

Boulder Town

Planning Commission

Meeting Minutes for April 13, 2023

Commission: Colleen Thompson, Tina Karlsson, Shelley Price-Gipson, John Veranth, Elena Hughes, and Nancy Tosta. PC Clerk Peg Smith, Planning Consultant Lee Nellis, Zoning Administrator April O'Neal, and Town Council Liaison Elizabeth Julian.

Members of the public: Tony Mendenhall, Constance Lynn, Judy Drain, Brandie Hardman, Ashley Coombs, Gladys Lefevre, Jennifer Geerlings, Mark Nelson, Margo Brownell, Nina Brownell, Susan Kelly, Gabriella Restrepo, Amber Williams, Tom Hoyt.

Tina called the meeting to order at 7:00 p.m. Tina suggested an ordering change to the agenda, which John moved to approve as amended; Shelley seconded. All in favor. Shelley moved to approve the March 9 minutes, as amended; John seconded. Colleen, John, Shelley, and Tina approved. Elena couldn't vote.

Lee Nellis Discussion: Revised CUP application, Housing, Density Options

Lee acknowledged that the application process for CUPs has been causing confusion. He's drafted a procedure description, clarification on the review system, and revised application/review form that incorporates the development standards in a checklist the applicant answers. The intent is for the applicant and ZA to work through the application together to check off absolute standards and designate relative standards requiring PC discussion.

John and Nancy commented favorably on the clarifications and formatting. Nancy likes the ZA and applicant working through an app together, with a recommendation to the Planning Commission.

Lee said the ZA duties aren't well spelled out. April said her job is to determine if the application is complete, not to make recommendations. Lee suggested more discussion is required to ensure agreement on what the ZA provides to the Planning Commission. Lee wants feedback on the application. Is it clear what information is needed by the applicant? Colleen suggested using it and modifying it as April discovers areas needing more clarity. Lee said it may take multiple iterations.

Elena reported on her housing survey, which garnered 38 responses: Nearly half the respondents were couples. More than half have been in Boulder 5-10 yrs or more. 80% are looking for home ownership, 20% for year-round rental. No one mentioned seasonal rentals, which may or may not be due to the timing of the survey. Half of those seeking home ownership said if they couldn't find it in Boulder they'd leave. Three-quarters expressed interest in rent-to own arrangements. Some expressed interest in owning the home on leased land (land trust?), and many wanted housing with space for garden, chickens, etc. Six respondents currently are engaged in an ag enterprise, and five more have hopes of doing so (29%). Income: largest category is between \$20-30K/year, 15% were under \$20K (This includes combined income of couples.) Attainable rents are considered to be \$700-1000/mo. Forty percent were self-employed, 38% worked for a business in town, 5% did remote work, and 16% reported "other."

John reported on the property owners group, looking to them to help identify ordinance changes that would encourage landowner participation in attainable housing. Everyone is saying the five-acre minimum is a problem because it encourages chopping up good land to build ranchettes. They also favor modifying zoning to allow areas of higher density.

Boulder Town Planning Commission, Meeting Minutes

Tina's community vision group looked at the General Plan and suggested 2% increase in housing is needed to meet actual growth needs.

Lee addressed Density to Protect Critical Open Space and Attainable Housing (attachment on website). His slides illustrated a hypothetical 60 acres and various ways it could be subdivided if density is used as an average for the entire parcel. Currently, most developers would divide the 60 into 12 five-acre lots. By allowing higher density clusters a large chunk of irrigatable open space can remain intact while still providing significantly more than 12 buildable lots. Lee suggested 20% as a reasonable aspirational number of attainable lots in a subdivision, kept "attainable" via deed restrictions. He noted problems resulting from the 5-acre chunks: unattainable lots, multiple driveway accesses off a street, loss of open space, inability to irrigate a field, creation of 5-acre weed patches that affect everyone around, and attraction for non-resident homeowners that will continue to erode the community sense of Boulder.

Shelley noted that the five-acre minimum has been in place a long time and may be what is maintaining Boulder's character. Lee suggested Boulder's character is about the scale of business enterprise and development, the riparian areas along the waterways, and the green, irrigated lands in contrast to the sandstone. None of that depends on keeping a 5-acre min lot size. The community will be watered down by landowners who don't become full-time members of the community. He'd suggest giving landowners as much flexibility as possible in developing their land while still reflecting Boulder's character.

He cited numerous examples from Utah and across the country using these methods of land division.

The PC needs to answer **two big questions**: minimum allowable lot size and how much of an incentive do landowners need (how many additional lots) to provide deed restricted, attainable land?

Public Comments

Brandie Hardman: Clustering needs to also consider wells and septic systems. Current requirements make it very expensive to develop land, let alone housing. There's also a huge shortage of labor—getting a general contractor is a 2-2-1/2 year wait. Clustering is a good way to provide incentives.

Jennifer Geerlings: Elena's survey provided some good insight. Probably seasonal workers aren't included because of timing of the survey. Many seasonal workers end up becoming fulltime community members, so their comments are important.

Public Hearing on Headwaters Guest Ranch 472 Highway 12

Tina asked for a motion to move to public hearing. Shelley so moved; Colleen seconded. John, Colleen, Shelley, Elena, and Tina voted to go into public hearing.

