1. CALL TO ORDER

2. APPROVAL OF MINUTES

3. PUBLIC PARTICIPATION

4. DISCUSSION OF DISPOSITIONS, PLANNING BOARD CALL-UPS/CONTINUATIONS
   A. Call Up Item: Floodplain Development Permit (LUR2017-00069); 885 Arapahoe Avenue – New Fence Section. Construction of a wrought iron fence 26 feet long, 7 feet high parallel to Gregory Creek. This decision may be called up before Planning Board on or before October 20, 2017.

   B. Call-Up Item: Minor Subdivision of the 36,147-square foot (0.83 acre) property located at 2160 Upland Avenue in the RE (Residential Estate) zoning district into two (2) lots as follows: Lot 1 will be 18,076-square feet and Lot 2 will be 18,071-square feet in area. No modifications to land use regulations are requested. This approval is subject to call-up on or before October 23, 2017.

5. PUBLIC HEARING ITEMS
   A. AGENDA TITLE: Planning Board public hearing to consider amendments to the Boulder Valley Comprehensive Plan (BVCP) Planning Area I, II, III Map for Knollwood and Spring Valley Estates.

6. MATTERS FROM THE PLANNING BOARD, PLANNING DIRECTOR, AND CITY ATTORNEY
   A. Public Participation Working Group (PPWG) Report, Recommendations and Next Steps

   B. Building Height Community Benefit Code Changes – Public Engagement Strategy

   C. Accessory Dwelling Unit Code Changes – list of potential changes and community engagement approach

   D. Board and Commission Application – Updates for 2018

7. DEBRIEF MEETING/CALENDAR CHECK

8. ADJOURNMENT

For more information call (303) 441-1880. Board packets are available after 4 p.m. Friday prior to the meeting, online at www.bouldercolorado.gov, or at the Planning and Development Services Center, located at 1739 Broadway, third floor.
CALL TO ORDER
The Board must have a quorum (four members present) before the meeting can be called to order.

AGENDA
The Board may rearrange the order of the Agenda or delete items for good cause. The Board may not add items requiring public notice.

PUBLIC PARTICIPATION
The public is welcome to address the Board (3 minutes* maximum per speaker) during the Public Participation portion of the meeting regarding any item not scheduled for a public hearing. The only items scheduled for a public hearing are those listed under the category PUBLIC HEARING ITEMS on the Agenda. Any exhibits introduced into the record at this time must be provided in quantities of ten (10) to the Board Secretary for distribution to the Board and admission into the record.

DISCUSSION AND STUDY SESSION ITEMS
Discussion and study session items do not require motions of approval or recommendation.

PUBLIC HEARING ITEMS
A Public Hearing item requires a motion and a vote. The general format for hearing of an action item is as follows:

1. Presentations
   a. Staff presentation (10 minutes maximum*)
   b. Applicant presentation (10 minute maximum*). Any exhibits introduced into the record at this time must be provided in quantities of ten (10) to the Board Secretary for distribution to the Board and admission into the record.
   c. Planning Board questioning of staff or applicant for information only.

2. Public Hearing
   Each speaker will be allowed an oral presentation (3 minutes maximum*). All speakers wishing to pool their time must be present, and time allotted will be determined by the Chair. No pooled time presentation will be permitted to exceed ten minutes total.
   - Time remaining is presented by a Green blinking light that means one minute remains, a Yellow light means 30 seconds remain, and a Red light and beep means time has expired.
   - Speakers should introduce themselves, giving name and address. If officially representing a group, homeowners' association, etc., please state that for the record as well.
   - Speakers are requested not to repeat items addressed by previous speakers other than to express points of agreement or disagreement. Refrain from reading long documents, and summarize comments wherever possible. Long documents may be submitted and will become a part of the official record.
   - Speakers should address the Land Use Regulation criteria and, if possible, reference the rules that the Board uses to decide a case.
   - Any exhibits introduced into the record at the hearing must be provided in quantities of ten (10) to the Secretary for distribution to the Board and admission into the record.
   - Citizens can send a letter to the Planning staff at 1739 Broadway, Boulder, CO 80302, two weeks before the Planning Board meeting, to be included in the Board packet. Correspondence received after this time will be distributed at the Board meeting.

3. Board Action
   d. Board motion. Motions may take any number of forms. With regard to a specific development proposal, the motion generally is to either approve the project (with or without conditions), to deny it, or to continue the matter to a date certain (generally in order to obtain additional information).
   e. Board discussion. This is undertaken entirely by members of the Board. The applicant, members of the public or city staff participate only if called upon by the Chair.
   f. Board action (the vote). An affirmative vote of at least four members of the Board is required to pass a motion approving any action. If the vote taken results in either a tie, a vote of three to two, or a vote of three to one in favor of approval, the applicant shall be automatically allowed a rehearing upon requesting the same in writing within seven days.

MATTERS FROM THE PLANNING BOARD, DIRECTOR, AND CITY ATTORNEY
Any Planning Board member, the Planning Director, or the City Attorney may introduce before the Board matters which are not included in the formal agenda.

ADJOURNMENT
The Board's goal is that regular meetings adjourn by 10:30 p.m. and that study sessions adjourn by 10:00 p.m. Agenda items will not be commenced after 10:00 p.m. except by majority vote of Board members present.

*The Chair may lengthen or shorten the time allotted as appropriate. If the allotted time is exceeded, the Chair may request that the speaker conclude his or her comments.
A permanent set of these minutes and a tape recording (maintained for a period of seven years) are retained in Central Records (telephone: 303-441-3043). Minutes and streaming audio are also available on the web at: http://www.bouldercolorado.gov/

PLANNING BOARD MEMBERS PRESENT:
John Putnam, Chair
Liz Payton, Vice Chair
Bryan Bowen
David Ensign
Crystal Gray
Peter Vitale
Harmon Zuckerman

PLANNING BOARD MEMBERS ABSENT:
N/A

STAFF PRESENT:
Charles Ferro, Development Review Manager, PH+S
Hella Pannewig, Assistant City Attorney
Cindy Spence, Administrative Specialist III
Karl Guiler, Senior Planner
Edward Stafford, Development Review Manager, PW
Jessica Stevens, Senior Civil Engineer
Scott Kuhna, Development Review Supervisor
David Thompson, Civil Engineer II, Transportation
Kurt Firnhaber, Deputy Director of Housing
Beth Roberts, Planner I
Lesli Ellis, Comprehensive Planning Manager
Jim Robertson, Planning Director, PH+S
Bethany Collins, Property Agent, OSMP

1. CALL TO ORDER
   Chair, J. Putnam, declared a quorum at 5:05 p.m. and the following business was conducted.

2. APPROVAL OF MINUTES
   None to approve.

3. PUBLIC PARTICIPATION
   a) Ann Fenerty informed the board that she appreciated the recent purchase of the Ponderosa Mobile Home Park by the city and hopes that will be done again in the
future. She expressed concern that the inclusionary rule is used to rezone single-family neighborhoods to gridlock multiple housing onto a site. She stated that her Stanford Avenue neighborhood has been up-zoned for multiple units for affordable housing with the board’s knowledge of what would be built on the site or transportation studies. She asked the board to stop planners from using density transfer to justify increased density. She asked the board to consider issues such as wetlands, the water table and in some cases a 16% slope.

b) Lynn Segal expressed concern regarding a jobs housing imbalance within the city. She asked the board to maintain the pre-existing housing.

c) Kristin Bjornsen spoke regarding natural lands within Boulder and expressed concern concerning too much building and not leaving homes for the wildlife. She stated that areas that have sensitive wildlife should be protected and to not build on the edge of it and suggested habitat buffers.

4. DISCUSSION OF DISPOSITIONS, PLANNING BOARD CALL-UPS / CONTINUATIONS

A. CALL UP ITEM: Floodplain Development Permit (LUR2017-00085); 3740 Martin Drive – Creekside Elementary Outfalls. Construction of two concrete flared end sections for stormwater outfall within the 100-year floodplain, conveyance zone, and high hazard zone of Bear Canyon Creek. This decision may be called up before Planning Board on or before August 11, 2017.

B. CALL UP ITEM: Floodplain Development Permit (LUR2016-00064); 1831 22nd Street Townhomes. Construction of a four-unit townhome with parking and building entry areas on the first level and residential living units on the second and third levels located in the conveyance zone of the Boulder Slough. This decision may be called up before Planning Board on or before August 11, 2017.

None of the items were called up.

5. PUBLIC HEARING ITEMS

A. AGENDA TITLE: Public hearing and consideration of the following applications relating to 5399 Kewanee Drive and 5697 South Boulder Road: Annexation and Initial Zoning (LUR2015-00093) application to annex two properties totaling 22-acres with an initial zoning of Residential Low -2 (RL-2) zoning and associated adoption of wetland mapping; and Concept Plan and Review (LUR2016-00076) application on a proposal to construct 117 attached and detached residential units (50 percent as permanently affordable units) served by new public rights-of-ways and alleys on the properties and including the preservation of the east parcel and portions of the west parcel.

Applicant/Property Owner: East Boulder Properties, LLC

Board members were asked to reveal any ex-parte contacts they may have had on this item.

- All board members had made site visits and read the packet, materials and emails regarding this project. All board members have sat in on previous Planning Board
meetings which discussed Hogan Pancost, except for **D. Ensign** and **P. Vitale** since they are newly appointed board members. **J. Putnam** disclosed he has frequently used the ponds near the dog park but this will not affect his ability to review the matter impartially. **D. Ensign** stated that while he currently lives near the site in southeast Boulder, this will not affect his ability to remain impartial. Finally, **C. Gray** detailed that she had served on City Council from 2003-2011 and attended the April 18, 2013 Study Session which discussed Hogan Pancost.

**Staff Presentation:**
C. Ferro introduced the item.
**K. Guiler** presented the item to the board.

**Board Questions:**
K. Guiler, C. Ferro, H. Pannewig, Dave Simon (consultant), J. Stevens, D. Thompson and **E. Stafford** answered questions from the board.

**Applicant Presentation:**
Adrian Sopher, with Sopher Sparn Architects, presented the item to the board.

**Board Questions:**
Adrian Sopher, representing the applicant, **Mark Bloomfield**, with Sustainably Built, and **Charlie Hager**, with JVA, answered questions from the board.

**Public Hearing:**
1) **Rob Wardell** spoke in opposition to the project specifically to the risk of potential increased flooding to the homes and the impact on the area’s ground water.
2) **Lynn Segal** spoke in opposition to the project specifically to the development on wetlands and the impact on the natural environment.
3) **Carmen Baran** spoke in opposition to the project specifically to the risk of potential increased flooding to the homes, the impact on the area’s ground water, and the wetlands areas. She said since the development of the raised East Boulder Recreation Center fields were developed, they have seen an increase in flooding. She asked for a denial until more hydrology testing could be performed for post-2013 data.
4) **Ari Rubin** spoke in opposition to the project specifically stating the proposed project does not meet the objectives of the Boulder Valley Comprehensive Plan (BVCP). He stated the project would increase traffic and increase flooding.
5) **Gary Myre** spoke in support to the project stating that after the studies of South Boulder Creek, they show that the water would not flow to Hogan Pancost. Flooding occurs from the ditches; therefore, culvert improvements are recommended. He asked the board to use the approved studies as accepted by the BVCP and Boulder County Planning Commissioners.
6) **Catherine Sundvall** (pooling time with Jai Sundvall, Kaylee Cooper) spoke in opposition to the project and recommended other uses for the area. She explained to the board, with the large amount of ground water, she made her property into a “sponge” or a living landscape that could hold water, taking mitigation into her own hands. Her property, located next to Dry Creek Ditch #2, by using living landscapes and
groundwater, she did not receive any water in her basement, even though her neighbors on the entire block did. While her property is zero-scaped, the 18” of groundwater beneath the surface is all that is needed to maintain it. She gave an example of a comparable situation in Brisbane, Australia where they planted a city farm in place of a parking garage and it too became a sponge. She recommended the Boulder study other cities with similar situations.

7) Robert Sachs, representing SEBNA, spoke in opposition to the project and gave a review of the area’s history reminding the board that past projects failed to be approved.

8) Steve Meyers (pooling time with Gabriele Sattler), representing SEBNA, spoke in opposition to the project and highlighted the Planning Board meeting from 2013 reminding the board that it was a 7-0 vote to deny the annexation and Site Review. He emphasized the regrading of play fields and building of the soccer fields for the East Boulder Recreation Center increased the needs for sump pumps in the neighborhood. He also discussed the effects on traffic, wetlands and community benefit.

9) Christy Vaughn (pooling time with Joanie Cardone), representing SEBNA, spoke in opposition to the project and gave a history of the impacts that have occurred on this property. She began back in 1994, depicting the history of fill that had been brought into the property burying the existing wetlands. She reviewed the history showing systematic destruction of the wetlands, the laying of pipes to pull water away from the property, and loads of fill brought in over the span of years. The land has not been restored as it was ordered to be.

10) Dr. Karen Chin (pooling time with Dick Larson), representing SEBNA and a Paleo Ecologist at Colorado University, spoke in opposition to the project and stated the Hogan Pancost property is degraded. The unauthorized production of fill over grading have damaged the ecosystem; however, the property still included vital wetlands and is rebounding from the damage. The Hogan Pancost wetlands could still perform many crucial ecosystem functions and are valuable. They provide flood mitigation, ground water recharge, significant biodiversity, and provide wildlife habitat. Although it is perceived as small and isolated, it is still crucial to the ecosystem diversity.

11) Mireille Key (pooling time with Elizabeth Johnson), representing SEBNA, spoke in opposition to the project and discussed the proposed mapping of the wetlands. She asked the board to not reward the developer for the illegal work on the property and instead err on the side of the wetlands and save them all.

12) Christine Rubin, representing SEBNA, spoke in opposition to the project specifically to the proposed traffic on Kewanee Drive. She stated that the project could increase traffic more than 1000 percent and a full movement access road. She asked the board to consider how this would impact the residents of this area and to not annex.

13) Deb Grojean (pooling time with Sylvia Rognstad), representing SEBNA, spoke in opposition to the project and displayed the history of the correlation between construction events and the need for sump pumps in the area. She also played a video of Ron Craig, unable to attend the meeting, giving a demonstration of water displacement vs. a caisson.

14) Dr. Gordon McCurry (pooling time with Stephanie Brightwell, Jonathan Horne), representing SEBNA and professional Hydrologist, spoke opposition to the project. He had been retained by the SEBNA group to review the ground water issues at the property. He stated that the groundwater levels are very high over many areas of the site, as a result, many existing properties require sump pumps. This area is very susceptible to any
kind of change due to the history of construction and the effects on the existing
development that has occurred. Therefore, any new development will lead to problems
simply because past development has done the same. Previous site-specific studies done
by the developer had inaccuracies. In summary, any new development will affect the
adjacent neighborhoods by increasing the flooding problems. The site is not compatible
with development and professionally recommended that the area not be approved for
development. However, if the board should move forward, he suggested independent
review be done to monitor the current conditions.

15) Ramon Jesch (pooling time with Vince Wayland), representing SEBNA, spoke in
opposition to the project. He gave a history of the flooding of the Hogan Pancost area
starting in 1969. He stated that the residents of this area deserve protection and
consideration in the annexation process.

16) Dr. Fred Anderson (pooling time with Jean Johnson), representing SEBNA, spoke in
opposition to the project. He reviewed the history of the September 2013 flooding event
in the Hogan Pancost area. The area incurred significant loss in 2013 due to the flood. If
the development carried on, the flooding problems will be exacerbated in the
neighborhood.

17) Barbara Huff (pooling time with Mary Treppeda), representing SEBNA, spoke in
opposition to the project. She expressed concern for the safety of the residents if the
development were approved and that it be denied.

18) Gino Treppeda, representing SEBNA, spoke in opposition to the project. He stated that
this proposed project is the same project as presented in the past, yet setback from the
boundaries and built higher. The area is known to flood and this project is an unwise
decision.

19) Jeff Rifkin (pooling time with Jim Johnson), representing SEBNA, spoke in opposition
to the project. He questioned what happened to flood mitigation in his neighborhood
(Phase 2 of the West Valley Flood Mitigation Project). He stated that this seems to have
been forgotten and that Public Works indicated that no flood mitigation is planned for the
Hogan Pancost area for the next twenty years. The flooding issues will be studied when
they receive the funding for the next mitigation project. He said even the developer has
indicated that Phase 2 needs to be implemented to keep the existing neighborhood from
flooding if their new development is built. He proposed preserving ten to twelve acres on
the property for the possibility that proposed detention ponds at the middle school are not
possible otherwise there may never be flood mitigation for the neighborhood. He asked
the board to make flood mitigation part of the annexation agreement.

20) Dr. Marcia Greenblatt (pooling time with Susan Rhodes, Katheryn Lewis, Julie
Hale, Matt Schaeffer), representing SEBNA and professional engineer and practicing
water resource engineer, spoke in opposition to the project. She had been hired by
SEBNA to help them understand potential impacts of the proposed development. She has
found no quantitative evaluation of the potential flooding and where the water will go if
the property is developed. She stated that the current flooding conditions need to be
understood before moving forward. She said the flood model may be wrong locally due
to changes made to the area such as the elevation to the land and the design or 100-year
flood flow could vary. The South Boulder Creek Flood Mitigation Plan options may not
be viable but it could be a time to look at other options. In her professional opinion, she
stated that before moving forward with development, the extent of the existing 100-year
floodplain needs to be understood, understand any impact that the development would have on flooding and the neighbors, and consider evaluating flood mitigation options and include them in the requirements if development occurs.

21) Dr. Ulrike Romatschke, representing SEBNA and Meteorologist, spoke in opposition to the project. She stated that all three models presented (groundwater, flooding, and traffic) raised red flags when viewed from a scientific point. Regarding the groundwater model, in the ditch leakage rate, only one well was used in the model evaluation where six could have been used. This well was the closest to the model and resembled it somewhat and created a “selection bias”. In the flooding model, it was completed prior to the completion of the soccer fields therefore the input of the data was outdated. Finally, the traffic model, real traffic data was not used for the model. Data from a manual was used which was lower than the actual traffic counts.

22) Deb Flora (pooling time with Connie Bardsley), representing SEBNA, spoke in opposition to the project. She hoped the prior speakers have convinced the board that there are impacts about groundwater and flooding. She stated the city code’s intent is to provide protection for its citizens. She quoted the code and BVCP with regards to flood mitigation. She expressed expectation that the board will take the residents’ concerns seriously, but if annexation does move forward, to follow city code and guidelines and remap and remodel the area pre-and post-development. Also, she proposed the board resolve the issues of the predicted size of a 100-year flood pre-and post-development, preserve acreage for future flood mitigation, and complete both Phase 1 and Phase 2 of the West Valley Flood Mitigation Project.

23) Suzanne DeLucia (pooling time with Michele Sachs, Dan Ladner), representing SEBNA, spoke in opposition to the project. She stated that there are gross flaws in many of the studies that have been done. Since the last development proposal and denial by Planning Board in 2013, she asked what has changed. She mentioned the 2013 floods and CU South property as situations should be remembered and understood. The developer has not introduced any plans for flood mitigation and Phase 2 of the West Valley Flood Mitigation Project is not set to be implemented for at least twenty years. No account is being made for the water that would drain off if the developer builds and raises the homes two feet. The developer is not taking the neighboring properties into account. She stated that development would conflict with the code (Section 9.2.17(b), Policies 3.16 and 3.20). The demand for housing does not make the development on this land right.

24) Mike Marsh spoke in opposition to the project. He stated serious public health and safety are at risk. The water table is even higher than in years past. There are physical and natural troubles at this site. He expressed concern that while Boulder is approaching build-out, the city will develop at any cost and questionable sites may be considered. He urged the board to turn down the request for development and annexation.

25) T. Carpenter spoke in opposition to the project. He urged the board to do the right thing and not approve the annexation and development.

26) John Lupo spoke in opposition to the project. He said the city clearly needs more housing, therefore it makes sense to maximize density and integrate housing. However, he could not overlook the impact of groundwater. He mentioned that until the soccer fields were built, he never had water in his home. But since then, he has had water in the crawl space every year, consistently between May and September. If the city does move forward with the annexation, he suggested a house-by-house inspection be conducted,
document current conditions to establish a baseline, and enter into a binding development agreement with the developer that requires some type of security of performance guarantee (i.e. surety bond) for three to five years to have the developer pay for damages and mitigate groundwater impacts that exceed the documented baseline conditions.

27) Ben Binder spoke in opposition to the project. He said the developers proposed plan creates a dense urban environment with few amenities which would be incompatible with the surrounding neighborhood. He opposed the submitted transportation study.

Applicant Rebuttal:
Adrian Sopher, Walter Niccoli, with Talesto Solutions, Charlie Hager, Chris McGranahan, LSC Transportation Consultants, and Heather Houston, a Wetland Ecologist, all representing the applicant, addressed the board.

Motion:
On a motion by B. Bowen, seconded by H. Zuckerman, the Planning Board voted 7-0 to continue the Planning Board deliberation until August 10, 2017 at 6:00 p.m. The public testimony portion is closed.

6. MATTERS FROM THE PLANNING BOARD, PLANNING DIRECTOR, AND CITY ATTORNEY

7. DEBRIEF MEETING/CALENDAR CHECK

8. ADJOURNMENT

The Planning Board adjourned the meeting at 10:34 p.m.

APPROVED BY

___________________
Board Chair

___________________
DATE
1. CALL TO ORDER
   Chair, J. Putnam, declared a quorum at 6:03 p.m. and the following business was conducted.

2. PUBLIC HEARING ITEMS
   A. AGENDA TITLE: Continuation of Planning Board August 3rd public hearing to deliberate and vote on the following applications relating to 5399 Kewanee Drive and 5697 South Boulder Road: Annexation and Initial Zoning (LUR2015-00093) application to annex two properties totaling 22-acres with an initial zoning of Residential Low -2 (RL-2) zoning and associated adoption of wetland mapping; and Concept Plan and Review (LUR2016-00076) application on a proposal to construct 117 attached and detached residential units (50 percent as permanently affordable units) served by new public rights-of-ways and alleys on the properties and including the preservation of the east parcel and portions of the west parcel. (No public testimony will be taken.)

   Applicant/Property Owner: East Boulder Properties, LLC
Board members were asked to reveal any ex-parte contacts they may have had since the August 3, 2017 Planning Board meeting on this item.

- All board members disclosed they have read all materials and emails regarding this topic. C. Gray, L. Payton and P. Vitale stated that they had made additional site visits. Finally, C. Gray had a conversation with a member of the public when she informed them where to find information on the website pertaining to this item.

Board Questions:
K. Guiler, H. Pannewig, and E. Stafford answered questions from the board.

Board Comments:
Key Issue #1: Does the Planning Board support the proposed annexation and find that the proposed community benefits appropriately meet BVCP Policy 1.24, Annexation?
- B. Bowen agreed the proposal is eligible for annexation through state and Boulder regulations. He stated the real concerns regarding this proposal could be addressed through the annexation agreement, and he provided a list of conditions he would like to propose. He stated that the issue of groundwater is the center of the difficulty and will need to find some balance through this process.
- C. Gray stated that the proposed annexation is not consistent with the BVCP specifically regarding community benefit. It is consistent with only some of community benefit policies (i.e. affordable housing), however she would like to see more. However, it is weighed by the impacts to the community and there are a number of those. In addition, she would like to see more informed studies before proceeding with the annexation.
- P. Vitale agreed with C. Gray that if there are environmental concerns, then more public benefit would be better. He stated that he is unclear how to advise design and to account for the fragile ecosystem that would also produce workable development. While annexation may allow the city a better way to handle the site, he is worried that the terms of the annexation would render the site undevelopable.
- L. Payton said that this proposal does not meet the criteria for annexation (9.2.17(b)). This annexation would create an unreasonable burden given that the area is flood prone, situated over the South Boulder Creek alluvial aquifer, the likelihood of flood damage onsite and to the neighbors is high, and that our development standards do not address developments in these types of situations where the parcel sits in a large floodplain and surface groundwater are so intimately connected.
- H. Zuckerman stated that he has not made a firm decision and has areas of concern. The adequacy of the traffic report was heard, but we could not verify the allegations with current studies, therefore, we need more data. He would need more information.
- D. Ensign said that he shares the same concerns with H. Zuckerman and might be more comfortable with a Site Review paired with the annexation. Potentially, this proposal conforms to the annexation requirements, however, the data surrounding groundwater does not appear consistent. He expressed concern with placing conditions on an annexation agreement. Other things may transpire at Site Review that might clear up the conditions, but then it may be too late. He would need more data, but he is less concerned about the transportation aspects.
- J. Putnam stated that he has not made a firm decision. He does not believe the annexation meets the necessary criteria because we do not have all the information.
While progress was made on the wetlands front four years ago, most of the areas are about the same. He struggles whether to simply deny until more information is developed, perhaps with a Site Review, or to try to dictate through the annexation agreement itself. In addition, the issues the community are facing may become intensified (i.e. flood and groundwater), and this project may be the key to addressing some of those. Protections may be put in place if the city has control of this site. Currently, we cannot apply city’s wetlands regulations to this site. He stated that there are still open questions regarding causation vs. correlation. He proposed working through the criteria addressed by the state and by the city, and the BVCP, which is addressed by both the city and county.

**Does the Annexation meet Legal State Law Requirements?**
- All board members agreed the proposed annexation does meet the legal state law requirements.

**Is the Annexation consistent with the BVCP and Ordinance?**
- **B. Bowen** presented a slide to the board of a rendering of the site which he redesigned ([See Attachment A](#)) to demonstrate a new concept of the site. He stated that he approved of seeing this proposal at a concept level, because he would like to see drastic changes to the design, which are the types that cannot be conditioned through Site Review. He would like to add conditions to the annexation and have it return to Site Review as part of the annexation agreement. The proposal, now, does not meet the criteria of the BVCP, but could with annexation conditions. He presented a list to coincide with staff’s conditions:

1. *Use the recommended practice from our storm water engineering 101: install min 3, preferably more, monitored piezometers to understand ground water characteristics for a year min (starting now, extending to building permitting) and then design to avoid adverse impacts on neighboring properties.*
2. *Use PIF fees anticipated from this project to rework failed storm water system or other measures to reduce groundwater impacts - I think there is a nexus between the two.*
3. *Consider enlarging the flood control and drainage easement in the current annexation language to establish a no-build boundary that protects the wetlands, the spaces between the wetlands, and that could provide some level of flood volume, but that would also allow the soft paths and improvement for passive recreation such as birding.*
4. *Regrade the areas outside of the recognized wetlands to be a constructed wetland with finished grade at a height that would support some flood mitigation impact.*
5. *Before it goes to Council, find out if the ditch company wants to pipe, line, or leave the ditches.*
6. *Requirement to elevate new construction 2’ above theoretical BFE and 500-year flood plan, whichever is higher, and to use pervious paving methods for drives, alleys, and non-ROW hardscape. (Staff already included prohibit basements, crawlspaces, and underground parking)*
7) Incorporate goal of balancing cut and fill on site - lower the west and south to improve wetlands and provide flood volume, and raise grade on the north eastern portion of the site.

8) Allow uses on site in the RL-2 zone including: live-work, efficiency living units, OAUs, restaurants in all categories through Use Review, Mobile food vehicle on public right of way, convenience retail sales <2000 sf, and neighborhood business centers. All of this only on the eastern half of the property.

9) Strike the FAR limits found in TABLE 8-3: MAXIMUM FLOOR AREA RATIO FOR RESIDENTIAL LAND USES to allow for true fee simple townhome units.

10) Provide a solar shading exception only for attached housing units, single family detached units would need to meet Solar Area II requirements unless they qualified for a future exemption.

11) Avoid direct connection through project to Kewanee. Support Staff’s traffic calming language. Prefer a connection, but less direct. I have a sketch for this...Attachment A.

12) Strike staff’s proposed future connection through property to the south - more important to protect wetlands and the property to the south of that property just has a cul-du-sac that’s already built out and has no ROW for a future connection.

