

**BOULDER CITY COUNCIL MEETING
COUNCIL CHAMBERS, 1777 Broadway
Thursday, November 6, 2014
6:00 p.m.**

AGENDA

1. **CALL TO ORDER AND ROLL CALL**
2. **OPEN COMMENT and COUNCIL/STAFF RESPONSE** (limited to 45 min.) Public may address any city business for which a public hearing is not scheduled later in the meeting (this includes the consent agenda and first readings). After all public hearings have taken place; any remaining speakers will be allowed to address council. All speakers are limited to three minutes.
3. **CONSENT AGENDA** (to include first reading of ordinances) Vote to be taken on the motion at this time. (Roll-Call vote required)
 - A. Consideration of a motion to **approve the City Council Meeting Minutes from October 7, 2014**
 - B. Consideration of a motion to **accept the study session summary on the Facilities and Asset Management Master Plan Update from September 23, 2014**
 - C. **Consideration of a motion to approve the city's 2015 State and Federal Legislative Agenda**
 - D. Consideration of a motion to adopt a **resolution to allow the Chief of Police to dispose of property** under B.R.C. 2-4-6 by means other than auction; specifically **by donation, recycling or destruction**
 - E. Consideration of a motion to adopt a **resolution to provide fire protection services to certain annexed properties previously served by the Boulder Rural Fire Protection District.**
 - F. Second reading and consideration of a motion to adopt **Ordinance No. 8008 vacating and authorizing** the City Manager to execute **a deed of vacation for four sidewalk easements and one public roadway easement at 28th and Canyon** (LUR2014-00075)
 - G. Introduction, **first reading** and consideration of a motion to order published by title only, an **ordinance** amending Chapter 2-2, B.R.C. 1981 by the addition of a new Section 2-2-19, "Records Retention;" **adopting the Colorado State Records Retention Schedule** and repealing Ordinance Nos. 5753, 5879 and 5972

H. Introduction, **first reading** and consideration of a motion to order published by title only, an **ordinance** authorizing and **directing the acquisition of** property located along the **Wonderland Creek corridor between Winding Trail Drive and Foothills Parkway, by purchase or eminent domain proceedings, for the construction of the Wonderland Creek Greenways Improvement Project**

4. **POTENTIAL CALL-UP CHECK IN**

Opportunity for Council to indicate possible interest in the call-up of an item listed under agenda Item 8-A1.

ORDER OF BUSINESS

5. **PUBLIC HEARINGS**

A. Second reading and consideration of a **motion to adopt Ordinance No. 8009 designating** the building and property at **1919 14th St.**, to be known as **the Colorado Building, as an individual landmark** under the city’s Historic Preservation Ordinance

Owner/Applicant: 1919 14th Street, LLC

B. Second reading and consideration of a **motion to adopt Ordinance No. 7992** amending Section 9-2-13, “Concept Plan Review and Comment,” B.R.C. 1981, **to add a process for review of concept plans by City Council**

C. Second **reading** and consideration of a motion to adopt the following **ordinances**:

1. **Ordinance No. 8005 amending Title 9, “Land Use Code,” B.R.C. 1981, to (1) simplify various vehicular parking standards and reduce quantitative requirements for warehouses, storage facilities, and airports and (2) create new land use – based bicycle parking standards; and**
2. **Ordinance No. 8006 amending the Design and Construction Standards (DCS) related to bicycle parking design standards**

6. **MATTERS FROM THE CITY MANAGER**

None

7. **MATTERS FROM THE CITY ATTORNEY**

None

8. **MATTERS FROM MAYOR AND MEMBERS OF COUNCIL**

A. **Potential Call-Ups**

None

B. Request from Library Commissioners to meet with the Board and Commission Subcommittee

C. Opportunity to express interest in the position of Mayor Pro Tem

9. **PUBLIC COMMENT ON MATTERS** (15 min.) Public comment on any motions made under Matters.

10. **FINAL DECISIONS ON MATTERS** Action on motions made under Matters.

11. **DEBRIEF** (5 Min.) Opportunity for Council to discuss how the meeting was conducted.

12. ADJOURNMENT

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**CITY OF BOULDER
CITY COUNCIL PROCEEDINGS
Tuesday, October 7, 2014**

1. CALL TO ORDER AND ROLL CALL – 5:32 PM

Mayor Appelbaum called the October 7, 2014 City Council meeting to order at 5:32 PM in Council Chambers.

Those present were: Mayor Appelbaum, Council Members Cowles, Jones, Karakehian, Morzel, Plass, Shoemaker, Weaver, and Young.

A. DECLARATION IN SUPPORT OF CROSSWALK SAFETY WEEK

Council Member Jones read the declaration for Crosswalk Safety Week and presented it to Senior Transportation Planner Marni Ratzel and the mascot for crosswalk safety, C.W.

B. DECLARATION IN SUPPORT OF CITIES AND TOWNS WEEK, OCTOBER 20-26

Mayor Appelbaum read the declaration for Cities and Towns Week.

C. DECLARATION HONORING BOULDER HISTORY MUSEUM DAY, OCTOBER 10

Council Member Karakehian presented Mary Geyer with the declaration honoring the Boulder History Museum.

D. APPRECIATION OF FIRE CHIEF LARRY DONNER

Mayor Appelbaum read a declaration honoring Fire Chief Larry Donner and congratulated him on his upcoming retirement.

E. SCIENCE TUESDAY PRESENTATION: PROFESSOR RYAN, NATIONAL SCIENCE FOUNDATION STUDY ON FRACKING

Professor Ryan gave a presentation on the study of hydraulic fracturing.

2. OPEN COMMENT and COUNCIL/STAFF RESPONSE – 6:31 PM

1. Rob Smoke – Spoke in opposition to the study session summary on homelessness and stated that it was inaccurate and incomplete.
2. Darren O'Connor – Spoke about body cameras for police officers and how they would contribute to the safety of both the public and the officers. He also spoke about the need to provide better services for the homeless community.

3. Olivia Kurtz – Spoke about the importance of funding the Boulder History Museum and what she had learned through school field trips and family visits.
4. Kevin Masters – Requested that Council consider not including electronic or vaporizing cigarettes in future smoking bans in Boulder.
5. Miles Moore – Spoke in opposition to including electronic and vaporizing cigarettes in future smoking bans.
6. Ben Hanson – Spoke against banning electronic and vaporizing cigarettes in addition to traditional cigarettes in public places.
7. Greg Wilkerson – Spoke about the need for changes in planning and development policies.
8. Patrick Murphy – Spoke about the effort to municipalize Boulder’s electric utility and gave a presentation of what he thought the rates would look like over time.
9. Preston Padden – Spoke about the problems with construction defects he had encountered in Boulder as a business owner and the need for policy changes to ensure the integrity of future developments.
10. Greg Harms – Spoke as a member of the Human Service Alliance thanking Council for their support and partnership.
11. Jesse Witt – Spoke as a local attorney concerned about the proposed support for state legislation that would change construction standards in Colorado.
12. Candace Cavanagh – Spoke as a local attorney concerned about state legislation regarding construction that could increase construction defects and cause other problems by removing home builders rights.
13. Julie Conninghan – Asked Council not to support current construction legislation at the state level.
14. Scott Portnoy – Spoke about the smoking ban scheduled to come before Council and asked Council to consider how many people had successfully quit smoking by using electronic and vaping devices. He requested that Council not include those electronic and vaporizing cigarettes in any further smoking bans in Boulder. He noted that smoke machines in theaters and bars came with the same impacts as electronic and vaporizing cigarettes.

3. CONSENT AGENDA – 7:07 PM

A. CONSIDERATION OF A MOTION TO APPROVE THE CITY COUNCIL MEETING MINUTES FROM AUGUST 19, 2014

Approved as amended.

B. CONSIDERATION OF A MOTION TO APPROVE THE CITY COUNCIL MEETING MINUTES FROM SEPTEMBER 2, 2014

Approved as amended.

C. CONSIDERATION OF A MOTION TO APPROVE THE CITY COUNCIL MEETING MINUTES FROM SEPTEMBER 9, 2014

D. CONSIDERATION OF A MOTION TO APPROVE THE CITY COUNCIL MEETING MINUTES FROM SEPTEMBER 16, 2014

Approved as amended.

E. CONSIDERATION OF A MOTION TO ACCEPT THE STUDY SESSION SUMMARY ON THE 2014 UPDATE ON HOMELESS ISSUES AND TEN-YEAR PLAN TO ADDRESS HOMELESSNESS FROM AUGUST 26, 2014

F. CONSIDERATION OF A MOTION TO ACCEPT THE STUDY SESSION SUMMARY ON THE 2015 RECOMMENDED BUDGET FROM SEPTEMBER 9, 2014

G. CONSIDERATION OF A MOTION TO ACCEPT THE STUDY SESSION SUMMARY ON PLANNING POLICIES FROM SEPTEMBER 16, 2014

H. CONSIDERATION OF A MOTION TO ADOPT RESOLUTION NO. 1142 IN SUPPORT OF BOULDER COUNTY'S 2014 BALLOT MEASURE 1A, A COUNTYWIDE FLOOD RECOVERY SALES AND USE TAX

I. CONSIDERATION OF A MOTION TO ADOPT RESOLUTION NO. 1143 IN SUPPORT OF BOULDER COUNTY'S 2014 BALLOT MEASURE 1B, EXTENDING BOULDER COUNTY'S 0.9 MILL AD VALOREM PROPERTY TAX MILL LEVY FOR FIFTEEN YEARS TO AND INCLUDING DECEMBER 31, 2013

J. CONSIDERATION OF A MOTION TO ADOPT RESOLUTION NO. 1144 IN SUPPORT OF BOULDER VALLEY SCHOOL DISTRICT'S 2014 BALLOT MEASURE DESIGNATED AS 3A, "IMPROVING ALL BUILDINGS, BENEFITING ALL STUDENTS"

K. CONSIDERATION OF A MOTION TO ADOPT RESOLUTION NO. 1145 IN SUPPORT OF PROTECTION OF UNACCOMPANIED CHILDREN IMMIGRATING INTO THE UNITED STATES

L. SECOND READING AND CONSIDERATION OF A MOTION TO ADOPT ORDINANCE No. 7995 APPROVING SUPPLEMENTAL APPROPRIATIONS TO THE 2014 BUDGET FOR THE OPEN SPACE ACQUISITION BOND, SERIES 2014, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$10,123,341, FOR THE PURPOSE OF PROVIDING FUNDS FOR THE ACQUISITION OF OPEN SPACE REAL PROPERTY OR INTERESTS THEREIN AND THE COSTS OF ISSUANCE OF THE SERIES 2014 BONDS

M. SECOND READING AND CONSIDERATION OF A MOTION TO ADOPT ORDINANCE No. 7996 AMENDING TITLE 1, B.R.C. 1981, CONCERNING “GENERAL ADMINISTRATION,” TITLE 2, B.R.C. 1981, CONCERNING “GOVERNMENT ORGANIZATION,” TITLE 5, B.R.C. 1981, CONCERNING “GENERAL OFFENSES,” AND TITLE 7, B.R.C. 1981, CONCERNING “VEHICLES, PEDESTRIANS AND PARKING”

Approved as amended.

N. SECOND READING AND CONSIDERATION OF A MOTION TO ADOPT ORDINANCE No. 8000 VACATING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A DEED OF VACATION TO VACATE A PUBLIC PEDESTRIAN AND BICYCLE TRAIL EASEMENT LOCATED ON NAROPA UNIVERSITY PROPERTY AT 2130 ARAPAHOE AVENUE

**APPLICANT: TODD KILBURN
PROPERTY OWNER: NAROPA UNIVERSITY**

O. CONSIDERATION OF A MOTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A SETTLEMENT AGREEMENT IN THE LITIGATION BROUGHT AGAINST THE CITY BY DUSTIN KELLOGG AND MEREDITH FRANTZ

P. CONSIDERATION OF A MOTION TO REAPPOINT DR. DAVID FREDERICK TO THE CITY AUDIT COMMITTEE AS THE EXTERNAL GOVERNMENTAL ACCOUNTING EXPERT

Council Member Plass moved, seconded by Council Member Jones, to approve Consent Agenda item 3A through 3P with items 3A, 3B, 3D and 3M as amended. The motion carried 9:0. Vote was taken at 7:25 PM.

4. POTENTIAL CALL-UP CHECK IN - 7:24 PM

No interest was expressed in calling-up Item 8A-1.

ORDER OF BUSINESS

5. PUBLIC HEARINGS - 7:24 PM

A. SECOND READING AND CONSIDERATION OF A MOTION TO ADOPT THREE ORDINANCES DESIGNATING THE BUILDINGS AND PROPERTIES AT 905 MARINE, 1622 9TH ST., AND 1630 9TH ST., TO BE KNOWN AS THE WOLCOTT HOUSE, THE GEORGE AND MABEL REYNOLDS HOUSE, AND THE FINCH-PADDOCK HOUSE, RESPECTIVELY, AS INDIVIDUAL LANDMARKS UNDER THE CITY’S HISTORIC PRESERVATION ORDINANCE

OWNER/APPLICANT: CHRISTIAN GRIFFITH

Senior Planner James Hewat presented on this item.

The public hearing was opened at 7:36 PM:

1. Applicant Christian Griffith - spoke about his reasons for purchasing and landmarking the three properties and his hope to restore them in the future.
2. Deborah Yin – Spoke as the chair of the Landmark Board in favor of passing the ordinances that would make the proposed properties local landmarks.
3. Abbey Daniels – Spoke about her passion for historic preservation and thanked Council for their work over the years to preserve Boulder’s history.

There being no further speakers, the public hearing was closed at 7:40 PM.

Council Member Cowles complimented the applicant for his hard work and dedication to bringing this project to fruition.

Council Member Plass moved, seconded by Council Member Morzel, to adopt Ordinance Nos. 7997, 7998, and 7999 designating the buildings and properties at 905 Marine, 1622 9th St., and 1630 9th St., to be known as the Wolcott House, the George and Mabel Reynolds House, and the Finch-Paddock House, respectively, as individual landmarks under the city’s Historic Preservation Ordinance.

Council Member Plass recalled his history with the project of moving the homes to new locations and expressed excitement about the landmarks. He also thanked the owner for his work to preserve the homes.

The motion carried 9:0. Vote was taken at 7:44 PM.

B. CONSIDERATION OF THE FOLLOWING ITEMS RELATING TO THE 2015 BUDGET:

- 1. PUBLIC HEARING ON THE PROPOSED 2015 CITY OF BOULDER BUDGET; AND**
- 2. INTRODUCTION, FIRST READING, AND CONSIDERATION OF A MOTION TO ORDER PUBLISHED BY TITLE ONLY AN ORDINANCE THAT ADOPTS A BUDGET FOR THE CITY OF BOULDER, COLORADO, FOR THE FISCAL YEAR COMMENCING ON THE FIRST DAY OF JANUARY 2015 AND ENDING ON THE LAST DAY OF DECEMBER 2015, AND SETTING FORTH DETAILS IN RELATION THERETO; AND**
- 3. INTRODUCTION, FIRST READING AND CONSIDERATION OF A MOTION TO ORDER PUBLISHED BY TITLE ONLY AN ORDINANCE THAT ESTABLISHES THE 2014 CITY OF BOULDER PROPERTY TAX MILL LEVIES WHICH ARE TO BE COLLECTED BY THE COUNTY OF BOULDER, STATE OF COLORADO, WITHIN THE CITY OF BOULDER IN 2015 FOR PAYMENT OF EXPENDITURES BY THE CITY OF BOULDER,**

COUNTY OF BOULDER, STATE OF COLORADO, AND SETTING FORTH DETAILS IN RELATION THERETO; AND

- 4. INTRODUCTION, FIRST READING AND CONSIDERATION OF A MOTION TO ORDER PUBLISHED BY TITLE ONLY AN ORDINANCE THAT APPROPRIATES MONEY TO DEFRAY EXPENSES AND LIABILITIES OF THE CITY OF BOULDER, COLORADO, FOR THE 2015 FISCAL YEAR OF THE CITY OF BOULDER, COMMENCING ON THE FIRST DAY OF JANUARY 2015, AND ENDING ON THE LAST DAY OF DECEMBER 2015, AND SETTING FORTH DETAILS IN RELATION THERETO; AND**

- 5. INTRODUCTION, FIRST READING AND CONSIDERATION OF A MOTION TO ORDER PUBLISHED BY TITLE ONLY AN ORDINANCE, THAT AMENDS SECTION 3-8-3 AND CHAPTER 4-20 OF THE B.R.C. 1981 CHANGING CERTAIN FEES, AND SETTING FORTH DETAILS IN RELATION THERETO.**

City Manager Jane Brautigam and Budget Officer Peggy Bunzli presented on this item. Staff was available to assist with the presentation and answer questions from Council.

The public hearing was opened at 9:35 PM:

1. Chris Hoffman – Spoke in support of the proposed budget increases for Boulder’s Energy Future.

There being no further speakers, the public hearing was closed at 9:36 PM.

Council Member Cowles requested that Planning Board meetings be televised.

Council Member Weaver agreed with televising Planning Board meetings and thanked staff for their work.

Council Member Jones agreed with televising Planning Board meetings, but asked staff to bring back solid numbers as to the cost.

Council Member Morzel asked for a cost for taping all Planning Board meetings and an alternative cost for televising only those with items of public interest. She also supported televising all study sessions.

Council Member Plass agreed with televising study sessions and stated he would support televising board meetings that were of great importance, but not necessarily for just one board.

Council Member Young commented about her time on Planning Board and how to determine which meetings should be televised. She supported televising other board meetings when there were items of community interest. She stated that she was not supportive of the body camera proposal for police officers and questioned whether the cost had been fully explored.

Mayor Appelbaum expressed support for televising study sessions and specific board and commission meetings. He wondered where the tipping point was related to the number of meetings being televised and having to hire an additional FTE.

Communications Director Patrick Von Keyserling provided specific information about the setup and breakdown time related to televising meetings.

Mayor Appelbaum asked for a cost breakdown of televising City Council meetings with consideration given to scenarios where an additional FTE were hired or not.

Council Member Cowles expressed a preference to televise Planning Board meetings over additional study sessions.

Council Member Karakehian agreed that there were Planning Board meetings that deserved to be televised and asked that staff consider which meetings were appropriate for televising vs. those that were not. He agreed that there were additional study sessions that should be televised, but was not supportive of televising all study session meetings.

Council Member Plass was supportive of televising select board and commission meetings.

Council Member Shoemaker supported televising meetings based on topics of interest to the community. He supported body cameras for police officers as a means of better transparency and accountability to the public.

Mayor Appelbaum moved, seconded by Council Member Jones, to introduce and order published by title only the following ordinances:

1. Introduction, first reading, and consideration of a motion to order published by title only Ordinance No. 8001 that adopts a budget for the City of Boulder, Colorado, for the fiscal year commencing on the first day of January 2015 and ending on the last day of December 2015, and setting forth details in relation thereto; and
2. Introduction, first reading and consideration of a motion to order published by title only Ordinance No. 8002 that establishes the 2014 City of Boulder property tax mill levies which are to be collected by the County of Boulder, State of Colorado, within the City of Boulder in 2015 for payment of expenditures by the City of Boulder, County of Boulder, State of Colorado, and setting forth details in relation thereto; and
3. Introduction, first reading and consideration of a motion to order published by title only Ordinance No. 8003 that appropriates money to defray expenses and liabilities of the City of Boulder, Colorado, for the 2015 fiscal year of the City of Boulder, commencing on the first day of January 2015, and ending on the last day of December 2015, and setting forth details in relation thereto; and

4. Introduction, first reading and consideration of a motion to order published by title only Ordinance No. 8004 that amends Section 3-8-3 and Chapter 4-20 of the B.R.C. 1981 changing certain fees, and setting forth details in relation thereto.

The motion carried 8:1, with Council Member Young opposed. Vote was taken at 9:52 PM

6. MATTERS FROM THE CITY MANAGER - 9:52 PM

A. CONSIDERATION OF THE 2015 STATE AND FEDERAL LEGISLATIVE AGENDA

Policy Advisor Carl Castillo presented on this item and highlighted items added or changed in the 2015 legislative agenda.

Mayor Appelbaum commented that the issue around construction defects and the high importance placed on this matter by the Metro Mayor's Caucus. He recalled that the city had been neutral on the topic in the past while other cities were supporting the legislation and he was asking Council to add their support for the measure. He stated that he would also support removing it from the 2015 Legislative Agenda if that was the preference of Council.

Council Member Morzel stated a preference for a more thorough discussion before adding support for legislation related to construction defects on the agenda. She wanted to better understand the opposition to the proposed legislation before making a decision.

Council Member Plass agreed that he needed more information before making a decision, he wanted to understand if there was a nexus between the housing market and the legislation.

Council Members Weaver and Jones stated that as members of the legislative subcommittee, they were open to removing the item from the legislative agenda until more information was available for Council to weigh in their decision making.

Mayor Appelbaum took note that the consensus among Council was to remove the item related to legislation for construction defects from the 2015 Legislative Agenda.

Council Member Shoemaker commented that he did not support the legislation as it was proposed in 2014; he would want to see significant changes before he would support it.

Council Member Cowles agreed and stated that he did not believe this was a fight for Boulder. He was specifically concerned about information related to the legislation that was not factually based.

Mayor Appelbaum pointed out that it was not time to discuss the legislation, but to decide whether or not to include it in the Legislative Agenda for 2015 and determine if Council was interested in discussing it.

Council Member Karakehian suggested conversations with developers would allow Council to better understand how this legislation would impact Boulder if it were passed.

Council Member Plass asked how the committee would represent the majority of Council if there was a time sensitive matter requiring immediate attention.

Council Member Jones commented that she did not believe the committee would make decisions on new legislation so much as understanding Council's position on items in progress.

Council Member Plass responded that the language around the power of the subcommittee was unclear and made it sound like they were able to weigh in on any matter of interest to the Boulder City Council.

Mayor Appelbaum stated that when there was no time for Council to have a discussion, generally the city has remained neutral in those circumstances.

Council Member Jones suggested that the subcommittee should be anticipating legislation that may be introduced and those items could be discussed under matters fairly quickly.

Mayor Appelbaum pointed out that the purpose was to give direction to the Policy Advisor and the Legislative Agenda would be brought back for formal adoption.

Council Member Young suggested adding the issue regarding minimum wage to the agenda.

Council Member Cowles expressed support for legislation increasing the minimum wage requirement.

7. **MATTERS FROM THE CITY ATTORNEY - 10:32 PM - None**

8. **MATTERS FROM MAYOR AND MEMBERS OF COUNCIL – 10:33 PM**

A. POTENTIAL CALL-UPS

1. SITE AND USE REVIEW APPLICATION, No. LUR2014-00042, FOR THE REDEVELOPMENT OF THE 45.5-ACRE WESTERN DISPOSAL SERVICES SITE AT 2655 N. 63RD ST. IN THE IM ZONE DISTRICT TO INCLUDE ONE 28.34-ACRE LOT WITH A PROPOSED 55' TALL, 109,873 S.F. WASTE TRANSFER STATION AND RECYCLING COLLECTION AND PROCESSING FACILITY AND 4 DEVELOPABLE LOTS RANGING FROM 2.55 TO 3.19 ACRES IN SIZE FOR FUTURE LIGHT INDUSTRIAL AND TECHNOLOGY DEVELOPMENT USES. BOARD VOTE: 6-1 (GERSTLE OPPOSED) INFORMATION PACKET DATE: OCTOBER 7 LAST OPPORTUNITY FOR CALL-UP: OCTOBER 7

No action was taken on this item.

