

Josh Ellis
PO Box 1406
Boulder, UT 84716

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Dear Boulder Town Council:

This letter is a public comment in regards to the Boulder Town Pedestrian Path project. Just to be clear, Jill got a pair of rollerblades last week and is definitely stoked on a big long concrete path.

However, as a member of the small group who spent months rewriting the General Plan during the last major revision, I feel it's important to point out a few inconsistencies in the General Plan with the 8' wide concrete path (including curb and gutters) currently proposed to cut through the core of town.

Within the town ordinances, TITLE XV: LAND USAGE makes it clear that the purpose of Town Council and its appointments/officers is to adopt and implement the General Plan. The introduction to the General Plan states:

The Boulder Town Council adopts this General Plan as an advisory guide for land use decisions and further requires that all land use decisions be found to be consistent with the provisions of the General Plan. As provided by the Act at Section 10-9a-406, "no street, park, or other public way, ground, place, or space, no publicly owned building or structure, and no public utility, whether publicly or privately owned, may be constructed or authorized until and unless it conforms to the General Plan, as adopted."

That said, the proposed project **must** conform to the General Plan. So, what does the General Plan say about the trail?

The trail in its current form is discussed in the General Plan under Chapter 10 (Transportation), subsection 10-3 Trails. It says:

10-3 Trails

Trail access, such as historic cattle trails including Highway 12 and the Burr Trail, should be maintained to facilitate the movement of livestock.

A public trail within the Town Park and along Highway 12 to the Boulder Mountain Lodge was developed in 2013. Plans for continuing the trail system down to Hills and Hollows and up through the Community Center Park to the Anasazi Museum is in consideration. This trail system is intended to provide safe pedestrian access for locals and visitors through the middle of town, as well as providing better exposure to more of Boulder's services and businesses.

It is important to note that the current public trail is discussed alongside historic cattle trails precisely because it has a similar character. It was definitely intended to remain that way. Note that the plans include "continuing the trail system" and not "upgrading the trail system". Note that no mention of a normal concrete sidewalk is made here, let alone an 8' wide one.

The Goals and Policies listed for Transportation (subsection 10-6), which are intended to specifically direct the Town in how to proceed regarding the items discussed in the section, states:

Goal 2: To promote safety for equestrian, bicycle, and pedestrian traffic as viable alternatives to automobile traffic.

Policies:

G2-1 Promote non-motorized trails along major roadways.

It is important to note that under Goal 2, safety for equestrian traffic is listed first and this was intentional on our part. It is not clear how an 8' wide paved path—versus simply continuing the current path—supports the safety of equestrian traffic alongside major roadways.

More important to note is Policy G2-1. These policy statements are explicit directions to the Town based upon the elements and goals discussed in the General Plan. Policy G2-1 explicitly states that Boulder town shall undertake regulations and make decisions that “promote non-motorized trails”.

If we had envisioned that someone would ever propose an 8' wide concrete path instead of the current trail, we would have explicitly listed an additional policy stating that the trail remain in substantially equivalent to its current form. However, this is most definitely implied in the “non-motorized use” policy. An 8' wide concrete path cannot be adequately maintained (i.e., plowed) without regular motorized use.

Moreover, since our last major General Plan revision, there has been an unimaginable and largely unforeseeable proliferation in the electrification and motorization of *everything*. Creating an 8' wide paved path through the middle of town is a clear invitation for motorized use just like taking an old cattle trail and adding an 8' strip of pavement would *inevitably* result in motorized use of the trail. We do not have the enforcement resources required to prevent motorized misuse of a 8' paved path.

Additionally, there is an important statement in Section 12-7 Recreation and Parks that reinforces the points above (emphasis added):

The intent for this public area is to provide an open space within the center of the Town, **with the focus on maintaining a natural setting with a walkway** and integral play features.

The purpose of the Parks and Recreation within the town, according to the General Plan, is to maintain a natural setting *first and foremost* with the walkway clearly secondary. No one can claim that an 8' wide chunk of pavement with curbs and gutters cutting through town “maintains a natural setting with a walkway”.

Additionally, the lack of an 8' wide paved pathway in town is an explicit expectation of living in Boulder as stated in the Overview to Chapter 12 Public Facilities and Services:

A trade-off of living in Boulder is the relative lack of public facilities and services. This does not appear to detract from the overall quality of life for current residents

Indeed, the lack of public facilities and services isn't a problem that needs solved here because it's actually an integral part of the character of our community that the General Plan aims to maintain.

So unfortunately, despite my wife's excitement and new rollerblades, I hope it is abundantly clear that the intent of the General Plan is to develop the trail in a substantially-equivalent form and that paving an 8' wide strip through the middle of town replete with curbs and gutters is most definitely NOT congruent with the General Plan which are you obligated to implement.

Sincerely,



Josh Ellis