

June 11, 2024 – DECISION POINTS ON SUBDIVISION CODE FOR PC DISCUSSION

1. PURPOSE (152.002)

Current Language

This ordinance is established to provide for the orderly division of lands within the incorporated areas of Boulder Town, to avoid incompatibilities in land use, and to secure the provision and long-term maintenance of necessary infrastructure and services in an efficient and economical manner for existing and future residents. This ordinance is also enacted to require that an application for the subdivision of lands in Boulder Town comply with the provisions of this ordinance, Utah law (**UCA 10-9a-6**), and before:

1. the subdivision plat or record of survey may be filed and/or recorded in the County Recorder's Office; and
2. lots may be sold.

Suggestion #1

This ordinance is established to provide for the orderly division of lands within the incorporated areas of Boulder Town, to avoid incompatibilities in land use, and to secure the provision and long-term maintenance of necessary infrastructure and services in an efficient and economical manner for existing and future residents. This ordinance is also enacted to require that an application for the subdivision of lands in Boulder Town comply with the provisions of this ordinance, Utah law (**UCA 10-9a-6**), and before:

1. ~~the subdivision plat or record of survey may be filed and/or recorded in the County Recorder's Office; and~~
2. ~~lots may be sold.~~

+ This ordinance also addresses Boulder Town's goals of preserving agriculture and supporting attainable housing options. It aims to encourage small, financially attainable subdivisions to provide more housing for Boulder local residents, ideally while also protecting open space and agricultural possibilities.

Suggestion #2

This ordinance recognizes that Boulder Town is a rural community, with significant open space and agricultural land that is important to community character. This ordinance is established to provide for the orderly division of lands within the incorporated areas of Boulder Town, to avoid incompatibilities in land use, and to secure the provision and long-term maintenance of necessary infrastructure and services in an efficient and economical manner for existing and future residents. This ordinance is also enacted to require that an application for the subdivision of lands in Boulder Town comply with the provisions of this ordinance, Utah law (**UCA 10-9a-6**), and before:

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Comments #3

I think the current version is perfect. I am opposed to adding language that restricts the rights of landowners. People are entirely welcome to live within a subdivision that imposes a litany of restrictions, but that's an individual choice. It is not the job of the town to impose a massive tome of covenants, conditions, and restrictions. I also think it is dangerous to add flowery and aspirational language. Giving false hope of control is dangerous and can come back to bite us. If the town has no right to *take away property rights* from a landowner, we should be silent. Giving false hope of controlling how your neighbor's house looks is very risky. We cannot promise "a voice" if the law is clear and the landowner operates within their rights.

2. PENALTIES (152.009)

Need Town Attorney opinion.

3. APPEALS (152.010)

PC OK with this?

4. ADMINISTRATIVE LAND USE AUTHORITY (152.014-018)

PC Discuss these conditions

5. LOT STANDARDS – ACCESS (152.020)

Discuss requirements for lot access – public, private, etc.

6. ENGINEERING AND INFRASTRUCTURE STANDARDS (152.021)

John Veranth has volunteered to write these – need time frame

7. ROAD IMPROVEMENTS (152.022)

Lot frontage - Roads again

Dedication and Acceptance – this language is from our current code – PC ok?

Road maintenance agreements required?

8. POTABLE DRINKING WATER (152.023)

PC Ok with this language?

9. FIRE PROTECTION (152.025)

Needs to be written based on Boulder Ordinance 2022-4

10. STORM DRAINAGE (152.026)

Is this needed? And should the Town require a licensed engineer to prepare an application?

11. IMPROVEMENTS GUARANTEE

This is a policy decision. Several options are possible. PC needs to discuss preference for the following:

- a. Complete construction of all infrastructure after Preliminary approval and before Final approval and recording.
- b. Phased development using a development agreement
- c. Final approval before infrastructure construction with a performance bond to guarantee that the work will be paid for by the developer.

12. PRELIMINARY PLAT – PRE APP MEETING (152.037)

What does the applicant need to provide at the pre-app meeting?

13. REVIEW OF PRELIMINARY PLAT (152.038)

Should this be staff level or a public meeting?

14. EFFECTIVE PERIODS –

90 days and 2 years – are these appropriate for Boulder?

15. FINAL PLAT – APPEAL PANEL DISCUSSION (152.039.6)

Is PC ok with this?

16. MINOR-LOT SUBDIVISIONS (152.045)

What is the goal of having minor-lot subdivisions? Is this needed for Boulder, given most subdivisions are small and past practices have not blocked DIY subdivisions. If this is included – what's the number of lots to include? What conditions should apply?

17. AGRICULTURAL LAND EXEMPTION (152.046)

Q for Kaden – what is the process for proposing this? What is role of ALUA?