13) Ensure that future Site Review comes to Planning Board.

- **C. Gray** disagreed with starting on an annexation agreement and conditions and not beginning with the Site Review. She would rather recommend to City Council to not act on the annexation agreement until the Site Review. She cited the 2010 BVCP, Policy 8.03, Social Equity Distribution of Resources, that this proposal and impacts would place an excess burden on the surrounding neighbors in this area. Affordable housing would not place a burden on the area. In addition, she cited Policy 2.10, Preservation and Support of Residential Neighborhoods, to support the proposed traffic impacts and Policy 3.28. Surface and Groundwater, which is uncertain until updated studies are provided.

- **P. Vitale** stated that the affordable housing would be the only advantageous community benefit. It would be key to retain as many Boulder residents as possible. The open space in this area is wonderful. He would support control over this area through annexation to protect this area as the city’s environmental regulations are stronger than the county’s.

- **L. Payton** agreed that more information surrounding the flooding and groundwater issues is needed. She suggested taking a similar approach to the CU South project as it provided an abundance of information and was very comparable. She presented a slide with flood information to the board (See Attachment B). Based on the information presented, she stated that the 100-year flood area is unclear. While the city cannot protect from floods larger than a 100-year flood, the resilience goals require that we be prepared for a new definition of a 100-year flood. If the developer builds, then they will be ignoring the surface groundwater and develop in the 100-year flood area. There will be no Site Review criteria to protect against the adverse effects. Annexation may be a chance to look at whether this would be reasonable or not. This area needs flood mitigation. This site could be a link in a chain of natural floodplain systems along South Boulder Creek with the CU South property. Regarding housing, while she appreciates low income housing, not in the path of a flood. She stated this proposal does not comply with 2015 BVCP following Policies 1.09, 1.21, 2.10, 2.23, 3.01, 3.03, 3.04, 3.05, 3.06, 3.10, 3.18, 3.21, 3.22, 3.23, 3.24, 3.30, 7.07, 8.03, 8.09.
• **H. Zuckerman** agreed that this area could be a link in a chain of natural floodplain systems along South Boulder Creek with the CU South property. It will be important to review *Policy 3.03, Restoration of Ecosystems on Private Land through Land Use Planning*. If the annexation agreement moved forward, the cut and fill and the water budget (surface and groundwater) should be shown to be balanced. The east parcel should be an area targeted to balance so it could become a beautiful natural wetland. There should be a requirement that irrigation be limited and xeriscaping would compose much of the landscaping. He proposed mixed-use and live-work owner accessory units (OAU's). To connect these ecosystems, the development footprint needs to be reduced and create more connectivity. Creating an underpass at 55th street for wildlife and waterflows should be considered. Perhaps the project should be required to pay for full analysis to study and design to fix the underdrain system if it is at fault. Finally, regarding the debt collection to Parks and Recs to pay for the 55th Street construction costs, perhaps it could be written off to pay for improvements.

• **D. Ensign** stated he would only feel comfortable approving an annexation if no harm were to come to the existing neighbors and to have an improvement on their existing situation regarding flooding. He would like to ensure there is a condition that the drive time does not attract traffic through the development and is slower. Regarding flood mitigation, he mentioned there is potential on the Dry Creek Ditch to improve conveyance.

• **J. Putnam** focused on *Policy 1.24*. Generally, affordable housing is a community benefit. The main community benefit could be an improvement of the site for surface and groundwater. The proposed restoration of the eastern end of the parcel of the wetlands is very important. The remainder of the site is not a natural floodplain. The primary driver of the flooding is the ditch on the west side of the property, which is an artificial creation, may require some amount of regrading and mitigation, not just a large detention basin. The board should provide guidance to City Council, the applicant and community whether there is any agreement that could make this workable and what would be required. He agreed that repairing the underdrain is critical for the neighborhoods’ groundwater solution. We need to look at having more flood water detention on site and at the middle school. In addition, he agreed that there should be more cut and less fill on site, which would be a community benefit. A connection through Kewanee Drive should be reviewed. He suggested looking for a solution and traffic study as part of the agreement.

• **C. Gray** added that she would not support using PIF fees for this specific area, including the underdrain and a 55th Street underpass.

• The board agreed to not support the proposed annexation in the staff recommendation.

• **J. Putnam** offered four options to the board members for consideration regarding the annexation and took a poll of each board member:
  1) **Option 1**: Outright Denial of the annexation;
  2) **Option 2**: Craft changes to the proposed annexation agreement between now and when it is presented to City Council;
  3) **Option 3**: Denial with a recommendation to City Council to develop a new annexation agreement with specific revisions;
4) **Option 4:** Discuss a possible annexation agreement and continue the annexation discussion for another date to allow staff feedback on the ideas from the discussion tonight. Do not deny but give guidance for recommendations.

- **B. Bowen, P. Vitale, H. Zuckerman, D. Ensign and J. Putnam** voted for **Option 4**.
- **C. Gray** voted for **Option 3** clarifying that she would like to see more information, draft an annexation agreement in the future based on the studies and coming back to Planning Board for Site Review.
- **L. Payton** stated she is between **Option 1** and **Option 3** with a modification to the annexation like the CU South project.

**Motion:**
On a motion by **B. Bowen**, seconded by **P. Vitale**, the Planning Board voted 2-5 (C. Gray, H. Zuckerman, J. Putnam, L. Payton, and D. Ensign opposed) to continue the annexation hearing to a date certain (to be determined) to allow staff to evaluate the feasibility of the many ideas proposed tonight and to give Planning Board members enough time to give the ideas consideration. Motion failed.

- **B. Bowen** stated that following motion would not presume a positive vote for the annexation agreement. The annexation agreement can be used to form a future proposal that will be acceptable and provide community benefit to the neighborhoods.
- **J. Putnam** informed the members that since this is a legislative matter, the applicant and the public could continue to submit comments regarding this discussion if it were continued. He asked the board member to be focused with a clear objective.
- **H. Zuckerman** defended his vote for **Option 4**. He stated he would rather create conditions that the applicant must meet with proof already in hand that they can be met, rather than a promise that it might be accomplished.

Friendly amendment by **H. Zuckerman**, accepted by **B. Bowen** and **P. Vitale**, to remove the language regarding “continuance to a date certain” in the previous motion.

- **D. Ensign** expressed concern that experts would still be weighing in after the conditions are established.
- **B. Bowen** stated that his proposed condition (#3) was motivation to assist with the actual field measurements and away from analysis by experts which would be a condition to be met before Site Review submittal.
- **C. Gray** said she would not vote for this motion and cautioned the board for not considering and paying attention to the studies. She stated that the proposal would not be good policy or policy for the Planning Board. She asked the board to partake the Concept Plan Review and then have the Site Review to inform the annexation.
- **L. Payton** stated that the site has physical limitations and she will not support the proposed motion. Current floodplain management is to move the people away from the water. It is frustrating that we are finding solutions that work for the developer, rather than a solution that works for the entire community.
- **P. Vitale** stated that he is worried that no action would put the community at risk and that Boulder County maintenance has been inferior to the City of Boulder maintenance. In
addition, he worries that City Council may see an opportunity for development and the chance for Planning Board to develop an annexation would be lost.

- **L. Payton** rebutted by stating that the Planning Board could recommend to City Council that the site be used for flood mitigation instead of housing.
- **J. Putman** agreed with **H. Zuckerman** that if there are protections, the board should be very clear about what they are and lock them into legally enforceable pieces for review. If the board just denies the annexation, then this same project may come to the board in the future. The board needs to provide guidance to council and the community. We should identify the items the board would like staff to comment on tonight.
- **H. Zuckerman**, regarding the philosophical connection to CU South, there is a lot of land on this site and is outside of any floodplain. He encouraged **L. Payton** add guiding principles she would like to see to protect the community.
- **C. Gray** stated she would like to be certain the public would be able to give input before the annexation agreement is negotiated between the board, the staff and the applicant and then sent to City Council.
- **J. Putnam** explained the benefit of having a continuance give the public, staff and the applicant a chance to react to some of the ideas that may arise. We need to move towards closure on some of these issues.
- **B. Bowen** stated this would give the public a chance to hear the ideas and it would be the only way to get public feedback because the public hearing is closed at this point.
- **C. Gray** said she does not object to the continuance. She objected to recommendations for the annexation agreement without complete information.

**Applicant Rebuttal:**

**Adrian Sopher**, with Sopher Sparn Architects, addressed the board regarding the annexation discussion. **A. Sopher** requested that Planning Board approve or deny the application so that it may proceed to City Council on schedule.

**Motion:**

On a motion by **H. Zuckerman**, seconded by **B. Bowen**, that the Planning Board recommend denial of the annexation with a set of guiding principles that Planning Board would provide to City Council for what they would like to see in the annexation agreement and those guiding principles would reflect the discussion the Planning Board had tonight. Motion withdrawn.

On a motion by **J. Putnam**, seconded by **H. Zuckerman**, the Planning Board voted 6-1 (B. Bowen opposed) to recommend denial of the annexation to City Council.

*The board adjourned for a short recess.*

**Motion:**

On a motion by **B. Bowen**, seconded by **H. Zuckerman**, that the Planning Board recommend to City Council that the following guiding principles inform a future annexation for the Hogan Pancost site. Motion withdrawn.
1) Use the recommended practice from our storm water engineering 101: install min 3, preferably more, monitored piezometers to understand ground water characteristics for a year min (starting now, extending to building permitting) and then design to avoid adverse impacts on neighboring properties.

2) Use PIF fees anticipated from this project to rework failed storm water system or other measures to reduce groundwater impacts - I think there is a nexus between the two.

3) Consider enlarging the flood control and drainage easement in the current annexation language to establish a no-build boundary that protects the wetlands, the spaces between the wetlands, and that could provide some level of flood volume, but that would allow the soft paths and improvement for passive recreation such as birding.

4) Regrade the areas outside of the recognized wetlands to be constructed wetlands with finished grade at a height that would support some flood mitigation impact.

5) Before it goes to Council, find out if the ditch company wants to pipe, line, or leave the ditches.

6) Requirement to elevate new construction 2` above theoretical BFE and 500-year flood plan, whichever is higher, and to use pervious paving methods for drives, alleys, and non-ROW hardscape. (Staff already included prohibit basements, crawlspaces, and underground parking)

7) Incorporate goal of balancing cut and fill on site - lower the west and south to improve wetlands and provide flood volume, and raise grade on the north eastern portion of the site.

8) Allow uses on site in the RL-2 zone including: live-work, efficiency living units, OAUs, restaurants in all categories through Use Review, Mobile food vehicle on public right of way, convenience retail sales <2000 sf, and neighborhood business centers. All of this only on the eastern half of the property.

9) Strike the FAR limits found in TABLE 8-3: MAXIMUM FLOOR AREA RATIO FOR RESIDENTIAL LAND USES to allow for true fee simple townhome units.

10) Provide a solar shading exception only for attached housing units, single family detached units would need to meet Solar Area II requirements unless they qualified for a future exemption.

11) Avoid direct connection through project to Kewanee. Support Staff's traffic calming language. Prefer a connection, but less direct. I have a sketch for this...

12) Strike staff’s proposed future connection through property to the south - more important to protect wetlands and the property to the south of that property just has a cul-du-sac that's already built out and has no ROW for a future connection.

13) Ensure that future Site Review comes to Planning Board.

- **C. Gray** stated she would rather have broader topics such as restoration of wetlands, better definition of floodplains than go through the list proposed by **B. Bowen**. She did not agree with a lot of the conditions outlined and felt they would make the not allow the property to be defined as “Residential Low”.

- **B. Bowen** explained the idea is to start with the proposed list, discuss it, and complete it together as a board.

- **J. Putnam** proposed going through the proposed list, then adding or subtracting to the list.
On a motion by **C. Gray**, seconded by **L. Payton**, that the first guiding principle address the restoration of existing natural wetlands and state that wetlands that were filled previously on the site before fill was placed and resulted in a county enforcement action should be restored on the property and the wetlands should be connected to flood detention on the property. Motion withdrawn

- **B. Bowen** stated that the proposed motion by **C. Gray** weakens the intent of his motion. The motion which he proposed, condition #4, requires a large area of the site (east/south boarders) to become a constructed wetland. There is no good documentation existing of what the wetlands were before. He agreed it could be better written, but the goal is to deal with flood volume and a highly functioning wetland.
- **L. Payton** added that if we want to have wetlands, we need to think about what function they should have. The historic wetlands should be restored, but defining new constructed wetlands and where they should go may not achieve the functions we want regarding flood mitigation.

On a motion by **C. Gray** to reword #4 in **B. Bowen**’s proposed guiding principles to state to require a large area of the site outside of the recognized wetlands to be constructed on the site. Motion withdrawn.

- **C. Gray** would prefer one guiding principle to address wetlands, one to address flood control, etc., using a categorization tool.
- **H. Zuckerman** added that regrading should occur across the site for connectivity, therefore it should not take place only outside of the recognized wetlands. He would prefer seeing the south and east sides, along with the west parcel, included.
- **B. Bowen** retracted his motion.

On a motion by **H. Zuckerman**, seconded by **B. Bowen**, to have a body of three board members including **H. Zuckerman, L. Payton** and **B. Bowen** to draft guiding principles. Motion withdrawn.

On a motion by **H. Zuckerman**, seconded by **B. Bowen**, the Planning Board voted 5-2 (**L. Payton, C. Gray** opposed) to provide City Council with a set of guiding principles for a potential annexation agreement for the Hogan Pancost property and these principles would include:

- That the RL-2 zoning should allow for mixed-use and live-work, Owner Accessory Units (OAU), to provide additional public benefit beyond affordable housing;
- That the project must have more cut than fill, more detention than run-off, and not have any negative impacts on the groundwater regime affecting neighboring properties as shown by testing;
- That there should be a 55th Street underpass for wildlife and to connect the wetland ecosystems from South Boulder Creek, to have the natural systems linked;
- That there should be a limitation on irrigations so as not to create higher groundwater levels;
- That there should be state of the art constructed wetlands that serve to connect the ecosystems from the southeastern to the northwestern corner of the property;
- Kewanee should be redesigned to ensure that it does not become a pass-through street.

Friendly amendment by P. Vitale to remove the Kewanee connection guiding principle. Not accepted by H. Zuckerman.

- C. Gray objected to the wording regarding the RL-2 zoning because it would be entering a Mixed Density zone which would require the amendment of the BVCP land use map to conform.
- H. Zuckerman explained that by making this motion, it would be “tailored land use planning” by keeping it RL-2, and the open space requirement, the number of units stays down and allowing the developer to take advantage of OAU's and mixed-use.
- C. Gray stated she would be in favor of OAU's. She is concerned regarding the mixed-use which could be done with an area plan.
- H. Zuckerman agreed to remove mixed-use since it would be allowed under Use Review.
- C. Gray stated that this property may not be appropriate, given the constraints, for an RE zoning without some changes. That would allow for 60 dwelling units and be able to allow for detention, wetlands and accommodate for a diversity of housing types. She disapproved of the proposed 117 dwelling units.
- P. Vitale approved of the 15-minute neighborhood concept, therefore small, walkable services would be a benefit in this area.
- J. Putnam agreed.

Friendly amendment by H. Zuckerman to allow mixed-use, live-work, and OAU's by Use Review and allow for townhouse units to be in fee-simple ownership (waiving if necessary minimum lot size and setbacks).

Friendly amendment by J. Putnam, accepted by H. Zuckerman and B. Bowen, to add limited mobile vending to the uses allowed only by Use Review.

Friendly amendment by B. Bowen, accepted by H. Zuckerman, to allow for a solar access exemption throughout the property for attached housing product only.

- L. Payton stated that due to the Kewanee Drive condition, she may not be able to support H. Zuckerman's motion.

Friendly amendment by L. Payton, accepted by H. Zuckerman, that all wetlands on the western parcel be required to be connected.

Friendly amendment by L. Payton to not allow any development in the 500-year floodplain. Not accepted by H. Zuckerman.
• **H. Zuckerman** and **J. Putnam** argued that currently, there is not anything natural regarding the floodplain, therefore, the 500-year floodplain cannot be defined.

• **H. Zuckerman** said, in his opinion, some of that area could be regraded and then remapped by FEMA and moved out of the 500-year floodplain.

On a motion by **L. Payton**, seconded by **C. Gray**, the Planning Board voted 2-5 (**B. Bowen, D. Ensign, H. Zuckerman, P. Vitale, J. Putnam** opposed) to include in the proposed guiding principles that no vertical development occur in the current 500-year floodplain. Motion failed.

Friendly amendment by **L. Payton**, accepted by **H. Zuckerman** and **B. Bowen**, that the project is designed to serve a flood mitigation function for the wider neighborhood.

On a motion by **C. Gray**, seconded by **P. Vitale**, the Planning Board voted 4-3 (**J. Putnam, B. Bowen, H. Zuckerman** opposed) that onsite renewables be encouraged.

Friendly amendment by **L. Payton** to limit the amount of fill on the site.
Not accepted by **H. Zuckerman**.

Friendly amendment by **L. Payton**, accepted by **H. Zuckerman** and **B. Bowen**, for the applicant to explore a security bond to off-set any negative impacts to neighbors of flood or groundwater.

Friendly amendment by **L. Payton**, accepted by **H. Zuckerman**, to get an independent review of the analysis provided by the applicant’s expert studies.

Friendly amendment by **D. Ensign**, accepted by **H. Zuckerman**, to include a large buffer on the south and west.

Friendly amendment by **H. Zuckerman** to add to the Kewanee cut-through guideline “to consider removal of a vehicular Kewanee connection.”

Friendly amendment by **J. Putnam**, accepted by **H. Zuckerman** and **B. Bowen**, that the annexation address improvements to existing groundwater problems on the site and in its vicinity.

Friendly amendment by **C. Gray** density shall not exceed the density for the surrounding areas.
Not accepted by **H. Zuckerman**.

  • **H. Zuckerman** added the **RL-2** zoning is consistent and allows for the existing typology. The Site Review process should drive how much density can be placed on this site.

Friendly amendment by **C. Gray** that impacts not be exported off-site, such as traffic and groundwater, without being mitigated. Not accepted by **H. Zuckerman**.

  • **H. Zuckerman** stated that the mitigation of impacts will be part of Site Review.
  • **C. Gray** stated that she is attempting to address the public’s concerns.
On a motion C. Gray, seconded by L. Payton, the Planning Board voted 4-3 (D. Ensign, B. Bowen, H. Zuckerman opposed) that impacts not be exported off-site without being mitigated.

- D. Ensign opposed because general statements such as “no impact” may open the board up to questioning or scrutiny.

Friendly amendment by H. Zuckerman, accepted by B. Bowen, that a mandatory Site Review be required to be approved by Planning Board.

Friendly amendment by C. Gray that the applicant strives for more than 50% of the units on site as permanently affordable housing. Not accepted by B. Bowen.

- J. Putnam stated that we are asking for a large amount of community benefit in terms of mitigation, engineering, ecological restoration, etc. which will challenge the project. If a percentage of affordable housing needs to be sacrificed to attain those benefits, then that would be satisfactory.

On a motion by C. Gray, seconded by L. Payton, the Planning Board voted 3-4 (J. Putnam, D. Ensign, B. Bowen, H. Zuckerman opposed) that the applicant strives for 50% permanently affordable housing to meet the low to moderate income goal and 50% middle-income housing.

- H. Zuckerman approved of what is currently required by the applicant given the amount of engineering the board is asking for.
- B. Bowen stated, while he approves of getting as much affordable housing as possible, he appreciated diversity in income levels.

- L. Payton opposed H. Zuckerman’s original motion setting the guiding principles. While she supports many of them, she did not believe in total that the motion adequately addresses the physical limitations of the site that would make it safe for housing.
- C. Gray opposed H. Zuckerman’s original motion setting the guiding principles. She agreed with L. Payton and added that the additions to the zoning would make it too nonconforming with the existing neighborhood.

On a motion by H. Zuckerman, seconded by J. Putnam, the Planning Board voted 7-0 to continue tonight’s meeting and discuss the Concept Plan.

Key Issue #2: Does Planning Board agree with the staff assessment of the submitted Concept Plan with respect to the proposed site design? If the board found that the project could be annexed, what elements of the annexation agreement may need to be updated to inform the development of the site plan at time of Site Review?

- D. Ensign stated that the proposed 117 units is alarming. The general principles will assist with this as well as Site Review. The Kewanee Drive passthrough should be slower.
• **H. Zuckerman** said the concept has improved. He stated concern not turning houses the around to face to the neighbors. He approved of **B. Bowen’s (See Attachment A)** proposal of the double-loaded sites, the more compact design and central parkway. With the proposed wetlands, it would be nice to see some higher density and creating a more vibrant public space in the middle, then fading out to the lower density on the outskirts of the development. With OAUs, with an alley in the back serving the garage and carriage house, would be optimal.

• **L. Payton** approved of **B. Bowen’s layout (See Attachment A)** to slow traffic down. She felt that three-story buildings would not be compatible. Nothing should exceed two-stories. Duplexes or triplexes might work to help the missing middle-income on this site.

• **P. Vitale** would like to eliminate asphalt and concrete. He proposed that the natural condition of this site could be a living laboratory though ecological diversity and be a site people would visit. Regarding the conforming of the density and height, they could resolve some of the existing issues and create more ecological conservation on the site.

• **C. Gray** agreed with **P. Vitale**. She wanted to ensure the density calculations do not include the streets and sidewalks. The bike connections need to be defined. The solar opportunity need to be explained and maximized. The traffic should be slowed down. She suggested the interior park have more safe access on sides.

• **J. Putnam** would trade some of the proposed density and height for a lack of footprint. He approved of **B. Bowen’s layout (See Attachment A)**. He recommended thinking about how relate this concept relates to the proposed park and existing Rec Center and to create a connection. It might improve movement. The proposed density and unit count are too high. He suggested denser townhomes or stacked flats.

• **D. Ensign** supported the height tradeoff for more space outside of where the houses are located. Regarding the multi-use circulation on the southern end going west, he approved of that. He approved of the birdwatching path.

• **P. Vitale** suggested moving the park to where the proposed north parking lot is located.

• **H. Zuckerman** approved of the on-street parking. Boardwalks and designing with the nature would be a hallmark to a sensitive design.

• **J. Putnam** disagreed with **P. Vitale** regarding his proposed location of the park. He approved of the on-street parking but not on the north side.

• **C. Gray** requested half of the proposed density.

• **J. Putnam** gave a summary of the board’s comments and recommendations. Since this is a Concept Review, no action is required on behalf of the Planning Board. There is a mixture of opinions regarding density. Board members are concerned regarding the straightaway on the Kewanee Drive connection and to prevent cut-through traffic. Overall, there was a sense that the proposal has improved from past presentations however there was interest in **B. Bowen’s sketch (See Attachment A)**. Perhaps the applicant could include double loading on some of the roads. There was a general support for more compactness and to have higher density in the middle of the site, away from edges. Some supported height up to three-stories in some places with a mixed-use at the bottom, while others thought two-stories would be high enough. There was some interest in looking at OAUS or ADUS, depending on the zoning, and looking at duplex and triplex models. The board was interested in eliminating asphalt and to be a model of sustainability in terms of physical place, including energy. The board would like to make
sure there is engagement between the park and the outside world. The request in making sure park is safe in all directions and looking at bike connections.

Applicant Comments:
Adrian Sopher, with Sopher Sparn Architects, addressed the board regarding the item.

3. MATTERS FROM THE PLANNING BOARD, PLANNING DIRECTOR, AND CITY ATTORNEY

4. DEBRIEF MEETING/CALENDAR CHECK

5. ADJOURNMENT

The Planning Board adjourned the meeting at 10:42 p.m.

APPROVED BY

_____________________
Board Chair

_____________________
DATE
1. CALL TO ORDER
   Chair, J. Putnam, declared a quorum at 6:07 p.m. and the following business was conducted.

2. APPROVAL OF MINUTES
   On a motion by D. Ensign and seconded by B. Bowen the Planning Board voted 6-0 (P. Vitale absent) to approve the July 13, 2017, July 20, 2017 and July 27, 2017 minutes as amended.

3. PUBLIC PARTICIPATION
   No one spoke.

4. DISCUSSION OF DISPOSITIONS, PLANNING BOARD CALL-UPS / CONTINUATIONS
   There were no items to discuss.
5. PUBLIC HEARING ITEMS
   A. AGENDA TITLE: Public hearing and consideration of a Site Review (case no. LUR2016-00105) to redevelop a seven-acre property at 1550 Eisenhower Drive. The proposal includes the construction of 226 residential units and an amenity/community center in five buildings over a below grade parking structure. The buildings are three stories and approximately thirty-five feet in height. The total unit mix would be 39 efficiency living units (less than 475 square feet), 106 one-bedroom units, 45 two-bedroom units and 36 three-bedroom units. Request includes an 8.8 percent parking reduction.

   Board members were asked to reveal any ex-parte contacts they may have had on this item.
   • Except for H. Zuckerman and J. Putnam, all board members had recent site visits. All board members were present for the Concept Review except for D. Ensign who had not yet been appointed to the Planning Board. All board members read and reviewed the packet and emails received by members of the public. B. Bowen also informed the board that he attended the Design Advisory Board meeting when this project was reviewed. Finally, D. Ensign stated that he had a brief conversation with residents moving out of the complex during his site visit.

   Staff Presentation:
   S. Walbert presented the item to the board.

   Board Questions:
   S. Walbert, A. Geiger, M. Allen, and H. Pannewig answered questions from the board.

   Applicant Presentation:
   Patti Shwayder and Brett Leonhardt, with Aimco, presented the item to the board.

   Board Questions:
   Patti Shwayder and Brett Leonhardt, with Aimco, Jeff Smith, with Tryba Architects, and Kim Lord, with Packard Dierking, LLC, representing the owner, answered questions from the board.

   Public Hearing:
   1) Eric Burns spoke regarding the project specifically regarding overflow parking and asking the board to reconsider unbundling the proposed parking and to contain parking generated on site.
   2) Eric Heltne spoke concerning the cost of the proposed housing with extensive amenities and the setbacks proposed for the project. However, he understands that this may be the new trend. He stated that he is hopeful the project will be a success.
   3) Kurt Nordback, representing Community Cycles, stated that while the connections drawn for the proposed site may be well represented, they may not end up being very efficient. He would prefer strong north/south and east/west connections through the site. The connection along Arapahoe could be strengthened. There is a failure to activate the street along Arapahoe Avenue and make it interesting for pedestrians. Finally, he would prefer to keep the unbundled parking and implement an
Board Comments:

Key Issue #1: Does the development proposal meet the Site Review criteria found in Section 9-2-14(h), B.R.C. 1981, including Boulder Valley Comprehensive Plan (BVCP) policies?

- **C. Gray** said the proposal gives her pauses in terms of the required mix of housing types and income mix. She would prefer the applicant strive for additional on-site affordability. Regarding the BVCP policy relating to “enhanced design for private sector projects”, she stated that the project would be enhanced with mixed-use on the corner of Eisenhower and Arapahoe, like a coffee shop. Regarding Policy 2.21, “commitment to walkability and city”, the connections through the project could be enhanced. She thanked the applicant for including the proposed Beth Haynes memorial.

- **D. Ensign** stated that the project generally meets the Site Review criteria. He liked the design, underground parking, and open space. He expressed regret at the proposed higher rents in the new development. He had concerns about the bicycle connections and permeability to the east. He said that the proposed neighborhood walkability and bike dismount may not be realistic. The project will be compatible with the neighborhood.

- **L. Payton** said the proposal meets the Site Review criteria, but she shares the affordable housing concerns previously mentioned. She suggested a public amenity of an on-site daycare.

- **J. Putnam** stated that the project meets Site Review criteria, but on-site affordability is an issue in redevelopment especially when revitalizing older properties and then providing a property with amenities that will drive rents higher. It may be difficult to support mixed-use on this property. He agreed with L. Payton’s suggestion of a daycare.

