



MEETING OF THE PLANNING COMMISSION BOULDER COUNTY, COLORADO

Regular Meeting Minutes

June 15, 2022, 3:00 p.m.

Virtual PC Meeting

Commissioners Present: Ann Goldfarb
Sam Libby, Chair
Sam Fitch
Gavin McMillan
Mark Bloomfield, Vice Chair
Dave Hsu
Chris Whitney

Commissioners Excused: Lieschen Gargano
Conor Canaday

1. **CALL TO ORDER**

The meeting was called to order at approximately 3:04 p.m. by Chair Sam Libby.

Ann Goldfarb joined the meeting at 3:01 pm.

Sam Libby, Chair joined the meeting at 3:01 pm.

Sam Fitch joined the meeting at 3:01 pm.

Gavin McMillan joined the meeting at 3:01 pm.

Mark Bloomfield, Vice Chair joined the meeting at 3:01 pm.

Dave Hsu joined the meeting at 3:01 pm.

Chris Whitney joined the meeting at 3:01 pm.

2. **ROLL CALL**

3. **APPROVAL OF MINUTES/MISCELLANEOUS BUSINESS**

3.1 Approval of meeting minutes from April 20, 2022

MOTION: Mark Bloomfield MOVED that the Boulder County Planning Commission APPROVE the meeting minutes from April 20, 2022.

SECOND: Ann Goldfarb

VOTE: Motion PASSED {7:0}

4. NOMINATION OF OFFICERS

MOTION: Mark Bloomfield nominated Gavin McMillan for Vice Chair of the Planning Commission

SECOND: Sam Libby

VOTE: Motion PASSED {6:0, with Gavin McMillan abstaining}

MOTION: Sam Libby nominated Mark Bloomfield for Chair of the Planning Commission

SECOND: Chris Whitney

VOTE: Motion PASSED {6:0, with Mark Bloomfield abstaining}

5. STAFF UPDATES

Kim Sanchez, Deputy Director, noted that the Community Planning & Permitting Department is working on an amendment to the Land Use Code, Docket DC-22-0003, related to accessory dwelling units in the Marshall Fire rebuild area. The first hearing on this update will be heard at the next month's Planning Commission meeting on July 20, 2022. The proposed regulations are publicly available and more information can be found at www.boco.org/DC-22-0003.

6. ITEMS

6.1 Docket SD-22-0001: Niwot Hills TDR PUD Subdivision Filing 3

Pete L'Orange, Planner II, presented the application for Michael Markel, Ridgeline Development Corporation, and Niwot Hills LLC, Subdivision Combined Preliminary Plan and Final Plat for the creation of eleven lots within the planned unit development of Niwot Hills using Transferable Development Rights. The proposal is located in the Agricultural zoning district at 6775 Niwot Hills Drive, TRACT 1 NIWOT HILLS TDR PUD FILING 2, NE 1/4 of Section 32, Township 2N, Range 69W.

PUBLIC HEARING OPENED

Speakers: Cameron Knapp, Ridgeline Development Corporation (applicant) - 1800 38th Street, Boulder, CO

PUBLIC HEARING CLOSED

MOTION: Sam Libby MOVED that the Boulder County Planning Commission CONDITIONALLY APPROVE and recommend to the Board of County Commissioners CONDITIONAL APPROVAL of Docket SD-22-0001: Niwot Hills TDR PUD Subdivision Filing 3 subject to the recommended conditions of approval found in the staff recommendation, with the specification on Condition 4 that the allotted time period begin after approval of the docket by the Board of County Commissioners approval process, as well as one additional condition that approval by the Colorado Division of Water Resources be obtained prior to the application of building permits.

SECOND: Sam Fitch

CONDITIONS OF APPROVAL:

1. The Applicant shall install a fence along the western facing side of the Foxhills Sandstone natural area.

2. At the time of building permit application, a Revegetation Plan shall be submitted for review and approval by Boulder County Community Planning & Permitting staff and the Boulder County Parks and Open Space Natural Resource Planner; utilizing xeriscaping and/or native grass species is recommended.
3. At the time of building permit application, an Erosion Control Plan shall be submitted for review and approval by Boulder County Community Planning & Permitting and Public Works staff.
4. All applicable Boulder County permits shall be applied for within six weeks and completed within six months of final approval by the Board of County Commissioners unless the Boulder County Community Planning & Permitting Director determines a longer time period is acceptable because of circumstances outside the applicant's control.
5. The Applicant shall be subject to the dedication requirements for schools, parks, and roads, per Article 7-1300 of the Land Use Code.
6. The Applicant shall be subject to all Mountain View Fire Protection District requirements for fire protection, Left Hand Water District requirements for public water service, and Niwot Sanitation District requirements for sewer service.
7. Development within the Niwot Hills TDR/PUD shall be subject to the appropriate County growth management plan and/or open space-impact fee and school impact fee plans, if and when adopted.
8. A final plat map which complies with Article 3-203.5 shall be recorded. Prior to recordation of the final plat, the Plat shall be reviewed and approved by Boulder County Community Planning & Permitting.
9. Development on the platted lots shall be subject to the standards and requirements set forth in the adopted Amended Design Guidelines – Rules and Regulations for Niwot Hills that was adopted by the Niwot Hills Homeowners Association in July of 2016.
10. Sending units shall come from the Sending Site area designated on the Niwot TDR Area Map for the Niwot Hills TDR/PUD, as required in Section 6-700(K) of the Land Use Code. Filing 3 shall consist of 11 transferred development rights.
11. The Boulder County Community Planning & Permitting, County Transportation, County Parks & Open Space, and County Attorney staffs shall review and approve, as necessary, all final plat documents, including but not limited to a final plat, subdivision/development agreement, and amended covenants prior to recordation.
12. The Applicant shall be solely responsible for all maintenance of the roadway between Tracts 1 and 2 until Certificates of Occupancy are issued for Lots 24-32 as shown on the Sketch Plan approved through SD-99-02.
13. All construction traffic shall access the project area only via the eastern portion of Niwot Hills Drive (that portion through Tracts 1 & 2) and not the western portion adjacent to existing residential structures.
14. Prior to recordation of the final plat, the Applicant shall provide a development agreement in compliance with Article 3-206(B) of the Land Use Code.
15. The Applicant shall be subject to the terms, conditions, and commitments of record for SD-22-0001: Niwot Hills TDR/PUD Subdivision Filing 3.
16. At the time of building permit application, the applicant shall submit documentation of approval from the Colorado Division of Water Resources.

VOTE: Motion PASSED {6:1, with Dave Hsu voting no}

7. ADJOURNMENT

The meeting was adjourned at approximately 3:50 p.m.