



To: Mayor and Town Council
From: Mark C. Meyers, Town Manager
Date: March 12, 2026
Subject: Exempt Federal and State Lands from Open Space Zoning Use Restrictions

Background

At the March 4, 2026, special town council meeting, the Council adopted recommended ordinance amendments to the Open Space (OS) zone. The intent of the special meeting was to exempt utilities, public uses, and utility easements from the minimum acreage requirement. The exemption followed Rocky Mountain Power's eminent construction of an electrical sub-station within the OS zone. However, the amendments also included a list of prohibited uses. If council recalls, when they adopted the OS zoning code in July, prohibited uses were to be determined. The Planning Commission had since developed a list and that version was sent to the council.

Since adoption, Loren Cambell, President of the Public Lands Alliance has argued that the ordinance attempts to define standards for land use on federal lands without authority. He is urging the Council to rescind the ordinance. Mr. Campbell appears to have a point. Federal law likely supersedes local law in this case. But I suggest the Council simply amend the ordinance to exempt federal lands from its standards.

This matter was discussed at the March 11, 2026, town council work session. Attached is a proposed amendment written by Town Planner Ryker Stiglich for consideration.

Recommendation

It is recommended that the Town Council refer to the Planning Commission, a proposed amendment to the Open Space zoning ordinance exempting federal and state lands from the use standards at the March 17, 2026, regular town council meeting.