B. 2015 COUNCIL RETREAT AND RECESS DATES

After discussion, council agreed on the following dates for the 2015 retreat and recess:

- Retreat January 23 and 24
- Recess June 17 through July 12

C. MOTION TO APPOINT A MEMBER AND DELEGATE TO THE COMMUNITY-WIDE ECO-PASS WORKING GROUP

Council Member Cowles moved, seconded by Council Member Karakehian, to appoint Council Member Young as the representative and Council Member Jones as the alternate to the Community Wide Eco pass working group.

9. PUBLIC COMMENT ON MATTERS – 10:43 PM

The public hearing was opened at 10:43 PM, there being no speakers present, the public hearing was closed.

10. FINAL DECISIONS ON MATTERS – 10:43 PM

Vote was taken on the motion to appoint Council Member Young as the representative and Council Member Jones as the alternate to the Community Wide Eco Pass working group. The motion carried 9:0. Vote was taken at 10:43 PM.

11. DEBRIEF – 10:43 PM

Council Member Cowles stated that he was uncomfortable with the chair of the meeting asking another Council Member not to ask a question. He did not feel that Council Member Karakehian was given the opportunity to be heard.

12. ADJOURNMENT – 10:44 PM

There being no further business to come before Council at this time, BY MOTION REGULARLY ADOPTED, THE MEETING WAS ADJOURNED on October 7, 2014 at 10:44 PM.

Approved this ___ day of _____, 2014.

APPROVED BY:

Matthew Appelbaum,
Mayor

ATTEST:

Alisa D. Lewis,
City Clerk



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: Nov. 6, 2014

AGENDA TITLE: Consideration of a motion to accept the Sept. 23, 2014 study session summary on the Facilities and Asset Management Master Plan Update.

PRESENTERS

Jane S. Brautigam, City Manager
Maureen Rait, Executive Director of Public Works
Joe Castro, Facilities and Fleet Manager

EXECUTIVE SUMMARY

This agenda item presents a summary of the [Sept. 23, 2014 study session](#) on the Facilities and Asset Management (FAM) Master Plan Update as **Attachment A**.

STAFF RECOMMENDATION

Suggested Motion Language:

Staff requests council consideration of this matter and action in the form of the following motion:

Motion to accept the Sept. 23, 2014 study session summary on the FAM Master Plan Update.

ANALYSIS

The Institute of Climate and Civil Systems (iCliCS) has confirmed that the projected temperature increase for 2050 ranges from approximately 1 to 5 degrees Celsius (2 to 9 degrees Fahrenheit). The projected increase of 20 degrees Fahrenheit was for 2100, not 2050 as was reported during the Sept. 23 study session. The full iCliCS report provides the correct temperature ranges. In **Attachment B**, iCliCS has provided a scatter diagram and whisker diagram of temperature ranges for 25 to 75 percent from the median of the Intergovernmental Panel on Climate Change's 54 General Circulation Models (GCMs).

Staff met to discuss City Council feedback and has found that many communities are currently grappling with the challenge of localizing climate change projections. Working with the city's new Chief Resiliency Officer (CRO), staff will be convening a workshop with climate scientists from the National Center for Atmospheric Research (NCAR) and National Oceanic and Atmospheric Administration (NOAA) to establish a formal, vetted, and documented set of standards that the community will use to identify future climate changes. The CRO will also be participating in NCAR's "Engineering for Climate Extremes" workshop from Nov. 19 to 21.

Staff also participated in the EcoDistricts International Summit from Oct. 24 to 26 and learned that some local and regional governments have developed climate change plans, including [Boston](#), [Washington, D.C.](#), [Portland](#), and the State of [California](#). Staff will continue to examine how the FAM Master Plan Update should reflect the impacts of climate change.

NEXT STEPS:

Staff will address the City Council questions raised during the Sept. 23 study session about Police Department space needs as part of the space needs assessment, which is expected to be completed in the first quarter of 2015. FAM staff has begun the Fire-Rescue Department space needs assessment for Fire Station #3 and Fire Administration, and will address these needs as part of the next FAM Master Plan Update to council in the second quarter of 2015.

Staff will be meeting with Boulder County land use staff to discuss the proposed annexation of the Valmont Butte property and expects to convene a community open house during the fourth quarter of 2014. Future uses at Valmont Butte will also inform the Municipal Service Center (Yards) Master Plan Update.

ATTACHMENTS

Attachment A: Sept. 23, 2014 FAM Master Plan Update Study Session Summary

Attachment B: Institute of Climate and Civil Systems' Scatter and Whisker Diagrams

City Council Study Session Summary
Sept. 23, 2014
Facilities and Asset Management (FAM) Master Plan Update

PRESENT

City Council: Macon Cowles, Suzanne Jones, George Karakehian, Lisa Morzel, Tim Plass, Andrew Shoemaker, Sam Weaver, Mary Young

Staff Members: Maureen Rait, Executive Director of Public Works; Joe Castro, Facilities and Fleet Manager; Glenn Magee, Facilities Design and Construction Manager; Mark Simon, Facilities Maintenance and Operations Supervisor; Mitch Meier, Financial Analyst/Fund Manager, Shelley Janke, Administrative Specialist

PURPOSE

The purpose of the Sept. 23 study session was to provide an update about the Facilities and Asset Management (FAM) Master Plan and get council feedback about a few issues to guide the 2015 FAM Master Plan Update.

OVERVIEW OF PRESENTATION

Maureen Rait's Presentation

- Provided an overview of the purpose and background of the FAM workgroup and 2015 FAM Master Plan Update.
- Introduced questions about the issues that require City Council feedback, including:
 - Energy management;
 - Projected climate change impacts to city facilities;
 - Operations and office space studies; and
 - Environmental remediation.

Joe Castro's Presentation

- *History of the FAM Master Plan*
- *Energy Management*
 - Gave a summary of the Energy Performance Contract (EPC), including the financials of the contract – the money spent and invested, as well as the resulting energy cost savings. For example, FAM was able to reduce greenhouse gas emissions by 24 percent.
 - Provided an overview of the PeoplePowerPlanet campaign and powerED program to help facilitate city employee behavior change to support the EPC investments. The City of Boulder is the first municipality in the country to implement these efficiency programs in the public sector.
- Shared an update about the electric vehicle program.
- *Climate Change Impacts to Facilities*
 - The Institute of Climate and Civil Systems (iCliCS) was hired to identify potential climate change impacts to city facilities.

- The Infrastructure Planning Support System (IPSS) created by Resilient Analytics, an iCliCS firm, produced climate change scenarios for the City of Boulder through the year 2100 using data from the Intergovernmental Panel on Climate Change’s 54 General Circulation Models (GCMs). Each scenario includes an analysis of the risks and costs of adaptation versus not adapting.
 - The iCliCS model divided the City of Boulder into two climate zones from north to south. One city facility in each climate zone was selected for the study – the East Boulder Community Center (EBCC) in the south zone and the new Wildland Fire Station in the north zone.
 - These projected temperature increases will cause energy costs to increase by a range of 3 to 18 percent for the EBCC and 2 to 16 percent for the Wildland Fire Station by 2050.
 - The next steps for staff will be to determine other city facilities to study and model increased energy costs, and then to identify risk-basked changes to the current funding model to account for the higher energy costs and earlier replacement and upgrades of heating, ventilation, and air conditioning (HVAC) and other building systems.
 - Information about the impacts of higher energy costs will be presented to council in 2015 as part of the FAM Master Plan Update.
 - The current goal for funding is 2.5 percent of the current replacement value (CRV) for operations and maintenance (O&M) and 2 percent of the CRV for replacement and renovation (R&R)
- *City Operations and Office Space*
 - There is a deficiency between what the city has available for office space, what the International Facility Managers Association (IFMA) nationwide average is, and what other local area government provide.
 - FAM commissioned three major studies of city operations and office space in the:
 - Downtown area;
 - Police Department and Fire-Rescue Department; and
 - Municipal Service Center.
 - The studies identified shortfalls of 30,000 square feet for city services in the downtown area and recommended that 35,000 square feet of city facilities and 377 parking spots be removed from the high-hazard flood zone.
 - The total space deficiency at the Public Safety Building is 25,000 square feet and 50 parking spots. The best operational and most cost-effective option is to construct an addition to the Public Safety Building with a new parking structure.
 - The Fire-Rescue Master Plan calls for an evaluation of space needs for current fire stations. Moving Fire Station #3 out of the 100-year floodplain has been identified as a top priority. A space needs study has been initiated for Fire Station #3 and Fire Administration.
 - The city is temporarily leasing office space at Center Green Drive. Moving Information Resources, Information Technology and Human Resources to the leased space will increase the available space for city services in the downtown area. Moving Fire Administration out of the Public Safety Building will provide the Police Department with 3,000 square feet to expand into.

- *Environmental Remediation*
 - Valmont Butte Voluntary Clean-Up Program (VCUP)
 - FAM has been working with the previous property owners to remediate the hazardous materials left onsite, at a cost of \$6.4 million.
 - The VCUP is complete and received a No Action Determination approval from the Colorado Department of Public Health and Environment (CDPHE).
 - The CDPHE revision of the existing covenants to assure that future land use is protective of the remedy was signed on May 12, 2014.
 - The city is examining annexation of the property and a redesignation of the land use from “commercial/light industrial” to “public.”
 - Staff’s intent is to continue the historical designation of the mill buildings, preserve the 16 acres of undisturbed historic areas, keep the 27 acres of open space “as-is,” and use the remaining areas for future, low-impact city use.
 - 13th Street Voluntary Clean-Up Program (VCUP)
 - Remediation activities were initiated on Jan. 28, 2014 and continued through the backfilling efforts on April 17, 2014.
 - Staff is continuing work to determine the effectiveness of in-situ remediation and is seeking reimbursement from other responsible parties

NEXT STEPS

Climate Commitment discussions with City Council in November 2014 will also guide the 2015 FAM Master Plan Update.

2015 FAM Master Plan Update Anticipated Schedule

- *Fourth Quarter 2014* –Parks and Recreation Advisory Board, Library Commission, Arts Commission, and Environmental Advisory Board.
- *Second Quarter 2015* – Planning Board consideration and City Council consideration.

COUNCIL DISCUSSION

Individual council members provided specific feedback in response to the questions from staff.

1. *Does council have any questions regarding the projected climate change impacts to city facilities?*
 - Council members were not comfortable with the way the climate change scenarios were presented. They would have liked to see the information shown in a scatter chart and would like to have all of the 54 GCMs shown together to see where they fall in relation to each other. Council determined that the information needs to be refined further.
 - Council would like to have more information about the projections and methodology, especially why Boulder was separated into two different climate zones.
 - Council would like to make sure that staff is planning properly for these types of climate scenarios. They asked if the city should use the International Council for Local Environmental Initiatives (ICLEI) climate change projections for modeling of impacts, in the future.

- Council commended staff for the energy efficiency work that has been done. The city needs to keep looking at future climate change impacts to facilities, the cost of doing nothing, and what the city will need to plan for.
 - Council wanted to know if municipalization was accounted for in these climate change scenarios. Dr. Paul Chinowsky from ICliCS stated that municipalization was not accounted for in these models.
2. *Does council have any questions about the operations and office space studies, or the capital projects being planned and evaluated?*
- Council wanted to know if the space requirements were based on projections for the proposed increase to the number of employees presented in the 2015 budget/capital investment plan presentation. Joe Castro stated that they are, with the planning factor of 360 square feet per person being used. The more detailed space analysis evaluates how much growth should be provided for.
 - Council wanted to know how much head room FAM should build in for the future. Joe Castro stated that FAM tries to budget for a 20-year major renovation of each building. Council requested that staff look at what the city can actually afford and determine if a 20-year renovation cycle is the right interval, or if the city needs to plan for longer cycles due to budget limitations.
 - Council wanted to know if the IFMA numbers for square footage per employee were for public and private facilities. Joe Castro stated that the numbers were only for city and county government buildings nationwide, which FAM staff considered to be high in comparison to other local governments.
 - Council was supportive of moving Fire Station #3 out of the floodplain.
 - Council needs more information in order to support the Fire-Rescue Department needing more space; for example, council wants to know the results of the small vehicle pilot program. Joe Castro stated that this will all be part of the upcoming space study for the Fire-Rescue Department facilities.
 - Council would like more information about the Public Safety Building and the parking situation. What is the culture? What is expected? Who is the additional parking for - visitors and/or employees?
3. *Does council support staff scheduling for council consideration the proposed annexation of the Valmont Butte property, with the intent to landmark the historic mill buildings, preserve previously undisturbed areas in their natural state. and make the remaining areas of the property available for low-impact municipal uses such as material stockpiling storage and renewable energy generation?*
- Council is supportive of moving forward, as long as the conversation and communication continues with the Native Americans and all other interested parties. Staff should proceed in a slow and deliberate manner.
 - Joe Castro stated that the Native American representatives are pleased with the work that has been done so far and would like a continued presence in the area to help protect and preserve it.
4. *Does council have any other questions involving the management of the city's facilities?*

- Council stated that they have not heard any discussion about the Municipal Service Center (Yards) and asked what the long-range plans for that area are. Joe Castro stated that the Sept. 23 study session packet provided an update about the Municipal Service Center Master Plan, including what staff has planned up to January 2015, when the storage area (next to where Eco-Cycle was) will be vacated. FAM is starting to work on a second planning phase to determine the next steps and will provide council with an update in 2015.

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Attachment B: Institute of Climate and Civil Systems' Scatter and Whisker Diagrams

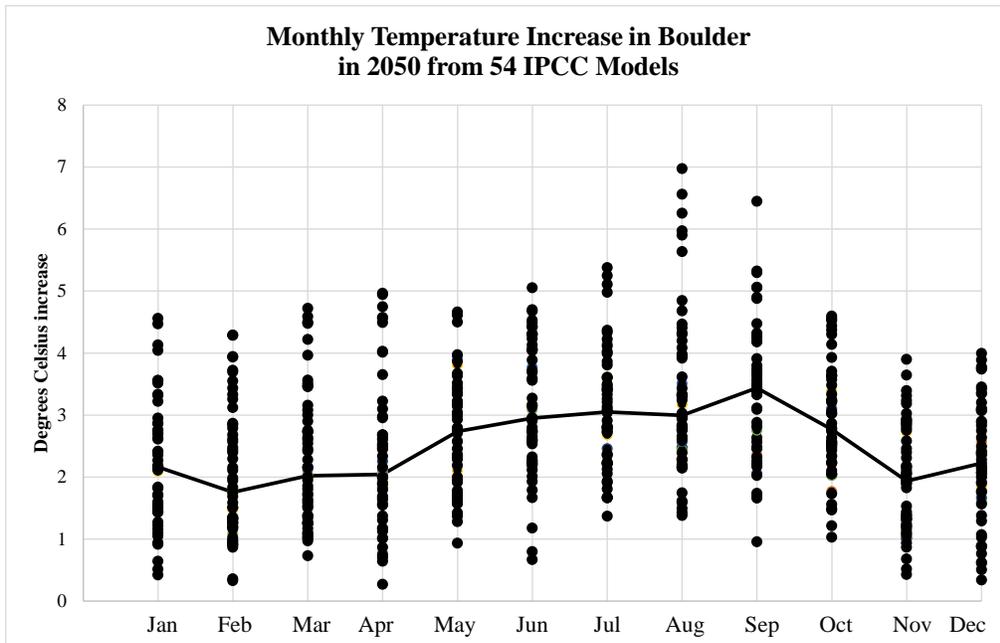


Figure 1: Monthly temperature increase for all 54 General Circulation Models.
 The temperature is calculated as an average of the monthly temperatures projected during a ten-year period (2040 to 2050). The median monthly values are shown along the dark line. Temperature is shown in Celsius.

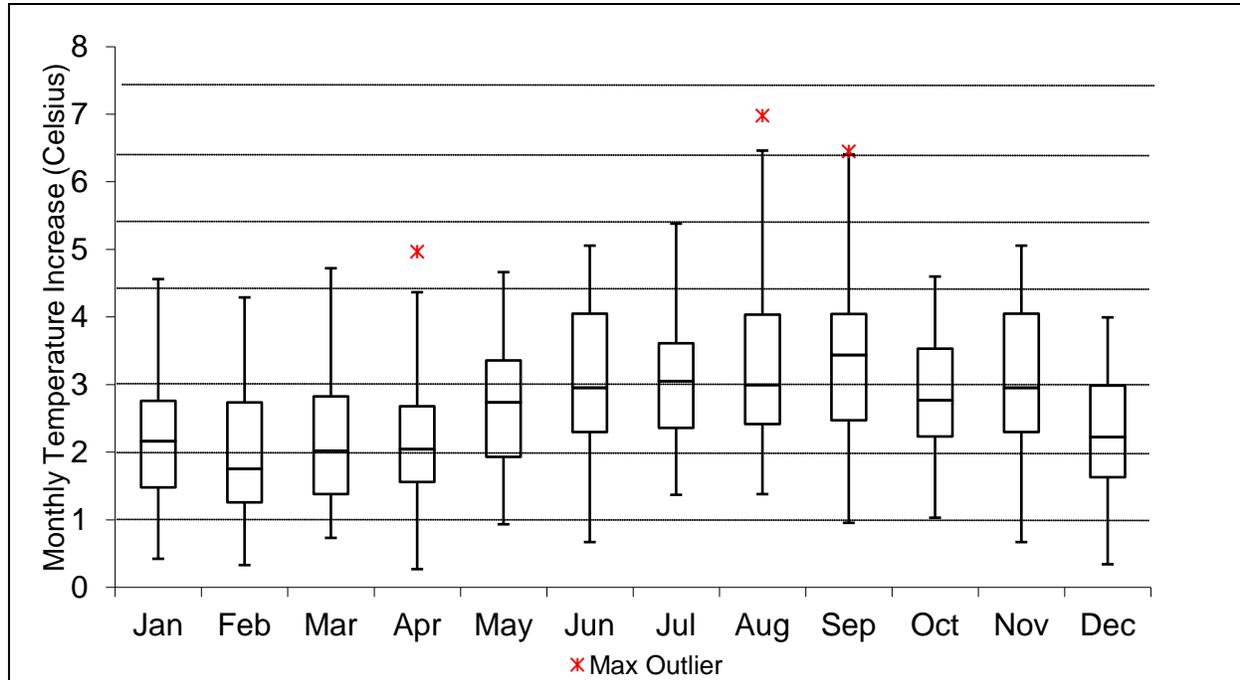


Figure 2: Monthly temperature increase for all 54 General Circulation Models.
 The temperature is calculated as an average of monthly temperatures projected during a ten-year period (2040 to 2050). The box plots illustrate the 25th to 75th percentiles with the median line. The whiskers extend to the minimum and maximum temperatures. Temperature is shown in Celsius.

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**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: November 6, 2014

AGENDA TITLE: Consideration of a motion to approve the city's 2015 State and Federal Legislative Agenda

PRESENTERS:

Jane S. Brautigam, City Manager
Carl Castillo, Policy Advisor

EXECUTIVE SUMMARY

The purpose of this item is to allow council to consider approving the city's 2015 State and Federal Legislative Agenda (the "2015 Agenda," **Attachment A**). Proposed substantive policy changes from council's Oct. 7 discussion of the 2015 Agenda are reflected with strike-through and double-underline formatting, and summarized below.

Once approved, the 2015 Agenda will be available to present to the city's state legislative delegation at a breakfast scheduled for Nov. 14, 2014 and to its congressional delegation during a city visit to Washington D.C. anticipated sometime next year. The 2015 Agenda will also provide individual council members and city staff with authority to advocate on behalf of the city for the stated positions as opportunities arise during the rest of this year and throughout 2015.

STAFF RECOMMENDATION

Suggested Motion Language:

Staff requests council consideration of this matter and action in the form of the following motion:

Motion to approve the city's 2015 State and Federal Legislative Agenda as reflected in **Attachment A**.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- **Economic** – City lobbying efforts have and are expected to continue to contribute to the city’s economic sustainability goals. In 2015 this is expected to include advocating for necessary modifications to the Colorado Urban Renewal law that would protect the city’s continued ability to use tax increment financing in appropriate circumstances and for continued funding for the federally funded laboratories in Boulder.
- **Environmental** – City lobbying efforts have and are expected to continue to contribute to the city’s environmental sustainability goals. In 2015 this will include efforts to preserve and support the ability of local governments to engage in climate action efforts and to encourage widespread adoption of electric and efficient motorized vehicles.
- **Social** - City lobbying efforts have and are expected to continue to contribute to the city’s social sustainability goals. In 2015 this is expected to include reforming construction defects law to reduce disincentives to construction of affordable and owner-occupied multifamily housing; supporting comprehensive immigration reform and supporting the rights of all people regardless of their actual or perceived sexual orientation or gender variance status.

OTHER IMPACTS

- **Fiscal** – The proposed 2015 Agenda includes several positions that would protect the city’s financial resources, including those that would lead to state and federal assistance for flood disaster recovery and mitigation expenses and that would protect the city’s workers compensation and retirement system. In terms of financial outlays, the city anticipates renewing contracts for lobbying services with the following consultants:
 - *Smith Dawson & Andrews* – Approximately \$40,000/year for city-specific representation before Congress and the federal executive branch.
 - *Headwaters Strategies, Inc.* – Approximately \$48,000/year for city-specific representation before the Colorado General Assembly and the state executive branch.
 - *Dutko Grayling* - \$23,340/year for the city’s portion of a contract for federal representation of the US 36 Mayors and Commissioners Coalition.
- **Staff time** - Creation of a legislative agenda, and devoting time to advance it, is part of staff’s approved work plan.

BACKGROUND

The 2015 regular session of the Colorado General Assembly is scheduled to convene on Jan. 7, 2015. Each legislator is allowed to introduce five bills. The deadline for legislators

to request their first three bills is Dec. 1, 2014. Unless “late bill” status is granted, all bills must be introduced no later than Jan. 28, 2015.

In order to develop the proposed 2015 Agenda, modifications from the city’s 2014 Agenda were made. In making these modifications, several considerations were taken into account, including:

1. A review of the 2014 state legislative session;
2. A review of the 2nd session of the 113th Congress;
3. Input from city staff, council’s legislative committee, and;
4. Discussions with the city’s regional partners

ANALYSIS

The following is a list of the significant changes since council discussed the proposed the 2015 Agenda on Oct. 7, 2014:

- 1) **Purpose of the Legislative Agenda** – Clarified authority for Council’s Legislative Committee to provide direction on legislation.
- 2) **Construction Defects Law** – Struck position supporting change in state’s construction defects law.
- 3) **Immigration** – Added position on protecting unaccompanied children immigrating into the United States
- 4) **Minimum Wage** – Added position in support of increasing the minimum wage and made it a state legislative priority.
- 5) **PERA** – Struck position on defending city’s retirement system from list of state priorities.

