

Boulder Town

Planning Commission

Meeting Minutes

June 10, 2021

Zoom meeting, Commission quorum present: Chair Colleen Thompson, Vice chair; Matt Cochran, Cookie Schaus, and Josey Muse. Haylee Apperson and alternate Marian Johnson were absent. Also attending: Secretary Peg Smith, Deputy Zoning Administrator Michala Alldredge, Town Council Liaison Judy Drain, Planning Commission consultant Lee Nellis.

Public: Donna Owen, Mark Nelson, Ashley Coombs, Korla Eaquina, Nancy Tosta, Steve Johnson, Dan Pence and Jennifer Geerlings, Gladys LeFevre, Elizabeth and Troy Julian, and David Bird.

Colleen opened the meeting at 7:02 p.m. Colleen moved to approve the agenda, Josey seconded, and all approved by voice vote. Two commissioners had not read the minutes so approval of May minutes will be postponed until next meeting.

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

Lee has captured comments from last month: added detached cabins as part of campground; added definition of landscaping/water-wise landscaping, which is missing in current definitions and included link to Park City and Denver handbooks and suggest associating it with all commercial uses; add 20-unit limit, including cabins; removed 10-minute drive and require attendant; add wind to solid waste paragraph; add to definition of Guest Ranch and pulled that into standards; proposed addition to add wind as issue to general commercial standards. Next step will be to put these changes (if approved). Matt asked about allowable guest ranch livestock. Josey said initial intent of the working group was to honor more heritage ranch animals--- cattle, sheep, horses. Lee said your definition referred to the tax code. Staying consistent with the state is the simplest thing to do. Matt agreed but said his only concern would be non-heritage animals being used as a loophole.

Colleen asked about the dust/odor nuisance standard and how a ranch environment could comply with it? Lee said it is possible, but mainly wanted the commission to think about it.

Josey thought the 55-acre minimum provides a good buffer regarding types of livestock. It also provides a good buffer for the nuisance standard. She wants to be careful about not losing any agricultural rights and this limitation is a slippery slope. Maybe it should be removed. And separate setback standards can be applied to guest ranch to mitigate nuisance issues. Lee thinks that's a better way to go. The commissioners all agreed.

Lee can draft these changes into an ordinance. A public hearing will be held in July. ("Campsites" has been subsumed into the new standards. The town can regulate any type of campsite through this and the commercial development standards already approved.

Colleen made a motion to schedule a public hearing on Guest Ranch and RV Parks/Campgrounds. Matt seconded. Matt, aye; Josey, aye; Cookie, aye; Colleen, aye.

Lee reminded the Commission of last month's talk about the difficulty of discussing residential uses without the context of first looking at critical services and capacity. And, the importance of irrigated lands and what happens if they are parceled out into five-acre pieces, losing their ag value? We need

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discussion on water availability, wells, EMS, fire suppression, roads, water quantity. How much water can Boulder Farmstead actually provide? Lee is awaiting a response from Utah Geological Survey about ground water here. If there are limits or we can't determine those limits, the GP should note a water supply concern and a requirement that prospective developers prove they have the water to do what they want to do. This conversation about capacity and limitations needs to involve the whole community, before you can start discussing zones, density, and 5-acre minimums.

Although UCS may not have the information he's requesting, Lee said the GP should still note that a groundwater study is needed. We could ask a developer to pay for such a study.

In that conversation, come back to the fundamental importance of the irrigated land that allows the whole place to be cut up into 5- acre parcels. Are we comfortable with that? If not, then how do we provide value to people who own the irrigated lands? How about transferring development rights from ag land to other type of land? There are tools available, but they require political will to use. What do people think about community identity?

Lee said such a community conversation needs to have a structure. There's nearly 20 square miles of GMU 5 acre lots. We need to lay out a map and do the math to show the specific possibility. Possibilities: change GMU density; separate irrigated lands out from GMU and give them a different designation with different standards. He suggested laying out 3-4 scenarios.

Matt agreed it's necessary to have this community conversation and important to provide specifics they can consider. A facilitator is also necessary. Lee said he can provide the information, but not the facilitation. We'll need a third-party. Lee will try to find better mapping resources and will provide a buildout scenario given current zoning and subdivision ordinances.

