

Boulder Town  
**Planning Commission**  
**Meeting Minutes**  
**May 13, 2021**

Zoom meeting, Commission quorum present: Chair Colleen Thompson, Vice chair; Matt Cochran, Cookie Schaus, Josey Muse, and voting alternate Marian Johnson. Not present: Haylee Apperson. Also attending: Secretary Peg Smith, Deputy Zoning Administrator Michala Alldredge, Town Council Liaison Judy Drain, Planning Commission consultant Lee Nellis.

Public zoom connections: Steve Cox, Elizabeth Julian, Jennifer Geerlings and Dan Pence, Ashley Coombs, Michelle LeBaron, Korla Eaquinta, Tessa Barkan, Donna Owen, Ray Nelson and Denise Pennington, Alexandra Fuller, Gladys LeFevre, David Bird, Pete Benson and Tina Karlsson.

Colleen opened the meeting at 7:03 p.m. Colleen moved to approve the agenda, Matt seconded, and all approved by voice vote. Colleen moved to approve the April minutes; Matt seconded. Matt, Josey, Cookie, and Colleen voted to approve.

***Lee Nellis: Development standards, RV Park/campground and Guest Ranches***

Lee started with several questions: He wondered if commercial standards, in general, should allude to xeriscape options. His new memo included increased buffer width, not setting additional illumination requirements, not including a recreation or playground space. He asked about storage within the campground and suggested that it's really a separate commercial use requiring a CUP and doesn't need to mix into the campground discussion. He also brought up the new trend of including little camping cabins in campgrounds. Do we want to allow this? On guest ranches, Lee mentioned the work group definition Josey sent out as a replacement of the meager language currently in the ordinance. Finally, he brought up the legislative changes to land use, saying they are very extensive and will affect quite a few things in our ordinances. The Subdivision ordinance, in particular, will need to comply with new rules. He asked if he would be asked to do this or it would be handled otherwise.

To Colleen's question, Lee replied that xeriscaping is covered many different ways by communities and suggested looking at Park City's manual that many use as an example. He thinks our ordinance should not assume people have access to irrigation water and that xeric landscaping should be explicitly suggested as an option. Colleen was fine with that as long as fire hazards are avoided; Josey said the landscaping definition can say that xeriscape is acceptable.

On camping cabins, Matt asked about any effects on Boulder's resort tax: would these be eligible? Steve answered that each RV unit is counted as long as it has sewer, water, and power. Cabins would be counted the same if they meet this standard. Lee said if you want to allow cabins without independent sanitary facilities, then the definition needs to reflect those are ok. Josey said she'd heard from people who thought cabins were more aesthetically pleasing than RVs. What about cabins and tent sites rather than RVs? She thought there was interest in the community to allow cabins as an option. Lee will work on the definition.

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Storage: Josey agreed that any type of storage is a different use and shouldn't be included in the campground ordinance. She didn't see a limit on the number of sites. Lee suggested a broader question: what limitations does Boulder have in its ability to accommodate things? Capacity is implied in the General Plan, mostly phrased as impact on services, but in residential discussions, there should be more definitive language. However, the GP is a starting point to build upon. Is there a limit on water availability, on EMT coverage, septic tanks, road capacity, etc. He suggested adding up all those considerations to make a more definitive statement in the GP on Boulder's ability to absorb development. Here, can Boulder soak up a 25-unit campground? What about three campgrounds with 10 pads? Josey suggested maximum of 10 units/acre to a maximum of 20. She thought septic density would be a predominant limiting factor with so many people on wells.

Colleen agreed with the 20 maximum camping units for a property. Cookie agreed with defining capacity limits in terms of servicing our own residents or we'll have to keep repeating these questions on different types of developments. Josey brought up road congestion, and Lee said Lower Boulder isn't the only place with a problem. He said this will come up again as soon as the Planning Commission starts discussing residential uses, along with septic tanks and wells. He said more information on these factors will be needed. Lee will add the 20 unit max in the draft.

