**Boulder Subdivision Access**

**Consensus Text based JMV - Michael Winn Discussion through June 26**

Markup of language in Kaden's 06/19/24 Draft

 152.020 LOT STANDARDS. MORE DISCUSSION WITH PC

All lots in a subdivision shall meet the following minimum standards:

1. Lots and buildings shall meet the minimum area, width, and setback requirements of the

Boulder Town Zoning Code.

2. All lots shall have legal access indicated on the plat.

3. Legal access may be provided by having frontage on a ~~dedicated and accepted roadway~~ public road or by a private driveway or a private road on a recorded easement extending from each lot to a public road.

3. The requirements for an easement for lot access by a private road ~~or private street~~ are as follows:

a. the easement documents must be recorded, cited on the plat, and run with the land.

b. The easement must be least (See Note) feet in width

c. the agreement shall allow installation of utilities adjacent to the driving surface

d the agreement shall allow construction and future maintenance as needed meet the town public safety road design standards and the WUIC fire access standards.

4. For the purpose of access to subdivision lots, ~~a dedicated and accepted~~ ~~roadwa~~y a public road shall include, but not be limited to, the following:

a. Utah State Highway 12;

b. roads on the current map of Boulder Town Class-C roads;

c. platted, but unmaintained roads within Boulder Town;

d. Forest Service roads;

e. Any ~~other~~ road that has been formally claimed as a public right-of-way by Boulder Town ordinance or resolution.

f. Any road that has been adjudicated to be a public road.

Notes

1) Michael Winn added the emphasis on legal access. I made this a separate clause and indicated that documenting the access is a plat requirement.

2) I made the alternatives for providing legal access a separate section to clarify this is an "or." I added "extending from each lot to a public road" to address cases where the private road easement must cross property outside the subdivision.

3) I made the easement requirements a list for clarity.

4) "dedicated and accepted" language will not work because many de facto town roads have never been formally dedicated and accepted.

5) Past practice has been to allow private streets to access lots in subdivisions. New ordinance defines driveway as accessing one lot (2 buildings per WUIC so a house and an ADU would comply). We are eliminating the distinction between a driveway accessing 4 or fewer lots and any other private street.

**6 Regarding easement width this is an important PC discussion item.**

30 ft matches the minimum frontage for a flag lot elsewhere in the current draft

but is marginal for the 20 ft width in WUIC plus drainage ditches and utilities.

40 ft is the easement width on the Meadowlark plat and is consistent with the road cross section in the draft design standards.

50 ft is the width of the easement across Avery from Meadowlark to the Lower Boulder Rd. and is specified for a "private road" in 152.022 (3) of the current draft ordinance.

66 ft is specified for a "minor road" in 152.022 (3) of the current draft ordinance.

Recommendation: 40 ft width for a private road easement is consistent with the "quiet country lane" appearance.

7) If we agree on the above then we need to fix the "lot frontage" paragraph 152.022 (2) and 152.045 to be consistent.