

## Administrative Rules Questions

1) **Land Use Authority:** This must be clearly designated. Does the PC want to be involved with Preliminary Applications?

2) **Difference Between Preliminary and Final Application:** What physical construction or development agreement is needed after preliminary and before final approval? SB174 is ambiguous on this. Recommend seeing how municipalities over 1000 population handle.

3) **Pre-Application (Conceptual) discussions:** Not mandatory, but allowed if requested by applicant. How to respond in 15 days and provide all the feedback and information required by state law?

4) Need to prepare and post all **legally required documents:**

\* a standard method and form of application for preliminary subdivision applications and final subdivision applications

\* municipal staff shall provide or have available on the municipal website the following:

(i) copies of applicable land use regulations;

(ii) a complete list of standards required for the project;

(iii) preliminary and final application checklists; and

5) **Support resources to check administrative work.** Due to consequences of errors the ZA needs someone to help review the applications and double check responses.

6) **Review criteria.** ZA will need to have clear, strict criteria in place regarding when an application is complete because that starts the review clock. Also, each feedback reply by the town feedback must be complete so as to not accidentally use up a review cycle. The past practice of accepting documents late or responding to one item at a time will not work.

6) **Public Hearing** - Allowed but is a hearing needed? Timing: 10 days notice of hearing, 15 days to respond on a review.

7) **Subdivision Infrastructure timing** - Before final approval or after approval using a i development agreement and performance bond to insure completion?

# Subdivision Standards Needed

## Importance of Objective Standards

The practice of subdivisions “approved with conditions” will not be allowed. If a subdivision meets the standards it must be approved.

Under SB174 “A municipality's request for additional information or modifications to plans ... shall be specific and include citations to ordinances, standards, or specifications”

**Several major policy questions** may need to be answered before detailed committee work developing Boulder-appropriate subdivision standards.

1) **Overarching Issue: What types of subdivisions do we want?** Do we want to make it easy or hard to subdivide, both for individual new lots and for larger subdivisions? Imposing infrastructure requirements decreases affordability, but has little effect on high-end expensive home development.

2) **Are there subdivision features we want to ban or discourage?** Our ordinances not prevent creating a large suburban style subdivision. Our fire protection and emergency vehicle access rules incentivize creating new lots near the existing roads and with Boulder Farmstead main lines.

3) **Timing on decisions:** We need to revise our ordinance by December 2024 so the Planning Commission needs to be having hearings on ordinance language by late summer.

## Subdivision Standards List

- 1) Legal access from a public street. Definitions. Map of town streets. Responsibility for resolving issues such as physical road not matching plat. Documenting easements.
- 2) Road / Street / Driveway construction standards. Performance requirements, engineered design, prescriptive design option. Boulder-appropriate appearance.
  - 2A) Maintenance agreements - Balance municipal interest in public safety and private rights. Town Attorney concerns.
  - 2B) Protection of existing easements - adjacent property access, utilities, irrigation.
- 3) Lot size, shape, averaging, open space, transfer of development rights, housing incentives. This work is in progress, timely action needed due to subdivision proposals.
- 4) Sensitive Lands: Current requirements encourage subdividing flat agricultural land.
  - 4A) Wetlands - no Federal mapping, but could reference state map.
  - 4B) Slopes - Current requirements encourage subdividing flat agricultural land.
- 5) Required Utilities and Infrastructure criteria for approval.
  - 5A) Culinary water - BFWC contract or well drilling permit (existing standard OK?).
  - 5B) Sanitation - SW public health rules? (existing standard OK?)
  - 5C) Fire protection - need specifics WUIC, access roads, hydrants.
  - 5C) Runoff and drainage need specifics plan required but no criteria for what is acceptable.
- 6) Review process. Current ordinance requires information items but provides no guidance criteria. Ordinances list: natural features, flood plain, all utility easements, power lines and power poles, bridges, culverts, drainage channels, road rights-of-way and easements, field drains, irrigation canals and ditches, dimensions of all existing buildings, fence lines, and a map at 2-foot contours. What criteria determine if any of these items affect approval of the subdivision.
- 7) Open Space: Clear requirement regarding the protection language needed for qualifying for open space preservation incentives.
- 8) List of codes and standards incorporated by reference. Updated and comprehensive.