ATTACHMENT

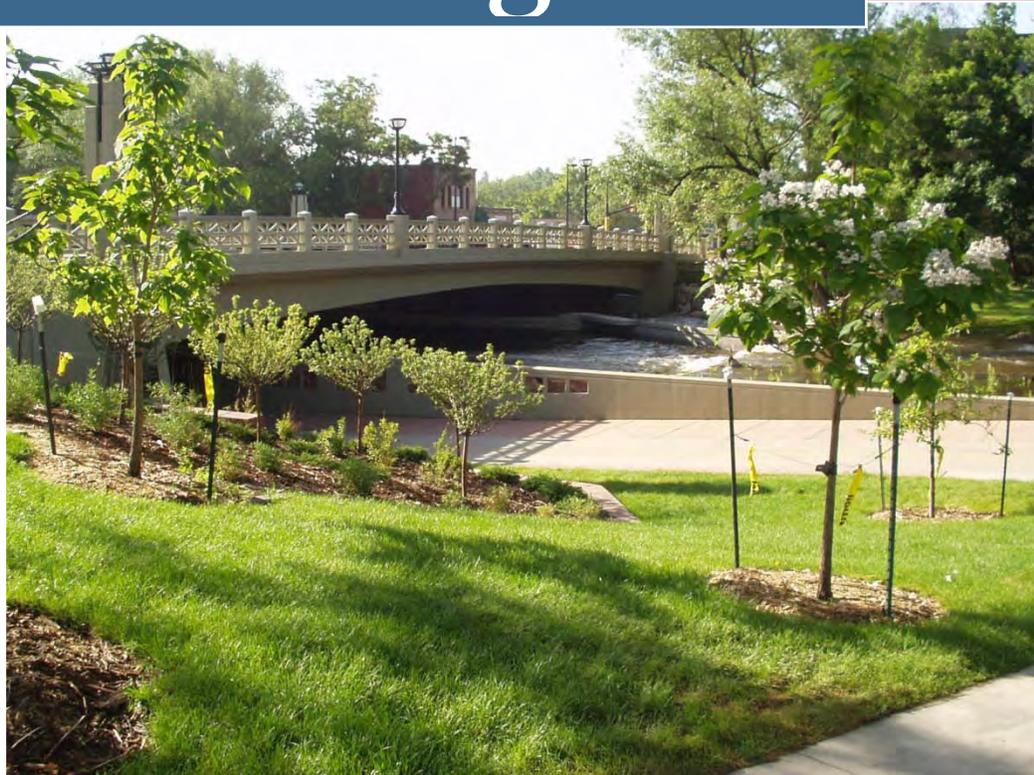
Attachment A – Proposed 2015 Agenda, substantive policy revisions reflected

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2015

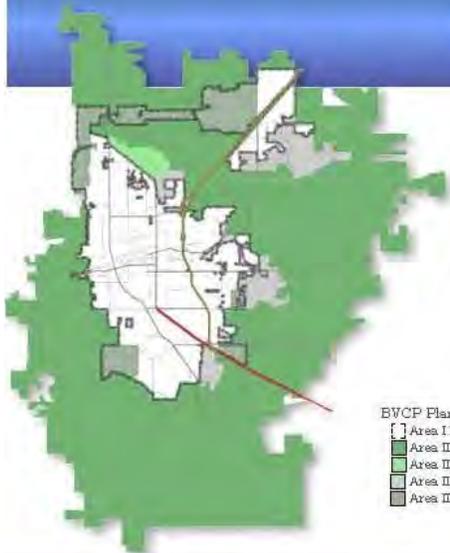
State and Federal Legislative Agenda



**Approved on
November 6, 2014**



2014 Community Profile

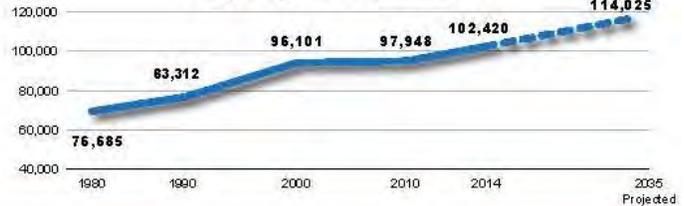


25.8
square miles

70
city Open Space
square miles¹

102,420
city population²
114,200 Service Area Population

City Population Trends

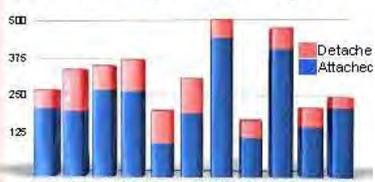


BVCP Planning Areas
 [] Area I Boulder City Limits
 [] Area II Rural Preservation Area
 [] Area III Planning Reserve
 [] Area II Service Area²
 [] Area III Annexed

44,028
Housing
Units²



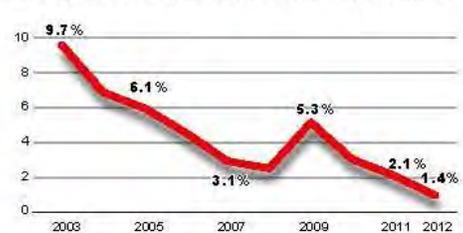
New Housing Units Completed³



Rental vs Owner Occupied Housing Units⁵



Residential Rental Vacancy Rates⁶



Housing Costs & Incomes



102,500
Jobs⁹
105,450 Service Area Jobs

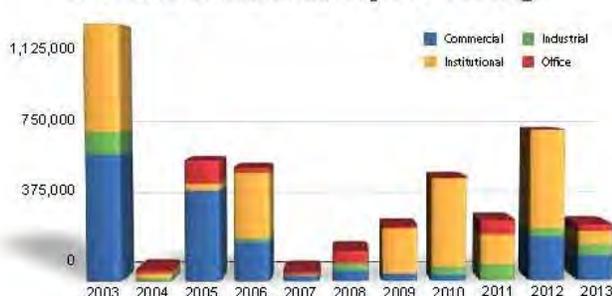
City Job Trends



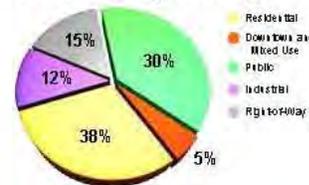
Boulder Commuting Patterns¹⁰



New Non-Residential Square Footage¹¹



Land Area by Zoning¹¹



Vacancy Rate¹²

Retail	4.9%
Office	9.4%
Warehouse	4.8%
R&D/Flex	7.4%

Top 10 Employers (2011)

- (listed in alphabetical order)
- Ball Aerospace
 - Boulder Community Hospital
 - Boulder County
 - Boulder Valley School District
 - City of Boulder
 - Covidien
 - IBM
 - Micro Motion/Emerson
 - UCAR/NCAR
 - University of Colorado Boulder

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advisor/state-federal-
legislative-matters

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PURPOSE OF THE LEGISLATIVE AGENDA

The purpose of the city's 2015 State and Federal Legislative Agenda (the "Legislative Agenda") is to formalize city positions on legislation expected to be considered by the Colorado General Assembly and the U.S. Congress. The city offers the Legislative Agenda as a guideline to legislators for reference when considering legislation impacting the City of Boulder. Strategic, targeted, and/or abbreviated versions of the information contained in this agenda will also be created throughout the year for use in further legislative communications.

The Legislative Agenda was developed in advance of the convening of the 2015 Colorado General Assembly and the 114th U.S. Congress. Consequently, it does not address legislation by bill number. Instead, it describes the underlying interest the city has on specific issues. With the coordination of the city's Policy Advisor, it will be used by individual council members and city staff to inform city positions taken on specific bills once these legislative sessions begin. At that point, council may also consider amendments to the Legislative Agenda and address specific bills that have been proposed.

The city often attempts to influence state and federal policies through other avenues, beyond the legislative agenda, such as by submitting comments on administrative rulemakings or "sunset" reviews of expiring legislation, or by making direct appeals to federal and state administrative officials. While the Legislative Agenda is not designed to direct such action, it can be looked toward as a resource to inform such city efforts.

Council may revisit the Legislative Agenda at any point. It may do so as a body, or through its Legislative Committee. Council created this committee for the purpose of convening on an ad hoc basis with the Policy Advisor and other city staff as necessary when one or more of the following circumstances exist:

1. There is an immediate need for council members to participate with staff in developing a legislative strategy to advance or defeat a bill which is clearly addressed by the city's legislative agenda or other council-approved policy documents, or;
2. There is action expected on pending legislation that affects a matter which council has previously provided general direction on indicated interest in and that could significantly impact the city, but which council did not provide sufficient specific direction on (either through its legislative agenda or other approved policy documents) and with timing that will not allow for council direction to be obtained. In these limited situations, the Policy Advisor may turn to the committee for direction on such legislation so that the city can advocate accordingly. Council is to be informed whenever such committee direction has been provided, and may choose to subsequently revisit such direction.

Council's Legislative Committee is also turned to during non-legislative periods to provide suggestions on revisions to the legislative agenda and to plan agendas for meetings with legislators.

As has been done in years past, council is again adopting a goal that modifications to this legislative agenda require consistency, when applicable, with the six criteria described below:

1. Uniformity with current city council goals;
2. Expected relevance in the upcoming or present state and federal legislative sessions;
3. Uniqueness of issue or impact to the City of Boulder;
4. Viability, or likelihood of achieving goal;
5. Opportunity for providing funding for City of Boulder; and,
6. High probability of metrics of success in order to allow the position to be deleted from future agendas if achieved.

Departures from these criteria are made in unique circumstances as determined by council, such as when adoption of a city position is important to support its regional partners, even while the legislation is otherwise of limited consequence to the city.

The city welcomes the opportunity to discuss the city's Legislative Agenda. Please direct any questions to City Council members or to the city's Policy Advisor at 303-441-3009.

STATE LEGISLATIVE PRIORITIES AT A GLANCE

1. Enhance the ability of local governments to develop and implement effective **energy strategies** that reduce environmental impacts, provide stable rates and promote economic vitality and, protect the authorities of cities to form municipal utilities. Page 9 describes a variety of specific legislative concepts that the city would support in this regard.
2. Encourage more widespread **adoption of electric and efficient motorized vehicles** through various means, including incentives to purchase such vehicles and a development of a network of fast-charging stations, as more fully described on page 11.
3. Increase the state's minimum wage to \$10.10 by 2016. The city's reasoning for this position is described on page 23.
- ~~3. Oppose changes that could purposefully, or inadvertently, lead to unnecessary increases to employer or employee contributions or reductions in employee benefits for members of the **Public Employees Retirement Association (PERA)**. Page 26 describes the city's interest in PERA further as well as its qualified support for legislation necessary to ensure fund stability informed by a comprehensive evaluation of the impacts of those changes.~~
4. Preserve the authority of local governments to use **red light cameras or photo radar enforcement**. Page 32 describes how these tools are used by the city and their importance to the public's safety.
5. Protect against significant **threats to the city's water rights**, especially those allowing for out-of-priority, un-augmented well use in the South Platte basin. Page 39 describes the negative impact to the city of permitting such use.

FEDERAL LEGISLATIVE PRIORITIES AT A GLANCE

1. Seek federal support for Boulder's federally funded labs and the University of Colorado Boulder. As described further on pages 18 and 37, these institutions are foundational to the economic and cultural well being of the city.
2. Support legislation necessary to seek state and federal assistance for flood disaster recovery needs and expenses described further on page 29.
3. Continue to brief federal officials on the city's municipalization efforts and seek support as necessary, while positioning Boulder as a national pilot for the new energy utility, as explained further on page 9 of the agenda.

CLIMATE CHANGE AND COMMUNITY RESILIENCE

- **PRESERVE AND SUPPORT THE ABILITY OF LOCAL GOVERNMENTS TO ENGAGE IN CLIMATE ACTION EFFORTS**

Preserve and support the ability of local governments to develop and implement effective energy strategies that reduce environmental impacts by:

- Forming their own energy utilities;
- Securing access to information from regulated utilities of designated undergrounding funds and communitywide energy information relevant to climate action programs;
- Facilitating local government purchases of street lighting; and,
- Funding local government energy efficiency and renewable energy programs.

- **FACILITATE ACCESS TO RENEWABLE ENERGY**

Facilitate access to renewable energy by:

- Allowing for aggregation of residential or commercial electric customers in municipal purchase of renewable energy on behalf of these groups of customers (a.k.a. community choice aggregation);
- Reinstating the federal production tax credit for wind energy which was allowed to expire at the end of 2013;
- Allowing mobile home owners to receive the same rebates and incentives for installation of solar panels as are available to other homeowners;
- Establishing a small state level carbon tax with proceeds used to fund renewable energy projects as well as transmission and distribution system improvements that enable additional deployment of renewables and energy efficiency measures;
- Supporting federal policies that establish a price on carbon emissions domestically as well as internationally; and,
- Allowing customer access to diverse solar options through a variety of well-designed and equitable policies (including net metering, feed-in tariffs, “value of solar” tariffs, or minimum bills) that fully recognize the value of local solar.

- **EXPAND THE DEVELOPMENT OF CLIMATE CHANGE ADAPTATION STRATEGIES**

The city understands that the early impacts of climate change have already appeared and that scientists believe further impacts are inevitable, regardless of decreases to future global greenhouse gas emissions. In addition, the city recognizes that decisions we make today about land use, infrastructure, health, water management, agriculture, biodiversity and

housing will have lasting consequences. It is therefore important to begin planning now for the impacts of climate change in the future. Consequently, the city supports legislation that expands the development of climate change adaptation strategies such as those that initiate, foster, and enhance existing efforts to improve economic and social well-being, public safety and security, public health, environmental justice, species and habitat protection, and ecological function.

- **ENHANCE CUSTOMER ENERGY CHOICE**

Enhance the energy choices available to customers by:

- Making any necessary changes to the community solar gardens law (HB10-1342) to allow for its successful implementation, especially with regard to facilitating formation of smaller (500 kW and under) solar gardens;
- Enacting time-of-day electricity price signals that would, among other things, promote charging of vehicles at night;
- Requiring statewide lighting, appliance and other equipment efficiency standards and/or incentives, as appropriate, for efficient technologies;
- Facilitating customer sharing of electricity generation through strategies like enhanced virtual net metering or microgrid development; and,
- Precluding utilities from imposing excessive charges onto their customers for net metering of distributed renewable energy generation, customer-sited combined heat and power systems, or on-site energy recapture systems.

- **INCREASE PUBLIC ACCESS TO ENERGY DATA**

Increase the public's access to energy data by:

- Standardizing regulated utility filings to increase transparency at the PUC;
- Promoting best practices related to energy data, such as adoption of the Green Button Program by regulated utilities;
- Facilitating the development of a third-party energy data center and/or demand-side management program implementer;
- Enabling regulated utilities to provide aggregated whole-building data to building owners and property managers for use in building benchmarking and energy efficiency improvements; and,
- Creating an exception to the Colorado Open Records Act that confirms the ability of local governments to protect customers' energy data when they participate in local energy efficiency programs.

- **SUPPORT ENERGY UTILITY AND REGULATORY ENHANCEMENTS**

Support energy utility and regulatory enhancements by:

- Requiring utilities to file grid modernization plans;
- Changing the Public Utilities Commission regulations to encourage investments in conservation by replacing the current focus on minimization of energy rates to one focusing on minimization of the consumer's total energy bill;
- Unbundling rates to clearly differentiate fixed and variable energy costs;
- Facilitating the use of investor-owned transmission lines at fair and reasonable prices to convey renewable energy from multiple sources (a.k.a. retail wheeling).

The city also supports legislation similar to HB12-1234 that would clarify that, for purposes of the rules governing intervention in administrative hearings before the Colorado Public Utilities Commission (PUC), customers of a business regulated by the PUC qualify as persons who "will be interested in or affected by" the PUC's order.

- **INCREASE ENERGY EFFICIENCY**

Increase energy efficiency by establishing high performance residential and commercial building codes.

- **ENCOURAGE MORE WIDESPREAD ADOPTION OF ELECTRIC AND EFFICIENT MOTORIZED VEHICLES**

Metropolitan Denver and the northern Front Range were classified as a "marginal" ozone nonattainment area by the U.S. Environmental Protection Agency effective July 20, 2012. The city supports legislation that would decrease the amount of air pollutants, including greenhouse gas emissions, resulting from the use of motorized vehicles. While the primary approach will always be to encourage alternative modes of transportation that reduce vehicle miles travelled, the city will also support legislative change that reduce energy use and emissions of air pollutants from vehicles, specifically legislation that:

- Uses existing "Alternative Fuels Colorado Program" state funding to ensure the development of a network of fast-charging stations along the state's major corridors;
- Modifies current "HOV Exemption Program," which provides owners of 2,000 low-emission and energy efficient vehicles free access to high-occupancy-toll lanes, to limit the exemption to three years per vehicles and to allocate the new permits to only the owners of the most energy efficient vehicles, which should be updated periodically.

- Modifies existing state tax credit for electric vehicles making them transferable in order to create new financing opportunities (e.g., leases, performance contracting, etc) and to allow public sector agencies to take advantage of those credits;
 - Directs utilities to offer electric vehicle tariffs which would allow EV owners to charge their cars at cheaper rates during off-peak times of the day.
 - Requires the state’s vehicle registration database to be structured to allow local governments to have access to fuel efficiency information of the vehicles registered in their jurisdiction;
 - Provides Colorado counties the option to implement a revenue-neutral system that imposes higher vehicle registration fees on the purchase of less efficient vehicles and rebates on the purchase of more efficient vehicles (assuming social equity concerns can be concerned);
 - Supports the adoption of the next phase (post-2025) of federal vehicle efficiency standards for light duty vehicles and of the next phase (post 2016) of federal efficiency standards for medium and heavy duty vehicles;
 - Requires a percentage of vehicles sold in Colorado to meet “zero emission vehicle standards,” as enacted in California (requires 15% of vehicles sales to be ZEV by 2025) and subsequently adopted by nine other states;
 - Increases state biofuel infrastructure and develop a statewide biofuels strategy, and;
 - Encourages the proliferation of public charging stations for electric vehicles by requiring new parking lots and parking structures to provide a minimum number of public charging stations.
- **SUPPORT REFORM OF PROPERTY ASSESSED CLEAN ENERGY (PACE) FINANCE STATUTES TO ALLOW FOR RESUMPTION OF BOULDER COUNTY’S CLIMATESMART LOAN PROGRAM (CSLP)**

The city has been an active supporter of Boulder County’s PACE finance program, the CSLP. Many city residents have taken advantage of the CSLP to secure low-interest loans to make energy efficiency and renewable energy upgrades to their homes. However, actions taken in 2010 by Fannie Mae, Freddie Mac, and the Federal Housing Finance Agency have forced local governments across the country, including Boulder County, to suspend their PACE financing programs. The city supports reversal or resolution of these federal actions, either through legislation or regulation, to allow PACE programs to again move forward. If such federal action is taken, the city would also urge the Colorado General Assembly to quickly take any action necessary to conform Colorado’s PACE enabling statutes with the new federal requirements.

- **PROMOTE WASTE REDUCTION AND DIVERSION EFFORTS**

In Colorado, there are currently no statewide minimum waste diversion goals. In addition, there exist artificially inexpensive landfill tip fees and no minimum recycled content standards. This often makes the most environmentally responsible management practices

like source reduction and recycling and composting cost prohibitive. The city supports statewide legislation that would:

- Encourage product stewardship and take-back programs (a.k.a. “extended producer responsibility”);
- Ban specific materials;
- Require post-consumer minimum content standards for product manufacture;
- Implement statewide or regional landfill tip fee surcharges to be used for waste reduction;
- Create tax credits to encourage source reduction, recycling and composting, and markets for recycled materials, and;
- Establish a statewide waste diversion goal structured to include incentives and assistance programs to spur waste diversion state-wide, and encourage additional resource recovery.

While the city opposes "waste to energy" technologies involving trash incineration or incentivizing landfilling for the sake of energy creation, the city supports energy capture from anaerobic digestive technologies at composting and wastewater treatment plants. The city also supports energy production from the organic matter portions of the waste stream that would otherwise end up in a landfill if not used to make energy or energy products. Examples of this type of beneficial use include woody construction and demolition waste and yard waste that is not able to be otherwise diverted from landfilling and can be used to produce electricity or liquid fuel components. The city, however, views all energy production uses as last in priority to other beneficial uses such as composting, recycling, and re-purposing.

The city also has specific concerns about the environmental hazards posed by electronic waste in landfills. Therefore, the city supports legislation that requires extended producer responsibility that is regulated to be environmentally and socially acceptable. Finally, the city would support repeal of the prohibition contained in state law (C.R.S. Section 25-17-104) on local government bans on “use or sale of specific types of plastic materials or products” or restrictions on “containers . . . for any consumer products.”

- **SUPPORT IMPROVEMENTS TO THE COLORADO OIL AND GAS CONSERVATION COMMISSION’S OVERSIGHT OF OIL AND GAS DRILLING AND PRESERVATION OF LOCAL CONTROL TO ADOPT REGULATIONS, MORATORIUMS OR OTHER LIMITS AS NECESSARY**

Oil and gas drilling is an industrial activity that is increasing in Colorado and within the northern Front Range, and which poses significant risks and potential adverse impacts, These include damage to air and water quality, scenic values, property values, public infrastructure, and public health and that can significantly affect both local quality of life and economic prosperity.

There is growing public concern about the proximity of oil and gas development to communities and other sensitive resources and about industry techniques, such as hydraulic fracturing (or “fracking”), used to access oil and gas resources. Fracking is a process whereby fluids are injected at high pressure into underground rock formations to blast them open and enable new or increased exploitation of fossil fuel resources. Chemicals typically used in the fracking process include diesel fuel, benzene, industrial solvents, and other carcinogens and endocrine disrupters. According to the Colorado Oil and Gas Conservation Commission (COGCC), nearly all of the more than 51,000 oil and gas wells operating in Colorado are fracked.

There is increasing evidence and growing concern that oil and gas operations emit toxic air pollutants, volatile organic compounds that cause ground-level ozone, and potentially large amounts of methane, one of the most potent greenhouse gasses. Further, according to the COGCC, since 2010, there have been more than 1,500 spills in Colorado – an average of 500 each year – and more than 20% of these spills have contaminated water supplies. Accordingly, the city believes that fracking should not be an exempted activity under the Clean Water Act or Safe Drinking Water Act or other federal environmental laws.

In July of 1993 the City of Boulder adopted its own regulations to govern oil and gas operations and production on city open space lands. These regulations require an application to the city manager, and hearings conducted by the Open Space Board of Trustees and City Council. Since the adoption of these regulations in 1993, no one has applied to conduct new drilling operations on Open Space lands. These regulations, however, do not address the issue of fracking or other emerging concerns about oil and gas impacts, nor do they address any potential drilling that might be proposed within city limits on non-open space lands.

Boulder County and many of the communities surrounding Boulder are facing increased oil and gas drilling activity and are in various stages of adopting moratoria or crafting new rules to address potential risks and adverse impacts from fracking and other drilling activities. The State of Colorado argues that state authority preempts local rules. In addition, the oil and gas industry sued Longmont challenging a ban on fracking within city limits that was adopted by Longmont citizens by a 60% vote. A decision in favor of industry is currently being appealed by Longmont. Furthermore, several multi-year studies are underway—including one by the University of Colorado at Boulder—to analyze air, water and public health impacts of fracking, the results of which will not be out for several years. In response, the Boulder City Council adopted a year-long moratorium in June 2013 on processing any new permits for oil and gas exploration or development within the city limits or on our city open space. The council subsequently placed an initiative on the November ballot to extend this moratorium until June 2018, while waiting for the results of these pending studies and lawsuits; voters passed this ballot initiative (2H) by over 78%.

The City of Boulder believes that local governments have both the right and responsibility to take action to protect the public health and well being of its residents as well as the environment. The city supports the state setting minimum standards and best management practices for the oil and gas industry (such as those suggested by the International Energy Agency on this subject, entitled “Golden Rules for a Golden Age of Gas”), but also believes

that local jurisdictions must be allowed to adopt strong rules as needed to address local concerns and conditions. To that end, the city supports legislation that clarifies and strengthens the authority of local governments to use their existing land use authorities to manage and tailor oil and gas activities within their borders to ensure public health, safety and welfare, and to protect the environment. The city also opposes legislation that would preempt local authority to establish bans, temporary moratoriums, or to establish and enforce regulations over such fracking operations.