- **B. Bowen** shares the concerns of the previous affordable housing comments. He was impressed by the applicant's response to Concept Plan and DAB comments. He liked the connections to the ground floor units. He also liked the landscape plan and different environments created. He appreciates the applicant intending to get LEED certification on the project. Generally, he would like to see analysis for projects after a year on using LEED for homes and the city’s energy code. He stated that the project meets Site Review criteria.

- **H. Zuckerman** said that the project generally meets the Site Review criteria. He stated he is having difficulty understanding the rational for unbundled parking based on the statement that the available parking spaces would not be accessible for people in the community. He stated that the development should have neighborhood serving retail, based on 2015 BVCP Policies 2.14 and 2.16. He suggested pushing Building 1 north closer to Arapahoe to establish the corner and a public presence. He stated that the development was too inward facing and does not invite the public into it. He recommended creating a sense of welcoming to the public while keeping a sense of security to the residents.

Key Issue #2: Is the proposed open space consistent with the Site Review criteria in Subsection 9-2-14(h)(2)(A), B.R.C. 1981?

- All board members agreed that the proposed open space is generally consistent with the Site Review criteria.
Key Issue #3: Is the requested 8.8 percent parking reduction consistent with the criteria for parking reductions set forth in Subsection 9-2-14(h)(2)(K), B.R.C. 1981?

- **B. Bowen** said that the proposed 8.8 percent would be a reasonable balance point at this site and he agreed with having the parking unbundled.
- **H. Zuckerman** added that the parking reduction is a modest request. He does not understand unbundling the parking and not having parking available for users outside the project. He would like a better explanation of this request.
- **C. Gray** said that the city’s policies regarding TDM plans need to be updated and agreed with concerns regarding the unbundled parking. She suggested a Neighborhood Parking Program might work in this situation but stated that they can be very difficult to create.
- **L. Payton** stated that she does not have an issue with the proposed parking reduction with the additional tandem parking. The requirements will be met. Regarding unbundling, she would like to wait and see how it works before opening it up to other users.
- **D. Ensign** thought the parking reduction would be in line and he is less concerned with opening the parking to outside users. Generally, free parking on the street can make unbundled parking difficult.
- The board asked questions of the applicant regarding unbundled parking.
- **J. Putnam** agreed with the concerns about the unbundled parking. He stated that with the proposed tandem units, the project may be over-parked. There may be some value to having unbundled parking and that the risk of spill-over may be low. He recommended a follow up parking study to understand how this project is working (prices, cars per household, etc.) and how unbundled parking works in this context. The need for a NPP could be determined based on this data.

Key Issue #4: Bicycle and Pedestrian Connections

- **J. Putnam** recommended more direct connectivity across the proposed great lawn perhaps by providing a different connection or two connections, possibly as a condition of Site Review. He did not have concerns about the meandering path on the east side of the site. He added that giving texture or color on the ramp to Eisenhower would be beneficial for safety.
- **D. Ensign** said that he is not opposed to a meandering path. Meandering paths might make people slow down while biking through the site. He suggested straightening the path by the upper portion of Building 2. He advised that designed the site as a walking campus may not work, since bicyclists will not dismount and people will bike within the site.
- **L. disapproved of a path bisecting the great lawn and would prefer to have it more park-like.**
- **B. Bowen** agreed that it would be good to change the paving texture at the entry point (between the property line and the setback). He is okay with a connection across the great lawn.
- **J. Putnam** summarized by stating that the path could be left to staff level or perhaps a minor modification when TEC documents are entered.

Key Issue #5: Building Design and Architecture

- **L. Payton** said the architecture was well done overall. She does not approve of the stucco on the Eisenhower and Arapahoe facades and proposed removing the stucco and carrying
the brick from the lower floor upward to give the facades more elegance and permanence as a condition of Site Review.

- **B. Bowen** originally agreed with **L. Payton**. However, he questioned if the brick were raised, would some of the texture along the street be lost. He had no opinion either way.
- **H. Zuckerman** pointed out that if the brick were extended upwards it may make the building appear too massive. The stucco joints will not be visible and the windows are framed. He suggested bringing the brick up one more story to align the stucco’d section of the façade with the setback over the two-story portions on the corners as a compromise.
- **H. Zuckerman** asked if the brick were extended upwards, would it make the building appear too massive. He suggested bringing the brick up one more story to align the stucco’d section of the façade with the setback over the two-story portions on the corners as a compromise.
- **J. Putnam** recommended the applicant make another visit to the Design Advisory Board (DAB) so that they can review these facades.
- **B. Bowen** agreed. Also, the detailing around the windows and wood frame sections appear flat and he would like to see more relief in the stucco wood frame areas. He agreed DAB should review bringing the brick one level higher or all the way up to the parapet on the facades in question, the stucco sections of the buildings, and the framing of windows on stucco and aluminum/wood portions.

**Key Issue #6: Floodplains**

- **L. Payton** reminded the board that the existing buildings are in the floodplain. The proposed southeast building has been pulled out of the floodplain in the proposal. However, the setbacks on Arapahoe should not be reduced since this would place those buildings within the 100-year floodplain. Overall, flooding has been addressed well. She stressed that she wished all the residential buildings were not in the floodplain at all.
- **J. Putnam** agreed. Flood concerns were discussed at Concept Plan Review. Buildings should not be moved closed to Arapahoe. He understands the trade off with the cost of not adjusting the development outside the floodplain and keeping the project affordable.
- **D. Ensign** added that changing the Arapahoe frontage would be a major redesign due to the floodplain constraints. Given the flood constraints entrances to individual units is not feasible.

**Motion:**

On a motion by **L. Payton**, seconded by **B. Bowen**, the Planning Board voted 5-1 (C. Gray opposed, P. Vitale absent) to approve Site Review case no. LUR2016-00105, adopting the staff memorandum as findings of fact, including the attached analysis of review criteria, and subject to the recommended conditions of approval including additional conditions.

Friendly amendment by **B. Bowen**, accepted by **L. Payton**, to add paving to match that used at the turn-around near the Art Garden in the Eisenhower access drive lane between the property line and setback line.

Friendly amendment by **H. Zuckerman** that the added pavement be different and raised for drainage. Not accepted by **B. Bowen**.
Friendly amendment by **B. Bowen**, accepted by **L. Payton**, that prior to approval of a Technical Document Review application for the final plans, the project shall be referred to DAB for review and recommendation subject to review and approval by the city manager to improve the design so that the project meets architectural quality requirements found in the site review criteria, in particular the requirements of durability, permanence, and quality of materials:

1. Recessing windows in areas of stucco and/or aluminum, with attention to the head, jamb, and sill material return details.
2. Extents of brick on the Eisenhower and Arapahoe, whether it should be where it is now, whether it should go up one more story, or whether it should entirely replace stucco.
3. Request that the applicant model each option for DAB review.
4. Evaluate the alignment and presence of the pathways through the great lawn to balance site circulation and permeability and functionality of the green.

Friendly amendment by **J. Putnam**, accepted by **L. Payton**, that the applicant conducts and submit to the city a parking study 30 months after issuance of a Certificate of Occupancy for all buildings that would address parking prices, parking utilization, offsite parking, and other factors related to the adequacy of parking and impacts to the neighboring community. To ensure the parking needs of the project are adequately met, in the event that the City Manager determines that the parking needs of the project are not adequately met, the applicant shall submit a revised Transportation Management Plan subject to review and approval of the City Manager that meets the parking needs of the residents and visitors to the property.

Friendly amendment by **D. Ensign** to modify the circulation design to accommodate moderate to slow speed bicycle permeability, safe access past the south offloading ramp, north/south through the center, and east/west through the center of the property. Motion withdrawn.

**B. AGENDA TITLE:** Request for citizen, staff, and Planning Board input on a Concept Plan Review to develop a 14.86-acre vacant property at 5801 and 5847 Arapahoe Avenue with a new mixed-use development, including 340 residential units and approximately 19,000 square feet of commercial space. The proposal includes 7 three-story buildings, 3 four-story buildings, and 1 one-story building surrounding a loop drive, with one access from Arapahoe Avenue. Three hundred ninety-five parking spaces are proposed, 215 of which are located in a central parking structure. The development would be up to 40 percent permanently affordable housing. Proposed residential units consist of 60 efficiency living units (less than 475 square feet), 236 one-bedroom apartments, 32 two-bedroom apartments, and 12 two-bedroom townhomes. Case number LUR2017-00037.

**B. Bowen recused himself.**

**Board members were asked to reveal any ex-parte contacts they may have had on this item.**
- All board members disclosed that that they had conducted site visits, except for **H. Zuckerman**. All board members revealed that they had read the packet materials and any emails received from the public.
Staff Presentation:
S. Walbert presented the item to the board.

Board Questions:
S. Walbert, H. Pannewig and A. Geiger answered questions from the board.

Applicant Presentation:
William Shutkin, with Zocalo Community Development, and Bill Holicky, with Coburn Architecture, presented the item to the board.

Board Questions:
William Shutkin and Bill Holicky, representing the applicant, answered questions from the board.

Public Hearing:
1) Joanne Simenson (pooling time with Lisa Peterson) spoke in opposition to the project. She stated concerns with public hazards and safety risks. The development would negatively impact the aquifer flow. Arapahoe at this location cannot handle additional traffic. The Planning Board should consider developing guiding principles for future development. The proposal is more than this site, neighborhood, and community can handle. The site is not appropriate for residential development with trains passing and odors from the adjacent recycling facility.

2) Craig Peterson (pooling time with Melissa Clymer) spoke in opposition of the project. He has concerns about conflicts between vehicles, bicycles, and pedestrians on Old Tale Rd. He stated concerns about increased bike and vehicle traffic.

3) Bryce Isaacson, speaking on behalf of Western Disposal Services, informed the board of potential noise and odor nuisances from the existing composting and yard waste facilities, which would be adjacent to the project. He recommended a disclaimer on the leases for any new buyers and tenants informing them of these impacts. He is not opposed to the project.

4) Elizabeth Dawn Williams spoke in opposition to the project. She stated that she is not opposed to the development of the site but is opposed to this proposal. The proposal does not fit with the Envision East Arapahoe Plan. She would prefer middle-income single-family homes on the site. There is currently issues with traffic on Arapahoe and difficulty turning off Old Tale Rd. There are issues with transit on Arapahoe. The site is located in the floodplain with a high water table. The BNSF train is required to blast the horn over bridge adjacent to site.

5) Judith Renfroe spoke in opposition to the project. She has concerns about the housing type and density proposed. She would prefer housing directed to families at a lower density. She has concerns about having restaurants or breweries on the site that draw from a larger area. Any commercial uses should be neighborhood serving. All affordable housing should be provided on-site.

6) Barbara Carson spoke in opposition to the project. She has concerns about the impacts to the adjacent low-density neighborhoods. The proposal does not fit in the Envision East Arapahoe Plan. Old Tale Road is already crowded and dangerous. Excessive noise is an issue and has increased since the hospital campus was built.
development should be lower density and should have a connection to Cherryvale. Overall, the site is not conducive for a housing.

7) **Debra Baskett** spoke in support to the project. Arapahoe is a major route for in-commuters to Boulder. Thus, housing infill on this site makes sense. The proposal would be a good contribution to East Boulder.

**Motion:**
*On a motion by L. Payton, seconded by D. Ensign, the Planning Board voted 5-0 (P. Vitale absent, B. Bowen recused) to proceed with this current meeting until this item is completed.*

Following public comment, the board asked questions of the applicant.

**Board Comments:**

**Key Issue #1: Is the proposed concept plan compatible with the goals, objectives, and recommendations of the Boulder Valley Comprehensive Plan (BVCP)?**

- **C. Gray** stated that the project is compatible with the BVCP. She requested that the applicant review the newly proposed “Public Participation Plan” as it may benefit the neighborhood, the board, and the applicant. It would be helpful to have additional information on what was discussed as part of the Envision East Arapahoe Plan.
- **D. Ensign** agreed with C. Gray. He approves of the proposed mixed-use.
- **L. Payton** said the project is compatible with the exception of flooding issues. The entire site was underwater during the 2013 flood. She appreciates the proposed on-site affordable housing, variety of housing types, and keeping parking from the public realm. However, the flooding issue is too large an issue, which therefore keeps it from being compatible with the BVCP.
- **H. Zuckerman** mentioned that the board had discussed the preservation of the light industrial neighborhoods during the 2015 major update to the BVCP. The 2015 BVCP Policy 2.21 “Light Industrial Areas”, focuses on infill projects for residential in areas to have access to paths and amenities. While this area is designated a General Industrial land use, it resembles a Light Industrial neighborhood, therefore Policy 2.21 should apply. He has some reservations given the location as a residential project and the proposal and further analysis will be necessary to necessary. He suggested that the western portion could have more live-work lofts. The project satisfies the affordability, mixed-use, and 15-minute neighborhood policies.
- **J. Putnam** stated that this project is needed in the corridor, but agreed that there are significant site challenges such as access and flood. The project meets the goals and objectives of the BVCP; however, it is missing references to the Light Industrial context. He said adding some element of industrial uses would be helpful.

**Key Issue #2: Is the concept plan appropriate in contributing to a new character for the area? Housing mixed use?**

- **J. Putnam** said the character of the area is eclectic, which presents a challenge. He stated that it is difficult to see the identified rural character as the driving element in the design. The area feels more industrial and more industrial clues would be helpful. He suggested
using the railroad and the Valmont Power Plant as guiding elements for the development to be more authentic. A connection to the western/local palette is critical. This project will be creating a pattern, therefore the character created will be critical and there will need to be some connectivity between the buildings.

- **L. Payton** appreciated the aesthetic the developers presented (pitched roofs and rusted metal), but she questioned if there would truly be a large red barn on the site. She cautioned the site not resemble a ski village. She stated the developers may end up with a smaller site unless a large amount of fill were brought in.
- **D. Ensign** agreed that the site has incredible views and recommended that the developer take advantage of the views, through something like a rooftop deck. The number of proposed units seemed high. The mixed-use would be a good asset to the area. Impacts to the Old Tale Road neighborhood is concern.
- **C. Gray** agreed. She said the noise and odor nuisances may be a concern. She expressed concern regarding the intersection at Old Tail Road, the proposed access drive and how they would work. She approved of the modern farmhouse aesthetic as long as it is not contrived.
- **H. Zuckerman** said the provided design examples were deceptive as they represent the Mid-Atlantic region. He approved of the proposed landscaping, the blend of colors and materials on the buildings, and the street design. The developer should draw from a tin shed Quonset hut and images shown in the applicant’s presentation. Regarding use, the west side of the site would be ideal for high tech businesses and live-work. In terms of the noise and nuisance, while there is no existing “Right to Industry” laws, perhaps it could be handled through deed restrictions so that the nuisance is made clear to the buyer/renter and they could not complain about it later. The existing industry in the area should not be driven out of the area.

**Key Issue #3: Density, Housing Types and Uses**

- **J. Putnam** summarized the previous comments.
- **L. Payton** agreed with **H. Zuckerman**’s previous live-work comments, especially if they could accommodate artists.
- **D. Ensign** stated the farm-based architecture would be a good pathway for the developer and would go well with live-work uses. He gave examples of how this site differentiates from the Hogan Pancost site and development would not be as difficult.
- **C. Gray** approved of the live-work concept. She said the site feels constricted on the northeast corner and she would like to see enhancement of the creek. She approved of the non-profit uses and would like a guarantee that this would occur. She suggested adding a small restaurant.
- **J. Putnam** agreed but not with adding a small restaurant. He said that traffic studies would need to be reviewed. He suggested looking at the unit types and adding more townhouses. In addition, locating a parking lot on the southeast is least favorable as it should be an area that addresses cyclists and pedestrians. Finally, the applicant needs to address the pedestrian and cycling experience on the entire site.

**Key Issue #4: Flood and Groundwater** *(see attached map for reference)*

- **L. Payton** referenced a map showing the projected extent of the flooding from the 2013 flood (attached to these minutes). The entire site was flooded. She explained that flood
models are calibrated based on reality and there needs to be leadership on the flood issue. The current push for housing is reckless and risking putting people in harm’s way. Climate science is suggesting that the flooding will get worse. Flood recovery and control are expensive, and post flood recovery costs are usually paid for by tax payers. She proposed a moratorium on new developments on areas that fit in very narrowly defined potential undeveloped floodplains until development standards exist that ensure people and property are better protected.

- **D. Ensign** agreed that the board should give scrutiny regarding the flooding impact and look at more data, especially regarding development in the 100-year floodplain.
- **C. Gray** questioned what role the northeast parcel could play in flood mitigation in this area. She would like to know what role more detention could play. The buildings appear too large and should be broken up.
- **H. Zuckerman** agreed that area planning and flood engineers will need to address these issues. The applicant does deserve credit for configuring the proposed density on the site out of the floodplain.
- **J. Putnam** stated that it will be a critical constraint and will need to be addressed. While the referenced map may not be definitive as to whether this site is developable or not, it will still need to be addressed in Site Review. There may be ways to improve the typography, which at this point, may be the result of man-made modifications.

**Key Issue #5: Traffic Access, Parking, Internal Circulations and Bike Connections**

- **D. Ensign** stated that turning left, out of development onto Arapahoe, will need to be reviewed. He suggested having no left turns available and providing a traffic circle on Cherryvale. He supports the multi-use paths along Arapahoe. He would like to see a good bike connection to the creek path on the northeast area near the pond, another near the underpass, and then near the multi-use path. He is hopeful, with a reasonable parking reduction, that there will be enough shared parking on-site.
- Other board members agreed with **D. Ensign**.
- **J. Putnam** advised the applicant that the traffic studies will need to be more complete and expanded given the area. Traffic will be a critical issue. Perhaps there will be ways to work with the city on better signage.

**Key Issue #6: Noise, Order and Rail Safety**

- **J. Putnam** recommended getting noise measurements (especially on the northern side) or an acoustical study to ensure compatibility. He approved of the deed restriction and notice to new residents’ regarding noise impacts. He suggested little to no density along the northern edge of the site.
- **D. Ensign** said it would be nice to have a walking path around the pond. The applicant should fence off the railroad for safety. He agreed with deed restrictions.
- **H. Zuckerman** stated that if there were odors omitted from the location, perhaps they should initiate a state-of-the-art clean-up operation. Also, the applicant should spearhead “quiet crossings” of the train in the area.

**Applicant Response:**

William Shutkin and Bill Holicky, representing the applicant, responded to the board’s comments.
**Motion:**
J. Putnam gave a summary of the board’s comments and recommendations. Since this is a Concept Review, no action is required on behalf of the Planning Board. Regarding the BVCP, the flooding and floodplain related issues were a concern. Putting that issue aside, there was a general sense that the concept would be compatible with the BVCP and would implement its policies. The variety of housing types and on-site affordability were appreciated. Having live-work space would be important. There were mixed responses to the density, parking, and traffic. Process related issues such as neighborhood engagement will be important to the success of this development. The board encouraged the applicant to take a close look at the city’s newly proposed “Public Participation Plan”. There was universal support for mixed-uses including live-work spaces on the western boundary, and perhaps the northern boundary. They would like to see artist, farm-to-table, and/or light industrial uses on-site. Also, the applicant should look for opportunities on the northeast site to have overflow parking combined with the farm-to-table use for a community benefit.

Regarding character, there was interest in farm/rural based architectural gestures, perhaps focused on western vernacular, and interest in the industrial character as well. The applicant should take advantage of the views with roof decks, terraces, or step-backs from north to south. There is a sense to that the applicant should protect both the road and the existing neighborhoods, specifically Old Tail Road. The proposed landscaping was well liked. The board advised that the parking lot on the southeast corner needs a strong engagement with Arapahoe and the bike path. There is a desire for non-profit and local businesses on-site. There was some difference of opinion regarding the proposed restaurant. The board agreed that the applicant should take advantage of the existing pond as an amenity. Flooding is a concern and studies from the 2013 flood will be critical for Site Review. Analysis regarding fill and how to create detention will need to be provided. Strong traffic studies will need to be provided. Bike connections, pedestrian connections, and the multi-use path will be very important areas. Parking reductions may be appropriate. The board encouraged a strong TDM plan to solve some of the existing problems on Arapahoe. The board would like to see acoustic information and how the applicant will address any possible odor and mosquito nuisances.

6. MATTERS FROM THE PLANNING BOARD, PLANNING DIRECTOR, AND CITY ATTORNEY
   A. INFORMATION ITEM: Amendment to Title 9, “Land Use Code,” B.R.C. 1981, to update the effective date of the FEMA flood insurance rate maps.

   **Board Comments:**
   • Continued to the August 24, 2017 Planning Board agenda.

   B. INFORMATION ITEM: Floodplain mapping revisions for Lower Boulder Slough.

   **Board Comments:**
   • Continued to the August 24, 2017 Planning Board agenda.
7. **DEBRIEF MEETING/CALENDAR CHECK**

8. **ADJOURNMENT**

The Planning Board adjourned the meeting at 11:51 p.m.

APPROVED BY

____________________
Board Chair

____________________
DATE
1. CALL TO ORDER
   Chair, J. Putnam, declared a quorum at 6:05 p.m. and the following business was conducted.

   J. Putnam proposed beginning the meeting with agenda items 6B, 6C and 6D after “Agenda Item 3-Public Participation”. The board agreed.

2. APPROVAL OF MINUTES
   None to approve.
3. PUBLIC PARTICIPATION
No one spoke.

4. DISCUSSION OF DISPOSITIONS, PLANNING BOARD CALL-UPS / CONTINUATIONS
   A. Call Up Item: Wetland Map Revision (LUR2017-00057); 6247 63rd Street – Coot Lake. Wetland Map Revision for the northeast corner of Coot Lake. Currently the wetland boundary extends over an existing pedestrian path, the wetland map revision will make the west side of the pedestrian path the boundary for the wetlands. This decision may be called up before Planning Board on or before September 1, 2017.

   The item was not called up.

5. PUBLIC HEARING ITEMS
   A. AGENDA TITLE: Public hearing to considering a recommendation to City Council to repeal and replace Chapter 9-13, “Inclusionary Housing,” B.R.C. 1981 and amending and adding related definitions to Chapter 9-16, “Definitions,” B.R.C. 1981. The replacement ordinance includes a middle-income housing requirement, incentives to provide affordable units on-site, requires a new design review process, is reorganized to improve readability and sets forth related details.

   Staff Presentation:
   K. Firnhaber presented the item to the board.

   Board Questions:
   K. Firnhaber and J. Sugnet answered questions from the board.

   Public Hearing:
   No one spoke.

   Board Comments:
   - B. Bowen stated that the only zone that would allow a density bonus for on-site affordability would be RMX-2 zone. While RH zone has a density bonus, it may be tied to other criteria. He would like to see us looking for incentives for on-site affordability to include height modification, widening the number of zones that allow a density for on-site affordable, and have dwelling units per acre zones.
   - H. Zuckerman recommended removing limits on short term rentals for permanently affordable units. This could assist with housing affordability as well.
   - P. Vitale agreed.
   - L. Payton supported the design review requirement. She questioned if there was a provision to discourage putting affordable housing in high hazard areas. She appreciated that staff relying on real metrics and analysis for their recommendations. She asked staff to present to City Council the ways in which the incentives could be combined.
   - H. Zuckerman suggested, regarding L. Payton’s comment pertaining to a distribution of units on site, B.R.C. 9.13.5, nothing directly relates to the distribution of the units on site.
and adding “distribution within a project” between the words “size” and “design”. He stated that the term “development” in the proposed ordinance is confusing as to whether it applies to additional units as they currently exist. Inclusionary housing could be clarified in terms of what units it applies to and the definition of development.

- **C. Gray** questioned if annexations will be reviewed in the future and if more housing will be leveraged through annexations. She would like to see more thought put into the land dedication piece of inclusionary zoning.

**Motion:**

Friendly amendment by **H. Zuckerman**, accepted by **B. Bowen and L. Payton**, to recommend that 9-13-5 be amended, adding the phrase “distribution within a project” between the words “size” and “design”. **B. Bowen and L. Payton** accepted.

Friendly amendment by **J. Putnam**, accepted by **B. Bowen and L. Payton**, to add that the Planning Board also recommends that City Council directs the City Manager to prepare a data collection reporting plan on the effectiveness of these changes.

Friendly amendment by **H. Zuckerman**, accepted by **B. Bowen (L. Payton opposed)**, that Planning Board further recommends that City Council direct the City Manager to study the feasibly of allowing limited short-term rental use for affordable units.

On a motion by **H. Zuckerman**, seconded by **P. Vitale**, the Planning Board voted 4-2 (L. Payton, C. Gray opposed, D. Ensign absent) that Planning Board further recommends that City Council direct the City Manager to study the feasibly of allowing limited short-term rental use for affordable units.

- **C. Gray** stated that she would not support the motion. People do have an opportunity to rent a bedroom for additional income, but the short-term rental ordinance still has people, of all income levels, abusing it. The ordinance is currently difficult to enforce and there is an issue of city money entering subsidized housing. She would ask that the short-term rental ordinance problems be rectified before it would be extended to affordable units.

- **L. Payton** said that she would not support the motion. The staff’s recommendation will be adequate. There are plenty of people that would be happy to have affordable housing and forego making any additional income from a short-term rental.

- **P. Vitale** argued that all people have opportunities when their property is empty, yet we are saying this would be an opportunity they would not have to earn income that others have. If the problem is that there are abuses, then those need to be resolved, but not wait to give people in affordable homes an opportunity.

- **H. Zuckerman** reminded the board that the motion is for the City Manager to review short-term rental to see if it would be feasible. It is not the job of the Planning Board to administer the program. He would like to see what the results are after staff reviews the matter.
• **B. Bowen** said he would support the motion and stated that the people in the affordable housing would already be taking a hit on the resale value of their homes. Therefore, it would be fair to give them the opportunity to benefit from short-term rentals.

• **C. Gray** mentioned that staff will need to look at the downsides of the situation.

• **L. Payton** opposed because the staff’s current policy for the frequency and the duration of allowed rentals in affordable units is adequate.

6. **MATTERS FROM THE PLANNING BOARD, PLANNING DIRECTOR, AND CITY ATTORNEY**

A. **AGENDA TITLE:** Initial discussion of proposed work plan for addressing Height Modifications through Site Review (up to 55-feet) and Community Benefit as it relates to **Ordinance 8172** amending the building height requirements of **Title 9, “Land Use Code”** B.R.C. 1981 for certain areas of the city.

**Staff Presentation:**

**J. Robertson** presented the item to the board.

**Board Comments:**

**Key Issue #1: Should we only focus on Affordable Housing in Phase 1?**

• **H. Zuckerman** felt the focus should be looking for ways to enhance community benefit, as stated in **Policy 1.11 (Enhanced Community Benefits)**. He suggested looking at ways to quantify additional community benefits, such as great architecture and spaces for the arts. He would rather see an approach where for any kind of increased height, which increases density or intensity, we still look at meeting these other community objectives and set a base line for what would be the minimum amount of affordable housing that would be required to support that increase. The applicant can either go higher and not meet any of the additional community benefits or they can stay at the minimum and achieve what they need to for the height in density and intensity with the additional community benefits.

• **P. Vitale** would like to focus on affordable housing if time allows, but not at the sake of meeting the July 2018 deadline.

• **L. Payton** supported City Council’s suggestions to do a community benefit data collection at the same time but to not make it part of the July 2018 deadline.

• **J. Putnam** agreed affordable housing should be the focus. It would be a mistake to limit the code to just that benefit. He recommended an approach would provide a prescriptive way to understand the relationship between height and the community benefit if increasing the intensity based on housing, but provide a release valve that other community benefits would provide relief thereby making it more qualitative.

• **C. Gray** agreed with other board members and the City Council recommendations. She would prefer to concentrate on housing. She agreed with **H. Zuckerman’s** comments. She would like to talk about incorporating the arts and local businesses getting displaced.

