

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: 720.226.1041

Fax:

Cell Phone: 720 226 1041

Email: HOYTCAMP@GMAIL.COM

Contact Person: TOM HOYT

LAND USE APPLICATION☐ General Plan Text/Map Amendment

Fee Amount: \$

☒ Zoning Ordinance Text/Map Amendment

Fee Amount: \$

Proposed Amendment: REZONE FROM GMU TO HIGH DENSITY (HDR)

Location/Address of Proposed Application: NORTHWEST CORNER BURR TRAIL & LOWER BOULDER

Current Land Use Designation and Zoning District: 1 HOME IRRIGATED MEADOW

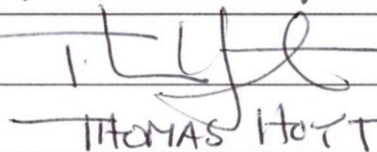
Total Acreage (square feet or acres) of Site: 27.69 AC less BURR TRAIL ROW 0.70 AC

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:

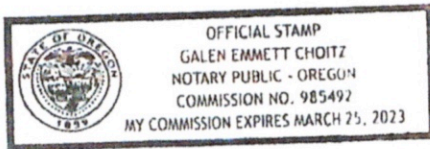
Fees Paid:

PROPERTY OWNER AFFIDAVIT

OREGON
STATE OF UTAH }

}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, 20 20.

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.

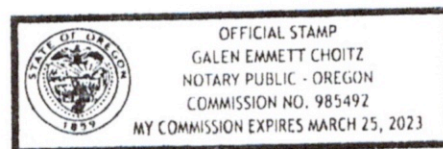
Christina White
(Property Owner)

(Property Owner)

Dated this 10th day of July, 20 20, 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

Rezoning 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 to rezone the 27.69 Acre site at the Northwest corner of Burr Trail road and Lower Boulder Road. This rezoning will allow for the subdivision of 13- lots (lots range from 1/2 acre to 1.5 acres including one lot with the existing house) using the Town's existing Rezoning process and Cluster Ordinance 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. We are simultaneously applying for a conceptual review of the proposed subdivision which will be submitted for Preliminary and Final approval if this rezone request is approved. There is some duplication in the "Intent" statement 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, larger scale site plan of one lot showing structures and garden, and Lyman Survey are duplicated in both applications.

The requirements of Boulder Town's Rezoning Application are listed below.

☐ 1. The Land Use Ordinance or Zoning District Map Amendment Application Form and property owner affidavit shall provide all required information and be accompanied by payment of all application fees.

Application and Affidavit included

☐ 2. Provide a map of the location of property showing all property boundaries on a minimum of eight and one-half (8.5) x eleven (11) inches sheet. *Concept Plan and copy of Lyman survey*

- ☐ 3. Provide a legal description of the subject property. *See Lyman Survey*
- ☐ 4. Show the location and dimensions of any structures on the subject property and on adjacent properties. *Existing house and barn on Concept Plan. Structures on adjacent land shown on satellite view map included.*
- ☐ 5. Provide a written narrative describing how the proposed amendment will enhance the existing goals, objectives, and policies of the General Plan including, but not limited to, the effect of the proposed amendment to advance the public health, welfare, and safety of residents of the Town, the effect of the proposed amendment on the interests of Boulder and its residents, the compatibility of the proposed uses with nearby and adjoining properties, and identify the community benefits of the proposed amendment. *See below*

Overview of Intent

This rezoning application is being requested in order to provide for the subdivision of 13- lots (lots range from 1/2 acre to 1.5 acres including one lot with the existing house) using the Town's existing Subdivision and Zoning ordinances combined with the Cluster Ordinance 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. We believe rezoning this parcel 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 achieve the goals of the General Plan 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 this proposed rezoning. 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. 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 lists the applicable sections from the Towns General Plan with our comments in *italics* to explain how the proposal conforms.

Compatibility with the General Plan

The general plan states is was created to “establish a policy foundation and decision making framework for the present and future needs of the Town”. *We have used parts of Section 7-3 of the General Plan Land Issues to give a framework for how we believe this proposal meets the intent of the Plan.*

Section 7.3 Key Land Use Issues

A. Land Use Compatibility -- The development of the Land Use Patterns reduces the potential for incompatible land uses within the land use zone or adjacent to one another. The goals, objectives, and implementation strategies of the Plan provide additional guidance for ensuring compatibility between dissimilar land uses. (See Land Use Patterns and Land Use Map) *The proposed plan with the surrounding land uses shown both on the Vicinity Map and the Subdivision Plan, which has the adjacent lot sizes and uses, illustrates how this proposal is intended to be compatible with the surrounding uses both in the size of the lots proposed and the preservation over 1/2 of the site in agriculture.*

B. Preservation of Natural Environment and Open Space -- The preservation of the natural environment and open space is one of the overriding concerns of Boulder’s citizens. The Plan recognizes the importance of the natural environment

and the numerous benefits of preserving Boulder's open space from development; maintaining the viability of agricultural land; maintaining scenic value and viewsheds, protecting the quality and quantity of culinary and irrigation water; managing storm water , and protecting biodiversity. *This plan uses the Town's Cluster Subdivision Ordinance to allow the creation of smaller lots while preserving the most visual portion of the site in irrigated agriculture with a conservation easement protecting that open space in perpetuity. The plan is built around preserving the existing sensitive wetlands.*