In addition, the city supports legislation that would address specific oil and gas drilling impacts, including legislation to:

- Better protect homes and communities by increasing the minimum distance between wells and occupied buildings from the current 350' setback to 1000', 1,500' for schools, giving local governments an effective role in controlling the pace and footprint of development in their jurisdictions;
 - Lift the current prohibition on local governments passing along the cost of inspections to industry.
 - Adopt statewide protections for water including: requiring setbacks from all streams and lakes; requiring baseline and periodic water monitoring at all drilling sites; raising casing and cementing standards to ensure wellbore integrity; and requiring operators to formulate a water management plan and recycle wastewater before acquiring new supplies.
 - Better protect air quality at and near oil and gas operations and decrease greenhouse gas emissions by requiring strict controls on fugitive emissions from oil and gas facilities, including adopting the latest technology in leak detection and repair.
 - Address the dual mandate and composition of the COGCC to make its primary role the regulation of the oil and gas industry to protect the public health, safety and the environment.
 - Support further study of air, water and public health impacts oil and gas operations and ways to mitigate or avoid impacts.
- **FEDERAL AND STATE SUPPORT FOR BUILDING COMMUNITY RESILIENCE**

In December 2013, Boulder was selected as one of 32 inaugural cities to participate in 100 Resilient Cities, an exciting new initiative pioneered by the Rockefeller Foundation that is committed to building resilience in diverse communities worldwide. Resilience and adaptation are real challenges Boulder is wrestling with as the community recovers from historic flooding that created severe and lasting impacts. This follows just three years after experiencing (then) Colorado's most financially destructive wildfire in state history. These experiences and a long history of climate mitigation initiatives have taught the city that resilience strategies involve more than managing or recovering from disruptive events. Resilience as the ability to "bounce back" is insufficient. To mobilize the resources and community support necessary to significantly increase

our social, economic and ecological resilience, we must formulate a compelling vision of the future towards which our efforts allow us to “bounce forward”.

Over the next two years, we will be working to develop a resilience strategy that will build on past successes and look to new integrated planning to ensure a thriving future for our community. With Rockefeller Foundation support, the city has hired its first Chief Resilience Officer to lead the coordination and development of broad reaching resilience strategy.

In order for Boulder and other communities around the nation to implement these strategies, they will require coordination and financial and technical support from the state and federal governments. The city will support legislation that furthers such goals.

DEMOCRACY AND GOVERNANCE

- **SUPPORT FOR AN AMENDMENT TO THE U.S. CONSTITUTION ABOLISHING CORPORATE PERSONHOOD**

On November 1, 2011, the residents of Boulder voted, by a 73 percent majority, to approve Ballot Question No. 2H which called for “reclaiming democracy from the corrupting effects of corporate influence by amending the United States Constitution to establish that: 1) Only human beings, not corporations, are entitled to constitutional rights; and 2) Money is not speech, and therefore regulating political contributions and spending is not equivalent to limiting political speech.”

The City of Boulder will support state and federal legislation similar to SJR12-1034, or action by other intergovernmental partners, that furthers efforts to amend the U.S. Constitution with language that captures the sentiment, if not the exact language, expressed by Ballot Question No. 2H. This includes support for the joint resolution that was introduced in the U.S. Senate on December 8, 2011 by Senator Bernie Sanders to amend the Constitution to exclude corporations from First Amendment rights to spend money on Political Campaigns (a.k.a. the Saving American Democracy Amendment).

- **SUPPORT GENERAL ASSEMBLY ACTION TO SUBMIT TO THE COLORADO ELECTORATE A REFERRED MEASURE TO REFORM THE CURRENT PROCESS FOR CITIZEN-INITIATED CONSTITUTIONAL AND STATUTORY AMENDMENTS BY ALTERING THE SIGNATURE COLLECTION REQUIREMENTS AND REQUIRING A SUPERMAJORITY VOTER APPROVAL FOR CONSTITUTIONAL AMENDMENTS, EXCEPT FOR THOSE MEASURES THAT LOOK TO AMEND PREVIOUS VOTER-APPROVED CONSTITUTIONAL AMENDMENTS; AND REQUIRING FOR A TIME A SUPERMAJORITY APPROVAL BY THE GENERAL ASSEMBLY TO CHANGE CITIZEN-INITIATED STATUTORY AMENDMENTS**

Over the past 25 years, as a result of its low threshold requirements, Colorado has experienced a surge in citizen-initiated ballot measures. In the last 18 years alone, the constitution has been amended 35 times, adding detailed and sometimes conflicting provisions with far-reaching consequences. The city supports state legislation similar to HCR12-1003 that would reform the citizen initiative process to make it more difficult to amend the state constitution while providing assurance to Colorado citizens that statutory amendments will be respected by state elected officials.

ECONOMIC VITALITY

- **PROTECT CORE PROVISIONS OF THE COLORADO URBAN RENEWAL LAW, WHICH PROVIDE EFFECTIVE REDEVELOPMENT TOOLS FOR MUNICIPALITIES SUCH AS TAX INCREMENT FINANCING AND EMINENT DOMAIN**

Unlike many communities that contain vast areas of undeveloped land planned for future commercial and residential use, Boulder's future economic sustainability will depend on effective and ongoing re-use of existing developed property. The majority of future redevelopment in Boulder will be completed by private entities and through private investment. However, in rare circumstances, and based on the requirements of the urban renewal law, projects that demonstrate a compelling community need may only be achievable through a public/private urban renewal partnership. Municipalities should retain the capacity to facilitate revitalization of their urbanized areas. The city, however, recognizes that there have been instances of abuse of this tool that threaten its continued availability. Accordingly, the city will support legislation designed to address such abuses, specifically those designed to assure that: the tax increment base is set at a fair level; the impacts of projects in the urban renewal area are adequately communicated to the other impacted taxing districts (e.g., allowing counties to appoint a member to serve on urban renewal authority board), and/or; the increment revenues be distributed to impacted taxing entities following repayment of financial obligations.

- **SUPPORT CONTINUED FUNDING AND SUPPORT FOR THE FEDERALLY FUNDED LABS LOCATED IN BOULDER**

The city's economic vitality policy strongly supports the federally funded laboratories that are located in the city, specifically:

- Cooperative Institute for Research in Environmental Sciences (CIRES)
- Joint Institute for Laboratory Astrophysics (JILA)
- Laboratory for Atmospheric and Space Physics (LASP)
- National Center for Atmospheric Research (NCAR)
- National Ecological Observatory Network (NEON)
- National Institute of Standards and Technology (NIST)
- National Oceanic and Atmospheric Administration (NOAA)
 - Earth System Research Laboratory (ESRL)
 - National Geophysical Data Center (DGDC)
 - National Weather Service (NWS)
 - National Environmental Satellite, Data and Information Service (NESDIS)
 - Space Weather Prediction Center (SWPC)
- National Telecommunications and Information Administration (NTIA)
- University Corporation for Atmospheric Research (UCAR)
- UNAVCO
- United States Geological Survey (USGS)

The labs, the research they conduct, and the researchers and staff they employ are vitally important to the City of Boulder, Boulder County, the Denver metropolitan region, the state, and the nation as a whole. The research funding they receive is redistributed throughout Colorado and beyond in the form of discretionary employee income, purchases of goods and services from suppliers, and contractual agreements with universities and private industry. Technologies they've created have led to technology transfer and spin-off companies.

In the Boulder metro area alone, federal research labs employed over 3,539 people in 2012. The NOAA, NIST and NTIA labs accounted for over one-third of this employment. These are high-skilled, highly educated employees whose average annual compensation in 2012 was \$107,900. In August 2013, CU's Leeds School of Business released a study entitled, "CO-LABS Economic Impact Study: Economic and Fiscal Impacts of Federally Funded Research Facilities". According to the report, the net economic benefit to Boulder County of the federal labs, combined with other federally funded research laboratories in Colorado, totaled \$743.2 million in FY 2012.

Boulder highly values the scientific contributions the labs and their employees have made to the entire nation, as well as the economic impact they have on our community. These institutions work closely with scientific researchers from the University of Colorado in Boulder and Colorado State University in nearby Ft. Collins. This synergy of scientific knowledge is found nowhere else in the United States.

Just as the labs generate direct benefits (employment, local spending) and associated indirect activity through an economic multiplier effect, the opposite holds true for funding reductions. According to CU's Leeds School of Business, for every job lost at these federal laboratories, an additional 1.17 jobs will be lost in Colorado. For every \$1 million in funding cuts to the labs, an additional \$1.13 million in economic impact will be lost. Perhaps even more troubling, our national capacity for research and innovation will be damaged by lay-offs of scientists and researchers, jeopardizing new advanced technologies, future businesses formed to commercialize developing technologies, and our global competitiveness.

- **SUPPORT FACILITATING THE ABILITY OF MUNICIPALITIES TO ENTER INTO REVENUE SHARING AGREEMENTS**

The city believes that there are a number of shortcomings associated with the current reliance municipalities have on sales tax generation. These include revenue-driven development detached from community land use goals, the use of incentives to capture development at the expense of municipal budgets, and sales tax revenue volatility resulting from counterproductive competition of regional retail outlets. In order to address these and other limitations, the City of Boulder, in conjunction with the Boulder County Consortium of Cities, is exploring the possibility of a revenue sharing agreement with one or more of its municipal neighbors. The significant challenge of such an undertaking would be diminished if the state were to provide mechanisms to encourage such agreements. One possibility would be for the state to establish a task force to evaluate the possibility of exploring revenue sharing as it may relate to the creation of a service tax or the removal of barriers to collecting Internet sales tax.

HOUSING

- **OPPOSE FEDERAL EFFORTS TO REDUCE APPROPRIATIONS FOR HUD PUBLIC HOUSING AND SECTION 8 PROGRAMS WHICH PROVIDE RENTAL ASSISTANCE TO LOW-INCOME HOUSEHOLDS**

In the continuum of housing options for Boulder citizens, public housing and Section 8 vouchers provide a unique source of safe and affordable homes for approximately 1,000 families. Public housing and voucher assistance serve the most low income families in Boulder, 95 percent of whom have incomes below \$14,000 annually and pay an average of less than \$300 per month in rent. There are very few, if any, market options for these families who depend entirely on the availability of federal assistance in order to live with dignity and assurance of shelter.

- **OPPOSE FEDERAL REDUCTIONS TO COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND HOME INVESTMENT PARTNERSHIPS**

Boulder has participated in the CDBG program since 1975, and funds have been used in the past for a variety of projects ranging from assistance to nonprofit agencies that provide services to the city's low and moderate income residents, to construction of the Pearl Street Mall, and renovation of the Chautauqua Auditorium. Boulder has also participated in the HOME program since 1992 and program funds have supported the production and preservation of affordable housing. For the past eight years Boulder has been the lead agency for a regional HOME Consortium including all of Boulder and Broomfield Counties. Half of the HOME funds received by Boulder are used in Boulder and half in the other Consortium communities. In 2014, the city received \$720,822 in CDBG funding, a 37% decrease over 10 years, and \$940,084 in HOME funding, a 31% decrease in five years, from the U.S. Department of Housing and Urban Development. The CDBG and HOME programs allow the city to strengthen public infrastructure, increase supply of affordable housing, and improve the quality of life for the city's low and moderate income residents.

- **SUPPORT FOR STATE HOUSING TRUST FUND**

The city is supportive of legislative efforts that would lead to creation and financing of a state affordable housing trust fund.

- **SUPPORT LEGISLATION THAT HELPS ADDRESS THE POWER IMBALANCE BETWEEN OWNERS OF MOBILE HOMES AND OWNERS OF MOBILE HOME PARKS**

It is the policy of the city to encourage affordable housing ownership, including manufactured housing. Current market conditions place owners of manufactured housing at a disadvantage compared to other potential investors in the purchase of manufactured home communities. These dynamics often lead to the exclusion of the potential buyers who have the most at stake and the greatest need for an opportunity to purchase the park.

- **OPPOSE FURTHER CUTS TO STATE FUNDED HEALTH AND HUMAN SERVICE PROGRAMS, ESPECIALLY THOSE THAT ARE PREVENTIVE IN NATURE**

In recent years the state made drastic cuts to services that help provide a safety net to thousands of city residents. This includes services to very low income residents, children and families, mentally ill, disabled and people without health insurance. The city urges the General Assembly to avoid making further cuts to those essential services that serve the

city's most vulnerable, especially intervention and prevention services that keep people out of crisis.

~~• **REFORM CONSTRUCTION DEFECTS LAW SO AS TO REDUCE DISINCENTIVES TO CONSTRUCTION OF AFFORDABLE AND OWNER-OCCUPIED MULTIFAMILY HOUSING**~~

~~In some areas of Boulder, such as in areas where transit-oriented development is desired, the city encourages higher density housing, including a mix of rental and owner-occupied units. In recent years, however, Boulder and many other cities in the Denver metro area have seen multi-unit projects increasingly constructed only for rental purposes, not as owner-occupied housing units. One reason cited by developers for building mostly rentals is the construction defects liability that they are exposed to when building condominiums, especially after the passage of Colorado's "Homeowners Protection Act of 2007," as well as the high cost of insuring against such losses. According to one DRCOG study, the liability/insurance disincentive is most pronounced when units cost less than \$400,000.~~

~~The city places a high value on protecting the rights of its residents to seek legal redress for construction defects. At the same time, it agrees with municipalities throughout the region that threats of litigation cannot be so great as to discourage developers from constructing affordable, for ownership, multifamily housing. Accordingly, in an effort to balance these interests, the city will support reform to the state's construction defect law to ensure that: (1) agreements requiring a fair and balanced mediation or arbitration process to determine construction defects liability are not unilaterally circumvented or eliminated by either party, and; that (2) prior to initiating a construction defect lawsuit that an association of homeowners receive the consent of a majority of the individual owners affected by construction defects after being informed of the projected costs, duration, and financial impact of pursuing such litigation.~~

HUMAN SERVICES/HUMAN RIGHTS

• **SUPPORT COMPREHENSIVE FEDERAL IMMIGRATION REFORM**

The City of Boulder has been, and remains, committed to the protection of civil and human rights for all people. It believes in the dignity of all Boulder residents, regardless of immigration status, and recognizes the importance of their many contributions to the social, religious, cultural and economic life of the city.

The failures of the U.S. immigration system have had profound impacts within the Boulder community. These include very young students losing motivation to excel in their learning because of knowledge that they lack affordable higher educational opportunities and the existence of an underclass, climate of fear, informal economy and work force inequities.

Accordingly, the city welcomes and encourages cooperation at all levels of government to work together to support swift and responsible legislative action to produce equitable, humane, effective and comprehensive federal immigration reform that provides for:

1. Enforceable immigration laws;
2. A rational and humane approach to the undocumented population;
3. A simplified visa system which allows for family unification of those who have been separated by the legal immigration backlog process and which provides for legal status for the existing immigrant workforce;
4. A rate and system of controlled immigration that matches the needs of our economy;
5. Social integration for our existing immigrant workforce and their families;
6. Recognizing employers as key allies in implementing immigration policy and enhancing enforcement of labor laws to remove the market advantage that leads to exploiting immigration status to pay lower wages, avoid taxes and violate labor laws;
7. A system which ultimately aids in border control, and;
8. Bilateral partnerships with other countries to promote economic development that will reduce the flow of immigrants.

The city also supports federal legislation, such as the often introduced Development, Relief, and Education for Alien Minors Act (The “DREAM Act”), that would qualify students for immigration relief if they have resided in the United States for several consecutive years, arrived in the U.S. as young children and demonstrated good moral character; put such students on a pathway to citizenship if they graduate from high school or obtain a GED and complete at least 2 years towards a 4-year degree or serve in the U.S. military for at least two years, and; eliminate a federal provision that discourages states from providing in-state tuition to their undocumented immigrant student residents, thus restoring full authority to the states to determine state college and university fees. Similarly, the city supports legislation, like HB14-1124, which would allow instate tuition for American Indian Tribe members with ties to Colorado.

Finally, the city supports legislation like the Uniting American Families Act of 2013 (S.296), which would ensure that all Americans, regardless of sexual orientation, receive equal treatment under immigration laws. The 2013 bill specifically would have allowed partners and children of U.S. citizens and lawful permanent residents to obtain lawful permanent resident status the same way heterosexual spouses can. It would also allow for family-based immigration for gay and lesbian Americans and the reunification of families, which strengthens our communities.

• PROTECT UNACCOMPANIED CHILDREN IMMIGRATING INTO THE UNITED STATES

In 2014, an unprecedented number of unaccompanied minors fled their home countries in Central America to seek refuge in the United States, creating a humanitarian crisis and requiring immediate action by the Administration and Congress of the United States. Many

of the U.S. laws and procedures regarding unaccompanied minors are focused on the welfare of the child, rather than detention, and the United States Department of Health and Human Services (HHS) must place the children in the “least restrictive setting” possible. Boulder City Council urges the President and Congress of the United States to adopt immigration policies that ensure that unaccompanied minors receive appropriate child welfare services, legal support and expeditious reunification with their families already in the United States.

- **FURTHER THE RIGHTS OF ALL PEOPLE REGARDLESS OF THEIR ACTUAL OR PERCEIVED SEXUAL ORIENTATION OR GENDER VARIANCE STATUS**

On May 18, 2004, Boulder’s City Council adopted Resolution No. 947. This resolution affirms the city’s commitment to the protection of civil rights for all people as outlined in the city’s human rights ordinance. Furthermore, the resolution recognized the many contributions that the city’s gay, lesbian, bisexual and transgender residents have provided that have enhanced the lives of all in the community. Finally, the resolution declared support for repealing or legislatively challenging the Colorado state law prohibiting the issuance of same sex marriage licenses.

Consistent with the city’s long history of support for the equal rights of all people regardless of their actual or perceived sexual orientation or gender variance status, the city will continue to support the right for same-sex couples to enjoy and be bound by the same legal rights and responsibilities as married, opposite-sex couples, including the right to be issued a marriage license and to file joint income tax returns.

The city supports the Employment Non-Discrimination Act (ENDA) of 2013 (S. 815), a federal bill to prohibit employment discrimination on the basis of sexual orientation or gender identity. With no clear federal law prohibiting workplace discrimination on the basis of sexual orientation or gender identity, many lesbian, gay, bisexual, and transgender workers live with uncertainty and fear about whether they’ll be able to keep a job and care for their families. Without a comprehensive federal law like ENDA, these workers lack antidiscrimination protections in a majority of states.

- **INCREASE THE MINIMUM WAGE**

In his 2014 State of the Union address, President Obama called on Congress to raise the federal minimum wage from \$7.25 to \$10.10 an hour. Colorado's minimum wage is currently \$8 per hour. The Economic Policy Institute estimates that raising the federal minimum wage to \$10.10 by 2016 would:

- Increase wages for 269,000 working Coloradans who currently make the minimum wage;
- Raise wages for another 141,000 Coloradans who would see their salaries adjusted upward to reflect a new pay scale;

- Elevate all affected Coloradans' total earnings by \$578.1 million each year, contributing to workers' spending power;
- Support 217,000 children in Colorado; and,
- Increase Colorado's GDP by \$366 million and create 1,500 full-time jobs over three years.

Raising the minimum wage also would reduce Coloradans' reliance on safety nets like Medicaid, the Children's Health Insurance Program and the Supplemental Nutrition Assistance Program (SNAP). In Colorado, raising the minimum wage would decrease SNAP enrollment by more than 42,300 people and save Colorado \$40.7 million. Two-thirds of minimum wage workers are women. Women, minorities, and families with children would be among those to benefit most from a higher minimum wage. Nearly 17,000 Colorado veterans would also see higher wages.

For these reasons, the city supports change at either the state or federal level that would increase the state's minimum wage to \$10.10 by 2016.

INTERNAL ADMINISTRATIVE MATTERS

• PROTECT WORKERS' COMPENSATION SYSTEM

The city's self-insurance program is a cost efficient method to provide workers' compensation. The workers' compensation system serves a dual purpose, providing benefits promptly to injured employees in a cost-effective manner and minimizing costly litigation. Consequently, the city will support legislation that improves the administrative efficiency of the State of Colorado's Division of Workers' Compensation.

State intervention or taxation can negatively impact the city. Consequently, the city will oppose legislation that increases insurance premium costs to employers, adds administrative burdens or taxes to self-insurance programs, promotes litigation, or removes existing off-sets to workers' compensation benefits.

The city also opposes efforts to expand "presumptive disease" claims associated with workers' compensation insurance. Presumptive disease claims are a change in the philosophy guiding workers' compensation insurance. They presume an existing or previous employee obtained the disease from work associated with that person's employer unless the employer can prove otherwise. The 2007 legislative session enacted legislation that requires that, under the Workers' Compensation Act of Colorado, if a firefighter contracts cancer of the brain, skin, digestive system, hematological system or genitourinary system, the condition be deemed to have occurred within the scope of employment unless the employer can prove that the covered cancer did not occur within the scope of employment. This is a particularly difficult proposition for employers as many diseases have a genetic component and cannot be definitively detected in baseline (time of hiring or imposition of new law) testing. The result of this legislation was a 15 percent increase in premiums associated with fire employees. The city opposes any effort to further shift the burden of proof for workers' compensation claims.

- **PROTECT GOVERNMENTAL IMMUNITY**

The complexity and diversity of city operations and services required to meet the needs of the residents of Boulder may expose the city and its officers and employees to liability for damage and injury. City officers and employees must be confident that they have the city's support in the lawful and proper performance of their assigned duties and responsibilities.

Consequently, the city will support legislation that provides immunity to municipalities and their officers and employees in the lawful and proper performance of their duties and responsibilities and that discourages baseless and frivolous claims against the same. Conversely, the city will oppose legislation that expands or increases municipal liability or further limits municipal immunity beyond current law.

- **OPPOSE CHANGES THAT COULD UNNECESSARILY RESULT IN INCREASED CONTRIBUTIONS OR FORCE A REDUCTION IN BENEFITS FOR MEMBERS OF THE PUBLIC EMPLOYEES RETIREMENT ASSOCIATION (PERA)**

Two significant pieces of legislation were enacted in recent years aimed at putting PERA back on track to being fully funded. The first, SB06-235, passed in 2006, made several changes, including: (1) temporary increases in the amount that employers from each division must contribute to PERA, with increases staying in effect until accounts in those divisions are found to be 100% funded; (2) the addition of an eight percent cap per year on the Highest Average Salary (HAS) for new hires; (3) a change of the Rule of 80 to a Rule of 85 with a minimum retirement age of 55 for new hires; (4) a prescribed amortization period reduced from 40 years to 30 years; (5) a requirement for independent actuarial studies to be conducted before future benefit increases could occur; and, (6) a new requirement to purchase service at full actuarial cost.

Then in 2010, SB10-001 was enacted to require, among other things: (1) additional increases in the temporary employer contributions beyond previous requirements, with exemptions for the local government division where further increases were deemed unnecessary; (2) reductions in the cost of living adjustments (COLA); (3) application of the 3-year HAS with a base year and an eight percent spike cap applicable to current members not eligible to retire on January 1, 2011; (4) extension of the Rule of 85 to existing members with less than five years of service credit as of January 1, 2011, creation of a Rule of 88 for new hires and a Rule of 90 for hires after 2017, and; (5) a new requirement for contributions from retirees who return to work.

Despite this legislation, a result of comprehensive and collaborative efforts by PERA, legislators and representatives of employer groups, and despite a 2012 independent auditor finding that PERA's assumed 8% rate of return is "within a reasonable range of possible scenarios," a variety of legislation has since been and is expected to continue to be introduced in the Colorado General Assembly to further change the PERA system. The city recognizes

that further reforms may indeed be required and consequently supports legislation deemed necessary to stabilize PERA's funds, but only when informed by a comprehensive evaluation of the impacts of those changes so as to protect against unnecessary increases to employer or employee contributions or reductions in employee benefits. One reform the city would support without further analysis is changes to the composition of the 16-member PERA Board of Trustees to provide more balanced representation from non-PERA covered members. However, as one of the largest of the 24 member governments in PERA's Local Government Division, Boulder will oppose piecemeal state legislation that has unknown financial impacts.