• **B. Bowen** mentioned when the Design Advisory Board (DAB) has discussed this before, their interest lied with having architectural beauty tie into achieving a taller building. In terms of limiting the focus to affordable housing, it is an innovative idea. The city needs affordable housing, but not in each neighborhood. Need to ask the neighborhoods and make it part of the public engagement process.
Key Issue #2: Agree with the approach?

- B. Bowen said he would like feedback from the planning staff regarding what most common height modifications are requested and granted. Many are requested but are not part of the large buildings or developments; they are requests from homeowners. These have little to no impact on others and need to be considered as part of the code simplification. He suggested creating a staff level or Board of Zoning Adjustments (BOZA) level height modification for an identified list of things to be simplified and focused (i.e. stair enclosure to access a roof deck, landing on upper floor to access and elevator stop, for open railings, and some incentivization for traditional roof forms). Over-lot grading, right-of-way grading, and mapped natural grade should be addressed as well by staff rather than pushing it to a board. He would approve of including FAR (Floor to Area Ratio) with intensity in this conversation to get a mix of uses. It would be a benefit to have an understandable explanation of what can be done on one’s property by non-professionals and implementable for staff. Regarding FAR, he would like to see the existing table updated with a focus on where the threshold is and when parking begins to be pushed underground.

- C. Gray agreed that there should be an area plans to determine height modifications as they will give an element of predictability. She would like Landmarks Board to have more flexibility in granting height modifications for landmark properties. Regarding roof top decks, she stated that they have been done within the existing ordinance, therefore she is not in full agreement with B. Bowen. The type of projects that should seek a height modification should be ones that serve affordable housing and not just the minimum.

- J. Putnam stated there should be distinction in terms of geographic scope between height modifications that are aesthetic, project improvement not including intensity, and those that increase intensity. If it were increased for intensity, it should be based on zoning classifications. He disagreed with C. Gray regarding area plans due to lack of area plans and lack of resources. We should tie Criteria 2 area plans so there would be an incentive. The current Site Review Criteria 9.2.14(f) on building design related to height is vague.

- L. Payton said an analysis of unintended consequences was missing, areas where height modifications could be granted or automatically granted, this might incentivize demolitions. She was concerned that demolitions may be incentivized of properties that we do not want to lose or of historical structures. We need to differentiate between bulk and density. She does not support using this process to provide relief for the physical constraints of parcels, except for landmark properties. She informed the board that she wrote a letter to City Council regarding height and views and to have a fair approach to height.

- P. Vitale agreed with L. Payton and B. Bowen’s comments. He believes in preserving the viewsheeds. The city should become an example. We need to get more creative on the built environment to coexist with affordability.

- H. Zuckerman added that this could be an opportunity to achieve good architecture. He supported B. Bowen’s comments. He suggested staff solicit professional advice from architects as part of its community engagement for focused areas. He agreed with J. Putnam’s comments regarding the need for greater clarity and the views to be protected. Finally, he supported L. Payton and C. Grays’ comments to give Landmarks Board more leeway to allow for height modifications for historic structures.
• **B. Bowen** agreed with **C. Gray**'s comments to give Landmarks Board more leeway to allow for height modifications for historic structures.

**Key Issue #3: Process, Community Engagement, Overall Approach, Timeline, and Additional Input**

• **H. Zuckerman** mentioned having outreach to professionals. He recommended asking about the enhanced community benefit as part of the study scope. The timeline is fine and he appreciated the commitment to meeting the deadline.

• **P. Vitale** agreed.

• **L. Payton**, regarding public engagement, said it would be helpful for public and the Planning Board to have an interim public hearing rather than waiting until the final date.

• **J. Putnam** agreed with **L. Payton**. He suggested more education regarding the history of the height limits. This could be an opportunity for visually based engagement or voting techniques to find what criteria matters to the public. It would be beneficial to capture what views are most important to people in their daily lives as well.

• **C. Gray** approved of the public process discussion and recognizing the Public Engagement Plan.

• **B. Bowen** agreed that an understanding of the history of the height limit will be important and doing a height visual survey would be beneficial.

• **H. Zuckerman** stated it will be important to educate the public regarding height modifications. Perhaps there should be a track for height modifications that should first be reviewed by staff to determine if it is simply a variance or truly a height modification that could provide a community benefit.


**Board Comments:**

• The board had no comments.

C. INFORMATION ITEM: Amendment to Title 9, “Land Use Code,” B.R.C. 1981, to update the effective date of the FEMA flood insurance rate maps. (*Continued from August 17, 2017*)

**Board Comments:**

• The board had no comments.

D. INFORMATION ITEM: Floodplain mapping revisions for Lower Boulder Slough. (*Continued from August 17, 2017*)
Board Comments:

- **L. Payton** stated that she hopes people understand that the hydrology report included in the Boulder Creek floodplain maps had not been updated since 1977. She stated that she supports the revisions to the mapping to reflect the typography.

7. **DEBRIEF MEETING/CALENDAR CHECK**

8. **ADJOURNMENT**

The Planning Board adjourned the meeting at 8:49 p.m.

APPROVED BY

__________________

Board Chair

__________________

DATE
1. CALL TO ORDER
   Chair, J. Putnam, declared a quorum at 6:04 p.m. and the following business was conducted.

2. APPROVAL OF MINUTES
   None to approve.

3. PUBLIC PARTICIPATION
   a) Alan Delamere addressed the board regarding the B.R.C. 1.1.14(e) “Public Interest”, the boards’ responsibilities, and asked that public interest be considered above the private interest.
   b) Jacqueline Muller addressed the board concerning public participation of development projects in residential areas, specifically that public participation be included in the determination of traffic impact study parameters.
   c) Phil Delamere (pooling time with Sue Dubler, Shelia Delamere) addressed the board stating that net-zero construction is the future and now is the time to have buildings exceed today’s standards and meet tomorrow’s goal of net-zero.
4. DISCUSSION OF DISPOSITIONS, PLANNING BOARD CALL-UPS / CONTINUATIONS

A. CALL UP ITEM: Amendment to Approved Site Review Phasing Plan; Address - 2930 Pearl Street; Project Name - Pearl Place; Applicant/Owner - Mitch Blain, Pearl Place Phase I Vertical, LLC successor by merger to Pearl Place Associates, LLC as to Lot 1 (2920 Pearl St), Google Inc. as to Lot 2 (2930 Pearl St); LUR2017-00059. Call up expires on September 8, 2017.

B. CALL UP ITEM: Non-Conforming Use Review for conversion of an existing non-conforming triplex into a duplex, located at 2032 17th Street in RMX-1 zoning district. Scope includes an addition of approximately 219 sqft.; Applicant/Owner - SoBo Homes/Joseph A. Ilaqua and Sandra A. Cirian; LUR2017-00035. Call up period concludes on September 8, 2017.

C. Gray recused herself from Item 4B.

None of the items were called up.

5. PUBLIC HEARING ITEMS

A. AGENDA TITLE: Public hearing and consideration of a site review application to restore the facade of the existing contributing building at 1911 11th Street in the Downtown Historic District, rebuild the third floor with additional height up to 40’-2 ½” and rooftop deck, enclose lobby area, and replace sidewalks and streetscaping within the DT-5, Downtown – 5 zoning district (case no. LUR2017-00021).

Board members were asked to reveal any ex-parte contacts they may have had on this item.
- All board members disclosed they read the materials within the packet. All board members conducted site visits except for J. Putnam, L. Payton and H. Zuckerman. Finally, P. Vitale stated that he had toured the site a few years ago and currently has a client who at one time was a potential buyer of the property.

Staff Presentation:
S. Moeller presented the item to the board.

Board Questions:
S. Moeller answered questions from the board.

Applicant Presentation:
Scott Littlefield, the owner, and Leonard Thomas, with Urban West Studio, presented the item to the board.

Board Questions:
Leonard Thomas, the applicant, answered questions from the board.
Public Hearing:
No one spoke.

Board Comments:
- J. Putnam asked the board if they felt the proposed project had met all the site review requirements, including the Boulder Valley Comprehensive Plan policies, the criteria for modifications, and the Downtown Urban Design Guidelines as recommended by staff.
- The board agreed.
- C. Gray questioned if any unresolved issues will be addressed through the TEC DOC review process and with the Landmarks Design Review Committee approval (Condition of Approve #3). She commended the applicant for attempting to restore the building to its previous historic structure.
- L. Payton agreed and appreciated the efforts of the applicant.

Motion:
On a motion by H. Zuckerman seconded by C. Gray the Planning Board voted 7-0 to approve Site Review case no. LUR2017-00021 incorporating the staff memorandum and the attached Site Review Criteria Checklist as findings of fact, and subject to the recommended conditions of approval.

B. AGENDA TITLE: Public hearing and Planning Board action on a site review application proposing to redevelop the property at 1831 22nd St. with four attached residential units. The proposal includes a request to modify the lot area per dwelling unit from 3,000 square feet per dwelling unit to 2,075 square feet per dwelling unit within the RH-2, Residential High - 2 zoning district. Reviewed under case no. LUR2016-00044.

Board members were asked to reveal any ex-parte contacts they may have had on this item.
- All board members disclosed they had read the materials within the packet. All board members conducted site visits except for P. Vitale. During the meeting, B. Bowen looked at the site on Google Earth.

Staff Presentation:
E. McLaughlin presented the item to the board.

Board Questions:
E. McLaughlin answered questions from the board.

Applicant Presentation:
Steven McHugh, the owner’s representative, and Steve Dodd, with Dodd Studio, presented the item to the board.

Board Questions:
Curtis Stevens, with Sanitas Group, and Steve Dodd, the architect, answered questions from the board.
Public Hearing:
No one spoke.

Motion regarding Public Notice:
On a motion by D. Ensign, seconded by B. Bowen, the Planning Board voted 7-0 that since the notice was posted and the proper notification procedures were followed, the board finds that any omission or defect in the notice has not impaired a surrounding property owner’s ability to participate in the public review process.

- C. Gray asked that the board set aside time in the future to discuss amending the existing notification ordinance to include property owners and renters.
- The board agreed to place it on the work plan.

Board Comments:
- J. Putnam asked the board if they felt the proposed project had met all the site review criteria requirements, including the Boulder Valley Comprehensive Plan policies, and the criteria for a reduction in the minimum lot per dwelling unit and setbacks as recommended by staff.
- The board agreed.
- C. Gray stated that currently in the city, there are a number of RH-2 zones. While she is in favor of this project, it should not be interpreted as a precedent. Future projects within RH-2 zones should be reviewed individually and a project similar to the proposed may not be as appropriate.
- L. Payton questioned if the board could require photographic documentation of the current structure by Landmarks Board prior to demolition. She also expressed hope that there would be long range planning for the Boulder Slough and it would become a greenway and/or transportation corridor. Another connection moving east/west would be an innovative idea.
- D. Ensign agreed that a path along the Boulder Slough would solve a lot of bike transportation issues.
- B. Bowen approved of the applicant’s clear approach to the existing flood ways issues and the proposed design.
- H. Zuckerman approved of the proposed scale of the project for the neighborhood and the suggested price point is respectable.
- D. Ensign approved of the two off-street parking spaces for each residence.
- J. Putnam appreciated the proposed design. The proposed roof deck will be an incredible amenity.

Motion:
On a motion by B. Bowen seconded by D. Ensign the Planning Board voted 7-0 to approve Site Review case no. LUR2016-00044 incorporating the staff memorandum and the attached Site Review Criteria Checklist as findings of fact, and subject to the conditions of approval recommended in the staff memorandum.
Friendly amendment by H. Zuckerman that prior to application for a demolition permit, the applicant shall submit to Landmarks Board for review specifically to determine whether any documentation of the structure is required before demolition. Not accepted by B. Bowen.

C. AGENDA TITLE: CONCEPT PLAN & REVIEW for a redevelopment of the site at 5505 Central including existing office building on the property addressed at 5505 Central Ave. with a new office building that meets form, bulk and density standards of the Industrial General (IG) zoning district. Proposal also includes improving internal connectivity between 5505 Central Ave., 2108 55th St., 5525 and 5541 Central Ave. along with the addition of bicycle parking, adjustments to parking, and improvements to drainage, water quality, lighting and landscaping. No modifications to the land use code are requested; because of the total area within contiguously owned properties, the proposal meets the threshold for mandatory Concept Plan. Reviewed under case number LUR2017-00061.

Board members were asked to reveal any ex-parte contacts they may have had on this item.
- All board members disclosed they had read the materials within the packet. All board members conducted site visits.

Staff Presentation:
E. McLaughlin presented the item to the board.

Board Questions:
E. McLaughlin answered questions from the board.

Applicant Presentation:
Kelly Davis, with Oz Architecture, presented the item to the board.

Board Questions:
Kelly Davis, representing the applicant, answered questions from the board.

Public Hearing:
1) Kurt Nordback spoke in support of the proposed project. As someone who has worked in this area, he stated that the proposal would be a huge improvement however it could be an opportunity for a strong statement on the corner. He asked the board to consider retail on the corner such as a coffee shop or café. In addition, residential in the area would be beneficial. He expressed concern regarding the proposed paid parking and requested better pedestrian permeability.

Board Comments:
- B. Bowen sees this as an opportunity of how to innovate the next generation and interweave useful spaces. He suggested the applicant conduct a market study to discover what businesses would be supportable in that location. The southeast corner on the main floor would be a great community space (café or co-working spill out). The nature of the streetscape is key (i.e. should it be tighter). He recommended evaluating residential in the
area and how it would work. He stated the configuration of the site works and suggested making the space around it interesting and occupiable.

- **L. Payton** approved of 5541 Central Avenue’s design. Regarding wetlands flood drainage issues, redevelopment along Dry Creek Ditch #2 could be an opportunity to create more of a natural buffer and edge. The applicant should increase the permeability of the site and add more drainage in natural areas rather than parking lots. The connectivity within the site is not as critical, however she suggested improving access into the site from 55th Street to the creek paths.

- **H. Zuckerman** suggested using more opportunities to get closer to net-zero. Regarding shading, he suggested some type of roof overhang to provide shading and longevity of the building. He stated that the proposed building is handsome and he approves of the sunken court, the breakup of the design with the glass modules, and rhythm of the windows.

- **C. Gray** agreed with the previous comments. The proposal is a fitting example of public realm. She stated there is an opportunity to build on the existing connections, including the railroads. She challenged the applicant to implement more of the BVCP concepts. This project is headed in right direction.

- **D. Ensign** agreed. He suggested echoing the materials at 5541 Central Avenue for cohesiveness of the area. The outdoor staircase is a positive feature. Regarding circulation, he agreed with the staff recommendations and more possibilities for transportation exist such as a multi-use path on the east side of the property. He would be encouraged to see SUMP principles for parking implemented. Retail and live-work would be ideal.

- **P. Vitale** approved. The corner will be well served by open space. A small café for workers in that location might need venting for a cafeteria. Therefore, he suggested pairing that corner with retail. The ability for people to eat and gather on-site will be beneficial. He agreed with the previous net-zero comments.

- **J. Putnam** agreed. On the corner/patio, he recommended looking at outdoor retail or kiosks to keep people outside. He suggested a strong piece of art or a bouldering feature as focal point. He would like to see the context of an overall master plan to understand flood and circulation issues. He would prefer to see the applicant move into future thinking regarding parking because the current site appears overparked. A plan for these spaces would be nice (i.e. greenspace, housing, art). Regarding floodplains, in terms of looking at the connections with the existing roads, he encouraged the applicant to make sure the elevations are substantial to have internal and external circulation during flood events. He suggested looking at sites for energy storage opportunities. He encouraged a reduction in parking and looking at accommodating ride-share services.

- **P. Vitale** agreed with installing some light art on the southeast corner.

**Motion:**
Since this is a Concept Review, no action is required on behalf of the Planning Board.
6. MATTERS FROM THE PLANNING BOARD, PLANNING DIRECTOR, AND CITY ATTORNEY
   • Board members H. Zuckerman and D. Ensign informed the board that they will be absent from the October 5, 2017 Planning Board meeting.

7. DEBRIEF MEETING/CALENDAR CHECK

8. ADJOURNMENT

The Planning Board adjourned the meeting at 9:31 p.m.

APPROVED BY

________________________________________
Board Chair

________________________________________
DATE
TO: Planning Board

FROM: Alysha Geiger, Civil Engineer I

DATE: October 6, 2017

SUBJECT: Call Up Item: Floodplain Development Permit (LUR2017-00069)
885 Arapahoe Avenue – New Fence Section
Construction of a wrought iron fence 26 feet long, 7 feet high parallel to Gregory Creek.

This decision may be called up before Planning Board on or before October 20, 2017.

A floodplain development permit was approved by Public Works Development Review staff on October 6, 2017 for 885 Arapahoe Avenue – New Fence Section.

The property owner is proposing the installation of a new section of wrought iron fence at the top of the east bank of Gregory Creek, parallel to the direction of flow and will have a relatively open geometry, which will be less conducive to capturing debris or blocking flood flows. The applicant has demonstrated compliance with the City’s floodplain regulations. The project will not adversely impact nearby properties. A copy of the floodplain development permit and a vicinity map showing the location of the improvements is attached.

The floodplain development permit was approved by Public Works Development Review staff on October 6, 2017 and the decision may be called up before Planning Board on or before October 20, 2017. There is one Planning Board meeting within the 14-day call up period on October 19, 2017.

Questions about the project should be directed to Alysha Geiger at 303-441-4053 or by e-mail at geigera@bouldercolorado.gov.

Attachments:
A. Floodplain Development Permit
B. Vicinity Map
Land Use Review Floodplain Development Permit

Date Issued: October 6, 2017
Expiration Date: October 6, 2020
(Pursuant to Subsection 9-3-6(e), B.R.C. 1981)

Permit Number: LUR2017-00069

Contact Information
STEVE LESLIE
1800 38TH ST.
BOULDER, CO 80301

Project Information
Location: 885 ARAPAHOE AV
Legal Description: OUTLOT 8 WILLOW PARK & PT VAC 9TH STREET ADJ PER VO 1265566
2/93 & LESS SELY TRIANGLE TO C ITY PER 1276394 3/93 36-1N-71
Description of Work: Floodplain Development Permit for installation of a wrought iron fence.
Type of Floodplain Permit: Floodplain Review W/O Analysis
Creek Name: Gregory
Flood Protection Elevation: Not applicable

Conditions of Approval
- The proposed project/activity is approved on the basis that it satisfies applicable requirements of Chapter 9-3-3, "Floodplain Regulations," Boulder Revised Code 1981. Other floodplain requirements as set forth in Chapter 9-3-3 which are not specifically outlined in the conditions of approval below remain applicable to this project/activity.
- The applicant shall obtain a site inspection and approval from the City of Boulder Floodplain and Wetlands Coordinator upon completion of the projects.
- The applicant shall confirm in writing that all improvements have been completed in conformance with this Floodplain Development Permit.
- The fence shall be securely anchored to resist damage and washing away as debris during flooding events.
- Construction activities must not encroach into any regulatory wetland area.
- The fence must be located inside the property line. The fence may not be located within the city right-of-way.

Inspections
To schedule an inspection, call 303-441-3280 and refer to your permit number (LUR2017-00069).
- Final Floodplain Inspection
MEMORANDUM

TO: Planning Board
FROM: Shannon Moeller, Case Manager
DATE: October 13, 2017
SUBJECT: Call-Up Item: Minor Subdivision of the 36,147-square foot (0.83 acre) property located at 2160 Upland Avenue in the RE (Residential Estate) zoning district into two (2) lots as follows: Lot 1 will be 18,076-square feet and Lot 2 will be 18,071-square feet in area. No modifications to land use regulations are requested. This approval is subject to call-up on or before October 23, 2017.

Attached is the disposition of the approval (see Attachment A) of the subdivision of a residential property within the Residential Estate (RE) zoning district located at 2160 Upland Ave. This subdivision will create one additional lot. Pursuant to section 9-12-5(a), B.R.C. 1981, a Minor Subdivision is required in order to replat the property (see Attachment B for Approved Final Plat).

Background.
The subject property is 0.83-acres and is located south of Upland, north of Tamarack, and west of 22nd Street (refer to Figure 1). It was annexed into the City of Boulder on October 6, 2009 (Ordinance No. 7689) as part of the Crestview East neighborhood annexation and is currently an unplatted tract. The property is located within the North Boulder Subcommunity.

The property is zoned (RE) Residential - Estate, which is defined in section 9-5-2(c)(1)(A), B.R.C. 1981, as “single family detached residential dwelling units at low to very low residential densities.” The minimum lot size in this zone district is 15,000 square feet. The proposed Lot 1 will be 18,076-square feet and Lot 2 will be 18,071-square feet in area. Lot 1 will maintain access to Upland Avenue, while Lot 2 will have access to Tamarack Avenue. Each lot is limited to the development of a single-family dwelling and is subject to compatible development standards, including: side yard bulk plane, side yard wall articulation, maximum building coverage, and floor area ratio requirements.

The property is subject to the requirements of the Crestview East annexation agreement and the North Boulder Sub-Community Plan. Construction of a new dwelling on Lot 2 is subject to the design guidelines and affordable housing cash-in-lieu requirements of the Crestview East annexation agreement at the time of building permit.

Public Comment.
Required public notice was provided in the form of written notifications to adjacent property owners of the subject property. In addition, a public notice sign was posted on the property. Therefore, all public notice requirements of section 9-4-3, “Public Notice Requirements,” B.R.C. 1981 were met. No public comments were received.
**Conclusion.** Staff finds that this application meets the Final Plat criteria set forth in section 9-12-8, B.R.C. 1981. Further, the subdivision meets the minimum lot area requirements (Table 8-1: Intensity Standards) and the Standards for Lots and Public Improvements (Section 9-12-12).

This application was approved by Planning and Development Services staff on **October 9, 2017** and the decision may be called-up before Planning Board on or before **October 23, 2017**. One Planning Board meeting is scheduled within the 14-day call-up period. The call-up will be considered at the hearing on **October 19, 2017**. Questions about the project or decision should be directed to Shannon Moeller at 303-441-3137 or via email moellers@bouldercolorado.gov.

**Attachments.**

**Attachment A:** Disposition of Approval  
**Attachment B:** Final Plat for Ford Subdivision
CITY OF BOULDER
Planning and Development Services
1739 Broadway, Third Floor • P.O. Box 791, Boulder, CO 80306-0791
phone 303-441-1860 • fax 303-441-3241 • web email plandevelop@bouldercounty.gov
www.boulderplandevelop.net

CITY OF BOULDER PLANNING DEPARTMENT
NOTICE OF DISPOSITION

You are hereby advised that the following action was taken by the Planning Department based on the standards and criteria of the Land Use Regulations as set forth in section 9-12-5, B.R.C. 1981, as applied to the proposed development.

DECISION: Approved
PROJECT NAME: Ford Subdivision
DESCRIPTION: MINOR SUBDIVISION of the 36,147-square foot (0.83 acre) property into two (2) lots: Lot 1 will be 18,076-square feet and Lot 2 will be 18,071-square feet in area.
LOCATION: 2160 Upland Avenue, 2153 Tamarack Avenue
COOR: N08W05
LEGAL DESCRIPTION: See Attached Exhibit A
APPLICANT/OWNER: STEPHEN FORD
APPLICATION: Minor Subdivision Review, LUR2016-00060
ZONING: RE
CASE MANAGER: Shannon Moeller

THIS IS NOT A SITE SPECIFIC DEVELOPMENT PLAN APPROVAL AND NO VESTED PROPERTY RIGHT IS CREATED BY THIS APPROVAL.

Approved On: October 9, 2017
By: Jim Robertson, Director of Planning, Housing and Sustainability

This decision may be appealed to the Planning Board by filing an appeal letter with the Planning Department within two weeks of the decision date. If no such appeal is filed, the decision shall be deemed final fourteen days after the date above mentioned.

Appeal to Planning Board expires: October 23, 2017

CONDITIONS OF APPROVAL

None.
LEGAL DESCRIPTION:
PER RECEPTION NO. 606952, RECORDS OF BOULDER COUNTY CLERK AND RECORDER:

BEGINNING AT THE SOUTH QUARTER CORNER OF SECTION 18, TOWNSHIP 1 NORTH, RANGE 70 WEST OF THE 6th P.M., THENCE NORTH 0°05'30" EAST ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 18 A DISTANCE OF 3,328.4 FEET; THENCE NORTH 89°50' EAST 891.06 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 0°10'40" WEST 318.0 FEET; THENCE NORTH 89°50' EAST, 140.00 FEET, THENCE NORTH 0°03'40" EAST, 318.0 FEET; THENCE SOUTH 89°50' WEST, 140.0 FEET TO THE TRUE POINT OF BEGINNING, COUNTY OF BOULDER, STATE OF COLORADO, EXCEPT THE NORTH 30 FEET AND THE SOUTH 30 FEET THEREOF.
AGENDA TITLE: Planning Board public hearing to consider amendments to the Boulder Valley Comprehensive Plan (BVCP) Planning Area I, II, III Map for Knollwood and Spring Valley Estates.

REQUESTING DEPARTMENT:
Jim Robertson, Director, Planning, Housing + Sustainability (PH+S)
Lesli Ellis, Comprehensive Planning Manager (PH+S)
Chris Meschuk, Assistant City Manager (CMO)
Beth Chamberlin, Planner I (PH+S)

Suggested Motion Language:
Staff requests Planning Board consideration of this matter and action in the form of the following motions:

A. Motion to approve a Boulder Valley Comprehensive Plan (BVCP) Planning Area I, II, III Map change from Area III-Rural Preservation to Area II for Knollwood as shown and described in Attachment A.

B. Motion to approve a Boulder Valley Comprehensive Plan (BVCP) Planning Area I, II, III Map change from outside the Planning Area boundary to Area II and assign a land use designation of very low density residential (VLR) for Spring Valley Estates as shown and described in Attachment B.

The purpose of this item is for the Planning Board to hold a public hearing to consider changes to the Boulder Valley Comprehensive Plan (BVCP) Planning Area I, II, III Map designation for Knollwood and Spring Valley Estates. Knollwood is requesting a map change from Area III- Rural Preservation to Area II (requires two-body approval) and Spring Valley Estates is requesting a map change from outside the Planning Area boundary to Area II (requires four-body approval).

These requests are a final step in the of the Boulder Valley Comprehensive Plan (BVCP) 2015 Major Update. When the Boulder Valley Comprehensive Plan is updated every five years, members of the community and staff can request changes to the land use or planning area designations for properties throughout the Boulder Valley. All requests proposed by members of the public have been reviewed and given determinations earlier in the BVCP update process. However, there are two remaining Planning Area designation change requests that were proposed by staff and include Planning Area designation changes for the Knollwood (51 parcels) and Spring Valley Estates (36 parcels) neighborhoods.
The requests for Planning Area designation changes for Knollwood and Spring Valley Estates were initiated by the city at the request of the boards of each of the neighborhood districts in response to the amendments made to the city's blue line and approved by voters in Nov. 2016. The blue line, created in 1959, identifies a boundary above which the city cannot provide water services to protect the foothills from development. In 2016, the blue line was amended to provide clarity on the boundaries and reflect current development patterns. As part of the 2016 amendments, properties with existing city utility agreements that were previously above the blue line were moved below the blue line. Since Knollwood and Spring Valley Estates currently receive city sewer service, the neighborhoods were moved below the blue line. Although Knollwood and Spring Valley Estates already receive city sewer services, they do not have access to city water and instead, operate private water systems through the Knollwood Metropolitan District and Spring Valley Mutual Water Association. Moving both neighborhoods into Area II would be consistent with the new policies and intention regarding the blue line (BVCP Policy 1.16.b), as the move to Area II would make the subdivision eligible for annexation and water service in the future. Additionally, moving Knollwood and Spring Valley Estates into Area II would allow connection to the city's water system to alleviate some health and safety concerns highlighted during the recent Sunshine Fire, where there was a lack of adequate water pressures for wildfire protection in the neighborhood.

**Analysis**

A detailed analysis of each neighborhood is included in Attachments A and B, based on the criteria for a minor adjustment to the service area boundary (Knollwood and Spring Valley Estates), and a Planning Area Boundary Expansion (Spring Valley Estates). Staff has found that each request meets the criteria for the proposed changes.

