

Boulder Town

Planning Commission

Meeting Minutes

January 14, 2021

Zoom meeting, Commission quorum present: Chair Colleen Thompson, Vice chair; Matt Cochran, Cookie Schaus, Josey Muse, and Haylee Apperson. Marian Johnson (alternate) was absent. Also attending: Secretary Peg Smith, Zoning Administrators Michala Alldredge and Curtis Oberhansly, Town Council Liaison Judy Drain, and planning consultant Lee Nellis.

Public zoom connections: Steve Cox, Elizabeth Julian, Jennifer Geerlings, Bill Muse, Nancy Tosta, Mark Nelson, Korla Eaquinta, Ashley Coombs, Tom and Caroline Hoyt, Tina Karlsson and Peter Benson, Judith Geil, Kipp Greene, Michelle LeBaron, Robert Ewing, Heather McDevitt, Donna Owen (with Shawn Owen on her phone), plus one unidentified call-in number.

Colleen opened the meeting at 6:03 p.m. Cookie moved to approve the agenda, Matt seconded, and all approved by roll call vote. Colleen moved to approve the December minutes, Matt seconded, and Matt, Cookie, Josey, and Haylee approved. (Colleen was absent in Dec.)

Open and Public Meetings Act Annual Training

Peg conducted the annual open meetings training, per state code. Three main components are definition of meetings, notification of meetings, and record of meetings.

Lee Nellis: Summary of Proposed Development Standards

The Planning Commission has been working on these materials since last April. Lee said the initial goal was to review commercial development in Boulder. Tonight Lee will use a hypothetical example--- “Boulder Beans” processing and retail outlet at Burr Trail and Hwy 12-- - of applying the standards on a development application. Developing these standards has been the crux of discussion over the past many months.

For tonight’s meeting, Lee suggested keeping a clear division between a pre-hearing Q&A and the actual statements within the public hearing.

Questions from the public: None.

Public Hearing on Proposed Zoning Ordinance and General Plan Amendments

Matt moved to open the public hearing for comments, Colleen seconded. Haylee, aye; Matt, aye; Cookie, aye; Colleen, aye; Josey, (dropped off connection).

Korla Eaquinta: I’m a property owner on the Burr Trail. The building in the example is hideous. If standards include having to be on Hwy 12 because of traffic, this isn’t what I want to come to Boulder to see. Is that what you want in Boulder?

Peter Benson: I appreciate all the work you’ve done. Looks like a great process. Korla’s comment is relevant in that that particular standard might take more weight, but this is a hypothetical example. You’d be looking at all the standards.

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No other comments were made. Matt moved to close the public hearing and Haylee seconded the motion. All commissioners voted aye to return to regular discussion.

Discussion and Action on Zoning Ordinance and General Plan Amendments

Colleen said these revisions enable Boulder to develop some commercial property using these Conditional Use standards.

Matt: We started a year ago, first with a separate group looking at important details in the old ordinance that needed attention, then morphed into work with Lee, spending the last six months in details, running examples. The Planning Commission now and in the future has more ability to keep the character of Boulder as it is. The process will need to be reviewed and tweaked as needed, but we're in a much better situation now than a year ago.

Josey: First a question on the Table of Uses. Looking at the new ToU, some terms are still there that we were going to pull out (with the new definition of Commercial) Some have been removed, such as Professional Offices. Why is Restaurant and a few others still there? Lee said he hadn't wanted to change the Table too rapidly while it was still being looked at. He'll edit it down now to be consistent with the definition of commercial uses. Restaurant and Lodging can come out now. Recreational Facility, Guest Ranch, RV Parks and Campgrounds are yet to be discussed with new development standards. Lee said the existing ordinance is super detailed. Some uses may get merged under the new standards but some may remain separately defined and likely requiring its own checklist.

Josey: If we leave Guest Ranch, Recreational Facility, and RV Parks and Campgrounds in place at this point, we should make clear they are still considered commercial and not like they weren't considered. Lee said he'd like to leave them in the use table rather than edit them out. **He proposed adding placeholder words to the Chap 20 definition of Commercial that Guest Ranch, Recreational Facility, and RV Parks and Campgrounds will be treated as Commercial.** He also reminded the Commission that the old standards for those still exist. "We're not repealing them. You'll still have those standards to work with in case someone applies in the meantime." The Commissioner were comfortable with the added notation in the amended ordinance.

Colleen asked if anyone had questions or comments on the General Plan Amendments. No one had any questions or comments.

Donna Owen had missed the public hearing and had a question: Was any of this posted anywhere prior to the public hearing? Peg: yes, 10 days prior, posted on the town website.

Colleen made a motion that the Planning Commission recommend to the Town Council the adoption of the Amendments to the Zoning Ordinance as presented for public hearing, with the notation discussed above. Matt seconded the motion. Roll call vote: Haylee, aye; Matt, aye; Cookie, aye; Colleen, aye. Josey, aye. Motion was approved.

