



To: Mayor and Town Council  
From: Mark C. Meyers, Town Manager  
Date: April 15, 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 argued that the ordinance attempts to define standards for land use on federal lands without authority. He urged the Council to rescind the ordinance. Mr. Campbell has a point. Federal law likely supersedes local law in this case. But I suggested 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 meeting and the proposed amendment, drafted by Town Planner Ryker Stiglich, was referred to the Planning Commission at the March 17, 2026, regular town council meeting.

At their April 14, 2026, regular meeting, the Planning Commission considered and voted to recommend to the Town Council the amendment to the Open Space zoning ordinance exempting federal and state lands from the use standards.

### **Recommendation**

It is recommended that the Town Council adopt the amendment.