**Summary of Recommended Map Changes**

<table>
<thead>
<tr>
<th>Neighborhood</th>
<th>Change Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Knollwood</td>
<td>Change from Area III-Rural Preservation to Area II – This recommendation creates a more logical service area boundary for a substantially developed neighborhood that is currently a County enclave (see Attachment A).</td>
</tr>
<tr>
<td>Spring Valley Estates</td>
<td>Change from outside the Planning Area boundary to Area II – This recommendation creates a more logical service area boundary for a substantially developed neighborhood along the western boundary and assigns a very low density residential (VLR) land use designation to the subdivision (see Attachment B).</td>
</tr>
</tbody>
</table>

**Next Steps**

**Knollwood**

The requested change for Knollwood's Planning Area from Area III-Rural Preservation to Area II requires two-body approval (Planning Board & City Council). Following consideration by the Planning Board, the request will be considered by City Council on Nov.14, 2017. This change has been referred to the County for comment, and any response will be shared with the Planning Board at the public hearing.

**Spring Valley Estates**

The requested change for Spring Valley Estates’ Planning Area from outside the Planning Area
boundary to Area II requires four-body approval (Planning Board, City Council, Board of County Commissioners, & Planning Commission). Following consideration by the Planning Board, the request will be considered by the other decision-making bodies:

- City Council: Nov. 14, 2017
- Planning Commission: Nov. 15, 2017
- Board of County Commissioners: Nov. 16, 2017

Attachments

A. Staff Report for Knollwood
B. Staff Report for Spring Valley Estates
C. Email comments from residents
Knollwood

Request Summary

- **Requester:** City of Boulder
- **Type of Request:** Minor Adjustment to the Service Area Boundary - Service Area Expansion (Area III to Area II)
- **Brief Description of Request:** Change from Area III- Rural Preservation to Area II for the Knollwood neighborhood
- **Approval Required:** Two-Body (City Council, Planning Board)

Existing Conditions

- **BVCP Land Use:** Very Low Density Residential (VLR)
- **Zoning (County):** Suburban Residential (SR)
- **Acreage of Site:** Approximately 28.4
- **Number of Parcels/Units:** 51 parcels, 48 developed single-family houses

Figure 1: BVCP Planning Areas
As a final step of the Boulder Valley Comprehensive Plan (BVCP) 2015 Major Update, the city is requesting a minor adjustment to the Service Area boundary (a change from Area III- Rural Preservation to Area II) for the Knollwood neighborhood. This proposal would bring Knollwood, a substantially developed low density residential neighborhood approximately 28.4 acres in size, into Area II.

This request was initiated by the city in response to 1) the amendments made to the city’s blue line and approved by voters in Nov. 2016 and 2) health and safety concerns. The blue line was amended to include Knollwood below the line, indicating the city’s intent to include it in the city Service Area (Area I &II) in the future. Although Knollwood already receives city sewer services, they do not have access to city water and instead, operate a private water system through the Knollwood Metropolitan District. Moving into Area II would make Knollwood consistent with the policies and intention of the blue line amendments, make the neighborhood compatible with BVCP Policy 1.16.b (actively pursue annexation of properties along the western boundary below the blue line), and make the neighborhood eligible for water services in the future. Additionally, connecting Knollwood to city water would allow the neighborhood to respond more quickly in the instance of a fire or other disaster where city services are needed.

Staff recommends approval of the proposed area change for the Knollwood neighborhood from Area III- Rural Preservation to Area II since the proposed change meets the criteria as outlined in the Boulder Valley Comprehensive Plan for a minor adjustment to the Service Area boundary (see analysis section).

SITE DESCRIPTION AND SURROUNDING CONTEXT

Knollwood is a County enclave located near the western edge of the city between Pearl Street and Mapleton Avenue/Sunshine Canyon Drive (see Figure 2). The Knollwood neighborhood was first platted in 1965 with the 1st Addition being added in 1966, 2nd Addition in 1968, and 2nd Replat in 1999.

The area proposed for change is approximately 28.4 acres and includes 51 parcels: 48 parcels are developed with single-family homes (one per parcel); one is the site of the main pump house for the neighborhood; and two parcels are owned by adjacent property owners of parcels in Area I (to remain undeveloped). Knollwood is in unincorporated Boulder County and designated as BVCP Planning Area III- Rural Preservation, an area where the city and county intend to preserve the existing rural land uses and character. However, Knollwood’s current condition as a substantially developed neighborhood is no longer consistent with the Area III-Rural Preservation description and is more aligned with the description for Area II (area now under county jurisdiction where annexation to the city can be considered consistent with plan policies).
City Services

Knollwood is a substantially developed neighborhood that receives sewer service from the city of Boulder, however, Knollwood is not connected to city water (see Figure 3 & 4). Residents in Knollwood are part of the Knollwood Metropolitan District, a special taxing district that funds the management of the water system for the neighborhood. If Knollwood decides to annex in the future, the current water infrastructure would need to be upgraded to city standards and the residents would be responsible for the cost of these upgrades. However, Knollwood can continue to provide water through the Knollwood Metropolitan District even if the neighborhood is moved into Area II. Switching to the city’s water system is only necessary if residents choose to annex in the future.

Environmental Conditions

Sunshine Creek (intermittent stream) runs along the east boundary of the Knollwood neighborhood. As a result, 15 of the parcels located along the east boundary have a portion of their property within the 100-year flood zone and the city’s high hazard flood zone (see Figure 5). Two of the lots in the flood zone are vacant, but the other 13 lots in the flood zone are developed with single-family homes.

There are no wetlands located in Knollwood, however, the entire neighborhood is identified to have geologic development constraints (potential mass movement, consolidation potential constraint).

Figure 4: Existing Sewer Service
Figure 3: Existing Water Service Area
Figure 5: Flood Zones
Land Use & Zoning

The BVCP Land Use Map has identified Knollwood as Very Low Density Residential (see Figure 6). The surrounding properties to the east are predominantly designated low density residential (LR) with some medium (MR) and mixed density (MXR) residential to the southeast. The property to the west is city-owned open space (OS-A).

The existing zoning for the Knollwood neighborhood is Suburban Residential (County). All properties surrounding Knollwood are located inside the city limits, making Knollwood a County enclave. Knollwood is surrounded by Area I properties to the north, east, and south, and Area III–Annexed properties to the west (see Figure 1).

Transportation

The neighborhood has a soft surface multi-use path extending from Green Rock Drive south to Spruce Street. This connects Knollwood to the nearby designated bike routes along 4th Street to the east, and Spruce Street, Pearl Street, and the Boulder Creek Path to the South. The 205 bus runs along Pearl Street, one block south of the neighborhood, with a bus stop at Pearl and 3rd Street.

NOTIFICATION & COMMUNITY INPUT

An official notification letter was mailed to all property owners in the Knollwood neighborhood on September 18, 2017. The letter provided information and a map of the proposed changes, steps in the approval process, dates and times for the public hearings, and contact information for city and county staff. This information was also provided on the city’s website (https://bouldercolorado.gov/planning/bvcp-planning-area-map-amendments). City and County staff also held open office hours on Wednesday September 27 from 3:00-5:00PM at the Park Central building to discuss the proposed changes in person, however, no residents attended.

City staff received feedback from several residents which included:
- One phone call (questions only, no feedback)
- Three emails – two property owners sent letters in support, one opposed (see Appendix C for full email text)

Staff has also met with representative from the Knollwood Metropolitan District to discuss the annexation process, options for connecting to the city’s water system, and the associated costs. These meetings were for informational purposes only.
Revisions to the BVCP Planning Area I, II, III Map are guided by the Amendment Procedures in Appendix B of the Boulder Valley Comprehensive Plan. The request to change Knollwood from Area III-Rural Preservation to Area II is categorized as a minor adjustment to the Service Area and requires two-body approval (Planning Board and City Council). The County does not have the option to call-up this request since the call-up provision does not apply to enclaves or properties along the western edge of the service area below the blue line (BVCP Appendix B, Referral & Call-up Process).

Minor adjustments to the Service Area boundary (Area III- Rural Preservation to Area II) is a small, incremental Service Area expansion that creates more logical Service Area boundary. Changes in designation of land from Area III to Area II may be approved as a minor Service Area adjustment based on the criteria listed in Sec. A.2.a.i of the BVCP Amendment Procedures and outlined below.

Applicability

a) Maximum size: The total size of the area must be no larger than ten acres. Residential areas larger than 10 acres may be considered if the area consists of substantially developed properties below the blue line along the western edge of the Service Area.

The Knollwood neighborhood is larger than 10 acres, however, it is a residential area that consists of substantially developed properties located below the blue line (as of Nov. 2016) along the western edge of the Service Area. As a result, it meets the criteria for parcels over 10 acres in size to be considered for a minor Service Area adjustment.

b) Minimum contiguity: The area must have a minimum contiguity with the existing Service Area of at least 1/6 of the total perimeter of the area.

Because the Knollwood neighborhood is surrounded by the city limits, it demonstrates 100 percent contiguity of its perimeter with city limits, and therefore meets the requirement for 1/6 contiguity with the existing Service Area. Additionally, the north, east and south boundaries of the Knollwood neighborhood are contiguous with Area I properties that currently receive city water and sewer service.

Criteria

a) Logical Service Area boundary. The resulting Service Area boundary must provide a more logical Service Area boundary (Area III/II), as determined by factors such as more efficient service provision, a more identifiable edge to the urbanized area or neighborhood, a more functional boundary based on property ownership parcel lines or defining natural features.

Knollwood is completely surrounded by city limits and because it is in Area III, it is not currently within the city’s Service Area boundary. Knollwood residents are currently connected to the city’s sewer service, making the neighborhood a logical extension of the Service Area boundary (Area I & II). Additionally, Knollwood was moved below the blue line in Nov. 2016, which means the property is now located in an area eligible to receive city water services and therefore eligible to be located within the Service Area boundary. The neighborhood is an established residential neighborhood, and its inclusion in the Service Area would create a more logical Service Area boundary.
b) **Compatibility with the surrounding area and the comprehensive plan:** The proposed change of Area III to II must be compatible with the surrounding area as well as on balance, the policies and overall intent of the comprehensive plan.

*Changing the Planning Area designation for the Knollwood neighborhood to Area II is consistent with the surrounding area. Knollwood is currently a county neighborhood adjacent to Area I (residential and mixed-use) properties to the north, east and south and Area III-Annexed (open space) properties to the west.*

The change would also be consistent with the policies and overall intent of the comprehensive plan. Changing the designation to Area II would allow for future annexation which is consistent with BVCP Policy 1.16 Annexation, which states “the city will actively pursue annexation of county enclaves”. Additionally, Knollwood was moved below the blue line in Nov. 2016 and, therefore, changing the designation for the neighborhood to Area II would be consistent with the intent to include Knollwood in the Service Area boundary (Area I & II). Finally, Area III designation is reserved for rural land uses and areas intended to remain in county jurisdiction that would not efficiently be served by city services. Since Knollwood is already developed and receives city sewer service, Area II designation is more appropriate for this area.

c) **No major negative impacts:** It must be demonstrated that no major negative impacts on transportation, environment, services, facilities, or budget will result from an expansion of the Service Area.

*Moving Knollwood from Area III to Area II will have no major negative impacts on transportation, environment, services, facilities, or budget. The Knollwood neighborhood has already been developed as a low-density residential neighborhood with 51 parcels (48 developed, 1 for a pump house, and 2 vacant with no future development potential), and will remain a low-density neighborhood in the future. Knollwood is surrounded by city-annexed land on all sides. Therefore, extending services to this neighborhood will not have a significant impact on city services. A preliminary analysis of any future annexation of the area indicates that water system replacement and street replacement may be necessary, consistent with BVCP Policy 1.16 – Annexation and Policy 1.22 (Growth to Pay Fair Share of New Facility Costs).*

d) **Minimal effect on land use and growth projections:** The proposed change of Area III to II does not materially affect the land use and growth projections that were the basis of the Comprehensive Plan.

*The Comprehensive Plan Land Use Designation Map categorizes this area as Very Low Density residential, so the existing state of neighborhood is anticipated to stay the same in the future and will not materially affect the land use and growth projections of the BVCP.*

e) **Minimal effect on service provision:** The proposed change of Area III to II does not materially affect the adequacy or availability of urban facilities and services to the immediate area or the overall Service Area of the City of Boulder.

*The proposed change to Area II will not affect the adequacy or availability of urban facilities and services to the immediate area or the overall Service Area. Knollwood already receives city sewer services, and the neighborhood will continue to manage their own water district until they decide to annex. At that time, the homeowners will be responsible for the cost of*
upgrades and connection to the city’s water system, consistent with city annexation policies 1.17 (Assimilation of Special District Facilities and Services) and 1.18 (Provision of Urban Services in the Boulder Valley).

f) Minimal effect on the city’s Capital Improvements Program: The proposed Area III to II change does not materially affect the adopted Capital Improvements Program of the city of Boulder.

The proposed change does not affect the adopted Capital Improvements Program.

g) Appropriate timing: The proposed Area III to II change will not prematurely open up development potential for land that logically should be considered as part of a larger Service Area expansion.

Timing for the proposed change is appropriate and will not prematurely open up development potential for land that logically should be considered as part of a larger Service Area. The Knollwood neighborhood is already substantially developed with single-family houses. There are only two vacant lots, both of which do not have future development potential due to their location in the 100-year and high hazard flood zones. The only development anticipated to take place in the neighborhood would be renovation of the existing 48 single-family houses. This request is being made as a part of implementing the blue line changes that brought Knollwood below the blue line, indicating intent and eligibility to include the neighborhood in the Service Area boundary.
Spring Valley Estates

Request Summary

- **Requester:** City of Boulder
- **Type of Request:** (1) Planning Area Expansion of Area III outer boundary & (2) Minor Adjustment to the Service Area Boundary (Area III to Area II)
- **Brief Description of Request:** Change from outside the Planning Area boundary to Area II for the Spring Valley neighborhood
- **Approval Required:** Four-Body (City Council, Planning Board, Board of County Commissioners, Planning Commission)

Existing Conditions

- **BVCP Land Use:** None (outside the planning area boundary)
- **Zoning (County):** Rural Residential (RR)
- **Acreage of Site:** Approx. 41.9
- **Number of Parcels/Units:** 36 parcels, 35 single-family houses
PROPOSAL & RECOMMENDATION

As a final step of the Boulder Valley Comprehensive Plan (BVCP) 2015 Major Update, the city is requesting to move the Spring Valley neighborhood from outside the Planning Area boundary into Area II. This move would require two processes: 1) an expansion of the Area III outer boundary and 2) a minor adjustment to the Service Area boundary to move the Spring Valley neighborhood from Area III to Area II. This request is being made by the city and would bring Spring Valley, a substantially developed low density residential neighborhood approximately 41.9 acres in size, into Area II.

This request was initiated by the city in response to 1) the amendments made to the city’s blue line and approved by voters in Nov. 2016 and 2) health and safety concerns. In Nov. 2016, the blue line was amended to include Spring Valley below the line, indicating the city’s intent to include it in the city Service Area (Area I &II) in the future. Although Spring Valley already receives city sewer services, they do not have access to city water and instead, operate a private water system through the Spring Valley Mutual Water Association (SVMWA). Moving into Area II would be consistent with the policies and intention of the blue line amendments, achieve consistency with BVCP Policy 1.16.b (actively pursue annexation of properties along the western boundary below the blue line), and make the neighborhood eligible for water services in the future. Additionally, connecting Spring Valley to city water would allow the neighborhood to respond more quickly in the instance of a fire or other disaster where city services are needed.

Staff recommends approval of the proposed area change for the Spring Valley neighborhood from outside the Planning Area boundary to Area II since the proposed change meets the criteria as outlined in the Boulder Valley Comprehensive Plan for a Planning Area Expansion of Area III outer boundary and minor adjustment to the Service Area boundary (see analysis section).

SITE DESCRIPTION AND SURROUNDING CONTEXT

Spring Valley is located along the western edge of the city boundary, north of Linden Avenue (see Figure 2). The Spring Valley Estates subdivision was platted in 1966 and has not changed since that time.

The area proposed for change is approximately 41.9 acres and includes 36 parcels: 35 parcels are developed with single-family homes (one per parcel) and one parcel is the site of the main pump house for the subdivision’s water district. Although Spring Valley is in located in unincorporated Boulder County, it is outside the BVCP Planning Area boundary. However, Spring Valley’s current condition as a substantially developed subdivision makes it eligible for the Area II designation (area now under county jurisdiction where annexation to the city can be considered consistent with plan policies).
City Services

Spring Valley is a substantially developed subdivision that receives sewer service from the city of Boulder, however, Spring Valley is not connected to city water (see Figure 3 & 4). Residents in Spring Valley are part of the Spring Valley Mutual Water Association (SVMWA), a special taxing district that funds the management of the water system for the subdivision. If Spring Valley decides to annex in the future, the current water infrastructure would need to be upgraded to city standards and the residents would be responsible for the cost of these upgrades. However, Spring Valley can continue to provide water through the SVMWA even if the neighborhood is moved into Area II. Switching to the city’s water system is only necessary if residents choose to annex in the future.

Transportation

Although there are several multi-use paths and designated bike routes located in the neighborhood to the east of Spring Valley, there are no bicycle or pedestrian facilities located inside the subdivision. There are not bus routes located near Spring Valley; the closest bus stop is approximately a 15-minute walk to Broadway and Norwood Avenue.
**Environmental Conditions**

Twomile Canyon Creek runs east-west through the subdivision to the south of Cactus Court and North of Linden Avenue. As a result, six of the parcels located along the creek have a portion of their property in the 100-year flood plain, with four of those properties also in the city’s high hazard flood zone (see Figure 5). All of the lots in the flood zone are developed with single-family homes.

There are no wetlands located in the Spring Valley subdivision, however, the entire neighborhood is identified to have geologic development constraints (potential mass movement, consolidation potential constraint).

**Land Use & Zoning**

Since Spring Valley Estates is located outside of the BVCP Planning Areas boundary, it does not currently have a BVCP Land Use Map designation (see Figure 6). However, if the subdivision would be moved into Area II, it would be assigned a designation of very low density residential (VLR) based on the existing density is less than 2 dwelling units per acre.

The properties to the east of the subdivision are located inside the city limits (Area I) and are designated as low density and very low density residential. Properties to the north and south are located in unincorporated Boulder County (mix of Area III and Area III-Annex) and are designated as Open Space, Development Rights (OS-DR). The existing zoning for the Spring Valley neighborhood is Rural Residential (County).
COMMUNITY INPUT

An official notification letter was mailed to all property owners in Spring Valley Estates on September 18, 2017. The letter provided information and a map of the proposed changes, steps in the approval process, dates and times for the public hearings, and contact information for city and county staff. This information was also provided on the city’s website (https://bouldercolorado.gov/planning/bvcp-planning-area-map-amendments). City and County staff also held open office hours on Wednesday September 27 from 3:00-5:00PM at the Park Central building to discuss the proposed changes in person, however, no residents attended.

City staff received no emails or phone calls from Spring Valley Estates residents. A representative from the Spring Valley Estates Mutual Water Association attended one of the informational meetings city staff had with representatives from Knollwood regarding potential future annexation.

ANALYSIS

Revisions to the BVCP Planning Area I, II, III Map are guided by the Amendment Procedures in Appendix B to the Boulder Valley Comprehensive Plan. The request to change Spring Valley Estates from outside the Planning Area boundary to Area II requires two separate processes: 1) expansion of the Area III outer boundary (which will bring the property into Area III- Rural Preservation) and 2) minor adjustment to the planning area map (moving the property from Area III-Rural Preservation to Area II). These processes will occur simultaneously as a part of this request.

A Planning Area boundary expansion (moving from outside the Planning Area boundary into the Area III- Rural Preservation) changes the outer boundary of the area of joint planning between the city and county and can only be initiated by the city or the county. Expansion of the Area III outer boundary requires four-body approval (Planning Board and City Council, Board of County Commissioners, and Planning Commission). There is only one criterion that must be met to approve this change; the criterion is listed in Sec. A.2.c.i. of the BVCP Amendment Procedures and included in the full list of criteria below.

A minor adjustment to the Service Area boundary (Area III- Rural Preservation to Area II) is a small, incremental Service Area expansion that creates a more logical Service Area boundary. Changes in designation of land from Area III to Area II may be approved as a minor Service Area adjustment based on the criteria listed in Sec. A.2.a.i of the BVCP Amendment Procedures and outlined below. Although the minor adjustment to the Service Area only requires two-body approval (Planning Board and City Council), it will be considered by all four bodies as part of this request.

Applicability

a) Maximum size: The total size of the area must be no larger than ten acres. Residential areas larger than 10 acres may be considered if the area consists of substantially developed properties below the blue line along the western edge of the Service Area.

The Spring Valley Estates subdivision is larger than 10 acres, however, it is a residential area that consists of substantially developed properties located below the blue line (as of Nov. 2016) along the western edge of the Service Area. As a result, it meets the criteria for parcels over 10 acres in size to be considered for a minor Service Area adjustment.
b) Minimum contiguity: The area must have a minimum contiguity with the existing Service Area of at least 1/6 of the total perimeter of the area.

The east boundary of the Spring Valley Estates subdivision is contiguous with the city’s western border which consists of Area I properties that receive city water and sewer services. As a result, it demonstrates 53% contiguity with the existing Service Area, and therefore meets the requirement for 1/6 contiguity with existing Service Area.

Criteria for Expansion of the Area III Outer Boundary

a) There is a demonstrated need that either expansion or contraction of the planning area is necessary due to changed circumstances or past error in determining the boundary.

There is a demonstrated need that expansion of the planning area is necessary due to changed circumstances. This request was initiated in response to the amendments made to the city’s blue line and approved by voters in Nov. 2016. As part of the 2016 amendments, properties with existing city utility agreements that were previously above the blue line were moved below the blue line. Since Spring Valley Estates currently receives city sewer services, the subdivision was moved below the blue line. Based on BVCP Policy 1.16 Annexation, it is the city’s intent to actively pursue annexation of properties along the western boundary below the blue line. As part of this intent, it is appropriate to move Spring Valley Estates into Area II in order to make it eligible for future annexation and connection to city water service.

Criteria for Minor Adjustment to the Service Area Boundary

a) Logical Service Area boundary. The resulting Service Area boundary must provide a more logical Service Area boundary (Area III/II), as determined by factors such as more efficient service provision, a more identifiable edge to the urbanized area or neighborhood, a more functional boundary based on property ownership parcel lines or defining natural features.

Spring Valley is located to the west of the existing city boundary and because it is outside the Planning Area boundaries (not in Area I, II, or III), it is not currently within the city’s Service Area boundary. However, Spring Valley residents are currently connected to the city’s sewer service, making the neighborhood a logical extension of the Service Area boundary (Area I & II). Additionally, Spring Valley was moved below the blue line in Nov. 2016, which means the property is now located in an area eligible to receive city water services and therefore eligible to be located within the Service Area boundary. The neighborhood is an established residential subdivision, and its inclusion in the Service Area would create a more logical Service Area boundary and more efficient service provision of future water service.

b) Compatibility with the surrounding area and the comprehensive plan: The proposed change of Area III to II must be compatible with the surrounding area as well as on balance, the policies and overall intent of the comprehensive plan.

Changing the Planning Area designation for the Spring Valley subdivision to Area II is consistent with the surrounding area. Spring Valley is currently a substantially developed county subdivision adjacent to similar Area I (residential) properties to the east with Area III (Open Space) properties to the north and south.
The change would be consistent with the policies and overall intent of the comprehensive plan. Bringing Spring Valley into the Planning Area and changing the designation to Area II would allow for future annexation which is consistent with BVCP Policy 1.16 Annexation, which states “the city will actively pursue annexation of...substantially developed properties along the western boundary below the blue line...”. Additionally, Spring Valley was moved below the blue line in Nov. 2016 and, therefore, changing the designation for the subdivision to Area II would be consistent with the intent to include Spring Valley in the Service Area boundary (Area I & II). Finally, since Spring Valley already receives city sewer service it makes sense for the subdivision to be moved into the Planning Area boundary, however, Area III designation is reserved for rural land uses and areas intended to remain in county jurisdiction that would not efficiently be served by city services. Since Spring Valley is already substantially developed and receives city sewer service, the Area II designation is more appropriate for this area.

c) No major negative impacts: It must be demonstrated that no major negative impacts on transportation, environment, services, facilities, or budget will result from an expansion of the Service Area.

Moving Spring Valley from outside the Planning Area boundary into Area II will have no major negative impacts on transportation, environment, services, facilities, or budget. The Spring Valley subdivision has already been developed as a low-density residential neighborhood with 36 parcels (35 developed with single-family houses and one for the water district’s pump house) and will remain a low-density neighborhood in the future.

The subdivision already receives city sewer services and is contiguous with Area I property along the east boundary. Therefore, extending additional services to this neighborhood will not have a significant impact on city services. An analysis of any future annexation of the area will be necessary to evaluate if water system replacement may be necessary, consistent with BVCP Policy 1.16 – Annexation and Policy 1.22 (Growth to Pay Fair Share of New Facility Costs).

d) Minimal effect on land use and growth projections: The proposed change of Area III to II does not materially affect the land use and growth projections that were the basis of the Comprehensive Plan.

Because Spring Valley Estates is an already developed subdivision (of only 35 properties), this change to Area II will not affect the growth projections that were the basis of the Comprehensive Plan. However, Spring Valley does not currently have a land use designation (since it is located outside of the Planning Area boundary), so there will be a change to the BVCP Land Use Map as a result of moving Spring Valley into the Planning Area boundary and categorizing the subdivision as very low density residential (VLR). This change to the Land Use Map will not be significant as the properties to the east are a mix of low density and very low density residential.

e) Minimal effect on service provision: The proposed change of Area III to II does not materially affect the adequacy or availability of urban facilities and services to the immediate area or the overall Service Area of the City of Boulder.

The proposed change to Area II will not affect the adequacy or availability of urban facilities and services to the immediate area or the overall Service Area.
receives city sewer services, and the subdivision will continue to manage their own water
district until they decide to annex. At that time, the homeowners will be responsible for the
cost of upgrades and connection to the city's water system, consistent with city annexation
policies 1.17 (Assimilation of Special District Facilities and Services) and 1.18 (Provision of
Urban Services in the Boulder Valley).

f) **Minimal effect on the city’s Capital Improvements Program:** The proposed Area III to II
change does not materially affect the adopted Capital Improvements Program of the city of
Boulder.

   *The proposed change does not affect the adopted Capital Improvements Program.*

g) **Appropriate timing:** The proposed Area III to II change will not prematurely open up
development potential for land that logically should be considered as part of a larger Service
Area expansion.

   *Timing for the proposed change is appropriate and will not prematurely open up development
potential for land that logically should be considered as part of a larger Service Area. The
Spring Valley subdivision is already substantially developed with single-family houses with no
vacant lots. The only development anticipated to take place in the neighborhood would be
renovation of the existing 48 single-family houses. This request is being made as a part of
implementing the blue line changes that brought Spring Valley below the blue line, indicating
intent and eligibility to include the subdivision in the Service Area boundary.*
Email received 9/27/17

I have lived [in Knollwood – specific address removed], Boulder for 11 years. I support the idea of changing our neighborhood's designation from Area III to Area II in the Boulder Valley Comprehensive Plan. I hope that this change will soon allow us to become annexed into the City of Boulder because I am very desirous of our neighborhood being granted access to the city water supply.

Although I understand why neighborhoods like ours were originally designated to be outside the blue line to discourage further encroachment into the foothills, I believe that our open space boundaries are now well established and our neighborhood's Area III designation is no longer necessary. It would be better for our neighborhood to be on city water for many reasons. The most selfish reason is that we currently rely on neighborhood volunteers to operate a neighborhood well/pump/pipeline system. This requires a great deal of time to maintain, repair, measure and bill for each house's water use. Another selfish reason is that our current well water is extremely hard and requires each house to install and maintain expensive whole-house and in-sink water softener systems. Even with these devices we have mineral deposits that ruin our faucets, sinks and showers.