Colleen made a motion that the Planning Commission recommend to the Town Council the adoption of the Amendments to the General Plan as presented for discussion. Matt seconded the motion. Matt, aye; Haylee, aye; Cookie, aye; Josey, aye; Colleen, aye. Motion approved.

The General Plan and Zoning Ordinance amendments with edits will be recommended for approval by the Town Council.

Lee said this is a great milestone after nine months of work. There are other issues, including the uses discussed tonight as well as housing and other issues to start on.

Deer Ranch Subdivision Concept Plan

Michala displayed the concept map as submitted by Shawn Owen, Sugarloaf Valley Ranch. The piece in question, owned by SVR, is also known as the old Lovato property. The new 5.5 acre lot would be on the northwest end. She said the conversation tonight should probably concentrate on road access, fire protection, and the possibility of further requests for subdivision on that property.

Colleen wanted to understand plans for future subdevelopment off that road and the road itself.

Curtis: A concept plan is an open discussion between the PC and developer on basic elements of the plan and how it fits with ordinance requirements. He said there is some flexibility dealing with four lots or fewer on things like the level of engineering to be required for a road or other elements required in the full subdivision process. (Subdivision is any primary lot being divided into two or more pieces. There is no such thing as a one-lot subdivision.) If a road is just a sand track, will a fire truck will get stuck on it? What is the long-range plan? At what point does the Planning Commission require full compliance with the Subdivision Ordinance?

Pete Benson: The road is an issue as well as water and fire protection. The lot is a long way from any town water line. Getting a hydrant in would be expensive. He said it might seem excessive to require that for two lots but if they might want to subdivide the whole thing into five-acre lots, then it would be required. He thought there should be some type of development agreement that the developer can't just break of one lot at a time to get around requirements.

Curtis said one mechanism might be to include plat notes on the parcels stating that subsequent subdivisions would require full compliance with all subdivision elements. Pete said for this plan, some type of road surface, like a gravel base, together with a maintenance plan should be required even for this subdivision. Curtis said the Fire Marshall has a lot of discretion on what they require. As far as future maintenance, the ordinance spells out a requirement for a road association in a subdivision. Those are available to the Planning Commission as a tool. Pete said he'd be ok with a couple lots, but beyond that he would want an engineering plan.

Donna (with Shawn Owen on the phone line): Right now there are no plans for any other subdivision; they've been dealing only with one potential buyer. There are no other current plans for further development.

Colleen asked about the road: Is the main access that road past Feilers and turning right on Deer Ranch property up to the lot in question? Yes, but Donna said another access road exists on the northwest portion of that lot.

Josey said the width and length of the lot wasn't clear on the map. Standards require those be noted. Matt said there is a 1:3 width to length requirement, and this doesn't look like it would meet that. (Table 2 of ZO)

Curtis said the width-length ratio does cause problems with the primary access road: it would either have to be rerouted or made into a driveway. A road can't bifurcate a lot. Matt said the width would have to be somewhere around 288 feet, though it's not a simple rectangle.

Cookie asked about the odd shape. Donna said it's because that's the way the road and topography fit. When asked again about future plans, Donna, conferring with Shawn, said "as of now this is the only subdivision plan for that property. We can't guarantee 10 years from now." Cookie said there would need to be some stipulations and they would need to apply to any developer.

Curtis asked about the alternate access. Donna said they do use the north road sometimes. Curtis said an easement would have to be formalized (if it became part of the subdivision plan). Access would have to be specified and adjacent landowners would need to be notified and then

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agree (to the access easement). The Planning Commission needs to know which route you're proposing.

Cookie asked if the applicant could clear up these questions and resubmit their plan. Jennifer Geerlings chatted a request that there be more clarification on the map itself.

Donna said the south entrance should be considered as the property access.

Colleen said that Michala and Curtis will get in touch with Shawn and he can bring it back next month. As a final comment, Matt asked that location of existing wells be identified too.

RSTR Mapping Update

Michala was going to tally; she'll send out the update prior to next meeting.

Set 2021 Meeting Day and Time

Everyone agreed to keeping the same schedule: second Thursday of the month, 6 p.m. standard time and 7 p.m. daylight savings time. Colleen made that motion, and Matt seconded, Matt, aye; Haylee, aye; Cookie, aye; Josey, aye; Colleen, aye. Motion approved.

Upcoming Business for February 11, 2021

- Deer Ranch subdivision
- Next plans for more ZO revisions
- RSTR map update on properties

Final Public Comments

Korla: Thank you all, I've been on some of those Nellis training sessions, everyone has a chance to comment. Keep plugging forward. Great job.

Colleen moved to adjourn the meeting; Matt seconded. Matt, Haylee, Cookie, Josey, and Colleen all voted aye. Colleen adjourned the meeting at 7:46 p.m.

Peg Smith, Planning Commission Clerk

Date