion, and Loch adjourned the meeting at 7:10 p.m.

Peg Smith, Planning Commission Clerk

Date