The most important reason I have for wanting to be on city water is so that the city water supply can be used in our neighborhood's fire hydrants. Our neighborhood has been evacuated for wildfires 3 times in the 11 years that I've lived here and it is my understanding that under the current system, our fire hydrants have to be manually switched over to allow firefighters to access the water and protect us. We have been told that if we were on city water that the hydrants would be "always on," have more pressure and be functional immediately - without the delays associated with manually switching them over. Since many of our recent wildfires were started by open space users and our neighborhood is immediately adjacent to open space, we understand firsthand the need for quick firefighting. Any delay in getting water could result in loss of homes, lives and a quick spread of the fire into Boulder.

Our neighborhood is essentially a dense city-like area with single family houses on small lots. It is not rural with acres of open fields and farmland. The character of the neighborhood is consistent with inclusion into the city of Boulder.

Thanks for your consideration,
Megan Wilder

Email received 9/27/17

We (John and Susan Maynard) are writing to express our strong support for the proposed change of Knollwood from Planning Area III to Planning Area II in the Boulder Valley Comprehensive Plan.

We have lived in Knollwood since December, 1986. Prior to that, we had both lived in the City of Boulder since the 1960s.

We (John and Susan Maynard) are writing to express our strong support for the proposed change of Knollwood from Planning Area III to Planning Area II in the Boulder Valley Comprehensive Plan.
First, it's clear that Knollwood does not fit the definition of Area III - Rural Preservation. No one would or could describe Knollwood today as having "rural land uses and character," so the issue of maintaining or preserving that use or character is moot. Knollwood is clearly already residential.

Second, we believe it's important for both the City of Boulder and Knollwood to preserve the annexation choice as an option in the near future. Issues related to water, electrical power, fire and police protection, and possibly municipal broadband are important and could develop in unexpected ways over the next few years. Maintaining flexibility about possible annexation could be crucial in terms of the best ways to address unexpected issues.

If you need additional information from us, please don't hesitate to contact us anytime. Thank you for the opportunity to provide our input.

John and Susan Maynard

Email received 9/21/17

I can tell you there is little to no support for annexation of Knollwood into the City of Boulder. I understand you are contemplating a first step in rezoning that would make annexation possible in the future. But there is no reason to take that step if eventual annexation is not a good possibility.

Why the lack of support? Comes down to (1) we just reorganized and voted upon ourselves a new tax to help with both streets and water infrastructure—the County is about to go forward to pave our streets ; (2) the cost to residents to annex—estimated at $2.5 million-- is too high—we could solve all our long term issues for half that cost, including permanent part time staff, improved water infrastructure, etc. (3) we don’t want to pay higher City taxes—we already pay the sales tax every time we eat or shop in Boulder which is virtually everyday. So the current situation is fine, there is no advantage to changing it, at least to us.

Craig A. T. Jones
Memorandum

To: City of Boulder Planning Board  
From: Community Engagement Staff Team  
Date: October 11, 2017  
Re: Public Participation Working Group (PPWG) Report, Recommendations and Next Steps

Background  
The City Manager formed the Public Participation Working Group (PPWG) in September 2016 at the request of Boulder City Council. The 14-member Public Participation Working Group was charged with the following work:

- Review and assess current city processes.
- Identify best practices, current successes along with lessons learned from previous city efforts.
- Recommend ways for making improvements for civic engagement processes which foster success for both the city (Council, Boards, staff) and community members.
- Make recommendations to the City Council and Boards about possible modifications to public participation processes that improve the effectiveness of city decision making.
- Make recommendations that promote mutual respect and clarify responsibilities of the city (Council, Boards, staff) and community members to engage with and listen to each other more effectively.

Additional background information can be found on the project website.

Analysis  
For nearly a year, the working group reviewed the city’s public engagement process, talked to other community members, researched information from other communities and discussed best practices in order to form recommendations on how Boulder might improve public participation. The group formed a number of subcommittees to work on various aspects of analysis and develop the report.

The working group’s final report and recommendations are available in Attachment A.

The report identifies core principles and values of good public engagement. It also includes deep analysis of current issues and problems in Boulder that provides a basis for two overarching recommendations for improving the ways the city and Boulder community members interact:

1. Change the culture of public engagement

   In the face of serious issues and complex challenges, leadership is needed to help frame issues, inform and invite participation, and provide needed resources. Decision-makers can recognize or identify a question for consideration and design a process that is appropriate to the issue and
suited to those who need to be involved. The report outlines strategies to inspire positive culture change in Boulder over time.

2. Utilize a comprehensive decision-making process

The group outlines the need for a structured, scalable, decision-making process that enables community members to play appropriate and useful roles in partnership with city staff and key decision-makers. The PPWG constructed a 9-step model for use in engaging the community. This would create both consistency and accountability for specific projects/policies.

Each of these recommendations is described in more detail in the report (See Attachment A.)

Requested Feedback
Staff is interested in discussing the report and recommendations with the Planning Board. Discussion questions include the following:

1. What do you see as your board’s current level of public engagement / participation?
2. What ideas do you have for the future role in public participation / engagement?
3. What resources, training is needed?
4. What ideas resonate for board members relate to upcoming PH&S work? E.g.:
   a. Areas plans – Alpine-Balsam, Civic Area
   b. Land use code updates
   c. Development review? How might this framework apply?

The board will discuss engagement plans specific to building height and ADU code change projects later in the agenda for October 19, and later in the fall for Alpine-Balsam.

Schedule and Process
Staff will be working to fully share and assess the report and understand all the information it contains. There are many positive and helpful strategies outlined that can be prioritized and put into effect. As key projects (e.g. Alpine-Balsam, Open Space and Mountain Parks Master Plan) move forward in 2017, staff will pilot use of the comprehensive decision-making steps.

Building on council’s feedback on the PPWG’s report, staff will form an interdepartmental team to develop an implementation framework and identify near and long-term strategies, goals, and measures to implement recommendations in the report. The next discussion with City Council will be to share a draft implementation framework, currently scheduled for November 21, 2017.

Staff Contacts
Jean Gatza, gatzaj@bouldercolorado.gov, 303-441-4907
Sarah Huntley, huntleys@bouldercolorado.gov, 303-441-3155

Attachments
A: PPWG Final Report
B: City Council Study Session Summary from Aug. 28, 2017
Memorandum

To: City of Boulder Planning Board
From: Community Engagement Staff Team
Date: October 11, 2017
Re: Public Participation Working Group (PPWG) Report, Recommendations and Next Steps

Background
The City Manager formed the Public Participation Working Group (PPWG) in September 2016 at the request of Boulder City Council. The 14-member Public Participation Working Group was charged with the following work:

- Review and assess current city processes.
- Identify best practices, current successes along with lessons learned from previous city efforts.
- Recommend ways for making improvements for civic engagement processes which foster success for both the city (Council, Boards, staff) and community members.
- Make recommendations to the City Council and Boards about possible modifications to public participation processes that improve the effectiveness of city decision making.
- Make recommendations that promote mutual respect and clarify responsibilities of the city (Council, Boards, staff) and community members to engage with and listen to each other more effectively.

Additional background information can be found on the project website.

Analysis
For nearly a year, the working group reviewed the city’s public engagement process, talked to other community members, researched information from other communities and discussed best practices in order to form recommendations on how Boulder might improve public participation. The group formed a number of subcommittees to work on various aspects of analysis and develop the report.

The working group’s final report and recommendations are available in Attachment A.

The report identifies core principles and values of good public engagement. It also includes deep analysis of current issues and problems in Boulder that provides a basis for two overarching recommendations for improving the ways the city and Boulder community members interact:

1. Change the culture of public engagement

   In the face of serious issues and complex challenges, leadership is needed to help frame issues, inform and invite participation, and provide needed resources. Decision-makers can recognize or identify a question for consideration and design a process that is appropriate to the issue and suited to those who need to be involved. The report outlines strategies to inspire positive culture change in Boulder over time.
2. Utilize a comprehensive decision-making process

   The group outlines the need for a structured, scalable, decision-making process that enables community members to play appropriate and useful roles in partnership with city staff and key decision-makers. The PPWG constructed a 9-step model for use in engaging the community. This would create both consistency and accountability for specific projects/policies.

Each of these recommendations is described in more detail in the report (See Attachment A.)

The City Council discussed the report with members of the working group at a study session on August 28, 2017. The summary from that session is included in Attachment B.

Requested Feedback

Staff is interested in discussing the report and recommendations with the Planning Board. Discussion questions include the following:

1. What do you see as your board’s current level of public engagement / participation?
2. What ideas do you have for the future role in public participation / engagement?
3. What resources, training is needed?
4. What ideas resonate for board members relate to upcoming PH&S work? E.g.:
   a. Areas plans – Alpine-Balsam, Civic Area
   b. Land use code updates
   c. Development review? How might this framework apply?

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Building on council’s feedback on the PPWG’s report, staff will form an interdepartmental team to develop an implementation framework and identify near and long-term strategies, goals, and measures to implement recommendations in the report. The next discussion with City Council will be to share a draft implementation framework, currently scheduled for November 21, 2017.

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Attachments

A: PPWG Final Report
B: City Council Study Session Summary from Aug. 28, 2017
1. Executive Summary
2. Introduction / Our PPWG Charge
3. The PPWG Process
4. The Case for Change: Issues and Problems
5. Core Principles & Values of Good Public Engagement
6. Recommendations
   1. Change the Culture of Public Engagement
   2. Utilize a Comprehensive Decision Making Process
7. References
   1. Next Steps
   2. Appendix
THE PPWG REPORT: OVERVIEW

• THE PPWG CHARTER, CHARGE, PROCESS
  • Executive Summary
  • Introduction
  • Process
EXECUTIVE SUMMARY

The Public Participation Working Group (PPWG) was formed in September 2016 at the request of Boulder City Council to identify ways to improve public process. This report outlines new ways of conceptualizing effective public engagement and makes specific recommendations to improve decision-making, foster relationships and trust, and build community in Boulder.

The PPWG identified problem areas that impact public engagement in Boulder and reached a conclusion that a change of culture is necessary to address these problem areas. Improved public engagement, as recommended by the PPWG, involves creating a sense of shared responsibility between the city and community. Cultural elements requiring change include a commitment to creating more inclusive processes, transparent decision making, improved communication systems and greater consistency across projects, programs, and initiatives. The PPWG also identified the need to build capacity and co-create guidelines for civil and constructive engagement.

Specific recommendations for Boulder include the use of a decision-making model that will create both consistency and accountability for specific projects/policies. The model is broken into five phases with guidance on key issues and questions to address. The phases are: 1) Planning to Plan 2) Starting the Process 3) Developing and Evaluating Options 4) Making a Decision and 5) Evaluating the Process.

The working group recognizes that any change is difficult and that culture can only be changed through commitment, both at leadership and front-line levels, patience, practice, and allocation of resources—not by just adjusting the way public meetings are run. It is the hope and recommendation of the PPWG that over the next three to five years, the City of Boulder and its community members will assess, plan, and pilot a change of culture. There will be new skills to learn, new ways of working, new expectations and new accountability. The PPWG believes that Boulder can and should work to be a community where people solve problems together and move toward a vision of an integrated, representative, and transparent decision-making culture.

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1 “Culture:” Learned norms, beliefs, procedures, attitudes and behaviors that characterize ways the City of Boulder interacts with community members to identify and solve problems, create and implement plans and policies, and conduct its duties.

2 The terms “public participation” and “public engagement” are often used interchangeably. “Public participation” is a term in laws and regulations to set minimum standards such as public hearings, comment periods and open records. It also can indicate a range of public involvement approaches from informing to partnering and collaboration. The PPWG chose to use the word “engagement” to reflect a more active, expansive relationship between the city and the community that includes any level of public participation.

3 “City:” City Council, City Manager, Boards, Commissions, working groups, staff and contractors associated with the City of Boulder.
The Public Participation Working Group (PPWG) was formed in September 2016 at the request of Boulder City Council. Its goal was to study the city’s current engagement practices and make recommendations to improve public process. Fourteen community members volunteered their time as Public Participation Working Group members. These members were: Darvin Ayre, DeAnne Butterfield, Michael Caplan, Carol Cogswell, Sean Collins, Ann Cooper, Sandra Diaz, Lisa Harris, Marjorie Larner, Claire Riley, Brady Robinson, Kristi Russell, Bill Shrum, and Seth Spielman.

City Council Member Lisa Morzel attended PPWG meetings and participated as the City Council liaison and advisor to the group. City staff members, Jean Gatza, planner, and Patrick Von Keyserling, communication director, served as staff advisors and provided technical assistance and support.

The meetings were facilitated by Taber Ward and Jonathan Bartsch of CDR Associates. These meetings were open to the public and included ample time for public comment.

The initial expectations of the PPWG, set by the Boulder City Council were as follows:
1. Review and assess current city processes.
2. Identify best practices and current successes along with lessons learned from previous city efforts.
3. Recommend ways to make improvements to civic engagement processes to foster success for both the city and community members.
4. Make recommendations to City Council about possible modifications to public engagement processes that improve the effectiveness of city decision-making.
5. Make recommendations that promote mutual respect and clarify responsibilities of the city and community members to engage with and listen to each other more effectively.
The PPWG members and subcommittees met approximately 30 times from September 2016 through May 2017 to reach consensus on developing this report and its problem statements, recommendations, and next steps. The PPWG used the following information gathering processes to prioritize public engagement related problems:

1. By examining local background examples and literature about best practices such as the International Association for Public Participation
2. Through Neighborhood Summit discussion and surveys
3. By reviewing reports and summary from the 2017 City Council Retreat
4. By observing concurrent public processes and attending public meetings
5. By gathering public comment during PPWG meetings as well as using relevant personal experiences and interviews

In this process, consensus was defined as a process for reaching agreement that does not rely on voting. Consensus does not necessarily mean unanimity. A consensus, in this case, was reached when all members agreed that their major interests were taken into consideration in the final version of this report.
THE CASE FOR CHANGE

• OUR CURRENT STATE OF PUBLIC ENGAGEMENT: ISSUES & PROBLEMS

• The Case for Change

• Current Issues and Problems
  • Five Problem Statements
Through its deliberations, the PPWG identified many challenges related to public engagement in Boulder. While there have certainly been successful City-initiated engagement efforts, several themes emerged during this group’s research.

These were narrowed to the following five problem statements:

1. Some members of the public do not trust city decision-making processes.
2. Some members of the public do not understand how public engagement and decision-making processes work.
3. Boards/commissions and working groups have broad discretion over how, or whether, to engage other community members, which further complicates public engagement.
4. Constructive public conversations do not occur often enough. This can lead to frustration, anger and disruptive behavior.
5. The city’s agenda is too broad.
CURRENT ISSUES AND PROBLEMS: 5 PROBLEM STATEMENTS

PROBLEM STATEMENT #1:
SOME MEMBERS OF THE PUBLIC DO NOT TRUST CITY DECISION MAKING PROCESSES

A. Some perceive that policy makers or staff have already determined outcomes before the public is consulted, yet they are asked to participate anyway.

B. Participants in public processes do not always know how or if their ideas have been heard, considered or used as plans and policies are developed.

C. Some participants may have no understanding and receive insufficient follow-up on why decisions were made and why specific alternatives were eliminated or selected.

D. There is a perception that some community members' input is more valued than others and sectors of the community are not actively included.

E. It is sometimes unclear whether the city acts as a neutral party and/or is vested in a particular outcome.
CURRENT ISSUES AND PROBLEMS: 5 PROBLEM STATEMENTS

PROBLEM STATEMENT #2:
SOME MEMBERS OF THE PUBLIC DO NOT UNDERSTAND HOW PUBLIC ENGAGEMENT & DECISION-MAKING PROCESSES WORK.

A. Despite well-intentioned efforts by the City, some members of the public do not feel adequately informed about City issues, the decision-making process or the goals of public engagement.

B. A significant number of community members do not understand which issues are important, how these issues might affect them, and how best to become engaged.

C. People do not understand how to initiate changes to city policies and programs.

D. Information can be difficult to access. The city website can be difficult to navigate.

E. Sometimes public engagement and planning processes are not adequately outlined and communicated.

F. The roles of City Council, boards, staff, interest groups, experts, and the public are often not well-defined.
CURRENT ISSUES AND PROBLEMS: 5 PROBLEM STATEMENTS

PROBLEM STATEMENT #3:
BOARDs/COMMISSIONS & WORKING GROUPS HAVE BROAD DISCRETION OVER HOW, OR WHETHER, TO ENGAGE OTHER COMMUNITY MEMBERS, WHICH FURTHER COMPLICATES PUBLIC ENGAGEMENT.

A. • Boards/commissions and working groups are not consistent, transparent, representative, and integrated in the overall public engagement process.

B. • There is frequently a lack of diversity and balance of viewpoints, which makes it challenging for the groups to reflect community demographics. While there is an appearance of transparency, there is a perception that choices are made during back room discussions.

C. • There is a lack in consistency of understanding the role and responsibilities of being a board member. Members often do not have the training and skills to identify, listen to, and engage the public, especially in highly disputed situations, without unduly favoring the perspective of one individual, interest group, neighborhood, or advocacy group.

D. • There is a lack of coordination between volunteer boards and City Council. As a result, Council does not receive regular updates, which can lead to undesirable outcomes.
PROBLEM STATEMENT #4:
CONSTRUCTIVE PUBLIC CONVERSATIONS DO NOT OCCUR OFTEN ENOUGH. THIS CAN LEAD TO FRUSTRATION, ANGER AND DISRUPTIVE BEHAVIOR.

A. There are few opportunities for participants with different views to talk with each other and work together in safe, productive venues that increase understanding, build relationships, and promote collaborative problem-solving.

B. By the time the public is engaged, issues may already be framed in positional terms of FOR and AGAINST, which polarizes public input. Creative problem solving and bridge building are therefore compromised.

C. City Council meetings – and public hearings, in particular – are perceived as one of the only ways to influence policies and plans. These occur late in the process, typically just before Council votes on an issue, instead of during the formative stages.

D. Lack of effective communication between and among stakeholders and the city results in poor decision-making that is not adequately informed by public input.
A. The public, staff and City Council are trying to deal with so many issues at once that deliberation and decisions can be rushed. It can be difficult for anyone, even those involved in the system, to follow or even understand what is going on.

B. There is a public perception that there is a lack of internal coordination among projects and departments.

C. Big picture conversations that address the fundamentals of what the community wants for its shared future are challenging and often do not occur.

D. Staff is too often tasked with responding in a short timeline with their own recommendations, rather than being asked to investigate and analyze the issue and come back with a summary of what they learned and options for the Council to consider. It can be difficult for staff to consider public input on their own recommendations, especially if they are also being asked to be subject matter experts or to manage the project to reach a specific outcome.

E. Policy analysis and public engagement are more often than not under resourced.
PRINCIPLES & VALUES

CORE PRINCIPLES & VALUES OF GOOD PUBLIC ENGAGEMENT

Five principles/values that describe “best in class” qualities present in public engagement processes and systems
The PPWG asked, “What constitutes good public engagement?”

Through lengthy discussions, the group identified five principles that describe the qualities present in public engagement processes and systems that are “best in class” from the perspectives of officials, staff and the community.

The PPWG encourages the City of Boulder, through City Council, boards and commissions, working groups, staff and members of the community to adopt these principles as a benchmark for fostering a positive relationship between the city and the community. This requires commitment, learning, risk taking, and willingness to change. The group believes Boulder can and should evolve to be a community where people work together and build a shared vision.

THE 5 CORE PRINCIPLES & VALUES OF GOOD PUBLIC ENGAGEMENT:

1. THE PROBLEM IS CLEARLY DEFINED
2. PUBLIC ENGAGEMENT IS THOUGHTFULLY PLANNED
3. ALL VOICES ARE ENCOURAGED & INCLUDED
4. PUBLIC CONTRIBUTION & CIVIL PARTICIPATION ARE FOSTERED
5. THE PROCESS IS TRUSTWORTHY AND TRANSPARENT
THE 5 CORE PRINCIPLES & VALUES OF GOOD PUBLIC ENGAGEMENT

#1: THE PROBLEM IS CLEARLY DEFINED

The work & its proposed purpose is clearly stated to the public. Ample opportunities are provided for education on & understanding of the problem to be solved or the goal to be achieved prior to identifying potential solutions.
#2: PUBLIC ENGAGEMENT IS THOUGHTFULLY PLANNED

As early as possible in the process, a Public Engagement Plan is developed that strategically determines the appropriate level of engagement for the issue & is coordinated with the decision-making process.

The plan creates multiple opportunities for all stakeholders to engage, allowing for time to adjust and refine concepts and proposals as necessary.
THE 5 CORE PRINCIPLES & VALUES OF GOOD PUBLIC ENGAGEMENT

#3: ALL VOICES ARE ENCOURAGED AND INCLUDED

Proactive outreach ensures that a full range of voices is engaged and represented, including those directly affected and those with communitywide perspectives.

Everyone has broad access to transparent decision-making processes that assure equitable outcomes.
#4: PUBLIC CONTRIBUTION & CIVIL PARTICIPATION ARE FOSTERED

All parties come to the table with an open mind to hear opposing opinions, explore new ideas, & consider new options.

An environment is created in which everyone can participate, contribute in a meaningful manner, and take pride in the process - even if they disagree with the substantive outcome itself.
Throughout the process, transparency is maintained through an established and consistent system of sharing information.

Opportunities are provided for community members to review materials used throughout the process.

The public is educated about the final decision, including how and why it was derived, and where community members’ input was incorporated.
RECOMMENDATIONS FOR IMPROVING PUBLIC ENGAGEMENT

• CHANGE THE CULTURE OF PUBLIC ENGAGEMENT
  • The current culture and systems that are intended to support community engagement are not achieving the desired results.

• UTILIZE A COMPREHENSIVE DECISION-MAKING PROCESS
  • We believe there is a need for a structured, scalable, decision-making process that enables community members to play appropriate and useful roles in partnership with City staff and key decision makers.
RECOMMENDATIONS

The Public Participation Working Group identified **Culture Change** and **Utilizing a Comprehensive Decision Making Process** as the overarching recommendations for improving the ways the City and its community members interact. The current culture and systems that are intended to support community engagement are not achieving the desired outcomes. Moreover, there is no use of a structured, stepped, decision-making process.

More specific recommendations, tailored to the Boulder community, are as follows:
RECOMMENDATION #1:

CHANGE THE CULTURE OF PUBLIC ENGAGEMENT IN BOULDER
RECOMMENDATION #1: CHANGE THE CULTURE OF PUBLIC ENGAGEMENT

Our democracy is changing. Communications technology has advanced, information is widely shared and populism has elevated the expectations for civic engagement. At the same time, the number and magnitude of “wicked” problems that are complex, interconnected and long term with no clear solutions are increasing. Tradeoffs are inevitable so there are seldom “best” outcomes. In this climate, local leaders worldwide are finding ways to partner with the public to explore issues together and reach agreements on what less-than-perfect steps are best for their communities. Public officials, city staff, interest groups and residents increasingly seek ways to work together respectfully, creatively and productively to find ways to address local problems and improve their communities. While the City Council and City boards and commissions have essential roles in finalizing decisions, they need not shoulder the burdens of solving all the problems themselves. City leadership is needed to help frame issues, inform and invite participation, and provide needed resources of money, information, expertise and staff time. The City’s role can be expanded to inspire, convene and support dialogue among all those affected by or interested in each issue. Rather than deciding there is a problem and asking staff to recommend a solution that is then taken to the public for comment, decision makers can recognize or identify a question for consideration and design a process that is appropriate to the issue and suited to those who need to be involved. All participants, not just staff, should be included in and accountable for the analysis, identification and evaluation of options and considering the tradeoffs to create a preferred path forward.

The working group identified themes and recommendations based on input from diverse sources\(^5\) that can lead to positive change in the culture for public participation and engagement in the city of Boulder.

\(^5\) Emails and comments from community members, notes from the City Council retreat including boards and commissions, input from staff and from PPWG members, city hotline emails
4 STRATEGIES TO INSPIRE POSITIVE CULTURE CHANGE IN BOULDER:

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<td><strong>A.</strong></td>
<td>• Develop inclusive processes and timely opportunities for communication of information, public input, and dialogue</td>
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<td><strong>B.</strong></td>
<td>• Build an effective communications and information platform</td>
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<td><strong>C.</strong></td>
<td>• Develop capacity among all participants (staff, boards, commissions, Council, public) for productive public engagement</td>
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<td><strong>D.</strong></td>
<td>• Set clear expectations for a new culture of engagement by co-developing guidelines for civil and constructive conduct in meetings, dialogue, and decision-making processes</td>
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RECOMMENDATION #1:  
CHANGE THE CULTURE OF PUBLIC ENGAGEMENT  

4 STRATEGIES TO INSPIRE POSITIVE CULTURE CHANGE

STRATEGY A: Develop inclusive processes and timely opportunities for communication of information, public input, and dialogue.

• Bring the public into the process early to enable participation in the direction and creation of proposals and policies. This will require community members to be educated and informed. A well-grounded, evidence-based understanding among participants could lead to innovative ideas and solutions and prevent hardened, polarized positions. Provide opportunities for community members to connect informally with proponents of private projects around concepts, designs and potential waivers as early as possible.

• Recognize that decisions exist within a ‘big picture’ context rather than in isolation and consider the cumulative impacts. Discussions need to include how a decision or policy connects with Boulder’s vision, as well as to previous policies and decisions. Continue to extend opportunities for the public to participate in longer-term discussions regarding direction and vision for Boulder. When community members are aware and engaged in larger discussions about the vision and values for Boulder’s future, they may be able to move more effectively beyond special interests and polarized positions such as ‘growth’ or ‘no growth.’

• Employ strong outreach efforts to ensure sufficient representation across diverse interests and experiences.

• Provide multiple venues and formats to ensure ongoing dialogue among community members, neighbors, City Council members, staff, boards, commissions, and business community members. This is necessary for specific projects, broader policies such as master plans and general dialogue about Boulder’s future. (CONTINUED…)}
• Develop a more transparent process and criteria for selection of members of commissions, boards and working groups that includes outreach to diverse interests and advocates who could offer representation across the entire community. Explore options to engage and perhaps educate a range of community members who represent geographic and demographic diversity, reflecting not only activists and experts, but members of the public who have a community-wide perspective.
It is vital to communicate complex information in an accessible way, while recognizing the challenges of communicating to members of the public who have varying degrees of time, interest, and ability to navigate dense or complex sites or documents. A proactive and targeted communication system will require additional resources to conceptualize and manage.

The City should implement a one-stop, user-friendly website. At community meetings, the City should explain how input will be used to influence the decision-making process and what pre-determined policies or constraints will be part of its deliberations.

Communications such as newsletters and emails from the City Communications Department and from individual departments and programs should be better coordinated and designed from the point of view of the recipient. The staff should distinguish between public relations purposes and providing information.
Within the existing city structure, create and resource the capacity to implement a systematic public engagement process. Options include:

- **A** - Detail public engagement responsibilities and expectations in staff job descriptions and performance evaluations.

- **B** - Designate a public engagement function or office, perhaps a community engagement team approach, that could serve as 1) the champion for the new culture, 2) offer technical assistance to staff, community members, boards and council, and 3) evaluate public engagement programs.

- **C** - Assign staff to work with neighborhood liaisons and affected neighborhood groups.

- **D** - Identify criteria to determine when external professional expertise or support is needed for public engagement efforts.

