

APPLICATION FOR SUBDIVISIONS

APPLICANT INFORMATION

Date: 7/14/2020

Name: ROCKPILE LLC, TOM & CAROLINE HOYT MANAGERS

Address: 2430 E. BROKEN BRANCH LN. (PO BOX 1499)

City: BOULDER

State: UT

Zip: 84716

Phone: NA

Fax:

Cell Phone: 720-226-1041

Email: HOYTCAMP@GMAIL.COM

Contact Person: TOM HOYT

CONCEPT SUBDIVISION APPLICATION

Fee Amount: \$

Proposed Number of Lots: 13 LOTS INCLUDING ONE WITH EXISTING HOUSE

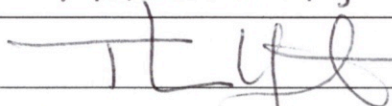
Location/Address of Proposed Application: NORTH WEST CORNER BURR TR & LOWER BOULDER

Current Zoning District: GMU

Name of Property Owners: CHRISTINA WHITE

239 S 15th ST

PHILOMATH, OR, 97370

Signature of Applicant(s):  ROCKPILE LLC

THOMAS HOYT

Boulder Town Office Use Only

Date Received:

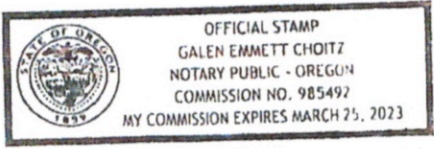
Date Determined Complete:

Fees Paid:

PROPERTY OWNER AFFIDAVIT

STATE OF OREGON }
 }ss
COUNTY OF GARFIELD } BENTON

I (we), CHRISTINA WHITE, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge.



Christina White

(Property Owner)

(Property Owner)

Subscribed and sworn to me this 9th day of July, 2020.

Galen Choitz

(Notary)

My commission expires: March 25, 2023

AGENT AUTHORIZATION AFFIDAVIT

I (we), CHRISTINA WHITE, the owner(s) of the real property described in the attached application, do authorized as my (our) agent(s), TOM AND CAROLINE HOYT, to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the Town considering this application and to act in all respects as our agent in matters pertaining to the attached application.

Christina White

(Property Owner)

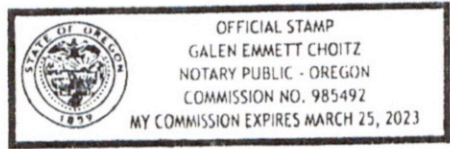
(Property Owner)

Dated this 10th day of July, 2020, personally appeared before me Christina White, the signer(s) of the agent authorization who duly acknowledged to me that they executed the same.

Galen Choitz

(Notary)

My commission expires: March 25, 2023



7/13/2020

**Concept Subdivision Application to
Boulder Town Planning Commission**

27.69 Acre Parcel on the North West Corner of Burr Trail Rd and Lower Boulder Road

Applicant : Rockpile LLC, Tom and Caroline Hoyt

Members of the Planning Commission,

This is an application for a conceptual review of a plan to rezone and subdivide the 27.69 acre site currently owned by Christina White and under contract to us. If we receive favorable input from your conceptual review process, and the simultaneous rezoning application, we intend to follow through with preliminary and final plan submittals following the Town's Ordinances and process in meetings this coming fall. There is some duplication between the Concept plan Review application and the Rezone application but we have attempted to keep the rezone application focused on the Town General Plan and the materials accompanying this Conceptual Plan review focused on the Zoning and Subdivision Ordinances.

The Concept Plan, Vicinity /Location map, Satellite view of adjacent uses, and Lyman Survey are duplicated in both applications.

As you review this proposal, it is important to understand this is a conceptual plan and that we have not yet done the exact engineering work. The acreage comes from a 1995 Lyman survey which appears to include a least part of the Burr Trail ROW and some other boundary questions. We have contracted for a new survey and contour map which will nail down the exact boundaries and acreages. For the sake of this application we have deducted 0.7 acres from the gross site to account for the ROW which does not count in the calculations. The new survey and engineering will insure the lot sizes, road acreage, and open space acreage comply with the Town ordinances. If there is positive support for this proposal, the details of the plan will change in response to the contour survey, wetlands analysis, and input from the community but the basics of what we are proposing in terms of configuration and zoning will remain the same.

