

Boulder Town
Planning Commission
Meeting Minutes
May 14, 2020

Zoom meeting, Commission quorum present: Colleen Thompson, chair; Matt Cochran, Josey Muse, Cookie Schaus, Haylee Apperson. Also attending: Secretary Peg Smith; Zoning Administrator Curtis Oberhansly.

Members of the public: Steve Cox, Michala Alldredge, Tessa Barkan, Ashley Coombs, Elizabeth Julian, Donna Owen, Shawn Owen, Tom Hoyt, Anson Fogel, Elizabeth Julian.

Colleen opened the meeting at 7:05. Colleen asked for a motion to approve the April minutes with Peg's noted correction. Matt so moved, Josey seconded, motion to approve was unanimous. Matt moved to approve the agenda, Cookie seconded. Vote to approve was unanimous.

Initial Public Comments

Tessa asked for clarification on the Arts Center application. Curtis said its working title is Arts and Cultural Center, but it does include a strong ag component in keeping with ad education requirements of the conservation easement holders. They have an interest in educating the public regarding preservation of ag land and also like having a venue in Boulder where NRCS can hold workshops and demonstrations for the community. The Arts Council use includes regranteeing for teaching crafts to painting, whatever. Trailer will be removed, new building will be located in that general location.

Public Hearing, followed by action on Sugarloaf Valley Farm Guest Ranch CUP

Review of staff report by Zoning Administrator: In Aug 2019, SVF received approval for a Conditional Use Permit to operate a guest ranch that included three separate dwellings. The current application adds two additional structures---- both tiny houses, one already in place though not fully installed, the other on the north concrete pad. A middle pad is being kept open for common space and separation. New infrastructure is required as the two units are new construction, compliant with Section 803, which this application fulfills, including plan drawings, topo map, parking spots. There are no drainage issues, slopes, or sensitive lands to be dealt with. Vegetation is basically a lawn and a couple trees. The pads already exist, as does all road access. They'll need to take out a building permit for establishing the tiny houses on permanent foundation, as well as attaching to septic, electrical, and plumbing, and a wooden deck off one of the units. Water is through Boulder Farmstead and that connection will also be required through the building permit. They'll need to CUP to apply for Project Approval through the town and then the Building Permit through the county. They've addressed anticipated traffic volumes, with experience showing guests average a couple days' stay and the units are generally unoccupied in winter. People have concerns about traffic on Lower Boulder Rd because it's substandard in spots.

Colleen added that this application is an addendum to an original CUP--- to add two more units to the CUP they had. She asked for a motion to open the public hearing. Matt so moved, Cookie seconded, and all approved going into public hearing.

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There were no comments in the public hearing.

Hearing no comments, Colleen moved to close the public hearing and return to regular session. Cookie seconded the motion and all approved.

Planning Commission Discussion: Josey said last month she'd brought up CUPs being a use and not a development standard and "I still stand by that." This is in GMU, with one single family dwelling, etc. The nonconforming use (of additional dwellings) was grandfathered in. This is looking to add additional two dwelling. Given that a CUP is a temporary permit, we'd now have five dwellings on one legal lot of record and I can't reconcile that. We have to look at effects on the neighborhood. It's important to look at cumulative effects on Lower Boulder. That road is very narrow, with one way in and one way out. There are several commercial venues: HBG and its employees, a BnB, two legal RSTRs. That's a lot of commercial activity already happening. Now the ranch is approved for three dwellings, potentially 25-30 people, and now we're looking at additional two dwellings. We have to consider the cumulative effect.

Matt had similar concerns but referred to the General Plan and cumulative effects. He voted in favor of the initial guest ranch, but is concerned about adding more units. Where is the limit? It adds up in a residential neighborhood and can infringe on the character of a neighborhood.

Cookie asked if the owners could subdivide the whole ranch into five acre lots? What's the alternative for the property owners? She realizes people want to maintain open areas, but this might be something we could work with them on. Two tiny houses is a lot less than if they gave up and subdivided.

Curtis said he hasn't looked at current tax notice but Josey had said she'd seen 11 different lots of record on ranch. They have 570 acres and could do substantial subdividing if they wished. They aren't constrained by the historic seven lots of record.

Shawn Owen, an SVF owners, offered some background. He said the cement pads were already in place, used by previous owner to bring in family RVs when they were branding and roping, etc. Shawn thought a better use for the pads than RVs would be these tiny houses. The units are as small as they come, mostly to be used as family overflow rather than squish into existing rooms. They thought it made most sense while causing no real impact from new development. Shawn said he was very sensitive to neighborhood concerns; he grew up on that road. He suggested that periodic guests who tend to share rides out to sights and cook many of their meals on premises are likely less of an impact than families living in those units. In general, he said the guest ranch use was not as impactful as other things that could be done. Even the ranching vehicles create much more traffic than the guests. He said they've always been passionate about finding ways to make the property productive and self-sustaining. He said it would be ideal if their revenue could all come from growing/producing on the ranch. Their only alternative to make money otherwise would be by subdividing, which they don't want to have to do. Once you subdivide, it's a permanent change."

Josey clarified her mention of Lower Boulder one-way egress--- she was referring to emergency use and having only the one road for ingress/egress.

Colleen said the definition of guest ranch still being worked on. She felt the commission needed to proceed with the application as there was no way at present to deny it.

Colleen moved to approve the addendum to the SVF CUP, adding two additional units to the guest ranch, increasing the total from three units to five units. Cookie seconded the motion. Roll call vote: Colleen, aye; Cookie, aye; Matt, no; Josey, no; Haylee, aye. Motion carried. Sugarloaf Valley Farm Guest Ranch addendum CUP is approved with no additional conditions.

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Discuss RSTR mapping status (Michala)

Michala not quite ready to publish, but she's using a mapping application called Onyx that shows private and public lands, in combination with plat maps to define all residents in upper, middle, and lower Boulder. She needs to clarify some information with either Judi or the county recorder. She said this will allow us to draw an overlay on Boulder's zoning map.

Update on work groups: Table of Uses and Lee Nellis procedures

ToU: Matt said the ToU is in the final editing stages and will have a working document to review by the next meeting. At that point it will be great to integrate with Lee Nellis to arrive at a formal document. He'll try to make a draft available in the interim and will attend the Nellis workshop next week.

Lee Nellis: The way things are evolving is fine. There's been a fairly specific focus so far in the work group. Next Tuesday will start with procedural questions on accommodating commercial uses. The conversation tonight highlights big questions that need to be addressed, such as capacity of roads. We'll have to have some of those big questions addressed when it's not part of a live application. The applicant is entitled address the ordinance the way it's written. He'll send out a memo to the commissioners in preface to the Tuesday meeting.

Josey will add Lee to Dropbox access too.

Lee said he'll talk about evaluating commercial uses, including roads having limited capacity. The work meeting will focus on questions about commercial uses.

Upcoming business for June 11:

- Public Hearing on Jacqui Smalley Arts and Cultural Center CUP
- Michala's mapping results
- Update on both workgroups
- Table of use discussion on where to go from here

Final Public Comments

Hearing no final public comments, Cookie made a motion to adjourn, Matt seconded, and all approved. Colleen adjourned the meeting at 8:09 p.m.

Peg Smith, Planning Commission Clerk

Date