Cookie asked about solid waste disposal. She mentioned other parks that keep their containers within a fenced area to avoid blowage. She also strongly supported having an onsite attendant, an opportunity to have a dwelling for a person who works there. She wanted to drop mention of an attendant "10-minutes away." Matt and Josey agreed. Lee will change the draft but thought community members who live elsewhere might want to run such a camp and not live there. However, he said drafts invite discussion, and that's what you want. Regarding waste disposal, Lee said if you clump dumpsters and fence them in you'll have to add a landscaping/buffering requirement. Also consider that people tend to do the right thing if they don't have to walk to it. We can just say containers have to be animal proof and wind proof and an applicant's plan is evaluated a case at a time. Colleen said any dumpsters need to be accessible for the county truck. Or, Lee suggested requiring the owner have a private solid waste contract.

On Guest Ranches, Lee said the proposed definition requires a guest ranch to be part of an operational agricultural enterprise. What ranches would be eligible/ineligible with direct access to Hwy 12 is now required for a commercial enterprise? Do you want to make an exception for guest ranches? Josey prefers commercial activities stay limited to Hwy 12 but also assumes there could be pushback on such a requirement. With no other objections, Lee will draft the standard requiring highway access, then see where the community discussion leads.

Moving on, Lee said the Planning Commission had agreed that an open, facilitated community discussion is needed to address fundamental decisions on housing. Beyond that, he said, the low-density residential and GMU zones are nearly the same. *Does Boulder need a separate Ag zone in order to deal differently with residential options?* When you consider qualities of Boulder, the irrigated lands are limited and irreplaceable. The GP talks about protecting ag, but the zone distinctions don't offer much. Would an Ag zone help hold onto Boulder as it exists? Matt agreed the discussion should happen, especially as it fits the intent written into the GP.

Lee mentioned the pluses and minuses of centralizing development, but that it would change the character of Boulder and preserving Boulder as much as possible seems to always be a constant in residents' priorities. "If you subdivide the irrigated lands you're going to lose that." Lee said carrying capacity, affordable housing, and irrigated lands are the three pieces that can't be separated and still have Boulder look like it looks now.

Next month plan to finish Guest Ranch/campground standards. Lee would like some of the June meeting spent on deciding how to approach the community with these big questions.

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### **Initial Public Comments**

Tina Karlsson: I like Lee's comments about 5-acre lots and would like better incentives to develop clustered housing options.

### **Public Hearing: Ray Nelson Preliminary App for Subdivision**

With no initial questions, Colleen moved to open the public hearing; Cookie seconded. All voted "aye" excluding Matt (who'd lost connection). Michala said the application was complete, with only the fire hydrant missing from the plat. Josey asked about Fire Marshall (Pete Benson) letter. Pete wanted to add verbiage stating that any subsequent subdivision of the original property would require the first subdivision to be revisited along with the future subdivision in meeting infrastructure requirements.

Ray said he designed the new lot (9 acres) so it couldn't be subdivided, according to current ordinance. He said he'd happily sign a paper saying he wouldn't further subdivide his property, but he didn't want to impede future owners with a deed restriction. Since they'll have to go through the subdivision process then, that's the town's protection. Pete said his suggestion would apply to the remaining 20 acres. "As people break off one lot, even with no intent to do more, we need to put a limit on doing one lot at a time, and thereby avoiding the infrastructure requirement. There needs to be a way to identify that a piece of land has previously been subdivided. Michala suggested a plat note or development agreement versus a deed restriction.

Josey asked if a note can be documented on the application as part of the approval and track it through tax ID numbers? She suggested creating a history check as part of standard procedure.

Korla Eaquinta: We see applicants in San Diego who make promises they don't follow through on. You need a way to track this. And contacting an attorney is a good idea.

Dave Conine had sent an email approving of Ray's plan.

Donna Owen (chat question about water). Ray responded that a water right will be transferred to the new owner that will allow them to drill a well.