The Town's Conceptual review process requires the following documents

- 1) Application Form with Owner's Affidavit is included and follows this introduction and explanation.

- 2) 5 Copies of the Concept Plan for the proposed Burr Trail Meadows Subdivision including lot area, lot frontage, lot width, proposed building envelopes, layout of lots, roads, and water service are included.
- 3) Vicinity map and the name of the proposed Burr trail Meadows is also included.
- 4) In addition to the required materials, we have outlined below in the Introduction to the Plan, the subdivision concept and how we believe it meets Boulder Town's General Plan and the applicable Zoning and Subdivision Ordinances.
- 5) There are also 3 additional illustrations included to make the concept clearer.

A copy of the proposed plan on a satellite picture background that illustrates the land uses surrounding this proposal. A plan illustrating 5 acre lots that could be subdivided under the current GMU zoning. A larger scale drawing of one lot showing structures, garden and building envelope. A copy of the Lyman Survey which has the legal description.

Introduction to the Plan

Overview of Intent

This concept proposal proposes the creation of 13- lots (lots range from 1/2 acre to 1.5 acre including one lot with the existing house) using the Town's existing Subdivision and Zoning ordinances combined with the Cluster Subdivision Provision to provide smaller more affordable lots in a location which is easily accessible to most employment and facilities and in a location which is compatible with existing small lots in the Townsite area. The proposal uses approximately 10.7 acres of the site for lots, approximately 1.3 acres for roads, and the balance of approximately 15.0 acres in open space to remain in irrigated agriculture. The existing wetlands are an important natural feature of this property and much of the plan concept is based on preserving the wetlands and the critical view corridors. The lots are clustered on the higher land on the higher north eastern and north western portion of the site and the open space is located where it is the dominate visual image from both Burr Trail and Lower Boulder Rd and on the north where the higher piece of existing wetlands exists. The open space areas are located on what has historically been the wettest parts of the site and will be the easiest to maintain irrigation on. The proposal includes a pedestrian link through the adjacent Boulder Mountain Lodge property on the northwest boundary into the Town Park pathway system.

The project is not intended to solve the housing side of the affordable housing equation although we have had several conversations in conjunction with the planning process about opportunities for low cost lending from USDA, a local bank, and various self-build opportunities. Our belief is that affordable housing needs to start with available sites and the opportunities for affordable housing derive from having the land available.

In the process of developing this plan we begin discussions with several residents who are potential buyers in order to best inform a plan that addresses the needs and abilities of the local residents we are targeting. If the Planning Commission gives us a positive response, it is our intention to involve as many potential local purchasers as we can in the process of refining the plan.

The following outline explains how the plan conforms to the Town's Zoning Ordinance and applicable sections from the Subdivision Ordinance with our comments in *italics* to explain how the proposal conforms.

Zoning Ordinance Compliance

Section 104 Purpose:

The purpose of this Ordinance is to implement the goals and policies of the Boulder Town General Plan and the other purposes as provided for by the Act. It is the intent of this Ordinance to provide a means of ensuring predictability and consistency in the use and development of lands located within the Town.

These purposes are met by:

1. Providing for the implementation of the Boulder Town General Plan;
2. Guiding growth and development in an orderly manner consistent with the land use and environmental goals and policies of the Town;
3. Preserving the quiet rural and agricultural quality of life enjoyed by residents and protecting farming and ranching as a life-style choice for residents;

We believe this proposal meets the stated purposes of the General Plan. The development has the potential to provide an opportunity for some of the current members of the Boulder Community to purchase their own piece of land. The proposal illustrates how the Town's Cluster Ordinance can be used to preserve a part of the open field agricultural heritage of Boulder while allowing for opportunities for current and future residents to become home owners in Boulder. The obvious alternative to this proposal is the subdivision of the site into 5- 5acre lots which we have illustrated in the attached documents to demonstrate what

would be the most likely outcome if we are unable to carry through on our proposed concept. The project is aimed at providing the opportunity for relatively affordable lot purchases intended to assist in the community goal of providing more affordable housing.

Section 601 Zoning by Districts:

This Concept plan will require a zoning change from the existing GMU Greenbelt-Multiple Use zone to HDR or High Density Residential in order to achieve the 0.8 acre average lot size proposed. The companion rezone application is submitted as a separate set of documents. As specified in the Table of Development Standards, the HDR zone requires a minimum lot size of 1 acre. Applying the Cluster Subdivision Ordinance allows the reduction of the minimum lot size in any of the residential zoning district by up to 50% provided at a minimum 50% of the proposed subdivision is preserved in permanently protected open space. The specifics of the calculations for this proposal are as outlined below.