LOCAL CONTROL

- **OPPOSE THREATS TO LOCAL CONTROL AND HOME RULE AUTHORITY**

Several bills are introduced each session that threaten to erode local powers. As a general matter, the city believes that local problems need local solutions and that the current authority and powers of municipal governments in areas such as land use, zoning, personnel matters and sales tax, should not be further eroded. Legislation threatening local control, that does not otherwise further interests specified in this legislative agenda or otherwise recognized by City Council, will be opposed by the city.

NATURAL RESOURCES, WILDLIFE AND PARKS

- **PROTECT THE ABILITY OF LOCAL GOVERNMENTS AND THE LAND TRUST COMMUNITY TO ACQUIRE AND PROTECT PARKS AND OPEN SPACE**

Colorado Lottery proceeds have been one of the few sources of state funding for conservation of natural resources, wildlife and parks, providing \$2.3 billion statewide over the past 28 years. Profits from the sale of lottery products are allocated according to the following formula: up to 50 percent to the Great Outdoors Colorado (GOCO) Trust Fund, 40 percent to the Conservation Trust Fund (CTF), and 10 percent to the Colorado Division of Parks and Outdoor Recreation. GOCO provides competitive grants to projects that preserve, protect and enhance Colorado's wildlife, parks, rivers, trails and open space. The fund is capped (approximately \$54 million in 2011) and any spillover is directed to the BEST rural school capital construction assistance fund. The CTF funds are used by local communities across the state for outdoor projects including trail construction, ball fields, playgrounds, and adding new parks or enhancing existing parks.

CTF and GOCO funds have for years been a critical part of the city's capital budget. Important acquisitions have been added to Boulder's inventory of parks and open space that have helped shape our community, preserve ecological systems and create opportunities for

active and passive recreation for people of all ages. Among the projects accomplished with GOCO funding include Valmont Bike Park, winner of the 2011 Colorado Parks and Recreation Association award for recreation facility design and future host of the 2014 USA Cyclo-Cross National Championships.

The city supports preservation of the current lottery distribution formula and will oppose legislation that would change that allocation or create new lottery scratch tickets for other purposes that would decrease demand for the existing lottery tickets.

- **SUPPORT STATE LEGISLATION FURTHERING IMPLEMENTATION OF THE CITY'S URBAN WILDLIFE MANAGEMENT PLAN**

The Urban Wildlife Management Plan (UWMP) was developed to provide guidance on how Boulder's urban areas will provide diverse, self-sustaining, native wildlife populations in a manner compatible with basic human needs, social and economic values and long-term ecological sustainability. The plan also seeks to reduce conflicts between humans and wildlife in the urban core. Management of the city's lands outside of the urban core such as Open Space and Mountain Parks lands and utilities lands (Silver Lake Watershed, Boulder Reservoir) are covered by the plans of the appropriate managing department.

Because of the network of nearby natural lands, its geographic setting at the intersection of the mountains and plains, Boulder's urban areas are visited or inhabited by a wide range of wildlife species. Some species keep a low profile, present little or no conflict and go unnoticed by most urban residents. Other species are highly valued by the community, but most of these present little or no conflict with urban services or land uses. There are, however, species that are valued by the community that do come into conflict with people. These include prairie dogs, black bear, mountain lions, Canada geese and mule deer. The city is often attempting to simultaneously conserve these species on open space lands, while managing conflict in the urban area.

There are often opportunities on a species-specific level to support legislation at a state or federal level to complement our conservation and conflict management efforts. Examples include support of funding for mosquito management to address state or federal public health issues/mandates; modifications of laws to allow prairie dog relocation to other counties without commissioner approval; and, modifications to in-stream flow legislation that would allow the city to retain the value of its water rights while simultaneously conserving native and sport fisheries.

- **SUPPORT TO ADDRESS THE CITY'S EMERALD ASH BORER INFESTATION**

In late September of 2013, the emerald ash borer (EAB), an invasive pest of ash trees, was identified within the city limits of Boulder. The EAB is a hard to detect, and even more difficult to exterminate, insect that kills even healthy ash trees within 2-4 years of first

symptoms. Although the EAB flies, infestation normally results from movement of infested ash trees and wood (e.g., firewood, chips, packing and industrial materials).

The EAB poses a significant threat to the ash trees within the city. There are approximately 38,000 city park and public street rights-of-way trees under the jurisdiction of the Boulder Parks and Recreation Urban Forestry Division: approximately 6,000 are ash trees (15 percent of the public tree population). That number rises to 98,000 when you include private ash trees within the city and 1.45 million when you take into account all the ash trees in the Denver metro area. Consequently, local governments may require significant support from the state to contain the threat, enforce a quarantine, remove dead trees and to educate the public.

The city will support necessary state legislation, including requests for supplemental funding for the CDA or the creation of an account to support emergency response to pests when no specific agricultural or horticultural industry is primarily impacted, to allow the state to partner with the city in addressing the challenges presented by the EAB.

- **SUPPORT MORE BALANCE IN THE COMPOSITION OF COLORADO’S “PESTICIDE ADVISORY COMMITTEE” AND FOR RESTORATION OF LOCAL GOVERNMENT AUTHORITY TO REGULATE CERTAIN PESTICIDE USES**

The Colorado Pesticide Applicators’ Act applies to pesticide applicators with the focus primarily on testing and licensing of commercial pesticide applicators. It also incorporates EPA rules and federal pesticide law. Until 2006, when industry-backed legislation was enacted, the Act allowed local governments in Colorado wide discretion to enact pesticide regulations. Since 2006, however, local control to regulate almost all aspects of pesticide use has been preempted by state law. The 2006 legislation expanded state preemption for all pesticide users. The only exception is for the posting of notification of pesticide applications for non-commercial pesticide applicators.

Revisions to the Act can now be expected in 2015, following a sunset review initiated this fall and expected to be concluded with a report and recommendations by the end of 2014. Given the city’s vested concerns in regaining some of its former authority to protect human health and the environment from the potential adverse effects of pesticides, city representatives expect to be involved at several steps in the sunset review. During this time, it will advocate for legislation that provides a more balanced perspective on pesticide use that takes into account recent studies concerning the human health and environmental impacts of pesticides that were not known at the time the Act was initially enacted. Specifically, it will support expansion of the state’s Pesticide Advisory Committee to include members with technical expertise in human health risk (particularly to children), non-target species impacts including pollinators, water quality impacts, local governments, and others to ensure the public’s best interests; state protections for children and pollinators; and, restoration of the ability in specific situations for local governments to regain some authority to restrict pesticide use when immediate risk to human health or the environment cannot be addressed

by the federal or state governments to adequately safeguard the public interest in a timely manner.

PUBLIC HEALTH AND SAFETY

- **STATE AND FEDERAL ASSISTANCE FOR FLOOD DISASTER RECOVERY NEEDS AND EXPENSES**

September 2013 brought unprecedented rainfall to the region causing significant flooding and extensive damage to many Colorado communities. In Boulder, total damage to city infrastructure and public lands is estimated at \$27.3 million, and private-property damage is estimated at \$300 million. The city was declared a national disaster which created the opportunity for possible reimbursement through the Federal Emergency Management Agency (FEMA), Federal Highway Administration (FHWA) and the State of Colorado. As of September, 2014, the city had spent approximately \$16 million on flood recovery. Estimated reimbursements from FEMA, the State of Colorado and the Federal Highway Administration (FHWA) are currently anticipated to be \$14.5 million. The city continues to pursue grant funding from federal and state agencies for recovery and resilience projects.

- **SUPPORT FOR SAFE USE AND COMMERCIAL REGULATION OF RECREATIONAL MARIJUANA**

The city will support or oppose legislation, as necessary, in furtherance of the following principles:

1. Maintaining or creating new mechanisms to ensure marijuana is appropriately labeled and regulated so that only adults intentionally choosing to use marijuana are exposed to it, that such users receive a safe product with complete information about the impacts of what they are choosing to ingest, and that these substances are kept away from children.
2. Maintaining a dual licensing system to allow both the state and local governments to issue and enforce licensing of commercial marijuana facilities.
3. Allowing local governments to recover the full costs of any commercial licenses they choose to allow.
4. Maintaining as a matter of state interest and responsibility the creation of overall safety requirements related to recreational marijuana while reserving to local governments specific abilities, but not mandate, to adopt additional requirements and monitor and enforce those rules.

- **SUPPORT REMOVAL OF BARRIERS THAT PREVENT LEGITIMATE MARIJUANA BUSINESSES TO ACCESS BANKING SERVICES**

Legitimate marijuana businesses in Boulder are forced to operate on a cash-only basis because the substance's federal status currently bars banks from doing business with them. This inequity creates a vulnerability to several of the enforcement priorities outlined in the Deputy Attorney General's letter dated August 29, 2013. More importantly it creates a serious local public safety problem. Statutory solutions are at the federal level and there are efforts underway to try and address this, most recently by Rep. Ed Perlmutter. The city will support these efforts to remove legal and administrative barriers that prevent these businesses from accessing banking services.

- **PROMOTE HEALTH AND SAFETY CONCERNS ASSOCIATED WITH ALCOHOL ABUSE IN THE GREATER COMMUNITY**

Boulder's City Council adopted Resolution 960 on October 19, 2004, concerning alcohol abuse within the community. This resolution affirmed the city's commitment to finding solutions to address the critical issues of health, safety and well being stemming from alcohol abuse within the city.

Since this time, Council has expressly stated its support for appropriate legislation that would:

1. Require the sale of kegs containing alcohol to have a tag attached that would permit tracing of the purchaser, and;
2. Require mandatory server training.
3. Repeal the provision contained in C.R.S. Section 27-81-117 preventing municipalities from adopting public drunkenness ordinances; and
4. Permit municipalities to regulate licensees' hours of alcohol service.

The city will support appropriate legislation that furthers these goals. Conversely, the city will oppose any legislation that undermines these goals, including efforts similar to SB12-118 which would eliminate the 25 percent food requirement for Hotel and Restaurant liquor licenses.

- **CLOSE THE FEDERAL GUN SHOW LOOPHOLE**

While criminal background checks are currently required for purchases of guns at gun shows in Colorado, there are states that do not have such laws. In order to ensure that guns are not placed in the hands of criminals, a federal law eliminating the gun show loophole is necessary.

- **OPPOSE EXPANDING THE APPLICATION OF THE “MAKE MY DAY” LAW BEYOND PERSONAL RESIDENCES**
- **OPPOSE LIMITING THE STATE’S ABILITY TO REGULATE CONCEALED WEAPONS OR LOCAL GOVERNMENT’S ABILITY TO RESTRICT POSSESSION OF WEAPONS IN PUBLIC FACILITIES**

H.R.822, the National Right-to-Carry Reciprocity Act of 2011, is pending in Congress. This legislation would require Colorado to honor concealed carry permits granted by other states, even when those permit holders could not meet the standards required by Colorado law. This would strip Colorado of the power to create its own public safety laws and hand that power over to the federal government – and the states with the weakest protections. H.R.822 would also empower gun traffickers and threaten the safety of our police officers. To protect vulnerable people, states have set standards for carrying handguns that include criteria beyond an applicant’s ability to pass a federal background check. For example, many states issue permits to people with alcohol abuse problems, no firearms safety training, or who are under the age of 21. Colorado does not. Colorado also grants limited discretion to law enforcement to approve or deny a permit. Colorado’s standards also keep guns out of the hands of dangerous criminals. H.R.822, however, would permit citizens of states with less strict laws to freely carry concealed weapons in our state. Because of these problems, the city urges its federal delegation to stand up for law enforcement and support Colorado’s right to make its own decisions about how to protect public safety.

Boulder also has concerns with regard to the open carrying of guns. While cities are prevented from restricting permitted holders of concealed weapons, Boulder wants to make sure it maintains the ability to prevent the open carrying of guns in its public facilities. The open carrying of weapons is alarming to many people and can create logistical issues for the police department.

- **OPPOSE MANDATES FOR LOCAL GOVERNMENT ENFORCEMENT OF FEDERAL IMMIGRATION LAWS**

The city supports preserving the option for its police officers to enforce federal laws, including federal immigration laws. However, it will vigorously oppose any state or federal legislation that mandates that its police enforce federal immigration laws, especially if they are unfunded mandates or are likely to result in enforcement officers engaging in racial profiling or discrimination based on race, ethnicity or national origin.

- **OPPOSE INFRINGEMENTS ON EMPLOYMENT AND PERSONNEL DECISIONS MADE BY MUNICIPAL POLICE AND FIRE DEPARTMENTS**

Employees of the city's fire and police departments are part of collective bargaining units. As part of those units, they have the right to negotiate the terms of their employment. The city opposes any state or federal law that would mandate municipalities to collectively bargain with public safety employee labor unions over wages, benefits, or working conditions, under one-size-fits-all rules.

- **OPPOSE IMPOSITION OF ONEROUS INFORMATION GATHERING AND REPORTING REQUIREMENTS ON PUBLIC SAFETY, ESPECIALLY WHEN THOSE REQUIREMENTS COME WITH SUBSTANTIAL COSTS THAT ARE NOT SUPPORTED BY ADEQUATE FUNDING**

An example of a reporting requirement that has been imposed on local law enforcement agencies in the past is the state law requiring the arrest of undocumented immigrants to be reported to Immigration and Customs Enforcement.

- **INCREASE THE FINANCIAL THRESHOLD OF PROPERTY DAMAGE THAT TRIGGERS A POLICE INVESTIGATION OF NON-INJURY TRAFFIC ACCIDENTS**

It takes very little damage to a vehicle to reach the current threshold of \$1,000. While the city's police department currently responds to most accidents, increasing the damage threshold will provide greater flexibility and more local control over the use of police resources.

- **OPPOSE LIMITATIONS ON MUNICIPAL AUTHORITY TO OPERATE RED LIGHT OR PHOTO RADAR CAMERAS TO ENFORCE TRAFFIC SAFETY**

Boulder is one of nine cities in Colorado that use photo enforcement to enhance the safety of its streets. The red light locations in Boulder were carefully selected due to a historic rate of higher accidents over other locations. Use of photo enforcement at these red light locations has yielded significant safety benefits and reduced red light running accidents by 68 percent. Moreover, fewer and fewer red light tickets are issued at these locations each year due to increased compliance. Removal of these cameras could result in accident rates and non-compliance returning to pre-enforcement levels.

Quantifying photo speed enforcement success is somewhat more difficult. It is implemented per strict state statute requirements that limit where it can be placed. It enables the city to enforce speed limits in neighborhood locations that do not have a high enough volume of traffic to justify deployment of officers. It is particularly effective in school zones. One conclusion that can be made is that photo speed enforcement has enhanced the safety of neighborhood streets and school zones by reducing speeding.

Between 1999, when Boulder first introduced photo enforcement, and 2013, fines associated with violations of the city's photo enforcement program and red light violations generated \$13,695,940 in revenue at a direct cost to the city of \$13,118,972. When soft costs of overseeing the program are factored in, the costs of running the program essentially run even to the revenue it generates.

The true cost associated with motorists running red lights and speeding through neighborhoods is not captured in the financial information provided above. It is best quantified in the cost to our community associated with the personal injury and property damage from motorists speeding and running red lights. Recent studies have shown that the average red light camera location in the U.S. results in \$38,000 a year in reduced societal costs, not to mention the number of lives and grief saved from fewer right-angle crashes. For Boulder, with our eight (8) red light running cameras, this results in \$304,000 in societal cost saved annually.

For these reasons, the city will oppose any legislation similar to SB14-181 that would prohibit or otherwise further restrict the rights of local governments to use red light cameras or photo radar enforcement.

ROCKY FLATS

- **SUPPORT FUNDING FOR THE DEPARTMENT OF ENERGY FOR THE OFFICE OF LEGACY MANAGEMENT AND U.S. FISH AND WILDLIFE SERVICE IN ORDER TO MANAGE ROCKY FLATS AS A NATIONAL WILDLIFE REFUGE WITH THE APPROPRIATE SYSTEMS IN PLACE FOR LONG TERM STEWARDSHIP**

In February of 2006, the Rocky Flats Stewardship Council (RFSC) was formed to focus on the post-closure management of Rocky Flats, the former nuclear weapons plant southwest of Boulder. As a member of RFSC, the city is very supportive of the 2001 federal legislation (Rocky Flats National Wildlife Refuge Act of 2001) that designates Rocky Flats as a future national wildlife refuge site as well as the requirement that long-term liability, ownership and management of the site remain with the federal government. The city supports legislation authorizing, funding, or otherwise providing assistance for the Rocky Flats Legacy Stakeholders Organization, or alternative organization, to work on coordinating regional open space and conservation efforts as they relate to Rocky Flats

TAX POLICY

- **SUPPORT THE MARKET FAIRNESS ACT AND OTHER ACTION TO PRESERVE AND EXPAND THE AUTHORITY OF LOCAL GOVERNMENTS TO COLLECT TAXES**

According to research undertaken by Forrester Research for Internet Retailer, national online retail spending climbed to nearly \$200 billion in 2011, up from \$30 billion in 2000, and will grow approximately 10 percent per year to reach \$280 billion and comprise more than seven percent of overall national retail spending by 2015. At the state level, the National Conference of State Legislatures estimates that Colorado will lose \$352 million in 2012 from uncollected sales taxes. The growth in internet retail activity presents a clear challenge to the operating budgets of Colorado's local governments, many of which rely on sales taxes to fund critical municipal services, as well as the state budget. Consequently, the city supports legislation, such as the Marketplace Fairness Act, that provides authority for states and Colorado local governments to collect sales taxes on purchases made over the internet, regardless of whether the vendor has a physical nexus with the state. Appropriate limitations on this authority might include exemptions for small businesses, centralized collection of taxes on non-nexus sales and adoption of a common tax base for non-nexus sales. However, the city will not support changes which would allow the state to collect and remit tax revenues on non-nexus sales based on anything other than each municipality's individual sales tax rate (e.g., the city opposes use of a blended tax rate) or which would dictate the tax base or assume authority to collect revenues on local nexus sales which the city already has the authority to tax and collect.

TELECOMMUNICATIONS

- **REESTABLISH THE RIGHT OF MUNICIPALITIES TO PROVIDE TELECOMMUNICATION SERVICES SUCH AS LARGE AND COMPLEX CITY-WIDE FIBER AND PREMISE NETWORKS**

The provision of telecommunication access to ensure effective and appropriate access to educational and city resources are seen as a must in today's society. Utilizing current infrastructure and public-private partnerships can create necessary competition to retain low-cost, high-speed access to our residents, regardless of economic status. Senate Bill 05-152 preempted home rule municipalities from providing telecommunication services (with certain limited exceptions) without a vote of the people, even if infrastructure had already been built. Boulder believes that this legislation is overly restrictive in its private sector "non-compete" provisions. Given the very "low and slow" market evolution in providing low-cost and easily accessible internet and other telecommunication services, the city is completely hamstrung in seeking ways of legitimately investing public dollars in infrastructure and services to resolve the digital divide and general access issues in our communities.

TRANSPORTATION

- **INCREASES TRANSPORTATION FUNDING AND PRIORITIZE ITS EXPENDITURE ON PROJECTS THAT MAINTAIN EXISTING INFRASTRUCTURE, ARE MULTIMODAL IN DESIGN AND THAT OTHERWISE PROMOTE SMART GROWTH**

The city and the entire Denver metropolitan area are in need of new funding to maintain existing infrastructure and transit services, for multi-modal transportation improvements related to roadway, bicycle, pedestrian, carpool/vanpool and for travel demand management activities that would increase the efficiency of the existing system. There is a critical need for federal and state funds to ensure completion of the US 36 BRT project, including funding to acquire the best vehicles and BRT amenities possible and first and final mile connections to that corridor. Funding is also necessary for implementation of the recommendations of the Northwest Area Mobility Study (NAMS); specifically North I25 bi-directional HOV/Transit lanes and development of an arterial BRT system along SH119, US287, 120th Ave, South Boulder Road, Arapahoe/SH7, and SH 42.

The city supports turning to funding sources that are tied to transportation use, including vehicle registration, car rentals, gasoline consumption, or vehicle miles traveled, provided that a significant portion of the funding generated is directed toward specific, identified projects, including US Highway 36 and arterial BRT, or to programs that fund alternative modes of transportation.

This city also supports the recent trend of turning to managed lanes as a practical solution for improving mobility by providing viable travel options in congested corridors. In fact, the city believes that any significant new lane capacity built with state funds be required to be managed. Managed lanes should result in regulation of demand to ensure choices for the traveler beyond the single occupancy vehicle by providing for the option of travel by bus and free or discounted access to high occupancy vehicles (“HOVs”), as well as allowing pricing to help manage corridor performance, such as dynamic, variable-priced tolls linked to congestion. Public-private partnerships (PPPs) are often essential to identifying funding to construct managed lanes. The challenge, however, is that the partnerships can sometimes focus too much on revenue generation and insufficiently on transportation performance. Moreover, decisions can be made by the state that do not receive sufficient vetting and/or oversight from the affected local governments. In order to ensure that only appropriate toll projects are built, the city would support legislation to require all PPPs for managed lanes to undergo a transparent approval process and to demonstrate maximization in the transportation of people (not just vehicles); reinvestment of at least a portion of toll operating revenues into the corridor for continued improvements; and prioritization of travel choices with a portion of toll revenues supporting transit and/or travel demand management, in order to maximize the value of the transportation investment and to ensure that lower-income residents benefit from the public investment in a toll road. The city also support legislation mandating a determination by the appropriate Metropolitan Planning Organizations (MPOs) that all toll projects, including those which do not use state or federal

funding, be analyzed for consistency with the development policies of the MPO's plan, and that the MPOs assess implications of such projects on the region's fiscal health, air and water quality, energy, climate change and long-term sustainability. Finally, the city would support legislation similar to HB12-1171 that would prohibit the use of so called "non compete" clauses which are sometimes included in PPPs to preclude maintenance of, or improvements to, existing roads (e.g., Highway 93) in order to increase travel demand on new tolled lanes.

The city believes that new or existing funding should be used for regional priorities as determined by the area MPO, or, where no MPO exists, by the local Transportation Planning Region (TPR) where the improvements are supported by the affected local governments. The city also believes that state legislation should require MPOs and TPRs to model projects for their expected contribution to greenhouse gases and vehicle miles traveled and to prioritize those projects that reduce both.

With regard to federal transportation funding, MAP-21, the latest federal transportation authorization bill, made continued funding for the federal government's Safe Routes to School (SRTS) program beyond the 2013-14 fiscal year very unlikely. The SRTS program has proven itself a successful and popular program in Colorado. It has provided CDOT with approximately \$2.5 million/year allowing capital and programmatic funding to flow to more than 500 schools across Colorado to improve safe access to schools, ranging from small towns like Ridgeway and Brush, to our largest cities like Denver and Colorado Springs. As a result, the number of children walking and biking to school has increased by as much as 31 percent. SRTS helps make kids safer, improves congestion near schools, and gives students opportunities to become more comfortable with travel options at an early age. The 2014 Safe Routes to School Act (HB14-3012) directed \$700,000 in general fund revenue to allow part of the programmatic functions to continue for the 2014-2015 fiscal year. The city would support legislation in 2015 that would provide funds to continue this program, helping ensure safe transportation for our most vulnerable population; our children.