No further public comments. Colleen moved to close the public hearing, Josey seconded. All voted aye (except Matt, still not reconnected).

### **Discuss and vote on Ray Nelson Subdivision Application**

Josey restated her request for a standard procedure to handle 2-lot subdivision applications. Colleen suggested moving forward while sending that question to the attorney. Josey made a motion to approve Ray Nelson's Preliminary App for subdivision and forward it to the Town Council. Cookie seconded the motion. Colleen, Josey, Cookie, and Marian voted "aye." No "no."

### **Discuss Deer Ranch subdivision**

Michala said areas of slope and the 2-foot topo info are still needed. David Bird, representing Shawn Owen said they don't yet have the preliminary plat and wanted information before getting the engineer to draft it. He asked about the 3:1 depth to width ratio, saying the context of the ordinance language refers to frontage. In that context, the front runs along an existing road as is 700x feet wide by 300x feet deep. Josey said the dimensions hadn't been delineated on previous maps and it now falls within the standard.

His other question was on roads. The property is accessed from 1600 South, through the main ranch gateway, west for a ways, then north to the house. The Fire Marshall's memo notes the existing house and garage and north to the new lot on a road with gravel and sufficient 20-foot width for passage. However, from the ranchhouse south and east to 1600 South, it's a dirt track,

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not wide enough in places for firetruck passage. David said Shawn Owen agreed to make 1600 So wide enough and would put down gravel. Cookie said she's ridden her horse on that portion and that it's been washed out a few times with boulders at the top of the rise. Pete had reported that 1600 South was a dedicated town road. But there will be an agreement among the lot owners on road maintenance, binding on both lots, privately maintained.

Pete Benson: It looks like 1600 South to the property line of the ranch is a public road and is the town's problem. From the property line to Deer Ranch road will be their private road. There's road base on it now. 1600 So to the house is just a sand track.

Josey requested addition of a turnaround: 40 feet on a hammerhead, likely at the corner.

Colleen asked about water. Josey said this is where the infrastructure talk from before comes into play. If more lots are later to be divided off the original lot, then this current first subdivision needs to be included in discussing required infrastructure. Dave thought recording it on the plat would make it visible; Michala agreed and wants the town attorney to approve this so the process is consistent for every applicant. David said the engineer would add it to the plat presented to the town council. Planning Commission can approve with that condition noted.

Finally, David asked about the storm water drainage requirement. He said there has been no water impact on the existing road and wants to just show a water retention pond within the lot. Michala will need to follow up with David on this. No one on the Commission objected.

### ***Residential Short-Term Rental Renewals***

The ordinance stipulates each RSTR permit would be reviewed yearly. Renewal applicants have to submit a copy of sales tax filed with the state and history of rentals during the previous 12 months. Peg said a procedure for submitting and reviewing these needs to be defined. For the time being, docs should be submitted to Peg. Also, a notification procedure is needed. Michala suggested handling these like business licenses, all due at one time. The clerks will work this out.

### ***CUP revisions***

Colleen wants to discuss Chapter 8 CUP revisions next month. Peg will resend Lee's memo.

### ***Discuss upcoming business for June 10***

- Lee: finalize guest ranch and campground; discuss how to do a community meeting
- Deer Ranch public hearing
- CUP revisions
- RSTR renewals

### ***Final Public Comments***

Jennifer Geerlings: First, thanks. I'm glad you're working on zoning and clustering. I hope it doesn't get delayed more than necessary. I'm super supportive and want the public discussion.

Korla Eaquinta: Thanks! Everywhere is in housing crisis. The state is pushing things on you and I'm glad you're being proactive. It's important to protect the charm and character of Boulder.

Tina Karlsson: I'm happy to help in any way, especially in any move toward cluster development that will help make sure we will have community made up of all ages and income levels.

Colleen made a motion to adjourn; Josey seconded. All approved by voice vote. Colleen adjourned the meeting at 8:56 pm. Peg Smith \_\_\_\_\_ Date \_\_\_\_\_