(CONTINUED)
RECOMMENDATION #1: 
CHANGE THE CULTURE OF PUBLIC ENGAGEMENT

4 STRATEGIES TO INSPIRE POSITIVE CULTURE CHANGE

STRATEGY C (continued): Develop capacity among all participants (staff, boards, commissions, Council, public) for productive public engagement

- Consider when and where consistency of processes and materials across city departments are possible for public to know how, when and where to engage. At minimum, each department could provide the following information to the public:
  - Who to contact
  - How best to contact
  - Timelines and calendars for issues discussion and opportunities for public input
  - Processes and roles for different types of decisions
  - (CONTINUED…)}
RECOMMENDATION #1: 
CHANGE THE CULTURE OF PUBLIC ENGAGEMENT

STRATEGY C (continued): Develop capacity among all participants (staff, boards, commissions, Council, public) for productive public engagement

- Provide resources and training for:
  - city staff to learn tools and skills for planning, facilitating, and interacting with an engaged public, such as the recent IAP2 training.
  - members of the community to learn and enhance advocacy and inquiry skills that include seeking solutions for the common good.
  - city staff and members of the community to participate in a joint training to improve communication, develop guidelines for constructive interactions and build relationships.
RECOMMENDATION #1:
CHANGE THE CULTURE OF PUBLIC ENGAGEMENT

STRATEGY D: Set clear expectations for a new culture of engagement by co-developing guidelines for civil and constructive conduct in meetings, dialogue, and decision-making processes

• The public plays a role, too.
RECOMMENDATION #2:

UTILIZE A COMPREHENSIVE DECISION-MAKING PROCESS
RECOMMENDATION #2: UTILIZE A COMPREHENSIVE DECISION MAKING PROCESS

• We believe there is a need for a structured, scalable, decision-making process that enables community members to play appropriate and useful roles in partnership with City staff and key decision makers.

• The PPWG constructed a 9-step decision-making model for use in engaging the community. This 9-step model follows on the next page.
9 STEPS TO PUBLIC ENGAGEMENT

STEP 1: DEFINE THE ISSUE BEFORE EMBARKING
STEP 2: DETERMINE WHO IS AFFECTED
STEP 3: CREATE A PUBLIC ENGAGEMENT PLAN
STEP 4: SHARE A FOUNDATION OF INFORMATION AND INQUIRY
STEP 5: IDENTIFY OPTIONS
STEP 6: EVALUATE IDEAS
STEP 7: MAKE A DECISION
STEP 8: COMMUNICATE DECISION AND RATIONALE
STEP 9: REFLECT AND EVALUATE

PHASE 1: Planning to Plan
PHASE 2: Start the Conversation
PHASE 3: Develop & Evaluate Options
PHASE 4: Make a Decision
PHASE 5: Evaluate the Process
RECOMMENDATION #2: UTILIZE A COMPREHENSIVE DECISION MAKING PROCESS

PHASE 1: PLANNING TO PLAN

STEP #1: DEFINE THE WORK BEFORE EMBARKING
- Understand the issue, its scope, scale, context, history, complexity
- Determine if and how it fits into a larger vision or plan
- Ask if this decision needs to be made by Council or could it be delegated to a board/commission or staff
- Determine the desired decision-making process and timeline
- Determine the roles of council, boards, staff, experts, public, organizations
- Determine and announce the project/issue/work

STEP #2: DETERMINE WHO IS AFFECTED
- Identify individuals, neighborhoods and interest groups who may want to be involved.
- Determine whose voices need to be heard/included and why – both those directly affected and those with a community-wide perspective.
- Determine the appropriate levels of involvement (inform, consult, involve, collaborate) *Refer to IAP2 document in Appendix
- Determine if/how the city may be affected
- Apply lessons learned from past engagement
- Expand notification process beyond property owners, to include community members, businesses, tenants, users/visitors

STEP #3: CREATE A PUBLIC ENGAGEMENT PLAN
- Identify goals of the Public Engagement Plan
  1. Determine the goals of engagement for each level of involvement, and for each step in the process. (Refer to IAP2 document in Appendix)
  2. Inform and educate in early stages for well-grounded understanding of issues rather than later involvement with hardened and polarized positions
  3. Align the plan with the decision-making process and timeline

- Determine how interested and affected community members will be involved, with input from members of the public.
  1. Create opportunities to engage at a variety of times to accommodate work schedules and family responsibilities
  2. Go to where people live, work, play and learn: Parks, churches, community facilities, Farmer’s Market, kiosks, coffees, organizations’ meetings (continued)
RECOMMENDATION #2: UTILIZE A COMPREHENSIVE DECISION MAKING PROCESS

PHASE 1: PLANNING TO PLAN (Step #3: continued)

- Chose and utilize appropriate tools
  1. Select appropriate tools and techniques based on the goals for public engagement, the complexity of the issue, the time allocated for decision-making, and the desires/capacities of the participants
  2. Use experienced, neutral facilitators to guide large or complex public engagement conversations Identify goals of the Public Engagement Plan

- Create a related Communications Plan, including strategies for information sharing:
  1. Upgrade the City website to provide timely and robust information about current topics, the decision process and public engagement opportunities. Include graphic information about the City structure, contact information for departments and issues, a central calendar of upcoming events and decisions, searchable documents and archives.
  2. Initiate opportunities for policy-makers and community members to have two-way conversations such as town hall meetings on specific topics, workshops where City and community experts provide and discuss information and ideas, regular informal “coffees” with two or three Councilmembers.
  3. Consider meetings and conversations in a variety of venues, beyond traditional City-hosted meetings, where people live, work, study and play. This might include parks, churches, recreation centers, libraries, farmers’ market, coffee shops, schools and neighborhood gatherings. Work with nonprofit partners who have relationships with harder to reach underrepresented populations (Youth Advisory Board, YWCA, PTO’s) as well as community-based education and advocacy organizations.
  4. Acknowledge there are other language families in our city and ensure Spanish language access to written and oral information and participation in events. Compose communications in language accessible to the intended audience; avoid use of legalese, technical terms, acronyms and jargon for communications with broad distribution.
  5. Include detailed information in project-specific public notices including upcoming City actions, project descriptions, contact information and engagement opportunities.
  6. Encourage and support ways for community members to talk informally with project proponents to discuss early design concepts.

(continued)
RECOMMENDATION #2: UTILIZE A COMPREHENSIVE DECISION MAKING PROCESS

PHASE 1: PLANNING TO PLAN (Step #3: continued)

7. Provide and publicize ways for community members and interest groups to influence Council and board/commission members beyond speaking at Tuesday “citizen participation” agendas. Provide comment forms that are available at meetings and online that include interests (“why”) as well as positions. Compile and summarize comments received prior to a public hearing. Encourage Council and board/commission members to observe official public engagement events as well as neighborhood and interest group meetings.

8. Make use of local media such as the Daily Camera and KGNU for information and discussion about issues, including op-ed columns and paid content.

9. Make use of local professionals in fields such as science and technology, public relations, research, communications, public affairs and survey research to develop appropriate, innovative and technologically appropriate messaging.

• Identify available resources:
  1. Assure adequate staff expertise, time, funds to accomplish the plan
  2. Determine how professional Public Engagement consultants and organizational partners will be used in the process

• Distribute the public engagement plan to the public and affected parties

• Measure demographics of community members who are participating (ethnicity, gender etc.) to ensure a wide range of representation
RECOMMENDATION #2:
UTILIZE A COMPREHENSIVE DECISION MAKING PROCESS

PHASE 2: START THE PROCESS

STEP #4: SHARE A FOUNDATION OF INFORMATION AND INQUIRY

- Revisit Steps 1, 2 and 3 together
- Build common vision and goals with community members before implementing the pieces. Start with vision, talk about values, create well-formed goals and strategies that can then be implemented through specific projects and programs
- Publicly define the interests of the City—including staff and the individuals and groups involved
- Determine important criteria for the decision
- Apply policy analysis questions and methods
- Define data and information needs and agree on how to address them
- Formulate questions for the public and experts to answer that will be used as part of the decision process
- Engage in two-way communication:
  1. Continue to host open houses where community members can interact with early concepts
  2. At community meetings, explain how input will be used to influence the decision-making process
  3. Provide opportunities for community members to connect with early designs and concepts for private developments
  4. Provide and publicize ways to influence Council members beyond speaking at Tuesday meetings:
     I. Comment forms available online that include interests ("why") along with positions
     II. Have staff compile comments and summarize in packet to be presented at town halls
     III. Council members listen at neighborhood and interest group meetings
- After major public engagement events, compile and publish online summary of what was heard
RECOMMENDATION #2: UTILIZE A COMPREHENSIVE DECISION MAKING PROCESS

PHASE 3: DEVELOP AND EVALUATE OPTIONS

STEP #5: IDENTIFY OPTIONS
- Gather ideas from diverse sources, not exclusively from staff, boards, and Council
- Identify citywide vs. more localized concerns
- Foster dialogue
  1. Provide opportunities for community members to engage in dialogue with one another to better understand other perspectives
  2. Use local professionals: scientists, mediators, PR firms, research, local ad and tech agencies to help identify options
- Create opportunities where staff, council and community can try new/creative solutions and risk mistakes from which we can learn: think outside the box.

STEP #6: EVALUATE IDEAS
- Foster dialogue
- Provide opportunities for Q&A, exchange of information and views outside council or board meetings between decision makers and community members
- Include social, economic, environmental considerations
- Be explicit about criteria and tradeoffs
- Move from individual opinions to the common good
- Test ideas broadly
**RECOMMENDATION #2:**
**UTILIZE A COMPREHENSIVE DECISION MAKING PROCESS**

<table>
<thead>
<tr>
<th>PHASE 4: MAKE THE DECISION</th>
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<tbody>
<tr>
<td><strong>STEP #7: MAKE A DECISION</strong></td>
</tr>
<tr>
<td>• Review expected decision-making process from Phase 1</td>
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<tr>
<td>• Summarize what has come from public engagement</td>
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<tr>
<td>• If one clear solution hasn’t emerged, consider narrowing options for further discussion</td>
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<tr>
<td>• Solicit further input about consequences of favored decision</td>
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<tr>
<td>• Ensure transparency</td>
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<tr>
<td>• Decide timeline for implementation and how to test solution</td>
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<tr>
<td>• Make letters and emails about issues under consideration public, organized online by topic</td>
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<tr>
<td>• Summarize opinions, information, impacts that were considered</td>
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<tr>
<td>• Summarize demographics of participants; i.e. mapping</td>
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<table>
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<tr>
<th><strong>STEP #8: COMMUNICATE THE DECISION AND RATIONALE</strong></th>
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<tr>
<td>• Link outcome to public engagement and decision-making process</td>
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<tr>
<td>• Identify information, impacts, tradeoffs, and analysis that informed decision</td>
</tr>
<tr>
<td>• Assure deeper communication to those involved</td>
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<tr>
<td>• Work with Daily Camera to create an opportunity for regular contributions from city in op-ed pages, beyond meeting notices (may include purchase of advertising space)</td>
</tr>
<tr>
<td>• Publish dissenting views alongside decisions for high profile issues</td>
</tr>
<tr>
<td>• Report on public input and how it was used. Address how the decision relates to policies such as the Boulder Valley Comp Plan, intergovernmental agreements, the City’s Sustainability Framework and departmental Master Plans.</td>
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</table>
RECOMMENDATION #2: UTILIZE A COMPREHENSIVE DECISION MAKING PROCESS

**PHASE 5: EVALUATE THE PROCESS**

**STEP #9: REFLECT AND EVALUATE**
- Who participated and how?
- In what ways did participants influence the outcome?
- How was the public engagement process modified to reflect changes?
- How was the decision-making process modified to reflect participation needs?
- What worked?
- What did we learn for next time?
NEXT STEPS AND APPENDIX

• WHERE DO WE GO FROM HERE

• APPENDIX
  • SUGGESTIONS FOR SCALE,
  • BACKGROUND EXAMPLES
  • IAP2 PUBLIC PARTICIPATION SPECTRUM
WHERE DO WE GO FROM HERE?

Submitting this report to the city for staff and Council review is just the first step to improve public engagement. Below are **next steps**, identified by the PPWG.

- Recognize that changing the culture of public engagement will take time.
- Allocate adequate resources, time and effort to support, enhance, and deepen the PPWG’s work.
- Share or “socialize” these recommendations with the public and civic groups to gather feedback before adoption by City Council.
- Evaluate improvements in Boulder’s public engagement culture and activities over time.
APPENDIX 1: SCALE

PPWG Suggestions for Scale

We will implement what you decide. Empower
We will look to you for advice and innovation. Collaborate
Your concerns and aspirations will be reflected in the work. Involve
We will listen to and acknowledge your concerns in the work. Consult
We will keep you informed. Inform

Promise to the Public Role of Communication

Sources: IAP2 Spectrum of Public Participation
Manish, K (2014) - Leveraging New Media Platforms for Civic Engagement In Cities
Background Examples Developed by PPWG

As part of the process of identifying frustrations experienced by the public, and pitfalls in past City of Boulder public processes, a subcommittee of the PPWG researched specific instances in the community. Purposely selecting from the most contentious of recent City initiatives and decisions, the subcommittee researched the situations via Daily Camera articles, Council packets, staff interviews and other methods. The outcome here is not meant to be scientific or political, and is agnostic on the outcome of the project or the decision. Rather, these examples are meant to point to potential gaps in past processes, the differing perspectives and experiences of participants and the frequent occurrence of so-called "wicked problems." They were used to influence the specific Problem Statements in the report. We include them here merely to show our stepping-off point and to show our work in the spirit of full transparency.

A. Affordable Housing Linkage Fees: What was learned from the City’s process on Affordable Housing Linkage Fees is that an extensive public process, working group, professionally commissioned study, followed by a staff recommendation, are not always followed by Council when it comes to decisions. In this case, Council twice voted against data provided by Kaiser Marsten Assoc (KMA) that cited costs of growth to the city to be $139-$150 per Square Foot, as well as recommendations by staff, that the fee be raised to at least $15 per Square Foot. Public testimony at the hearing supported higher linkage fees. Council’s decision on this matter almost appeared pre-made, as a presenter at an area real estate conference declared victory in favor of the lower fee of $12/ square feet the day before the public hearing and vote. Whether it was due to politics, Councilmembers’ independent analyses, one-on-one lobbying or other reasons, the lessons are if there are constraints or preferences that differ this dramatically from the public process, the City Council should have laid them out at the start and certainly explained their reasons for their ultimate votes to the public.

(CONTINUED)
APPENDIX 2: BACKGROUND EXAMPLES
(CONTINUED)

B. Housing Boulder Working Groups: What was learned from the Housing Boulder Working Group is that sometimes, outcomes of Public Process might be pre-ordained by the City, making even the most extensive, intimate process feel like window dressing. In this case study, one of the working groups, “Diverse Housing Options,” appeared to have been populated with members chosen for a specific outcome. In this particular case, while there were co-op activists and real estate professionals appointed, there appeared to be a disproportionate lack of neighborhood representatives with concerns about growth and density. Of note, is that discussions regarding the re-write of the existing Co-op ordinance appeared to gain traction out of this group.

Other Housing Boulder Working Groups reported a similar sense of pre-determination in other ways. The “Keeping Our Commitments” group was repeatedly asked to rank pre-determined list of “solutions” and thwarted in its interest in learning about the population to be served and discussing the nature of the problem of low-income housing before being asked to solve it. What seemed to be an opportunity for people to contribute to Boulder Housing policy seemed lost. The report seems to portray a group willing and interested in discussion and ideas, pitted up against a set of predetermined options, lack of discussion time and a facilitator under real pressure to deliver a set outcome. The Group also fell prey to ‘chasing shiny objects’—for example, one member of the group loved tiny houses, so this idea used a lot of energy and time and was included in the recommendations without any analysis of whether this solution would work for the population that was being served. The lesson here seems to be that even an extensive public discussion can be shortchanged by lack of neutral facilitation, resources, time and lack of flexibility of possible outcomes.

(CONTINUED)
C. North Trail Study Area: What was learned from the North TSA project was that sometimes lack of staff resources and time are used as an excuse for an inadequate process, even when such a lack was known at the time of the undertaking. In this case, a yearlong process and several public engagements occurred in parallel with the work of the OSBT and city staff. Because the board and staff decision-making process began in spite of a recognition of inadequate time and resources, at times public engagement got ahead of staff work. Some members of the public interpreted staff statements to suggest that their independent planning was already favoring one alternative over another. In a closing memo, staff summarized that they had been “unable to do a detailed analysis,” but had kept the input in mind. The lesson here seems to be that even an extensive public discussion can be shortchanged by lack of resources, time and lack of flexibility of possible outcomes.

D. Co-op Ordinance Revision: What was learned was that inadequate public input at early stages of decisions cannot be compensated for by long and extensive process on the backend, and the importance of including a wide range of stakeholders. In the case of the co-op ordinance, council expressed its wish to pursue ways to make co-ops legal based on ideas from the Housing Boulder working group. At the same time there was a tension in the city over occupancy enforcement, fears of density and a desire to provide more affordable housing options yet these tensions were insufficiently acknowledged up front. After being informed by the city manager that there was not capacity in the work plan to conduct an extensive public outreach process within the timeframe expected, council directed the city attorney to write a draft. He then met with co-op advocates to talk about changes to the existing ordinance. Co-op advocates experienced a positive and responsive initial public process. The draft that emerged from these meetings did so without input from many Boulder residents who, while they might have had some level of support for co-ops, felt that potential impacts to neighborhoods were insufficiently considered. The protracted public process seemed to create further division, and many felt disenfranchised. The lesson here seems to be that no amount of public testimony can compensate for a lack of clear articulation of the problem to be solved and inclusive opportunities for input early in the process.
E. “Right-sizing” – The Living Lab: What was learned from the so-called “right-sizing” of Folsom was multiple items. First, Go Boulder had conducted what they thought was a reasonable public process for every segment of the Living Labs and the Living Labs concept itself was part of a broader plan. However, none of the other segments of the Living Labs project incurred any public push-back. We learned from the comments that Go-Boulder shared with us that they felt they had failed to take the adequate time to think about how different people affected by the changes on Folsom would react and to consult with them in advance. Second, Go Boulder was confused as to how the goal of Folsom could have gotten so misconstrued. The stated goal of the project was to make transportation safer for all modes--cars, bikes and pedestrians. However, Go Boulder said they were seeing evidence that the public thought that the stated goal of the project was to make driving on Folsom less convenient to reduce driving in favor of other modes. In the discussion, many cycling advocates, including some members of the Transportation Advisory Board, publicly stated that less car travel was in fact the goal.

After modifications, Go Boulder expressed confusion as to why citizens thought the project had been cancelled while it had only been modified. Other lessons were about the appropriate mixture of advocates, experts and regular citizens on boards and commissions and their need for better skills in public process; that the city and its departments need to be clear and consistent to the public about the stated goals of the project; and the importance in both design and implementation of including a wide range of stakeholders.
# APPENDIX 3: IAP2

## IAP2 PUBLIC PARTICIPATION SPECTRUM

### INCREASING LEVEL OF PUBLIC IMPACT

<table>
<thead>
<tr>
<th>INFORM</th>
<th>CONSULT</th>
<th>INVOLVE</th>
<th>COLLABORATE</th>
<th>EMPOWER</th>
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<tbody>
<tr>
<td><strong>Public Participation Goal:</strong></td>
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<tr>
<td>To provide the public with balanced and objective information to assist them in understanding the problems, alternatives and/or solutions.</td>
<td>To obtain public feedback on analysis, alternatives and/or decisions.</td>
<td>To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.</td>
<td>To partner with the public in each aspect of the decision, including the development of alternatives and the identification of the preferred solution.</td>
<td>To place final decision-making in the hands of the public.</td>
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<tr>
<td><strong>Promise to the Public:</strong></td>
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<td><strong>Promise to the Public:</strong></td>
<td><strong>Promise to the Public:</strong></td>
</tr>
<tr>
<td>We will keep you informed.</td>
<td>We will keep you informed, listen to and acknowledge concerns and provide feedback on how public input influenced the decision.</td>
<td>We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.</td>
<td>We will look to you for direct advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.</td>
<td>We will implement what you decide.</td>
</tr>
<tr>
<td><strong>Example Tools:</strong></td>
<td><strong>Example Tools:</strong></td>
<td><strong>Example Tools:</strong></td>
<td><strong>Example Tools:</strong></td>
<td><strong>Example Tools:</strong></td>
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<tr>
<td>* fact sheets</td>
<td>* public comment</td>
<td>* workshops</td>
<td>* citizen advisory committees</td>
<td>* citizen juries</td>
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<tr>
<td>* web sites</td>
<td>* focus groups</td>
<td>* deliberate polling</td>
<td>* ballots</td>
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<tr>
<td>* open houses</td>
<td>* surveys</td>
<td>* participatory decision-making</td>
<td>* delegated decisions</td>
<td></td>
</tr>
</tbody>
</table>
MEMBERS OF THE PPWG

1. Darvin Ayre
2. DeAnne Butterfield
3. Michael Caplan
4. Carol Cogswell
5. Sean Collins
6. Ann Cooper
7. Sandra Diaz
8. Lisa Harris
9. Marjorie Larner
10. Claire Riley
11. Brady Robinson
12. Kristi Russell
13. Bill Shrum
14. Seth Spielman
AGENDA TITLE
Consideration of a Motion to approve the August 28, 2017 Study Session Summary on the Public Participation Working Group Update and Report

PRESENTER/S
Jane S. Brautigam, City Manager
Tanya Ange, Deputy City Manager
Patrick Von Keyserling, Director of Communications
Jean Gatza, Senior Planner, Planning, Housing and Sustainability

EXECUTIVE SUMMARY

The city manager formed the Public Participation Working Group (PPWG) in September 2016 at the request of Boulder City Council. Members of the working group presented the recommendations in their final report and answered questions from council. The report includes analysis, core values and guiding principles, and two overarching recommendations for improving the ways the city and Boulder community members interact. Council discussed reactions to the recommendations and priorities for next steps.

The working group provided information and requested feedback from council on the following:

1. Does council have feedback regarding the PPWG’s report and recommendations?
2. Does council have feedback to inform development of the implementation framework?

Based on feedback from the City Council, staff anticipates developing a draft implementation framework to share with council on Nov. 21, 2017.
Suggested Motion Language:
Staff requests council consideration of this matter and action in the form of the following motion:

Motion to approve the Aug. 28, 2017 Study Session Summary.

ATTACHMENT A
August 28, 2017 Study Session
Public Participation Working Group Report and Recommendations

PRESENT:
City Council: Mayor Suzanne Jones; Mayor Pro Tem Andrew Shoemaker; Council Members Matt Appelbaum, Aaron Brockett, Jan Burton, Lisa Morzel, Sam Weaver, Bob Yates and Mary Young

Staff Members: Jane Brautigam, city manager; Tanya Ange, deputy city manager; Patrick Von Keyserling, director of Communication; Jean Gatza, senior planner, PH&S.

PURPOSE:
The purpose of the study session was for working group members to share key sections of their report with council members and discuss insights, recommendations, opportunities and priorities for the future.

OVERVIEW OF PRESENTATION
Following a brief introduction by Jane Brautigam, members of the working group (Darwin Ayre, Lisa Harris, Brady Robinson, Kristi Russell and Bill Shrum) presented the following key sections from the working group’s report:

- Committee process for working toward consensus
- Case for change highlighting reasons why there is confusion and a lack of trust in some city decision-making processes;
- Core Principles and Values of Good Public Engagement based on Boulder’s culture
- Recommendations nested under two key concepts:
  - Change the culture of public engagement
  - Follow a nine-step plan for decision making

Key aspects of these recommendations include building a stronger skill set of civic dialogue, building effective communication tools, and increasing civic capacity throughout the community. Different projects will need different levels of engagement and culture change will take time, diligence, and resources.
COUNCIL QUESTIONS AND RESPONSES
Following the presentation, City Council members asked questions and provided feedback about the recommendations.

Definitions
- Several council members asked working group members to further define key concepts including “trust” and “fairness.” Discussion among working group members and council members provided more depth, affirming trust can be synonymous with transparency and perceptions of fairness can be improved with consistency of information about processes, improved problem definition, clarity in how people can engage and ensuring there is a “level playing field” and “co-learning.”
- One council member asked for more clarity around “all voices.” Responses include “anyone who wants to be involved” and better definition in the planning phase around who might be impacted to facilitate going to where people are, improving their willingness and ability to engage.
- At least two council members followed up with suggestions to focus on relationship-building as a method for increasing trust and including multiple perspectives on issues that are more polarizing.
- Another council member suggested that it is important to document dissenting views and rationale in decisions so people can gain trust in the process even if they disagree with the outcome.

Resources
- Several council members questioned what resources and changes were the highest priority given a high number of processes the city conducts. Working group members indicated some things do not require resources like consistency and thoughtful planning. Capacity building among staff and the community is a high priority. There were several suggestions to involve boards and commissions more. If people know and believe they have an opportunity for meaningful input and leverage with boards and commissions, they will put energy there.

Complex Issues
- Several council members described complex processes where people have very polarized views and asked how these might be approached differently. Working group members pointed to the nine-step process, building in time to describe values and prior policy guidance in order to identify areas of agreement.

Suggestions for Future
- There was general support for the recommendations in the report and for staff to draft an implementation framework for council review in October.
- Many council members suggested choosing a few key complex projects to pilot the recommendations. Projects mentioned that are currently on council’s work plan include the Open Space and Mountain Parks Master Plan, Alpine-Balsam Planning Projects and potentially regulatory changes for Accessory Dwelling
Units. One council member also suggested East Arapahoe as a potential pilot project.

- Priorities for public processes include:
  - Emphasize having good problem definition and “why” statements.
  - Do a good job of explaining processes in easy terms.
  - Create opportunities for meaningful two-way communication between community members and with council members.
  - Ensure “project constraints,” facts, project timing, and expectations for meaningful feedback are clear.
  - Communicate how decisions “nest” and are based on previous plans, decisions, or assumptions.
  - Work to improve how rationale for decisions is shared as well as evaluation of processes.
  - Scale engagement processes to fit the project.
  - Include element of community relationship-building when development engagement plan.
  - Work to ensure voices representing community-wide goals are included as well as locally focused voices.

- Pilot “town hall”-style events, focusing on segments of the community not usually involved, where a pair of council members would hold a session open to community members with a limited agenda, in order to hear what is important to the attendees.

- Build capacity among council, advisory boards, staff and community members. Suggestions include training on consistency in processes, listening, moving beyond advocacy, and shifting more authority to boards and commissions.

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MEMORANDUM

TO: Planning Board
FROM: Karl Guiler, Senior Planner/Code Amendment Specialist
Lesli Ellis, Comprehensive Planning Manager
Charles Ferro, Development Review Manager
Jean Gatza, Senior Planner
Phil Kleisler, Planner II

DATE: October 19, 2017

SUBJECT: Discussion of draft Public Participation Strategy for the Land Use Code Change project relative to Height Modifications up to 55-feet

On Aug. 24, 2017, staff presented a proposed work plan, scope, timeline and general approach to community engagement for the project to update the Land Use Code relative to Height Modifications up to 55-feet and potential requirements for community benefit for such requests. This discussion followed a study session with City Council on the same topic on Aug. 22. At the Aug. 24 hearing, the board generally agreed with the work plan and approach. Similar to council feedback on the matter, the board suggested that floor area ratio (FAR) be considered as a potential threshold for community benefit in conjunction with height modification requests and that if possible, community benefits in addition to permanently affordable housing should be explored. The Aug. 24 memo to Planning Board can be reviewed here.

The purpose of this memorandum is to check-in with Planning Board on the more developed form of the Draft Public Participation Strategy (see Attachment A) before moving forward with the project. On Aug. 24 staff indicated that a check-in on these points would be necessary before staff initiates the public outreach process which is anticipated to commence in Nov. 2017. A summary of the project is below followed by a description of the project timeline and Public Participation Strategy.

Land Use Code Change project relative to Height Modifications up to 55-feet

The Charter of the City of Boulder limits building height to a maximum of 55 feet, and the city's Land Use Code further limits height to 35- or 38-feet depending on the zone district. Until recently property owners anywhere in the city could request a taller building height allowance (or “modification”) through a Site Review application. The Site Review process allows for flexibility in certain standards in exchange for innovative design and enhanced quality of new development. However, beyond open space requirements there are little to no specific design or use requirements required for height modification requests.