Tina reviewed the definition of guest ranch. April summarized the application: a 165-acre working ranch; the guest ranch has been in operation since 2021 with a business license but no CUP (due to administrative error.). There are three rental units (6 total bedrooms), and access off Hwy 12 with a permit from UDOT. All infrastructure currently exists. There is no intent to add anything. Water comes from a spring. The application was deemed complete on March 23.

No comments. Shelley moved to close the public hearing; Colleen seconded. All voted 'aye'.

Discussion and Action on Headwaters Guest Ranch CUP

Tina called for discussion on the application. There are individuals living in staff housing on the ranch. The guest portion could accommodate 1-20 people. The 165 acres includes two parcels. She then went down the checklist, with Peg recording the values assigned. The application scored 12 positive points on the relative items, with all absolutes being met. John moved to approve the Headwaters CUP application, and Colleen seconded. John, Colleen, Shelley, Elena, and Tina voted 'aye' with no additional conditions noted.

Boulder Town Planning Commission, Meeting Minutes

Discussion of options for promoting attainable housing/preserving ag space

Colleen expressed concern about infrastructure on higher density lots without a municipal water or septic system.

John: The developer pays to develop these services. It's almost impossible to put septic and a well on a one-acre lot, so anything less than a five-acre lot would have to be tied to piped in water. Small lots can be more economical for supplying infrastructure. Road access to denser lots also needs attention. The Planning Commission's job is to figure out ways to allow landowners option on subdividing and development; it's up to the landowners to figure out what they want to do.

Colleen asked about water rights and ag land. How does open space, irrigated land, and denser housing interrelate? Are most developers restricted to Boulder Farmstead's availability? Shelley asked if Boulder can have both 5-acre minimums and clusters in designated areas.

Brandie Hardman said they are creating a land trust in Salt Gulch that would function like an HoA with requirements to maintain some ag use, maintain improvements on the land, and only build on certain areas. She said it's also important for ordinances to encourage using more natural building materials and techniques, mentioning hemp and aircrete. She agreed that vegetative buffering is an easy and useful requirement. She said she'd be happy to share land trust information.

Process Improvement (CUP)

John has been working on steps to improve process, specifically concerning CUP applications. First, the ZA duties need to be more clearly defined. He'd like the ZA to work with the applicant to be sure their application complies with the ordinance but also indicates to the Planning Commission which areas should be discussed. Colleen suggested having a commissioner work with the ZA on the applications. April said she's comfortable handling all the absolutes, but doesn't want to make judgments on the relative standards.

John talked about plain language that describes explicit standards, not leaving too much to discretion. He suggested removing the current checklist from the ordinance, but recasting the relative items as definitive standards. Colleen disagreed, citing the history leading to developing the absolute and relative standards as a reasonable way to handle requirements and "conditions." John suggested keeping the (new) checklist as an administrative element, not part of the ordinance.

John's recommended changes: 1) Remove current checklist from ordinance, move to admin procedure, 2) Develop the admin procedures, 3) clarify ZA duties, 4) clarify development standards.

Tina asks to table the rest of the discussion. John will work with Lee to put his four suggestions in more formal language. It will be available for PC and ZA to review ahead of meeting.

Discussion on Future Training/Work Sessions

Tina wants everyone to decide what they need so a list can be compiled. Legislative land use changes are a given. What else? What should Lee present? Other types of training?

Nancy said the ULCT land use changes are massive and it would be helpful for Lee to highlight the things apply to Boulder.

Colleen said there's so much information to try to cram into a two-hour meeting. Maybe the Planning Commission should meet twice a month? Or add a training session onto a meeting. John said SLC holds a training session at lunch just prior to their business meeting.

Colleen moved to hold a separate training meeting once a month and use Planning Commission meeting for regular business. Shelley seconded the motion. Discussion: John said as long as an electronic option is available, it's a great idea. Elena is not ready to commit to that at this time. Colleen aye; Shelley aye; John, abstain; Elena no, Tina, abstain. The motion did not carry; this item needs more discussion.

Boulder Town Planning Commission, Meeting Minutes

Final Concept Public Comments

None

Final Staff Comments

Peg said the SD Dev Standards need to be rewritten anyway, according to Lee. The legislative changes should be the first training that happens to get the rewrite process started. The Bylaws now call for quarterly training. Do you want to amend that? You can also schedule one meeting for regular business and a second meeting to discuss process/training. Clerk request: please avoid interrupting each other in discussion so that sentences can be concluded and the recording is clearer.

Upcoming business for May 11

Tina made a plug for relistening to the recording of the meetings, as you pick up things you miss in the meeting. Peg will try to get the minutes out sooner. Other items, in no particular order:

- John's briefing paper for improvement to CUP process
- Bullet list of SD items to be addressed (legislative changes, plus John's list of inconsistencies, plus known needed changes)
- Staff reports
- Concept plan for subdivision
- Lee's discussion
- Goals for training

Colleen moved to adjourn; Shelley seconded. All in favor. Tina adjourned the meeting at 10 pm.

Clerk

Draft submitted: 5/8/2023

Approved:

Margaret Arnold