Parcel size 27.7 acres per Lyman Survey. The gross acreage of the parcel is reduced to 27 acres by the 0.7 acres which is our best guess for the amount of acreage included in the Burr Trail ROW. The parcel acreage is then further reduced by the proposed internal roadway which is 1.3 acres leaving a net acreage of 25.7 acres.

Table of Development Standards

The proposed lots have a minimum size of 1/2 acre and range up to 1.5 acres, totaling 10.7 acres and averaging 0.82 acres. The 0.82 acre lot average represents an 18% lot area reduction from the 1 acre minimum for the High Density Zone before applying the clustering ordinance. The smallest lot at 1/2 acre meets the minimum lot size. The 18% average reduction clearly falls within the 50% maximum reduction allowed in the Cluster Ordinance.

The remainder of the site is in open space consisting of approximately 15.0 acres in irrigated meadow, which is split between the 4.0 acres in the upper wetland meadow and the 11.0 acre lower highly visible meadow on the south side of the property. This puts 58% of the net parcel in open space which meets the minimum requirement of 50% to apply the Clustering Ordinance.

The required lot set backs are 30' front and back and 10' on the sides. We propose to establish building envelopes with the lots to further restrict where the houses and secondary structures can go on the lots and are not asking for the reductions allowed in the Clustering Ordinance.

There is a minimum lot frontage dimension ratio to the lot depth which all the lots are designed to meet and will be verified by the engineering in the final Plat. Note that this requirement seems to anticipate only rectangular lots and although we can meet the requirement, it is not exactly clear how to apply this requirement to some of the lots we are proposing.

The roadway widths, maintenance requirements, water main sizing, and hydrant locations will be established as part of the preliminary design and engineering process and negotiations with the Town and the farmstead water Co.

The remainder of the requirements under the Zoning District are enforced as part of the building permit process.

The sewer service for the proposed lots will be provided with individual septic systems on each lot designed and installed in accordance with Southwest Utah Public Health Department.

The potable water supply for each lot will be provided the Farmstead Water Company. There are two existing taps/ shares on the property.

Subdivision Ordinance Compliance

CHAPTER 1000. CLUSTER SUBDIVISIONS – OPTIONAL PROVISION.

Section 1000-1. Purpose.

This provision is provided as an alternative subdivision layout option to encourage the preservation and protection of open space and scenic, historic, and sensitive lands located within the Town. This subdivision layout option is designed to promote efficiencies in the delivery of required infrastructure, facilities, and

services in subdivision development. The Cluster Subdivision also provides an opportunity to promote the desired goals and policies to enhance the community character of Boulder Town. *This proposal meets the intent to provide a more efficient infrastructure and the preserved agricultural open space will allow the continuation of the historical grazing or a more intensive agricultural use if that is desired in the future. The plan preserves the sensitive existing wetlands. The lots are large enough to provide significant individual gardens, orchards, or other agricultural uses. This is one of the few remaining examples of the agricultural heritage in the Town center area and this plan preserves the most highly visual portion of the site.*

Section 1000-3. Cluster Subdivisions Allowed in certain Zoning Districts.

A Cluster Subdivision may be allowed in the Town's Greenbelt Multiple Use Zoning District (GMU), Low Density Residential District (LDR), Medium Density Residential District (MDR), and High Density Residential District (HDR), upon a finding by the Town Council of compliance with all requirements of this Ordinance and the Town's other Land Use Ordinances. *Our proposal is to rezone this parcel to HDR which is a zone that allows the Clustering option*

Section 1000-4. Minimum Open Space.

A Cluster Subdivision shall provide for a minimum of fifty percent (50 %) of the total acreage of the subdivision site as open space in accordance with the open space standards, maintenance, and dedication requirements provided by this Section. As practicable, the open space lands within a Cluster Subdivision shall be contiguous and shall provide connectivity to other open space areas. *The proposal meets this requirement by providing more than the minimum of 50% of the parcel in open space and it provides a pedestrian link to the Town park.*

Section 1000-5. Cluster Subdivision Application and Approval Process.