- **REALIGN THE COLORADO TRANSPORTATION COMMISSION TO INCLUDE POPULATION, NOT JUST GEOGRAPHY, TO ENSURE FAIR REPRESENTATION OF THE METROPOLITAN AREA**
- **PROMOTE "COMPLETE STREETS," ACCOMMODATING ALL MODES OF TRAVEL**

The city supports legislation that furthers the concept of "Complete Streets" where modes are interconnected and a complete set of options are made available to improve efficiency and mobility for all. The city also supports legislation that promotes sustainable transportation solutions recognizing energy sources, impacts of vehicle miles traveled, connections to land use, urban design, and increased accessibility for all.

- **OPPOSE LIMITATIONS ON THE CITY’S ABILITY TO REGULATE VEHICLE USE ON SIDEWALKS, MULTI-USE PATHWAYS, AND BIKE LANES, OR THAT REQUIRES THE CITY TO ALTER ITS CURRENT CODE IN ORDER TO MAINTAIN CURRENT POLICY ON ALLOWED USES OF THOSE FACILITIES**

The city’s current ordinances prohibit the use of Segways or motorized “toy vehicles” such as scooters, electric skateboards or mini bikes on sidewalks, multi-use paths or bike lanes. City-initiated changes to such policies would best be informed by a public process where input from the various sidewalk, multi-use path, and trail users could be solicited and evaluated. The city opposes changes to state law that would require the city to change its policy or force an unnecessary and potentially controversial re-evaluation of its policy.

- **OPPOSE TRANSFERING THE MAINTENANCE RESPONSIBILITIES FOR REGIONAL HIGHWAYS FROM THE COLORADO DEPARTMENT OF TRANSPORTATION TO LOCAL GOVERNMENTS**

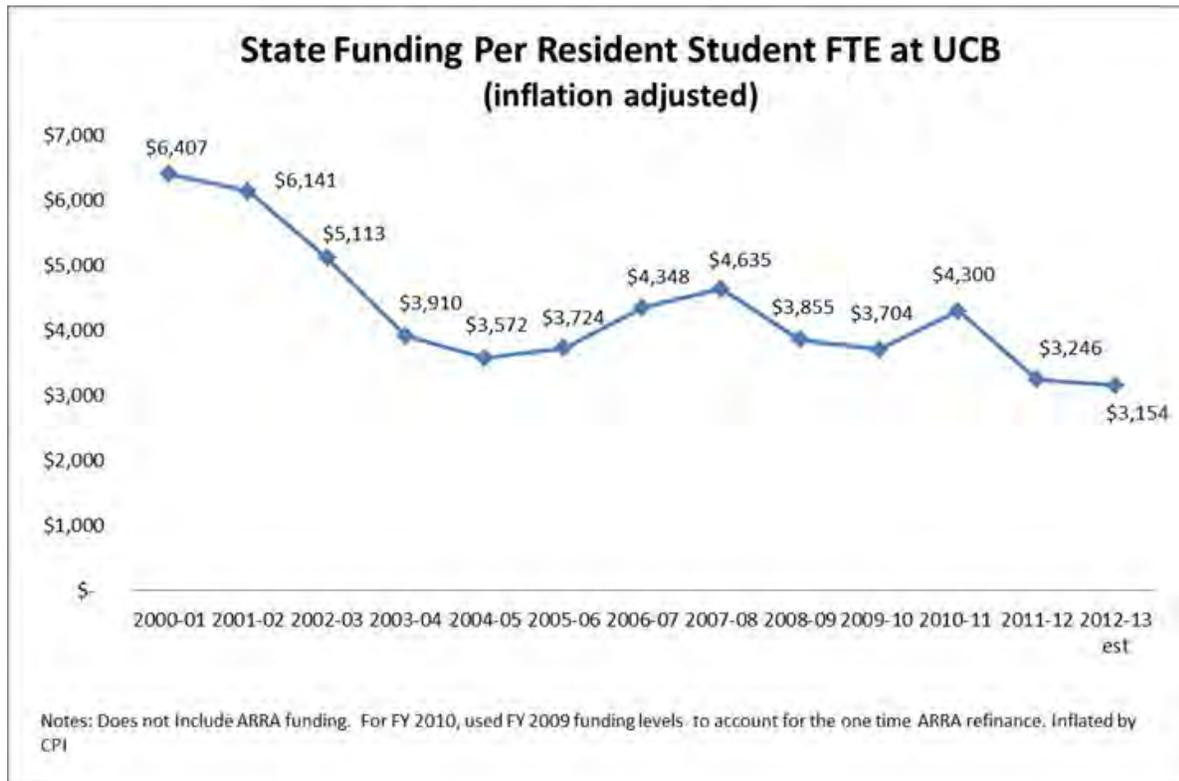
In past years, the Colorado General Assembly has been asked to consider legislation that would lead to the unilateral transfer to local governments of state highways. Boulder has several state highways that would be subject to such “devolution,” including U.S. 36 and Highways 93, 7 and 119. The city believes that these types of regional highways, which service multiple communities and counties, need to remain the responsibility of the state government.

- **SUPPORT FLEXIBLE SOLUTIONS AND NEW FUNDING OPPORTUNITIES TO ADDRESS IMPACTS OF TRAIN HORN NOISE AND SUPPORT CREATION OF QUIET ZONES**

The city intends to participate in the upcoming Federal Railroad Administration (FRA) rule making process anticipated to open in late 2014/early 2015 to modify the train horn rules and requirements to create quiet zones. Whether through that process or through legislative means, the city will support more flexible and affordable options that work within the context of the local communities and support the safety goals of the FRA as well as the sustainability goals of EPA, HUD, DOT (FTA & FHWA). Addressing train horn noise and quiet zones is important to achieve local, regional, and national goals for multimodal transportation options, safety, housing, jobs, and the environment. Opportunities to amend the FRA train horn rules and quiet zone requirements, as well as identify funding sources for implementation, will address existing community concerns caused by train horn noise and support transportation options and mixed use, transit oriented development areas within the core areas of the city and other communities located along the Burlington Northern Santa Fe railroad corridor.

UNIVERSITY OF COLORADO

- **SUPPORT A RENEWED COMMITMENT BY THE STATE AND FEDERAL GOVERNMENTS TO FUND THE UNIVERSITY OF COLORADO AND ITS CAPITAL PROGRAMS**



The City of Boulder has been the proud home to the flagship campus of the University of Colorado (CU) since 1876. CU's Boulder campus (CU-Boulder) brings to the city the Colorado Shakespeare Festival, the Conference on World Affairs, the CU Concerts and Artist Series, access to libraries, athletic events, noncredit courses, and numerous other social and cultural offerings, all of which significantly contribute to the city's vibrancy. Furthermore, it directly employed 14,803 people in fiscal year (FY) 2011, 8,105 which were non-students (including temporary workers) earning average salaries of \$57,216, accounting for 5.2 percent of total employment in Boulder County. Through research, teaching, operations, construction, student spending, and visitation, CU is an economic driver in Boulder County, contributing more than \$1.5 billion in economic activity locally driven off \$809 million in direct expenditures in the county in FY2011. This funding is by and large non-local, thus leveraging outside investment for the local economy. The presence of CU's research facilities and the highly skilled labor force that CU produces, have attracted major federal facilities, satellite institutions, and major private firms to the city. Yet, as reflected in the above graph, state funding for CU-Boulder has seen a dramatic decline over the last decade, a decline that

is anticipated to continue over at least the next two years. In light of the extraordinary importance of CU to the city, the city will support state and federal legislation that provides a renewed attention to funding CU, its capital programs (currently facing a maintenance backlog of approximately \$320 million), and particularly legislation that helps preserve the flagship status of the CU-Boulder campus.

WATER

- **SUPPORT LEGISLATION THAT PROMOTES THE EFFICIENT UTILIZATION AND CONSERVATION OF WATER**

Boulder is on the forefront of support for water conservation and efficient utilization of water. Boulder uses a water budget rate structure to reward the efficient use of water and penalize wasteful practices. Boulder has adopted water conservation goals for build-out that will help meet the city's adopted reliability criteria for water supplies without significant new water acquisitions when fully using water sources already owned by the city. Water conservation can be an important public outreach and educational tool and can help to maximize reservoir storage levels and water use reductions needed during drought periods. Although the first priority for conserved water is drought protection and the extent to which the city can direct conserved water to any particular use is limited, when reservoirs are full, some conserved water can be provided for non-permanent uses such as annual agricultural leasing or instream flow enhancement. Accordingly, Boulder will support legislation that promotes water conservation, instream flow enhancement and the efficient utilization of water when such legislation is structured to also be protective of the city's water rights. By way of example, the city would support legislation that would phase in a requirement that new indoor water fixtures (including toilets, urinals, showers and faucets) sold in Colorado meet reduced flush volume requirements consistent with the US Environmental Protection Agencies WaterSense guidelines, provided that the legislation would not mandate retrofitting nor require local governments to assure compliance.

- **OPPOSE SIGNIFICANT THREATS TO THE CITY'S WATER RIGHTS**

In prior years, Boulder has lost thousands of acre-feet of the city's water because of the lack of proper well augmentation on the South Platte River. Loss of this reservoir water increases Boulder's risk of severe water shortage during drought years. In non-drought years, the city supports Boulder Creek basin farmers through annual leases of any water in excess of the city's short-term and long-term needs for approximately \$30 per acre foot. Offsetting un-augmented well use in the South Platte basin would represent a \$120,000 loss to the city in a year that 4,000 acre-feet of water is given up and would also decrease water for Boulder Creek farmers by reducing the city's leasable supplies. If other water users with junior water rights were to operate without proper augmentation and cause Boulder to need to permanently replace the water rights for 4,000 acre-feet of municipal water to protect the

city against drought and any negative effects of climate change that might occur, it would cost \$48,000,000 or more.

Recent Colorado Supreme Court decisions have found that the State Engineer was not properly administering some water rights, such as for agricultural irrigation wells that were operating under junior water rights without providing senior water rights owners with sufficient augmentation water. New state legislation passed in the years from 2003 to 2009 clarifies that many well owners must file in water court for well augmentation plans and address the amount of augmentation water to be provided. To protect the yield of its existing water rights, Boulder has coordinated with other water users owning senior surface water rights, including many farmers, to participate in water court cases and monitor legislative actions regarding water rights. Many of the underlying disputes have now been addressed. Nevertheless, some issues remain that may result in the General Assembly again becoming the arena for water bills that attempt to incrementally adjust, or in many cases by-pass, the state constitution's Prior Appropriation Doctrine.

Bills that may be introduced might include attempts to limit the amount of augmentation water that junior diverters are required to return to the river to less than their impact on more senior water rights or to replace the jurisdiction of water courts with state engineer authority such that decisions on the adequacy of augmentation plans would be less transparent and subject to political influence. The city is committed to the legal principle of maximum utilization of both surface water and groundwater and believes this can best be achieved through water court-approved augmentation plans rather than the political process. To the extent that future bills significantly threaten the city's water rights, such as by shifting responsibility for well augmentation from well users to senior water rights owners, or increasing reliability for junior water rights by decreasing reliability for senior water rights, they will be vigorously opposed.



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: November 6, 2014

AGENDA TITLE: Consideration of a resolution to allow the Chief of Police to dispose of property under B.R.C. 2-4-6 by means other than auction; specifically by donation, recycling, or destruction.

PRESENTER/S

Jane S. Brautigam, City Manager
Greg Testa, Chief of Police
Cooper Grimes, Police Sergeant

EXECUTIVE SUMMARY

The purpose of this motion is to allow the Chief of Police to dispose of various items of property by means other than public auction. B.R.C. 2-4-6 states in part under section (c), "If the found personal property remains unclaimed...the city manager shall cause the property to be disposed of by sale, unless, upon the recommendation of the manager, the city council, by ordinance, motion, or resolution, provides for a different manner of disposition." The Code specifies that the means of sale is by auction.

There are three categories of property where disposal by means other than auction would be preferable:

Bicycles: The resolution would allow for certain bicycles as needed and appropriate to be donated to organizations such as Community Cycles. Community Cycles has a vested interest in the donation of bicycles to their organization. They have communicated their desire to receive bicycles from the Police Department. We believe that the organization benefits the community of Boulder and that the organization promotes values held by the City of Boulder.

Weapons: The resolution would allow for weapons, including firearms, which are not claimed to be disposed of by destruction, recycling, or converted to Police Department property instead of by sale at auction. The online auction service currently being used by the Police Department is in the process of setting up a

system by which weapons could be auctioned instead of destroyed but that option has not been readily available in the past. Although the code allows weapons to be auctioned and the City would receive some economic benefit from the auction proceeds, the police department and the community benefit by reducing the number of weapons on the streets.

Miscellaneous Items Not Worthy of Auction: Under this resolution, found items of a personal nature, such as used clothing, blankets, bags, toiletries, etc., and items of a hazardous nature, such as fireworks, chemical samples, etc., would not be auctioned based on having low to no value, or due to their hazardous nature. Many of these types of items are not accepted by the online auction house that is currently used to dispose of property, nor are they suitable for sale by any means.

Approval of the resolution would allow the Chief of Police greater discretion in weighing the costs and benefits of different means of disposal of items for the good of the community.

The Police Department's storage space for physical property is very limited. While a more permanent goal is to revise BRC 2-4-5 and 2-4-6, this motion is critical in the interim.

STAFF RECOMMENDATION

None.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- The economic impacts of this resolution are minimal. Some items may be destroyed or recycled instead of sold at auction. Many of these items would have been destroyed or recycled by the auction house due to having low or no value or because of the hazardous nature of the item, or not accepted by the auction house. Some consumers who may have purchased items at auction will purchase the items elsewhere, perhaps through local businesses. Items such as backpacks or bicycles donated to second-hand stores or non-profit organizations such as Community Cycles are not the caliber of item that would compete with local businesses selling similar new items.
- The environmental impact of this resolution will be minimal. Donating lower-value bicycles to organizations such as Community Cycles allows Community Cycles to recycle and repair otherwise unusable bicycles. Many of those bicycles, if sent to auction, would be deemed to be unworthy of auction and subsequently disposed of by the online auction service. Firearms are typically taken to a metal recycler when destroyed. Other items rejected by auction houses are typically unworthy of donation. These items are recycled when possible or disposed of as trash. This motion should not increase the current amount of trash generated.
- The social impacts of this resolution are likely greater in significance than are the economic or environmental impacts. Non-profit organizations such as

Community Cycles will be able to supply bicycles to many individuals, providing these individuals with primary or alternative means of transportation. Destroying or recycling weapons takes weapons off the streets and reduces the possibility that the auctioned weapon would be used in a criminal offense.

OTHER IMPACTS

- Donating items or destroying items may have a slight fiscal impact on the City of Boulder. There would likely be little change in the income that the City currently receives from auctioning items, which in 2013 was \$4585.88. The potential impact is a lost opportunity for items which have not been auctioned in the recent past but have instead been donated or recycled. Those items are bicycles and weapons. In 2013 approximately 300 bicycles were donated to Community Cycles with an approximate value of \$10.00 to \$20.00 per bicycle. Based on this valuation the annual opportunity cost for the City would be \$3000.00 to \$6000.00. The lost opportunity cost from not auctioning weapons is hard to estimate due to the wide variety of makes and models. Also, many of the weapons are destroyed because community members surrender weapons with the Police Department specifically for destruction. In 2013 the Police Department recycled approximately 41 guns. About half may have been eligible for auction at an estimated sale of \$100.00 to \$200.00 to gun. This represents a lost opportunity cost of \$2000.00 to \$4000.00 that year if those guns had been auctioned in lieu of recycling.
- Staff time would not be significantly affected by this resolution.

BOARD AND COMMISSION FEEDBACK

None.

PUBLIC FEEDBACK

None.

BACKGROUND

In recent years the Boulder Police Department has disposed of various items by means other than sale. Lower-end bicycles have been disposed of by donation to Community Cycles under a Memorandum of Understanding agreed upon by the previous Chief of Police and Community Cycles. Firearms were recycled instead of sold at auction by direction of the previous police administration.

The disposal of items as listed above was done under the belief that the requirements of B.R.C. 2-4-6 were satisfied by an action of City Council, disposing of property by means other than sale. Recent reviews of these practices have indicated a resolution is needed.

The Police Department has suspended the disposition of found bicycles and firearms in the manners described above pending the review of this resolution by City Council.

ANALYSIS

The Police Department believes that BRC 2-4-5 and BRC 2-4-6 need to be updated in the near future to provide for a better process for the City to take custody of and dispose of property. In the interim a resolution by City Council allowing the Chief of Police to have some discretion concerning the disposition of property is necessary to best serve the community and ensure that the Police Department can operate without running out of space to store property.

ATTACHMENTS

- A. Letter of support from Community Cycles.
- B. Resolution language.



2805 WILDERNESS PLACE
SUITE 1000
BOULDER, CO 80301

COMMUNITYCYCLES.ORG

September 26, 2014

Boulder City Council

Dear members of Council:

Community Cycles is a non-profit bicycle co-op and advocacy organization. Each year we recycle over 2500 bikes- giving old bikes a new life in Boulder. We have over 1500 current dues paying members and offer community programs that serve hundreds each year. Community Cycles programs include giving low cost and no cost bikes to children and adults, teaching bike maintenance and safety skills in English and Spanish, and encouraging people to walk and bike with programs like Winter Bike to Work Day, Walk and Bike Month, PedalSmart and many others.

For at least the last 5 years we have worked with the Boulder Police Department, receiving bicycles that the police took into their custody and which they were unable to return to their owners. We put these bikes to good use through our programs. We understand that, in order to continue to receive bicycles from the police department, City Council's approval is needed. We ask for your approval of the motion which might allow us to receive these donations.

Sue Prant
Executive Director
Community Cycles
2805 Wilderness Pl Suite 1000
Boulder, CO 80301

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RESOLUTION NO. ____

A RESOLUTION TO ALLOW THE CHIEF OF POLICE TO DISPOSE OF PROPERTY UNDER B.R.C. 2-4-6 BY MEANS OTHER THAN AUCTION; SPECIFICALLY BY DONATION, RECYCLING, OR DESTRUCTION.

WHEREAS, Section 2-4-6, Disposition of Property Other Than Motor Vehicles, B.R.C. 1981 authorizes the City Council to authorize the City Manager to dispose of found personal property in the possession of the Police Department by a means other than by sale; and

WHEREAS, the City Council has determined that there is a community benefit in donating bicycles to local non-profits if the bicycles have not been claimed by the owner within the time periods established by the Boulder Revised Code; and

WHEREAS, the City Council has determined that there is a community benefit in disposing of weapons by recycling, destruction, or conversion to police department property in lieu of auction; and

WHEREAS, the City Council has determined that there is a community benefit in disposing of property unfit for auction due to the low value or hazardous nature of the property by recycling or disposal as trash; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO, as follows:

Section 1. *Disposal of Bicycles.* The City Council authorizes the Chief of Police to donate found bicycles to local non-profit entities.

Section 2. *Disposal of Weapons.* The City Council authorizes the Chief of Police to dispose of weapons by recycling, destruction, or by conversion to police department property.

Section 3. *Disposal of Low-Value or Hazardous Items.* The City Council authorizes the Chief of Police to dispose of low-value or hazardous items by recycling or disposing of such items as trash.

Section 4. *Confirmation of Prior Acts.* All prior acts and doings of the officials, agents and employees of the City which are in conformity with the purpose and intent of this Resolution shall be and the same hereby are in all respects ratified, approved and confirmed.

Section 5. *Effective Date of Resolution.* This Resolution shall take effect immediately upon its passage.

APPROVED this ** day of **, 2014.

Mayor

ATTEST:

City Clerk on behalf of the
Director of Finance and Record



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: NOVEMBER 6, 2014

AGENDA TITLE: Consideration of a motion to approve a resolution to provide fire protection services to certain annexed properties previously served by the Boulder Rural Fire Protection District.

PRESENTER:

Thomas A. Carr, City Attorney

EXECUTIVE SUMMARY

Any property annexed to the City of Boulder is served by the City's fire department. Prior to annexation, the properties identified in Attachment A were protected and taxed by the Boulder Rural Fire Protection District. The properties are now protected and taxed by the City of Boulder. To protect these properties from double taxation, the City Attorney's Office will petition the court for an order amending the Boulder Rural Fire Protection District's boundaries to exclude these properties. To support our petition to the court, a resolution (Attachment B) from council providing for fire protection by the City of Boulder Fire Department is necessary.

STAFF RECOMMENDATION

Suggested Motion Language:

Staff requests council consideration of this matter and action in the form of the following motion:

Motion to adopt a resolution to provide fire protection services to certain annexed properties previously served by the Boulder Rural Fire Protection District.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- Economic: This resolution implements agreements between the City and surrounding fire districts. Upon annexation of properties by the City, the fire district that previously served particular properties is released and the City assumes the first responder obligations for fire protection. A court action supported by a resolution by City Council is required to remove the mill levy of the fire district from the property. Following that court action, property owners of the newly annexed properties are relieved of their obligation to pay the fire district for fire protection services. That provides an economic benefit for those property owners.
- Environmental: Clarifying the first responder for fire protection purposes for properties newly annexed to the City eliminates the need for two different fire agencies to respond to the same location. This clarity of responsibility should make fire fighting activities more efficient and thereby potentially minimize environmental (as well as life and safety) damage.
- Social: As newly annexed properties are integrated into the City, it is important that they be provided the full range of city services. The resolution helps accomplish that objective while also preventing the double taxation of residents of newly annexed properties.

OTHER IMPACTS

- Not applicable

BOARD AND COMMISSION FEEDBACK

- Not applicable

PUBLIC FEEDBACK

- Not applicable

BACKGROUND

The purpose of the proposed resolution is to express the Council's intent to provide fire protection services to newly annexed properties. The city attorney will use this resolution to obtain a court order relieving the affected residents of their obligation to pay property taxes to their former fire district.

ANALYSIS

To protect this property from future double taxation by the City and the District, Council is asked to approve the resolution for exclusion of this property from the District. The District Court will then be petitioned for a Court Order to amend the Fire District's boundaries to exclude the property shown on Attachment A.

MATRIX OF OPTIONS

- Not applicable

ATTACHMENTS

Attachment A – List of Annexed Properties

Attachment B – Resolution

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**2014 EXCLUSIONS FOR BOULDER RURAL
FIRE PROTECTION DISTRICT**

Applicant/Owner	Address	Tax ID No.	Actual Value (In \$)	Ord. No.	Date Recorded	Reception No.
Vidan Gonthier	2475 Topaz (re-addressed to 2570 Sumac)	R0033489	\$750,000	7882	1/29/13	03285583
Tracey Beck Dennis Mitchell	2156 Tamarack	R0033610	\$734,100	7894	2/27/14	03367902
Lynn Paul Baker Cindy Lou Baker	2130 Tamarack	R0032957	\$649,700	7985	8/20/14	03398262
Robert J. Schuman Elaine D. Shuman	4270 19 th Street	R0033545	\$457,700	7984	8/19/14	03398235

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RESOLUTION NO. _____

A RESOLUTION TO PROVIDE FIRE PROTECTION SERVICES TO CERTAIN ANNEXED PROPERTIES PREVIOUSLY SERVED BY THE BOULDER RURAL FIRE PROTECTION DISTRICT.

THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO, FINDS AND RECITES THAT:

The City of Boulder has annexed certain properties, which properties were formerly provided with fire protection by the Boulder Rural Fire Protection District (“District”);

The City can provide fire protection to those properties;

The City is presently providing such protection, and has done so since the properties were annexed;

The District will not be harmed by exclusion of those properties from its jurisdiction; and

The owners of the properties will be harmed by paying property taxes to both the City and the District for the same fire protection services.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO, that:

Section 1. The City of Boulder, Colorado, will provide fire protection service to the properties specified in Exhibit 1, which service has previously been provided by the Boulder Rural Fire Protection District. Because this protection is currently being provided by the City, this resolution will necessarily be, and continue to be, effective on January 1, 2015.