Over the years, several locations received height modifications that were questioned by community members as being incompatible with the surrounding character. This resulted in a desire for more predictability when considering building height modifications and questions around how such requests could further citywide community benefits such as affordable housing. In other words, should and to what extent should an applicant provide affordable housing and enhanced design in exchange for a greater height allowance? These conversations led to the adoption of Ordinances 8028 (in 2015) and 8172 (in 2017), which limits properties eligible to request height modification to a handful of areas until July 2018 (when the ordinance expires).

Consistent with BVCP policies (as described in the attached Public Participation Strategy), staff will explore how affordable housing requirements will be triggered when considering requests to exceed the by-right height standard (but up to 55-feet) and floor area ratio requirements as well as investigating new design
requirements that would help ensure a greater level of compatibility of taller buildings into their specific context. The update to the Land Use Code will focus on permanently affordable housing as a requirement to be instituted by the July 19, 2018 expiration of Ordinance 8172, but additional community benefits may be incorporated with these code changes and will be addressed following this phase of work.

**Project timeline and Draft Public Participation Strategy**

*Attachment A* outlines the timeline of the project with the goal of completion by July 19, 2018 when Ordinance 8172 expires. In summary, staff plans to work with a consultant to design focus group sessions. Key stakeholders may include those most affected by changes, such as property owners in downtown, Boulder Valley Regional Center or other areas where height modifications may be more likely, neighborhood representatives near such areas, affordable housing providers etc. Others interested in the project or that have participated in previous surveys may also be invited to focus groups. A web-based community form will be available for others to provide feedback on options as well as informal “drop-in” events for interested members of the public to come in and meet with staff to discuss options. The goal of this public outreach stage is to refine the options to a preferred option.

Following this public outreach stage, staff is looking to hold an open house with Planning Board and members of the public in January/February 2018 to discuss refined options before commencing work on updated code language. Staff is also looking to present to the board and council in the first quarter of 2018 in a study session format to receive direction on the code changes before beginning preparation of any draft ordinance. More targeted engagement with stakeholders and interested parties is expected at this stage.

Before moving forward with this approach, staff has the following questions for the board:

1. Does the Planning Board agree with this approach to the timeline and community engagement?
2. What suggestions, if any, does the board have to this approach before staff begins the process?

**Attachments:**

A) Draft Public Participation Strategy for Land Use Code Changes relative to Height Modifications up to 55-feet
Purpose Statement
By July 2018, when Ordinance 8172 expires, this project will result in Land Use Code changes to address modifications to development standards (Sec. 9-2-14(c)) for the maximum height of buildings (up to the City Charter limit of 55-feet) and intensity (floor area on a lot). The standards address the circumstances that allow buildings to exceed the height maximums set forth in the code (Sec. 9-7-1, Form and Bulk Standards) as described in the Site Review criteria (Sec. 9-2-14) and permit averaging floor area across multiple building sites within a zoning district.

The Land Use Code changes will follow policy guidance in the Boulder Valley Comprehensive Plan (BVCP) and comply with the City Charter maximum 55-foot height limit. Outcomes of the change are intended to clarify locations where modifications for taller buildings or greater intensity may be granted -- within the city’s commercial or mixed use areas (e.g., the Boulder Valley Regional Center, neighborhood commercial centers, and/or commercial areas along corridors); include criteria for achieving affordable housing in exchange for building height modifications and/or permitting greater intensity in certain locations; and identify other community benefits that might be added or addressed in later phases of code amendments (after July 2018).

Background
The Charter of the City of Boulder limits building height to a maximum of 55 feet, and the city’s Land Use Code further limits height to 35- or 38-feet depending on the zone district. Until recently property owners anywhere in the city could request a taller building height allowance (or “modification”) through a Site Review application. The Site Review process allows for flexibility in certain standards in exchange for innovative design and enhanced quality of new development. However, beyond open space requirements that increase with height there are little to no specific design or use requirements required for height modification requests beyond the standard Site Review criteria that seek to create higher quality building and site designs relative to building materials, window glazing, landscaping etc.

Over the years some in the community have objected to the number of projects being approved with height modifications, raised concerns about buildings that have unacceptably altered the community character (e.g., the Daily Camera site, EADS/Golden Buff, 800 28th), or raised concerns about height modification requests in areas of the city where height modifications may not be appropriate (e.g., Baseline West, Waterview). This resulted in a desire for more predictability when considering building height modifications and questions around how such requests could further citywide community benefits such as affordable housing. In other words, should and to what extent should an applicant provide affordable housing and enhanced design in exchange for a greater height allowance? These conversations led to the adoption of Ordinances 8028 (in 2015) and 8172 (the extension in 2017), which
limits properties eligible to request height modification to a handful of areas until July 2018 (when ordinance 8172 expires).

Policy Backing
The primary policy guidance for this project is found in Policy 2.35, Building Height which calls for reviewing and updating the Site Review regulations to provide clear guidance on height and intensity of land uses and to address relationship of building height to aesthetics and views. In exchange for benefits that further community objectives, such as the provision of permanently affordable housing, the city might consider additional height (up to the City Charter 55-foot height limit) or intensity. Other community benefits (e.g., affordable retail space, arts and culture) are addressed in Policy 1.11. The BVCP also identifies a hierarchy of centers and locations for mixed use and higher intensity development – and conversely the neighborhoods where lower densities and shorter buildings are expected. However, the Zoning District map and districts and form and bulk standards do not necessarily correspond with the intended character described in the BVCP.

The BVCP notes that Centers are places where a mix of land use and commercial activities are concentrated. Regional Centers constitute the highest level of intensity. (See the City Structure map on p. 37 of the plan showing the hierarchy of centers and community transit network.)

Policy 2.16, Mixed Use & Higher Density Development, says: the city will encourage well-designed mixed-use and higher density development that incorporates a substantial amount of affordable housing in appropriate locations, including in some commercial centers and industrial areas, and in proximity to multimodal corridors and transit centers. Policy 2.18, Boulder Valley Regional Center includes guiding principles that describe the intended intensity and heights of buildings that may be higher than envisioned for neighborhood centers with buildings potentially up to four or five stories, provided than housing and usable public spaces are included. Along 28th Street (from Spruce to Iris) is intended to be more modest intensity -- buildings up to three or four stories. (Note the map on page 43 of the plan.) Policy 2.19, Neighborhood Centers, notes that neighborhood centers should be “at a scale and intensity lower than downtown and the regional centers.”

Project Scope
The final deliverable of this project will be an amendment to the Land Use Code that addresses how future height modification requests may further the community benefit of affordable housing. Analysis and engagement will focus on the following topics:

- Identify the criteria (e.g., mapped location, zoning district, and/or other) that should be used to determine properties that will be eligible for an increase in building height (up to City Charter 55-foot limit) and/or intensity (floor area) in exchange for providing community benefit, specifically affordable housing.
- Identify the types of projects that may be apply for height modifications with or without community benefit.
- Determine the type and amount of affordable housing benefit that would be provided to achieve increased building height.
- Determine additional design standards for projects requesting a height modification.
- Identify subsequent Land Use Code amendments to address other community benefits as part of a future project.
Guiding Principles for Engagement
The following principles guided the design of this engagement plan and will be referenced in its implementation:

- Involve people who are affected by or interested in the outcomes of this project. Staff will seek out and facilitate their involvement.
- Be clear about how the public’s input influences outcomes to inform decision-makers.
- Provide a wide range of engagement options. Remain open to new and innovated approaches to engaging the community.
- Provide necessary background information in advance to facilitate meaningful participation.
- Be efficient, understanding the July completion date. All input will be considered, but some of it might influence outcomes of future code changes.

Timeline

<table>
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<tr>
<th>Engagement Goal</th>
<th>Pre-work</th>
<th>Phase 1</th>
<th>Phase 2 &amp; 3</th>
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<tr>
<td>Techniques</td>
<td>Two community surveys</td>
<td>Website</td>
<td>Focus groups</td>
</tr>
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<td></td>
<td>Boulder Valley Comprehensive Plan</td>
<td>Preliminary Options</td>
<td>Online comment tool</td>
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<td>Workshop/Open house</td>
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<td>Informal drop-in events</td>
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<td>Online comment tool</td>
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<td>Board input</td>
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Phase 1: Issue Scoping and Identification

October: Gather information to define the decision process, identify public participation objectives, establish decision criteria, and inform the community about the project and opportunities to engage.

- Analyze and understand key issues from community, including extensive emails received and two statistically-valid surveys.
- Identify affected and interested parties.
- Refine the problem statement and goals of the project to align with preliminary themes.
- Present Public Engagement Strategy to Planning Board.
- Identify relevant Boulder Valley Comprehensive Plan policies and overall goals and direction.

Deliverables:

- Using prior community input, identify input themes, potential Land Use Code amendments and develop a preliminary matrix of regulatory options.
- Draft and Final Public Engagement Strategy
November - December: Engage the community to prepare alternatives to implement building height.

- **Focus group discussions** will be held throughout the city primarily for those directly affected\(^1\), and open to any interested community member. These sessions will be designed to yield anecdotal data: ideas, views, visions and stories. Topics will likely include a project introduction, confirming themes from community input, criteria for evaluating regulatory options and areas that should be eligible for future height modification requests.
- An online comment form will be available for those interested parties\(^2\) or unable to attend focus group meetings.
- Proactive engagement to specific organizations that express interest.

**Deliverables:**
- Pamphlet summarizing the project and presenting maps and visual examples of options to aid in the conversations about locations, applicability, use mix, affordable housing options - and present analysis and initial options.
- Using input from the focus groups and online comment form results, staff will refine the different regulatory options and develop a preferred approach to implementing the policy direction for building height.
- Focus Group Summary

**January/February 2018: Evaluate alternatives to modify the code and consult the community during the development of a preferred approach to code changes**

- Present and receive feedback on the preferred regulatory approach (e.g., initial draft of code changes) during a workshop event.
- Drop-in events for those unable to attend the workshop.

**Deliverables:**
- Based on feedback from the workshop and drop-in sessions, staff will refine the preferred approach to code changes.
- Economic analysis of preferred approach.
- Workshop summary.

**February: Present a preferred approach/outline of code changes.**

- Present the preferred regulatory approach to the Planning Board for direction.
- Present the preferred regulatory approach to City Council (study session or matters item).

**Deliverables:**
- Based on feedback from the open house and drop-in sessions, staff will preferred approach.

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\(^1\) Those people likely to be directly affected by code changes regarding height modifications, for example property owners in or neighbors immediately adjacent to the commercial areas such as downtown, Boulder Valley Regional Center, or neighborhood commercial areas.

\(^2\) Those people likely to be indirectly affected by the decision or its implementation. Examples include property owners and tenants within the general area of those eligible properties or other members of the community.
• Phase 1 Public Engagement Summary

Phase 2: Code Outline and Drafting

**March: Code Outline and Drafting, with targeted engagement as needed.**

- Based on feedback from the Planning Board and City Council, staff will draft necessary amendments to the Land Use Code.
- Targeted engagement to stakeholders and other interested parties, as needed, while drafting the technical code language.
- Open House and comment period

**Deliverables:**

- Proposed ordinance amending the Land Use Code.

Phase 3 Review and Adoption

**April – July: Hold public hearings for consideration of code amendments.**

- Planning Board public hearing and recommendation (April)
- City Council 1st reading (May)
- City Council 2nd reading (June)
- City Council 3rd reading [if necessary] (July)

**Deliverables:**

- Public hearing materials.
## Engagement Toolbox

<table>
<thead>
<tr>
<th>Event(s) or Venue</th>
<th>Purpose / Objectives</th>
<th>Schedule</th>
<th>Target Participants</th>
<th>How Feedback will be Captured / Reported</th>
<th>Ways to Track / Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Website</td>
<td>Clearinghouse for project information (i.e., schedules, reports, etc.) to inform the community about the project</td>
<td>Ongoing</td>
<td>All</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Focus Group Sessions</td>
<td>The intention is to hire a consultant to assist with focus group sessions. The exact format would be developed based on the specific questions needed to inform the project and collaborate with the community.</td>
<td>Nov. – Dec.</td>
<td>Affected properties such as downtown, Boulder Valley Regional Center, commercial centers</td>
<td>Feedback will be recorded by the group facilitator and summarized in a final report.</td>
<td>Qualitative feedback (“is this working?”, “how do you rate the quality of x event?”)</td>
</tr>
<tr>
<td>Workshop</td>
<td>Share information and receive input about the initial preferred policy option – consulting with the community about their preferences</td>
<td>Jan. – Feb.</td>
<td>Public at-large. Efforts will be made to inform those already involved in the project.</td>
<td>Through handouts and self-guided activities.</td>
<td>Number of completed evaluation forms and number of positive responses about their role in shaping the process</td>
</tr>
<tr>
<td>Drop-in Events</td>
<td>Provide an informal and flexible time to meet with staff at a convenient neighborhood location (local coffee shop, recreation center, etc.) to consult with participants</td>
<td>Jan. – Feb.</td>
<td>Property owners in specific areas.</td>
<td>Through handouts and verbal feedback.</td>
<td>Number of participants.</td>
</tr>
<tr>
<td>Online Comment Form</td>
<td>Easy process to share written feedback about the project to consult participants</td>
<td>Nov. – Mar.</td>
<td>Community at-large</td>
<td>Via comment form.</td>
<td>Number of entries.</td>
</tr>
</tbody>
</table>
AGENDA TITLE: Accessory Dwelling Unit Code Changes – list of potential changes and community engagement approach.

REQUESTING DEPARTMENTS:
Jim Robertson, Director for Planning, Housing + Sustainability (PH+S)
Kurt Firnhaber, Deputy Director for Housing (PH+S)
Leslie Ellis, Comprehensive Planning Manager (PH+S)
Jay Sugnet, Senior Planner, Housing Boulder (PH+S)

OBJECTIVES:
1. Hear staff presentation
2. Discuss and provide feedback to staff

EXECUTIVE SUMMARY
The purpose of this memorandum is to provide background on City Council's direction on revising the regulations pertaining to Accessory Dwelling Units and generate Planning Board discussion and feedback to staff on the list of focused code changes and approach to community engagement.

City Council responded to community requests to encourage the creation of new Accessory Dwelling Units (ADUs) by requesting that staff bring forward a list of incremental changes to city regulations that better allow accessory units while still addressing potential neighborhood impacts. Council has identified this as a work plan item for the past several years. On Aug. 22, staff presented council with a list of potential regulatory changes that would remove some of the barriers to creating accessory units, including but not limited to, addressing standards regarding unit concentration, sizes, and parking. The project will include incremental and focused changes to the regulations, not wholesale changes.

Staff is requesting Planning Board feedback on the focused code changes listed below that would encourage the establishment of more accessory units. Additionally, staff is requesting feedback on the draft why and purpose statements and the approach to community engagement for this effort. The staff memo to council is available here (starting on page 25) and includes a summary of current regulations, history of ADUs in Boulder and comparative research.

DRAFT WHY STATEMENT
Increasing the diversity of housing opportunities is a city goal and priority as identified in the recent Boulder Valley Comprehensive Plan update, discussed during a 2012 Study of ADUs, and as part of community discussions regarding housing over the past decade or more. The current regulations regarding accessory
Dwelling units have resulted in a relatively small number of legal accessory dwelling units (205 as of January 2017) being constructed since the first ordinance was adopted in 1983.

DRAFT PURPOSE STATEMENT
The city, in collaboration with the community, will craft a proposal for incremental changes to the relevant regulations addressing accessory dwelling units (i.e., Accessory Dwelling Units (ADUs) and Owner’s Accessory Units (OAUs)) to simplify the regulations and remove apparent barriers to the construction of this housing type in ways that are compatible with neighborhoods. The update is intended to achieve the following:

a) provide additional flexibility to homeowners to stay in their homes by allowing for options that may either create supplemental revenue sources or allow for aging in place on the property; and
b) increase workforce and long-term rental housing opportunities while addressing potential impacts to existing neighborhoods.

PROPOSED LIST OF FOCUSED CODE CHANGES
The following options were identified based on the issues identified from the 2012 Accessory Dwelling Unit Study, specific cases brought before the Board of Zoning Adjustments, preliminary guidance from City Council and staff experience in working with property owners who would like to add accessory units.

1. Simplify Rules
A few minor amendments would simplify the current regulations to make implementation easier for both staff and the applicant. These amendments may not create a significant number of additional units, but would remove some regulatory barriers and create a more predictable and streamlined process for building an accessory unit.

Options:
   a) Remove the five-year requirement. Currently, a home must be at least 5 years old to create an accessory unit. The original intent was to help existing property owners remain in their homes who may have challenges meeting mortgage and other costs. However, it is not clear today this is the only policy objective. In recent years, council members have discussed the desire to provide more flexibility for additional housing opportunities in general.
   b) Remove the neighborhood notice requirement. Currently, directly adjacent property owners are notified of an accessory unit application by mail and a notice is posted on the site. The original intent of this requirement was to create transparency in the regulatory process by providing neighbors with notice of creation of an additional legal unit in zoning districts where duplexes are otherwise prohibited. Although notice is a good idea in theory, it tends to create expectations on the part of neighbors that they can influence the review process or stop it entirely. Accessory units are reviewed through an administrative process. If the proposal meets specific objective criteria, the application is approved.

2. Concentration
No more than ten percent of properties within a 300-foot radius of the applicant’s property may have an accessory dwelling unit in Residential – Low zone districts. In Residential – Estate and Residential – Rural zone districts this provision applies to properties within a 600-foot radius of the applicant’s property. An additional barrier is the requirement to include existing nonconforming structures in calculating the ten percent limitation factor. These are typically duplexes, but sometimes include apartments. The intent of these provisions was to prevent an overabundance of non-single-family units in predominantly single-family
neighborhoods. This provision is unique among accessory unit ordinances across the nation. As of January 2017, there were three people on the waiting list in three different neighborhood areas. It is difficult to estimate how many people consider building an accessory unit, but don’t pursue it because others already exist in their neighborhood, and the neighborhood area is at maximum saturation.

Options:

a) Increase the saturation rule to 20 percent. This would be a relatively small incremental change and would reduce the barrier for existing homeowners who have been prevented from adding an accessory unit.

b) Remove nonconforming structures in the saturation rule. Duplexes are different from a principal dwelling unit with an accessory unit as they are two self-contained units often of equal size. The neighborhoods with grandfathered duplexes, such as the Hill, are constrained from creating accessory units by counting nonconforming uses in the neighborhood area. The original rational for counting these structures within the neighborhood areas is because it was thought that they would have similar or greater impacts than an ADU.

c) Create different saturation rates based upon geographic areas of the city. Given that some neighborhoods have been downzoned over the years, they have a greater degree of non-conforming uses and the impacts related to these non-conforming uses. It is possible to consider greater saturation rates based on existing neighborhood characteristics.

3. Size

The size of an ADU is limited to either 1,000 square feet or 1/3 of the size of the principal dwelling unit (whichever is less). The original intent was to ensure that the accessory unit is smaller in size and therefore subordinate to the main home. This requirement presents challenges for people with smaller homes. The size restrictions in other cases can also lead to unnecessary remodel work such as walling off portions of a basement to meet the size regulations for ADUs. Additionally, there is a 450-square foot limitation for detached OAUs which is a barrier since existing accessory structures are often larger. Additionally, if the OAU is in a detached accessory structure, the building must have less than 500 square feet of building coverage. OAUs are also subject to design requirements for garage doors and roof pitches. OAU's can go up to 25 feet in districts where accessory building height limits are 20 feet. These design requirements for OAU's are intended to help the buildings be compatible with the existing character of the neighborhoods. The intent of these regulations was to create accessory buildings that look like traditional carriage houses in predominately older neighborhoods like Whittier. However, these restrictions on accessory unit size and design may no longer be necessary as they were put in place prior to the adoption of a suite of development regulations commonly known as Compatible Development. These regulations, found in sections 9-7, "Form and Bulk Standards" and 9-8, "Intensity Standards", B.R.C. 1981, include Side Yard Wall Articulation, Side Yard Bulk Plane, Building Coverage and Floor-Area Ratio requirements. These zoning requirements create regulations that ensure that the size, height and building design of additional development on a property is limited and sensitive to neighboring properties.

Options:

a) Change the maximum size of an ADU or OAU located within the principal structure to 1,000 sq. ft. or 50 percent of the principal dwelling unit, whichever is less. This minor change retains the intent to ensure the accessory unit is smaller and subordinate to the principal unit. Increasing the size limit from 1/3 to 1/2 of the principal unit provides additional flexibility, particularly for smaller homes.

b) Increase the maximum size of a detached OAU. Similar to a), this minor change retains the original intent to ensure the OAU is smaller and subordinate to the principal unit. Increasing the maximum
size and removing the limit on building coverage provides more flexibility to build accessory units, while the Compatible Development standards ensure that the size, height and building design is limited and sensitive to neighboring properties.

c) Review design requirements such as single-car garage doors and specified roof pitches for detached OAsUs.

d) Remove the five percent expansion limit for attached ADUs. Currently, expansion of the primary structure’s existing foundation area is limited to no more than five percent. Similar to a) and b), this minor change retains the original intent of the regulation while providing additional flexibility.

4. Parking
Parking has been cited as one of the obstacles to creating an accessory unit. Some properties cannot easily accommodate an additional off-street parking spot, while other areas are more conducive. The parking standard is generally to provide one additional off-street parking space for ADUs and OAsUs in addition to the standard parking requirement for that property, while a minimum of three off-street parking spaces are required for LAUs. In line, tandem parking is not counted as two or more spaces. The original intent of the parking requirement was to reduce the potential impact of additional cars parked in the street as a result of the accessory unit. Few other cities require off-street parking. Furthermore, establishing an accessory unit on a property does not increase the occupancy limits for a property. In other words, the parking needs for the parcel are comparable to a home without an accessory unit. If there is a parking impact, it is minimal, given the tradeoff of providing more smaller units in the city.

Option: Remove the requirement for additional parking.

5. Location-specific Implementation
Some zoning districts or areas of Boulder may have features (e.g., larger lot sizes, alley ways, annexations, etc.) that better position them for targeted expansion of accessory housing. Staff could explore location-specific rather than citywide implementation of an ordinance to further enable ADUs.

Option: Explore location-specific implementation.

COMMUNITY ENGAGEMENT
Project Milestones


Create a community engagement plan that meets Council and Planning Board expectations for an incremental change to the regulations related to accessory units. The initial engagement will focus on getting community feedback on the draft WHY and PURPOSE statements and the draft list of focused code changes – prior to crafting a specific proposal.

Clearly articulate and communicate the scope of this effort and what is not getting addressed. Reinforce the incremental nature, rather than whole sale change. Clearly identify project milestones where community input into the process is most effective.

Conduct additional qualitative and quantitative analysis to update and support the 2012 ADU Study. The information will be used to understand how neighbors of existing ADUs perceive impacts from the units. Continue to explore options for ensuring ADUs are affordable (either through covenants, voluntary
agreements, or incentives such as fee waivers).

Community Outreach in Oct/Nov 2017 – Planning Board meeting to seek input prior to public meetings on the following: discussion of DRAFT why statement, DRAFT purpose statement, and the draft list of focused code changes.

Hold 2 separate open houses in Nov. (North and South Boulder) to request input on the above. Open house will include posters on background materials, draft why and purpose statement. Create the opportunity for attendees to share their ADU story (written or video). Explore opportunities to combine outreach efforts with the Building Height project. Issue an open invitation to meet with any stakeholder.

**Deliverables:** Detailed project schedule; community engagement plan; final why and purpose statements; draft list of focused code changes; Planning Board meeting; project website and project launch press release

II. Community Discussion Draft Proposal Dec 2017 - Jan 2018

Based on community and board input from previous engagement, publish a discussion draft of a staff report that identifies barriers and details potential changes to the ordinance. This will include additional analysis and data collection to support the discussion draft and a summary of community engagement activities and input to date.

Community Outreach in Jan 2018 – review of discussion draft. Hold 3-5 separate open houses in Jan. (North, Central, East and South Boulder) to request input. Conduct targeted outreach (coffee talks, office hours, meetings with stakeholders, etc.) Coordinate outreach with the Building Height project. Issue an open invitation to meet with any stakeholder.

**Deliverables:** Discussion Draft Proposal; survey results

III. Planning Board and Council Public Hearings Feb - Mar 2018

Based on community input, publish a Planning Board memo with a staff recommendation for a public hearing. Included in the recommendation will be a summary of community input and how that input shaped the contents of the proposal. Forward the Planning Board recommendation to City Council for a public hearing.

Community Outreach in Feb/Mar 2018 – public hearings with the Planning Board and City Council.

**Deliverables:** Planning Board and Council memos; Adopted Accessory Dwelling Unit ordinance.

**NEXT STEPS**
Staff proposes to launch the community engagement effort next week based on feedback from Planning Board. A press release will be issued inviting the community to learn more about the effort, provide input on the list of focused changes, the draft why and purposed statements and have the opportunity to tell their ADU story. Staff will conduct additional research and explore additional incremental code changes based on community input.
The Planning Board consists of seven members appointed by City Council, each to a five-year term. The Board studies long-range planning matters, including the Boulder Valley Comprehensive Plan, and makes recommendations to City Council. The Board serves as an advisory board to City Council on applications for annexation and rezoning. The Board reviews and approves certain site and use review applications. The Board appoints one of its members to attend the Landmarks Preservation Advisory Board meetings as a non-voting advisor.

Meetings are generally held the first, third and fourth Thursday of the month at 6 PM in the City Council Chambers.

The City of Boulder believes that a diverse work force adds quality and perspective to the services we provide to the public. Therefore, it is the ongoing policy and practice of the City of Boulder to strive for equal opportunity in employment for all employees and applicants. No person shall be discriminated against in any term, condition or privilege of employment because of race, national origin, religion, disability, pregnancy, age, military status, marital status, genetic characteristics or information, gender, gender identity, gender variance or sexual orientation.

The Boulder City Charter requires representation of both genders on City Boards and Commissions.

Date

First Name *       Last Name *

Home Address *
Street Address
Address Line 2 City

State / Province / Region

Postal / Zip Code
Country

Best phone number where you can be reached

Home Phone (?)       Mobile Phone (?)       Work Phone (?)

E-mail Address *

Occupation

Place of Employment/
Retired

Do you reside within the city limits? *
When did you become a resident of Boulder? *

**ANSWER ALL OF THE FOLLOWING QUESTIONS**

1. What technical/professional qualifications, skill sets and relevant experiences do you have for this position (such as educational degrees, specialized training, service on governing or decision-making boards, etc.)? *

2. Have you had any experiences with this Board or the services it oversees that have sparked your interest in becoming a member of the Board, and, if so, please describe the experience(s) and what insight you gained.*

3. Describe a situation where you were involved with a group and had to work through a disagreement or conflict among the members. What techniques or specific actions did you find to be most effective in mitigating or resolving the disagreement/conflict? *

4. List all potential conflicts of interest you might have with respect to the work of this board, and explain how you think any potential or perceived conflicts of interest should be handled by Board members. *

5. What do you think are the most important planning issues facing the City? What expertise or insight could you bring to the Board’s deliberations and recommendations and what books have you read, courses have you taken or experience have you had that have shaped your thinking about urban planning? *
6. Other than the Pearl Street Mall, identify the three most successful and the three least successful examples of planning, or the failure thereof, in Boulder. Please explain what elements contributed to these projects’

7. Describe specific changes you would make to the City of Boulder Planning regulations, and explain why you would make the changes. *

8. Describe some changes to city policy and regulations that could reduce transportation impacts and improve the relationship between transportation and land use planning. *
9. Many people are challenging the buildings currently being constructed, questioning building height, parking reductions, intensity, appropriateness and design. What are your thoughts about the building and development that you see in Boulder? *

Questions Regarding Applications:
Boulder City Council
Attention: City Council Support
cityclerkstaff@bouldercolorado.gov
303-441-3019