A Cluster Subdivision Application shall be made as a Preliminary Subdivision Application and a Final Subdivision Application, and is subject to review process and approval standards as provided by this Ordinance for a Preliminary and Final Subdivision Application. *The rezoning, preliminary subdivision, and final subdivision applications will be applied for per the Town ordinances*

Section 1000-6. General Requirements.

1. **Lot Area.** The number of residential lots allowed in a Cluster Subdivision shall comply with and be consistent with the density requirements of the Zoning District in which the subdivision is located. In order to achieve the effect of clustering and provide desirable open space, the minimum lot area within a Cluster Subdivision may be smaller than the minimum size required in the Zoning District, as approved by the Town Council, except no lot shall be less than fifty percent (50%) of the minimum lot size required by the Zoning District, as applicable. *The proposal for lots that average 0.82 acre is an 18% reduction in lot area which meets the requirement of a maximum allowed reduction in lot area of 50%. The smallest lot in the proposal at 1/2 acre meets the minimum allowed by the clustering Provision in a HDR Zone.*
2. **Lot Width and Frontage.** The minimum lot width and minimum lot frontage provided for each lot located within a Cluster Subdivision may be reduced from the minimum lot width and frontage requirements of the Zoning District, as approved by the Town Council, except no lot width or lot frontage shall be less than fifty percent (50%) of the minimum lot width or lot frontage required by the Zoning District, as applicable. *The lot frontage will meet the requirement that lot frontage be no less than 1/3 of lot depth but as mentioned in the Zoning Compliance section, this requirement anticipates rectangular lots and not the type of lots we are proposing.*
3. **Yard Requirements.** The minimum front yard, minimum side yard and minimum rear yard requirements provided for each lot located within a Cluster Subdivision may be reduced from the minimum front yard, minimum side yard and minimum rear yard requirements of the Zoning District, as approved by the Town Council, except no minimum front yard, minimum side yard, or minimum rear yard requirement shall be less than fifty percent (50%) of the minimum front yard, minimum side yard, or minimum rear yard required by the Zoning District, as applicable. *The proposed building envelopes for each lot will be more restrictive than the yard requirements.*

Section 1000-7. Open Space Dedication, Ownership, and Maintenance.

1. **Open Space Preservation and Protection.** All open space areas provided in a Cluster Subdivision shall be identified as a "lot" and shall be identified as permanently restricted from any future development by a plat note, conservation easement or other method of long-term protection and preservation acceptable to the Town Council. Open space protection and preservation methods shall be approved by the Town Council and recorded concurrent with the recording of the Final Subdivision Plat. All conservation

easements shall comply with the Utah Conservation Easement Act, as set forth in §57-18, et seq., Utah Code Annotated, 1953, as amended.

2. **Ownership of Open Space.** The ownership of any open space areas shall be in a single ownership and may be owned and maintained by one of the following entities: homeowners' association, land trust, conservation organization, governmental agency, or private individual, as approved by the Town Council. *The intent is to have Boulder Town be the entity that will hold the conservation easement on the open lands meeting the requirement to preserve the open lands in perpetuity. The open space will most likely be owned and maintained by a homeowners association that will be established at time of final subdivision approval*
3. **Maintenance of Open Space.** The responsibility and cost of maintaining open space shall be borne by the fee owner of the open space area unless otherwise agreed to by the Town Council. All Preliminary and Final Subdivision Applications proposing a Cluster Subdivision shall provide an Open Space Ownership and Maintenance Plan addressing the proposed ownership and permanent maintenance of the open space area within the Cluster Subdivision. The Open Space Ownership and Maintenance Plan shall be approved by the Town Council prior to or concurrent with Final Subdivision Application approval by the Town Council. *The HOA documents and provisions for maintenance will be included as part of the final subdivision approval.*

In Summary

We appreciate your consideration of this concept plan proposal and believe this plan will help to address some of the identified needs for sites that are relatively affordable and provide current and future residents an opportunity to build their own home. The central location and a lot size that will allow for a lot of flexibility is intended to provide opportunities that do not currently exist in Boulder Town. The use of the Clustering concept allowed in the Subdivision Ordinance provides this opportunity and preserves one of the critical green view corridors in the town.

We appreciate your consideration of this Concept Plan.

Rockpile LLC,

Tom and Caroline Hoyt