ADOPTED this 6th day of November 2014.

Mayor

ATTEST:

City Clerk

EXHIBIT 1
2014 EXCLUSIONS FOR BOULDER RURAL
FIRE PROTECTION DISTRICT

Applicant/Owner	Address	Tax ID No.	Actual Value (In \$)	Ord. No.	Date Recorded	Reception No.
Vidan Gonthier	2475 Topaz (re-addressed to 2570 Sumac)	R0033489	\$750,000	7882	1/29/13	03285583
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**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: November 6, 2014

AGENDA TITLE:

Second reading and consideration of a motion to order published by title only, Ordinance No. 8008 vacating and authorizing the City Manager to execute a deed of vacation for four sidewalk easements and one public roadway easement at 1715 and 1725 28th Street and 2625 Canyon Boulevard.

PRESENTER/S

Jane S. Brautigam, City Manager
David Driskell, Executive Director of Community Planning + Sustainability
Charles Ferro, Development Review Manager for Community Planning + Sustainability
Jonathan Woodward, Associate Planner

EXECUTIVE SUMMARY

The applicants, Bison Holdings I, LLC, CHAI, LLC, and LJD-EADS, LLC, have requested vacations of four sidewalk easements and one public roadway easement at 1715 and 1725 28th Street and 2625 Canyon Boulevard. The site is located on the northwest corner of 28th Street and Canyon Boulevard and is part of a previously approved redevelopment project that includes two new hotels and one new retail / office building. The vacations are consistent with the Site Review that was approved by the Planning Board in Jan. 2013.

These vacations are necessary to implement the redevelopment, and the new easements will be dedicated as a part of the forthcoming Subdivision Final Plat.

The Planning Board has received an information item regarding this ordinance prior to its meeting on October 16, 2014. City Council will have two readings of the proposed ordinance on October 21 and November 6, 2014.

STAFF RECOMMENDATION

Staff finds that the criteria of section 8-6-9, “Vacation of Public Rights-of-Way and Public Access Easements,” B.R.C. 1981 can be met and recommends that the City Council take the following action:

Suggested Motion Language:

Staff requests council consideration of this matter and action in the form of the following motion:

Motion to adopt Ordinance No. 8008 vacating and authorizing the City Manager to execute a deed of vacation for four sidewalk easements and one public roadway easement at 1715 and 1725 28th Street and 2625 Canyon Boulevard.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- Economic - No economic impact is anticipated through this easement vacation.
- Environmental - No impacts are anticipated through this easement vacation.
- Social - None identified.

OTHER IMPACTS

- Fiscal - None identified.

BOARD AND COMMISSION FEEDBACK

A copy of this report has been sent to Planning Board on October 16, 2014, in conformance with Section 79 of the City of Boulder Charter. Should the board have any comments on the proposal, they will be conveyed to the City Council in the second reading memorandum set for November 6, 2014.

The first reading of this proposed ordinance was reviewed by City Council on October 21, 2014. City Council did not have any questions and voted 9-0 in favor of the motion on the consent agenda.

PUBLIC FEEDBACK

Public notices of this proposed vacation were mailed to property owners within 600 feet of the project on September 5, 2014. Staff has received no written or verbal comments adverse to the vacation.

BACKGROUND

In Jan. 2013, Planning Board approved a Site Review for the redevelopment of the site that includes two new hotels and one new retail / office building.

This ordinance seeks to vacate four sidewalk easements and one public roadway easement which were used for the previous Ead's Newstand and Golden Buff Hotel. These easements were dedicated between 1970 and 1985. There were four other easements on the site: two have been vacated through quitclaim deed, and the other two are utility easements that will be vacated through a private quitclaim deed. Utility companies Xcel Energy, Centurylink and Comcast have signed their consent of these vacations. Due to the reconfiguration of the site, these easements will have no public benefit. Failure to vacate these easements would create a hardship to the owner and developer.

Staff is currently working with the applicants to establish the new easements consistent with the Site Review approval through Final Plat process.

ANALYSIS

Staff finds the proposed vacations at 1715 and 1725 28th Street and 2625 Canyon Boulevard are consistent with the standard set forth in section 8-6-9(c), "*Vacation of Public Rights of Way and Public Access Easements*", B.R.C. 1981 as well as the approved Site Review approval. Specifically, staff has determined that these easements have no use for the new development and no longer serve the public. New easements are being dedicated consistent with the approved Site Review approval on the forthcoming final plat. Staff has reviewed this vacation request and has concluded that the criteria can be met based on the criteria set forth in section 8-6-9(c):

(1) The applicant must demonstrate that the public purpose for which an easement or right of way was originally acquired or dedicated is no longer valid or necessary for public use;

Applicant has requested new dedications consistent with the approved Site Review. The easements that are being vacated no longer serve a purpose for the site.

(2) All agencies and departments having a conceivable interest in the easement or right of way must indicate that no need exists, either at present or conceivable in the future, to retain the property as an easement or right of way, either for its original purpose or for some other public purpose unless the vacation ordinance retains the needed utility or right of way easement;

The City of Boulder has consented to the vacation. Utilities companies Xcel, Centurylink, and Comcast have also signed their consent that these easements are no longer needed.

(3) The applicant must demonstrate, consistent with the Boulder Valley Comprehensive Plan and the city's land use regulations, either:

(A) That failure to vacate an existing right of way easement on the property would cause a substantial hardship to the use of the property consistent with the Boulder Valley Comprehensive Plan and the city's land use regulations; or

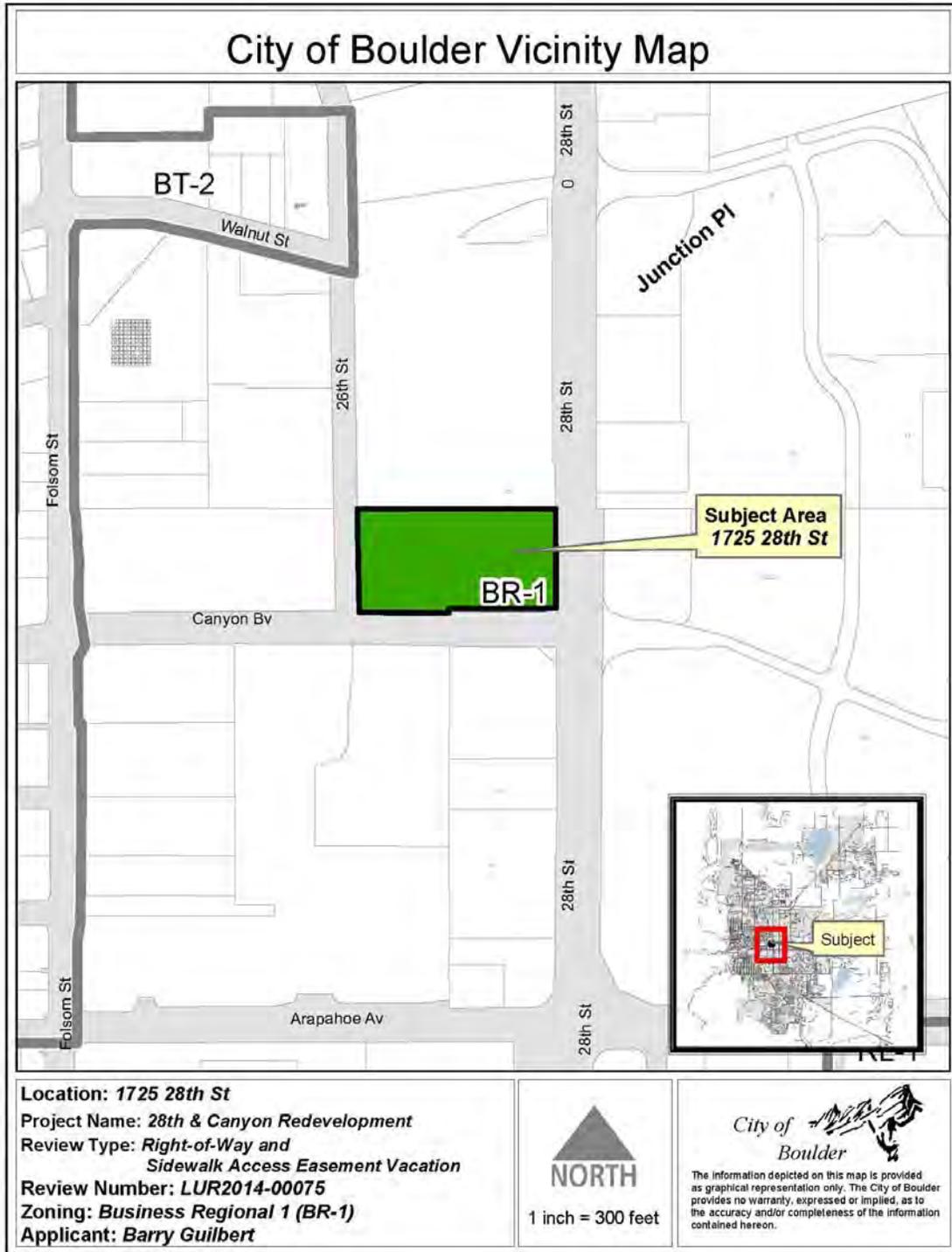
In order to implement the approved redevelopment of the site, the proposed vacations are required. Failure to approve these vacations will create a hardship for the project, as the site review has been approved and the existing easements are inconsistent with the land use approval.

(B) That vacation of the easement or right of way would actually provide a greater public benefit than retaining the property in its present status.

The community will receive greater public benefit with the new easements that are being dedicated with the final plat. The pedestrian connectivity and overall access to site will be much safer, curb cuts have been minimized and two new multi use path connections are being provided in addition to improved perimeter sidewalks.

ATTACHMENTS

- A. Vicinity Map
- B. Easement Map
- C. Ordinance No. 8008 to Vacate Easements which includes Deed of Vacation



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ORDINANCE NO. 8008

AN ORDINANCE VACATING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A DEED OF VACATION FOR FOUR SIDEWALK EASEMENTS AND/OR RIGHT-OF-WAY AND ONE PUBLIC ROADWAY EASEMENT AND/OR RIGHT-OF-WAY GENERALLY LOCATED AT 1715 AND 1725 28th STREET AND 2625 CANYON BOULEVARD, AND SETTING FORTH RELATED DETAILS.

THE CITY COUNCIL OF THE CITY OF BOULDER FINDS AND RECITES THAT:

A. Chai, LLC, a Colorado limited liability company, owns an undivided 97% interest and Bison Holdings I, LLC, a Colorado limited liability company, owns an undivided 3% interest in the property generally known as 1725 28th Street and 2625 Canyon Boulevard and more particularly described as Parcels A and B on Exhibit A attached hereto and incorporated herein and LJD-Eads, LLC, a Colorado limited liability company, owns the property generally known as 1715 28th Street and more particularly described as Parcel C on Exhibit A (“Owners”). The Owners have requested that the city vacate four sidewalk easements and/or right-of-way and one public roadway easement and/or right-of-way; and

B. The City Council is of the opinion that the requested vacations are in the public interest and that said easements and/or right-of-way are not necessary for the public use.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO:

Section 1. The City Council vacates and authorizes the city manager to execute a deed of vacation for the easements and/or right-of-way as more particularly described in the deed of vacation on Exhibit B attached hereto and incorporated herein.

Section 2. This ordinance is necessary to protect the public health, safety, and welfare of the residents of the city, and covers matters of local concern.

EXHIBIT A TO ORDINANCE

LEGAL DESCRIPTION

PARCEL C: (PER TITLE COMMITMENT 1715 28TH STREET)

COMMENCING AT THE SOUTHWEST CORNER OF HARDEN PLACE LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 70 WEST OF THE 6TH P.M., COUNTY OF BOULDER, STATE OF COLORADO, ACCORDING TO THE RECORDED PLAT THEREOF ON FILE WITH THE OFFICE OF THE CLERK AND RECORDER OF SAID BOULDER COUNTY;

THENCE EASTERLY ALONG THE NORTH LINE OF COUNTY ROAD NO. 26, KNOWN AS ARAPAHOE OR VALLEY ROAD, A DISTANCE OF 960 FEET;

THENCE NORTHERLY AND PARALLEL TO THE WEST LINE OF SAID SECTION 29 TO A POINT 260 FEET SOUTH OF THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 29, THE TRUE POINT OF BEGINNING;

THENCE NORTH 00°11'30" WEST, PARALLEL WITH THE WEST LINE OF SAID SECTION 29, A DISTANCE OF 60.0 FEET;

THENCE NORTH 89°51'50" EAST, PARALLEL AND 200 FEET SOUTHERLY, AS MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER, A DISTANCE OF 273.43 FEET TO THE WEST RIGHT-OF-WAY LINE OF 28TH STREET, AS DESCRIBED IN DEED RECORDED NOVEMBER 17, 1956 IN BOOK 1030 AT PAGE 94, BOULDER COUNTY RECORDS,

THENCE SOUTH 00°04'10" EAST, ALONG THE WEST RIGHT-OF-WAY LINE OF 28TH STREET, A DISTANCE OF 60.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF CANYON BOULEVARD (FORMERLY KNOWN AS WATER STREET), DESCRIBED AS "PARCEL NO. 6 REVISED" IN THE RULE AND ORDER OF CIVIL ACTION NO. 16692, RECORDED JULY 17, 1964 UNDER RECEPTION NO. 761009, BOULDER COUNTY RECORDS; THENCE SOUTH 89°51'50" WEST, ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID CANYON BOULEVARD, A DISTANCE OF 273.30 FEET TO THE TRUE POINT OF BEGINNING, LESS AND EXCEPT THAT PORTION CONVEYED TO THE CITY OF BOULDER IN SPECIAL WARRANT DEED RECORDED DECEMBER 18, 2013 UNDER RECEPTION NO. 3358084.

COUNTY OF BOULDER, STATE OF COLORADO.

PARCEL A: (PER TITLE COMMITMENT 1725 28TH STREET)

A TRACT OF LAND IN THE SW1/4 OF THE SW1/4 OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF BOULDER, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SW1/4 OF THE SW1/4 OF SAID SECTION 29; THENCE NORTH 89 DEGREES 51 MINUTES 50 SECONDS EAST, 861.10 FEET ALONG THE NORTH LINE OF THE SW1/4 OF THE SW1/4 OF SAID SECTION 29, TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 0 DEGREES 58 MINUTES EAST, 259.68 FEET PARALLEL WITH THE EAST RIGHT-OF-WAY LINE OF 26TH STREET AS DESCRIBED IN DEED RECORDED IN BOOK 1291 AT PAGE 444 OF THE BOULDER COUNTY RECORDS, BOULDER COUNTY, COLORADO TO THE NORTH RIGHT OF WAY LINE OF CANYON BOULEVARD AS

EXHIBIT A TO ORDINANCE

DESCRIBED IN DEED RECORDED IN BOOK 1265 AT PAGE 27 OF SAID BOULDER COUNTY RECORDS; THENCE SOUTH 88 DEGREES 50 MINUTES EAST, 125.42 FEET ALONG THE NORTH LINE OF SAID CANYON BOULEVARD TO THE EAST LINE OF THAT TRACT OF LAND CONVEYED FROM THE UNIVERSITY OF COLORADO TO WESTERN INDUSTRIES, INC., BY QUIT CLAIM DEED RECORDED ON FILM 526 AS RECEPTION NO. 776266 OF SAID BOULDER COUNTY RECORDS; THENCE NORTH 0 DEGREES 11 MINUTES 30 SECONDS WEST, 62.51 FEET ALONG THE EAST LINE OF THAT TRACT OF LAND DESCRIBED ON SAID FILM 526 AS RECEPTION NO. 776266 TO A POINT THAT IS 200.00 FEET SOUTHERLY AT RIGHT ANGLES FROM THE NORTH LINE OF THE SW1/4 OF THE SW1/4 OF SAID SECTION 29; THENCE NORTH 89 DEGREES 51 MINUTES 50 SECONDS EAST, 273.43 FEET PARALLEL WITH THE NORTH LINE OF THE SW1/4 OF THE SW1/4 OF SAID SECTION 29 TO THE WEST LINE OF 28TH STREET; THENCE NORTH 0 DEGREES 04 MINUTES 10 SECONDS WEST, 200.00 FEET ALONG THE WEST LINE OF SAID 28TH STREET TO THE NORTH LINE OF THE SW1/4 OF THE SW1/4 OF SAID SECTION 29; THENCE SOUTH 89 DEGREES 51 MINUTES 50 SECONDS WEST, 402.76 FEET ALONG THE NORTH LINE OF THE SW1/4 OF THE SW1/4 OF SAID SECTION 29 TO THE TRUE POINT OF BEGINNING.

PARCEL B: (PER TITLE COMMITMENT 1725 28TH STREET)

THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN, IN THE CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 29 FROM WHICH THE SOUTHWEST CORNER OF SAID SECTION 29 BEARS SOUTH 0 DEGREES 10 MINUTES 00 SECONDS EAST, 1322.59 FEET; THENCE NORTH 89 DEGREES 55 MINUTES 20 SECONDS EAST, 761.16 FEET ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 29 TO THE EAST RIGHT-OF-WAY LINE OF 26TH STREET AS DESCRIBED IN DEED RECORDED IN BOOK 1291 AT PAGE 444 OF THE RECORDS OF BOULDER COUNTY, COLORADO AND THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 89 DEGREES 55 MINUTES 20 SECONDS EAST, 100.08 FEET ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 29 TO THE NORTHWEST CORNER OF THAT TRACT OF LAND AS DESCRIBED IN WARRANTY DEED RECORDED ON FILM 635 AT RECEPTION NO. 879256 OF THE RECORDS OF BOULDER COUNTY, COLORADO; THENCE SOUTH 00 DEGREES 54 MINUTES 30 SECONDS EAST, 261.00 FEET ALONG THE WEST LINE OF SAID TRACT OF LAND DESCRIBED ON SAID FILM 635 AT RECEPTION NO. 879256 TO THE NORTH RIGHT-OF-WAY LINE OF CANYON BOULEVARD (COLORADO STATE HIGHWAY NO. 119) AS DESCRIBED IN DEED RECORDED IN BOOK 1265 AT PAGE 27 OF THE RECORDS OF BOULDER COUNTY, COLORADO; THENCE NORTH 88 DEGREES 40 MINUTES 30 SECONDS WEST, 100.15 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID CANYON BOULEVARD TO THE EAST RIGHT-OF-WAY LINE OF SAID 26TH STREET; THENCE NORTH 00 DEGREES 54 MINUTES 30 SECONDS WEST, 258.54 FEET ALONG THE EAST RIGHT-OF-WAY LINE OF SAID 26TH STREET TO THE TRUE POINT OF BEGINNING.

THE ABOVE PARCELS OF LAND (PARCELS A & B) ARE ALSO DESCRIBED AS FOLLOWS:

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 29, THENCE NORTH 89 DEGREES 51 MINUTES 50 SECONDS EAST, 761.16 FEET ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF

EXHIBIT A TO ORDINANCE

THE SOUTHWEST QUARTER OF SAID SECTION 29 TO THE EAST RIGHT-OF-WAY LINE OF 26TH STREET IN THE CITY OF BOULDER, COLORADO, AS DESCRIBED IN DEED RECORDED IN BOOK 1291 AT PAGE 444 OF THE RECORDS OF BOULDER COUNTY, COLORADO AND THE TRUE POINT OF BEGINNING;

THENCE NORTH 89 DEGREES 51 MINUTES 50 SECONDS EAST, 502.70 FEET ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 29 TO THE WEST RIGHT-OF-WAY LINE OF 28TH STREET IN THE CITY OF BOULDER, COLORADO; THENCE SOUTH 00 DEGREES 04 MINUTES 10 SECONDS EAST, 200.00 FEET ALONG THE WEST RIGHT-OF-WAY LINE OF SAID 28TH STREET;

THENCE SOUTH 89 DEGREES 51 MINUTES 50 SECONDS WEST, 273.43 FEET PARALLEL TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 29 TO THE EAST LINE OF THAT TRACT OF LAND AS DESCRIBED IN THAT QUIT CLAIM DEED RECORDED ON FILM 526 AS RECEPTION NO. 776266 OF THE RECORDS OF BOULDER COUNTY, COLORADO;

THENCE SOUTH 00 DEGREES 11 MINUTES 30 SECONDS EAST, 62.51 FEET ALONG THE EAST LINE OF THAT TRACT OF LAND AS DESCRIBED ON SAID FILM 526 AS RECEPTION NO. 776266 TO THE NORTH RIGHT-OF-WAY LINE OF CANYON BOULEVARD IN THE CITY OF BOULDER, COLORADO AS DESCRIBED IN BOOK 1265 AT PAGE 27 OF THE RECORDS OF BOULDER COUNTY, COLORADO;

THENCE NORTH 88 DEGREES 50 MINUTES 00 SECONDS WEST, 225.42 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID CANYON BOULEVARD TO THE EAST RIGHT-OF-WAY LINE OF SAID 26TH STREET;

THENCE NORTH 00 DEGREES 58 MINUTES 00 SECONDS WEST, 257.41 FEET ALONG THE EAST RIGHT-OF-WAY LINE OF SAID 26TH STREET TO THE TRUE POINT OF BEGINNING.

COUNTY OF BOULDER, STATE OF COLORADO.



A. JOHN BURI P.L.S. #24302
FOR AND ON BEHALF OF
SCOTT, COX & ASSOCIATES, INC.
1530 55TH STREET
BOULDER, COLORADO 80303
303.444.3051
05/05/14
PROJECT NO. 13452F

EXHIBIT B TO ORDINANCE

For Administrative Purposes Only
Address: 1715 28th St & 1725 28th St
Case No.: LUR2014-00075

DEED OF VACATION

The City of Boulder, Colorado, does hereby vacate and release to the present owners of the subservient land, in the manner prescribed by Section 43-2-302, C.R.S., the following real property interests:

1) a sidewalk easement previously dedicated to the City of Boulder and recorded in the records of the Boulder County Clerk and Recorder at Film No. 1290 Reception No. 603683 on the 14th day of February, 1984 located generally at 2625 Canyon Boulevard and 1725 28th Street and more described on Exhibit A attached hereto and incorporated herein by reference; and

2) a public sidewalk easement previously dedicated to the City of Boulder and recorded in the records of the Boulder County Clerk and Recorder at Film No. 688 Reception No. 933470 on the 9th day of January, 1970 located generally at 1725 28th Street and more described on Exhibit B attached hereto and incorporated herein by reference; and

3) a sidewalk easement previously dedicated to the City of Boulder and recorded in the records of the Boulder County Clerk and Recorder at Film 1367 Reception No. 00705792 on the 13th day of August, 1985 located generally at 1715 28th Street and more described on Exhibit C attached hereto and incorporated herein by reference; and

4) a public roadway easement for road construction previously dedicated to the City of Boulder and recorded in the records of the Boulder County Clerk and Recorder at Film 1367 Reception No. 00705792 on the 13th day of August, 1985 located generally at 1715 28th Street and more described on Exhibit D attached hereto and incorporated herein by reference; and

5) a public sidewalk easement previously dedicated to the City of Boulder and recorded in the records of the Boulder County Clerk and Recorder at Film No. 800 Reception No. 047428 on the 15th day of December, 1972 located generally at 1715 28th Street and more described on Exhibit E attached hereto and incorporated herein by reference.

The above easement vacations and releases of said easements at 2625 Canyon Boulevard, 1715 28th Street, and 1725 28th Street shall extend only to the portion and the type of easements specifically vacated. The within vacations are not to be construed as vacating any rights-of-way, easements or cross-easements lying within the description of the vacated easements.