Cookie asked about current water status in this basin. Lee said other basins in the state are critical and that's their current focus. We do know about surface water; its limit is being tested now. Water quality too, where water moves through easily, we need to look at contamination potential too. There hasn't been enough pressure on Boulder development to conduct these studies. Cookie also brought up the road study and if it's worth spending \$10K. Matt wondered what the results of the study would lead to--- wider road and more/faster traffic? What data do we need? Josey agreed it's a lot of money. Anyone with ownership of road frontage, owners wouldn't have any say on the road easement. She thought taxpayers shouldn't have to carry the burden of improving/expanding a road to allow development, the developer should.

Lee needs more time to clarify the water situation. The SD should state clearly (maybe does now) that developers bear whatever costs are required. Water affects everybody in a much bigger way, as does public safety. Prioritize what affects everyone. Lee will go through legislative changes and changes to SD and do the buildout analysis with a few options, most likely by Sept. He suggested a special session (outside a regular meeting), with facilitator, to discuss this.

Josey said this has most impact on large landowners and they need to be at the table. Look at scheduling again in August to make sure of maximum participation. Cookie will get numbers and projections from Randy Catmull, Boulder Farmstead Water. Matt will look for a facilitator.

Initial Public Comments

Peg: Garfield County contracted a couple years ago for a Bryce Valley area aquifer study. Judy Drain will get specific info from the county. A grant would be needed for a study that big.

Public Hearing: Deer Ranch Preliminary App for Subdivision

Colleen asked for any questions from the public on Deer Ranch subdivision. No questions.

Colleen moved to go into public hearing. Matt seconded. Voice vote, all ayes.

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No comments from the public. Due to additional info needed for the application, Colleen moved to continue the public hearing next month, Matt seconded. Voice vote, all ayes.

Dave Bird: The road was one of the main things clarified last meeting. SVF is looking into the feasibility of implementing that work. They also need more information on water. A water right on an existing well adjoins this lot, with septic system, (RV is parked now.) Dave has filed to take domestic use water from that well, which may or may not be possible. We understand the lot needs the water right. Is the well metered? No. A well-sharing agreement has been considered.

CUP Revisions

Peg said CUP Chapter 8 revisions are needed, given the handling of the new development standards, notification of landowners. Also, who reviews them? Peg will check with Lee on scope of changes.

RSTR Renewal for Fuller/Fogel

Peg said Alex had provided all required info; they didn't implement the use this year but want to use next year. Should this be an administrative review, or does Planning Commission want oversight?

Matt said the original intent was to make sure neighborhood could weigh in. Let's keep Planning Commission as the reviewing agent for all RSTRs. Josey said holding reviews as well as new apps in January, that may be too many at once. Michala suggested approving initial application as they arrive, with all renewals handled together, maybe mid-year? Josey asked that any complaints be tracked. Peg will present a new form in July.

Colleen moved to renew Fuller-Fogel RSTR CUP; Matt seconded. Matt, Colleen, Josey, Cookie: ayes.

Cookie said she'd asked about the number of beds required to be eligible for resort tax. Michala will follow up on that.

Discuss upcoming business for July 8

Approve May and June minutes; Public Hearing on draft RV Park/campground and Guest Ranch ordinance; continued Nellis discussion on special session; Deer Ranch hearing continuation; RSTR renewal form; CUP- Chapter 8 revisions.

Final Public Comments

Dan: The discussion on housing touches on what will keep Boulder a viable community and keep young people and families here. There is no available housing, either to buy or rent. When it does come up, it's most likely bought by absentee owners who have little loyalty to the town. If people lose their rentals they have few housing options other than leave Boulder. It's a complex and emotional issue, requiring a housing task force, with a facilitator or person with expertise, and ability to conduct a structured discussion so progress can be made. As a town, we need to convey we're working to keep [the young people] here.

Jennifer: Land use and housing are totally intertwined. It'll be important to think outside the box and consider some nonconventional ways of securing land or ways of doing this.

Cookie: I agree. It will take a community effort to make it happen. I don't want to live in a community that's just rich, old, gray-haired people. I'm available for the team.

Elizabeth: Asked for reposting CUP revision document next month.

Colleen moved to adjourn. Matt seconded; all approved. Meeting adjourned at 8:36.

Peg Smith _____ Date _____