C. Distinctive Community Character -- The Land Use chapter recognizes there is a variety of residential densities and land uses within the town. The Plan as a whole creates a long-range vision of the patterns of future developments intended to fulfill the needs of Boulder citizens while protecting the essential character of the community's custom and culture including the landscape. . The Plan also recognizes that future residents will want to choose between distinctive residential densities for reasons of affordability and lifestyle. This Plan aims to allow for growth and flexibility while retaining the character of the community. *The intent of this plan is to keep the lots as affordable as possible while providing the full suite of Town infrastructure. The lots are large enough that a purchaser can build what they want and still have plenty of land for gardens, landscape, etc. Included with the exhibits is an illustration of one of the smaller lots with a house, barn/ garage and garden to give a sense of the scale of the lots. We intend to provide building envelopes which are more constrained than the allowed setbacks in order to enforce some separation of structures but only enough building material covenants to insure the appearance of future homes "fit" with Boulder Town. The pathway to the Town park gives an alternative pedestrian link to this great existing amenity.*

D. Agricultural Protection -- Include "Right to Farm" provisions in the Land Use Element that will protect the rights of farmers and ranchers to operate their facilities in agricultural zones without infringement on traditional land and irrigation access and uses, or complaints regarding noise, odors, or length of work hours, but recognizing applicable town regulations. The provisions should protect the property rights and safety of residents. In addition, Boulder Town supports grazing on public lands. *The preserved agricultural open space will allow the protection of the sub-irrigated meadows and the continuation of the historical grazing or a more intensive agricultural use if that is desired in the future. The lots are large enough to provide significant individual gardens, orchards, or other agricultural uses.*

E. Dark Sky -- The absence of light pollution in the night sky in and around Boulder makes it ideal for night sky viewing. Boulder is situated in one of the least light-polluted areas of the country. Boulder Town wishes to preserve the naturally dark sky by stopping the adverse effects of light pollution on dark skies. Boulder Town wishes to raise awareness about light pollution, its adverse effects, and its solutions as well as educating residents about the values of quality outdoor lighting. *Any street lighting that is*

required will meet the Dark Sky intent and there will be a covenant for the housing that requires Dark Sky fixtures for any exterior lighting.

F . Clustering Development, Perimeter Development and Site-Sensitive Design

– The Plan recognizes the need to prioritize clustering development that will reduce infrastructure and service costs, minimize the visual impact of development to the community, reduce the need for new roads and driveways as well as access points onto existing roads, and most importantly preserve productive or historically productive agriculture land.. As much as possible, future development should avoid permanently altering productive or historically productive agricultural land in preference for impacting other types of available space. This option is intended to promote a pattern of development that is most likely to be consistent with the underlying community values and to encourage the preservation of productive agricultural lands, viewsheds, and open space. *This proposal uses the Cluster Development Provision and is specifically designed to meet all the intents of this section.*

Section 7-4 Land Use Goals and Policies - *The proposed plan has no steep slope issues and is planned around the existing Boulder Irrigation Company open ditch running through the site which serves as the irrigation source for this site and also to sites downstream. The retention of open space and the pedestrian link into the Town park grounds provide a continuation of a strong community amenity. There are existing wetland areas on the site that we have tried to accommodate in the design but these will be mapped as part of the engineering survey process and accommodated in the final design.*

Section 7-5 High Density Residential - This should be maintained at the present one acre minimum lot size and allows a variety of other uses and services. *This application will require rezoning this parcel to High Density residential and applying the Cluster Ordinance which allows the reduction of the minimum lot size up to 50% provided there is a minimum of 50% of the site permanently protected as open space.*

Section 8-1 Goals, Policies and Programs

Goal 1: To identify housing sites needed for residential development to meet the needs of Boulder residents while maintaining traditional town character and preserving the identity of Boulder as a family-oriented community. *The location of this proposal, we believe, is the ideal location to achieve this Goal. As mentioned in the Intent section, we have started to engage existing members of the town who want to establish permanent homes here and by continuing to work with this group and adding other interested purchasers we can end up with a majority of the lots committed to the local audience this proposal is intended to serve.*

Goal 4: To promote new housing opportunities which enhance the visual character of residential areas, are sensitive to social and environmental needs, and which are energy efficient. *The location, the proposed lot size, and the compatibility with surrounding land uses speak to this goal.*

10-6 Goals and Policies

Goal 1: To provide a circulation system to move people and goods safely and efficiently throughout the town and the general planning area. *The plan utilizes existing public streets and an existing intersection location to connect the interior street to the public road system. The Pedestrian connection to the Town Park provides a link into the already established off road paths within the Town Park This will provide an access to the Town Park from the south east for everyone in town has not existed to date.*

Summary

We believe the application to rezone this highly visible and accessible parcel of land is in compliance with the intent of the General Plan and will help to meet the need for smaller more affordable lots than are currently available in Boulder.

Thank you for your consideration of this proposal.

Tom and Caroline Hoyt

Rockpile LLC