Attachment C - Ordinance No. 8008 including Deed of Vacation

Executed this _____ day of _____, 20__, by the City Manager after having received authorization from the City Council of the City of Boulder, Colorado, **pursuant to Ordinance No. _____, adopted by the City Council of the City of Boulder, Colorado.**

CITY OF BOULDER, COLORADO

By: _____
Jane S. Brautigam,
City Manager

Attest:

City Clerk

Approved as to form:

City Attorney's Office

Date

EXHIBIT A TO DEED OF VACATION

LEGAL DESCRIPTION – SIDEWALK EASEMENT

A SIDEWALK EASEMENT RECORDED FEBRUARY 14, 1984 AT RECEPTION NO. 603683 LOCATED IN THE SW 1/4 OF SECTION 29, T1N, R70W OF THE 6TH P.M., CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

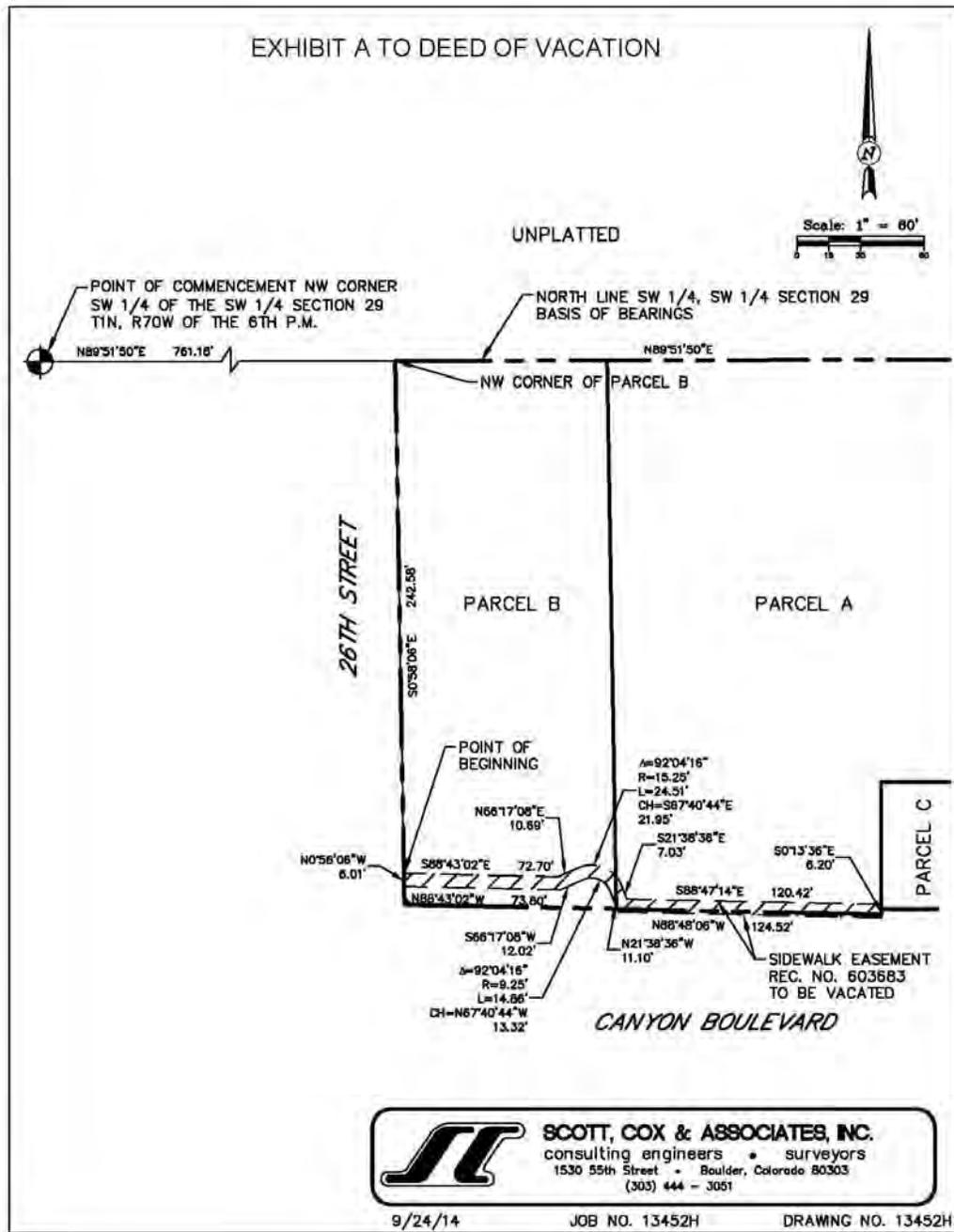
COMMENCING AT THE NORTHWEST CORNER OF THE SW 1/4 OF THE SW 1/4 OF SECTION 29, T1N, R70W OF THE 6TH P. M.; WHENCE THE NORTH LINE OF SAID SW 1/4, SW 1/4 BEARS N89°51'50"E SAID LINE FORMING THE BASIS OF BEARING FOR THIS DESCRIPTION; THENCE N89°51'50"E ALONG SAID NORTH LINE A DISTANCE OF 761.18 FEET TO THE NORTHWEST CORNER OF PARCEL B; THENCE S00°58'06"E ALONG THE WEST LINE OF SAID PARCEL B, A DISTANCE OF 242.58 FEET TO THE POINT OF BEGINNING;

THENCE S88°43'02"E, A DISTANCE OF 72.70 FEET; THENCE N66°17'08"E, A DISTANCE OF 10.69 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 15.25 FEET AND A CENTRAL ANGLE OF 92°04'16" (CHORD BEARS S67°40'44"E, 21.95 FEET), 24.51 FEET; THENCE S21°38'36"E, A DISTANCE OF 7.03 FEET; THENCE S88°47'14"E, A DISTANCE OF 120.42 FEET; THENCE S00°13'36"E, A DISTANCE OF 6.20 FEET; THENCE N88°48'06"W, A DISTANCE OF 124.52 FEET; THENCE N21°38'36"W, A DISTANCE OF 11.10 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 9.25 FEET AND A CENTRAL ANGLE OF 92°04'16" (CHORD BEARS N67°40'44"W, 13.32 FEET), 14.86 FEET; THENCE S66°17'08"W, A DISTANCE OF 12.02 FEET; THENCE N88°43'02"W, A DISTANCE OF 73.80 FEET TO A POINT ON SAID WEST LINE; THENCE N00°58'06"W ALONG SAID WEST LINE, A DISTANCE OF 6.01 FEET TO THE POINT OF BEGINNING;

SAID PARCEL CONTAINS 1456 SQUARE FEET OR 0.033 ACRES.



A. JOHN BURI P.L.S. #24302
FOR AND ON BEHALF OF
SCOTT, COX & ASSOCIATES, INC.
1530 55TH STREET
BOULDER, COLORADO 80303
303.444.3051
09/24/14
PROJECT NO. 13452H



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EXHIBIT B TO DEED OF VACATION

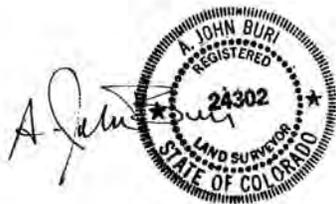
LEGAL DESCRIPTION – SIDEWALK EASEMENT

A SIDEWALK EASEMENT RECORDED JANUARY 9, 1970 AT RECEPTION NO. 933470 LOCATED IN THE SW 1/4 OF SECTION 29, T1N, R70W OF THE 6TH P.M., CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

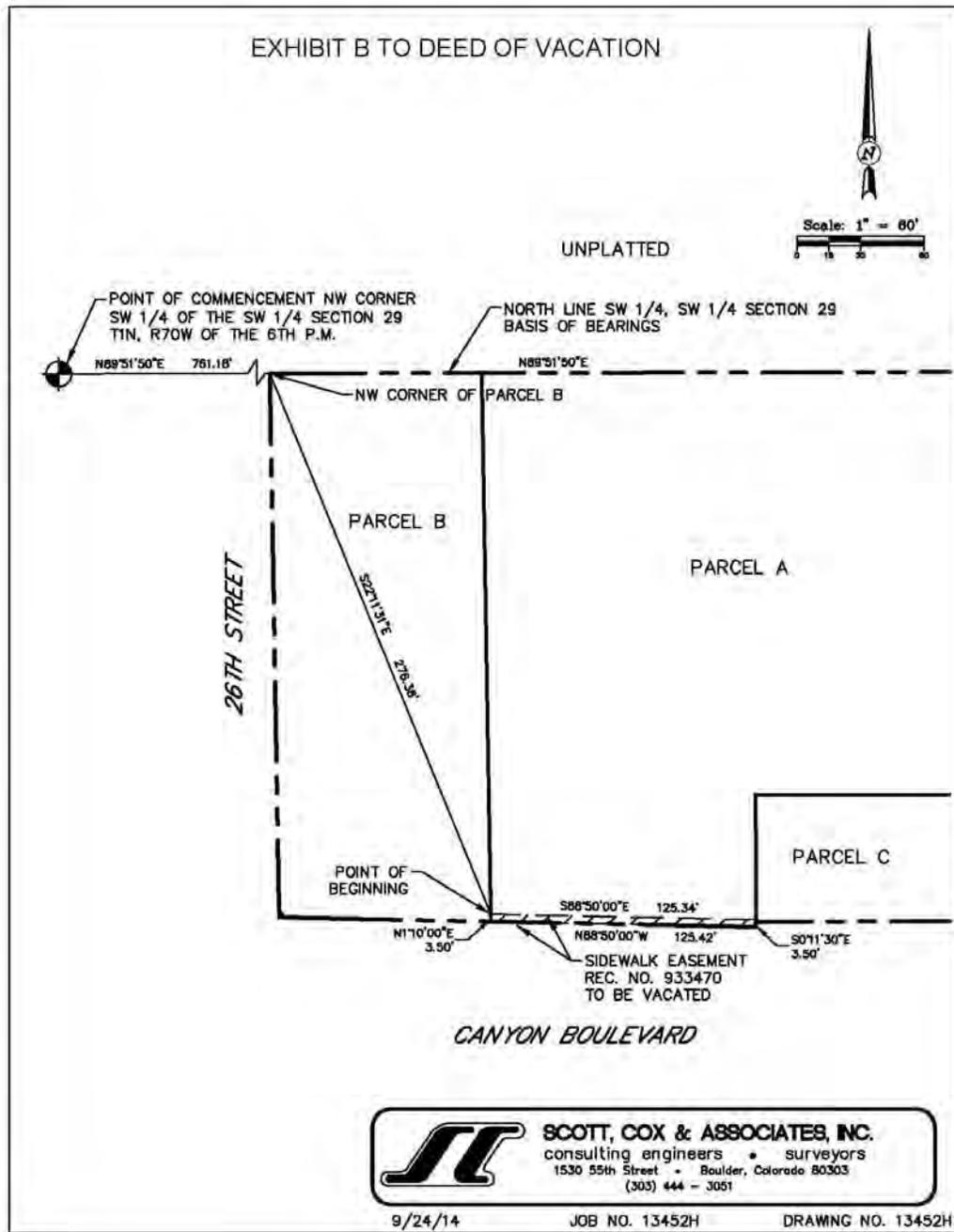
COMMENCING AT THE NORTHWEST CORNER OF THE SW 1/4 OF THE SW 1/4 OF SECTION 29, T1N, R70W OF THE 6TH P. M., WHENCE THE NORTH LINE OF SAID SW 1/4, SW 1/4 BEARS N89°51'50"E SAID LINE FORMING THE BASIS OF BEARING FOR THIS DESCRIPTION; THENCE N89°51'50"E ALONG SAID NORTH LINE, A DISTANCE OF 761.18 FEET TO THE NORTHWEST CORNER OF PARCEL B, THENCE S22°11'31"E, A DISTANCE OF 276.38 FEET TO A POINT ON THE WEST LINE OF PARCEL A, AND THE POINT OF BEGINNING;

THENCE S88°50'00"E, A DISTANCE OF 125.34 FEET TO THE EASTERLY LINE OF PARCEL A; THENCE S00°11'30"E ALONG SAID EAST LINE, A DISTANCE 3.50 FEET TO THE SOUTH LINE OF SAID PARCEL A; THENCE N88°50'00"W ALONG SAID SOUTH LINE, A DISTANCE OF 125.42 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL A; THENCE N01°10'00"E ALONG SAID WEST LINE, A DISTANCE OF 3.50 FEET TO THE POINT OF BEGINNING;

SAID PARCEL CONTAINS 439 SQUARE FEET OR 0.010 ACRES.



A. JOHN BURI P.L.S. #24302
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1530 55TH STREET
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09/24/14
PROJECT NO. 13452H



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EXHIBIT C TO DEED OF VACATION

LEGAL DESCRIPTION – SIDEWALK EASEMENT

A SIDEWALK EASEMENT RECORDED AUGUST 13, 1985 AT RECEPTION NO. 705792 LOCATED IN THE SW 1/4 OF SECTION 29, T1N, R70W OF THE 6TH P.M., CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SW 1/4 OF THE SW 1/4 OF SECTION 29, T1N, R70W OF THE 6TH P. M., WHENCE THE NORTH LINE OF SAID SW 1/4, SW 1/4 BEARS N89°51'50"E SAID LINE FORMING THE BASIS OF BEARING FOR THIS DESCRIPTION; THENCE N89°51'50"E ALONG SAID NORTH LINE, A DISTANCE OF 761.18 FEET TO THE NORTHWEST CORNER OF PARCEL B; THENCE S67°52'11"E, A DISTANCE OF 527.82 FEET TO A POINT ON THE NORTH LINE OF PARCEL C, AND THE POINT OF BEGINNING;

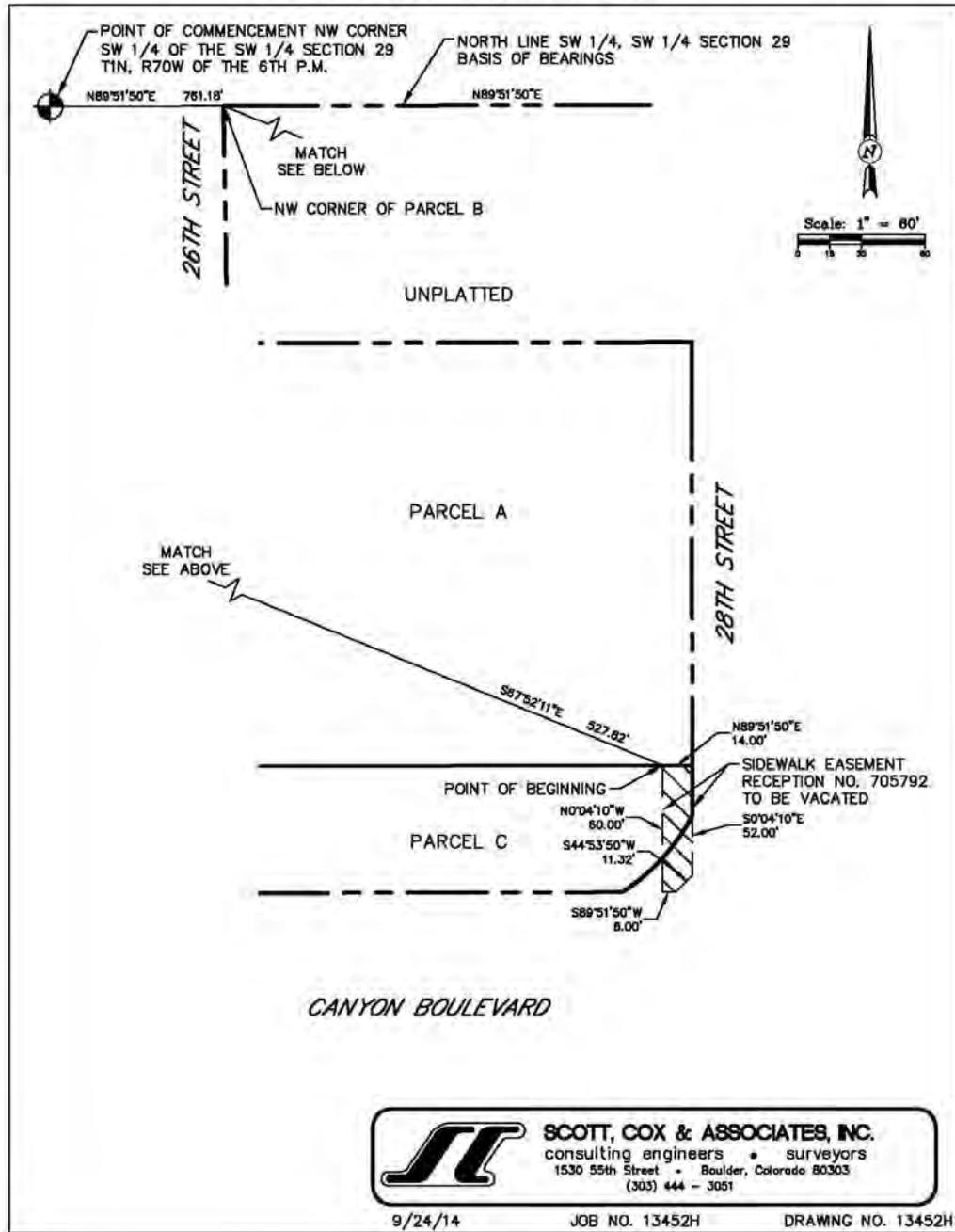
THENCE N89°51'50"E, A DISTANCE OF 14.00 FEET TO THE NORTHEAST CORNER OF SAID PARCEL C; THENCE S00°04'10"E, A DISTANCE OF 32.00 FEET; THENCE S44°53'50"W, A DISTANCE 11.32 FEET; THENCE S89°51'50"W, A DISTANCE OF 6.00 FEET; THENCE N00°04'10"W, A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING;

SAID PARCEL CONTAINS 808 SQUARE FEET OR 0.019 ACRES.



A. JOHN BURI P.L.S. #24302
FOR AND ON BEHALF OF
SCOTT, COX & ASSOCIATES, INC.
1530 55TH STREET
BOULDER, COLORADO 80303
303.444.3051
09/24/14
PROJECT NO. 13452H

EXHIBIT C TO DEED OF VACATION



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EXHIBIT D TO DEED OF VACATION

LEGAL DESCRIPTION – PUBLIC ROADWAY EASEMENT FOR ROAD CONSTRUCTION

A PUBLIC R.O.W. FOR ROAD CONSTRUCTION RECORDED AUGUST 13, 1985 AT RECEPTION NO. 705792 LOCATED IN THE SW 1/4 OF SECTION 29, T1N, R70W OF THE 6TH P.M., CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SW 1/4 OF THE SW 1/4 OF SECTION 29, T1N, R70W OF THE 6TH P. M., WHENCE THE NORTH LINE OF SAID SW 1/4, SW 1/4 BEARS N89°51'50"E SAID LINE FORMING THE BASIS OF BEARING FOR THIS DESCRIPTION; THENCE N89°51'50"E ALONG SAID NORTH LINE, A DISTANCE OF 761.18 FEET TO THE NORTHWEST CORNER OF PARCEL B; THENCE S67°52'11"E, A DISTANCE OF 527.82 FEET TO THE NORTH LINE OF SAID PARCEL C; THENCE N89°51'50"E, A DISTANCE OF 14.00 FEET TO THE NORTHEAST CORNER OF SAID PARCEL C; THENCE S00°04'10"E, A DISTANCE OF 52.00 FEET TO THE POINT OF BEGINNING;

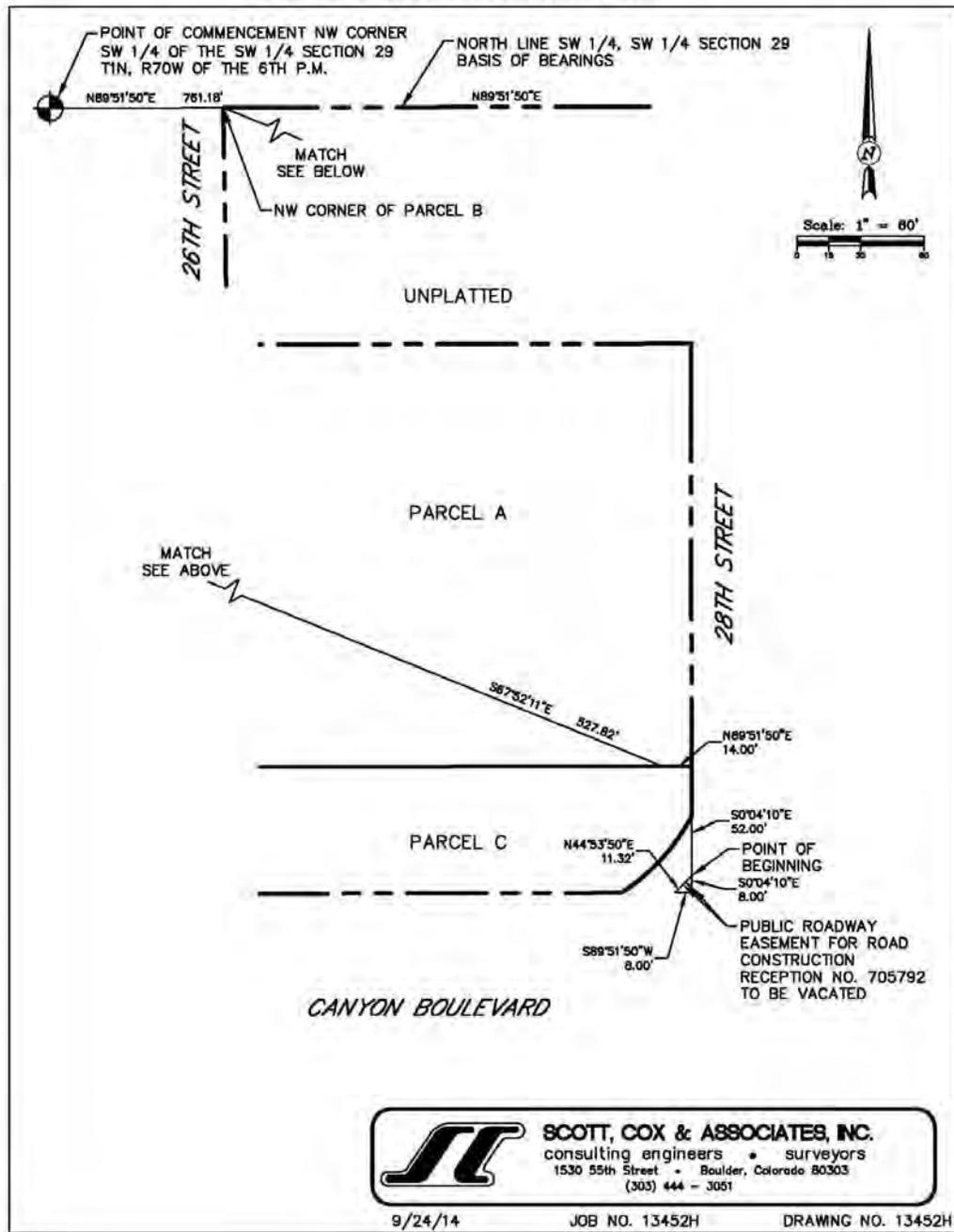
THENCE S00°04'10"E, A DISTANCE OF 8.00 FEET; THENCE S89°51'50"W, A DISTANCE 8.00 FEET; THENCE N44°53'50"E, A DISTANCE OF 11.32 FEET TO THE POINT OF BEGINNING;

SAID PARCEL CONTAINS 32 SQUARE FEET OR 0.001 ACRES.



A. JOHN BURI P.L.S. #24302
FOR AND ON BEHALF OF
SCOTT, COX & ASSOCIATES, INC.
1530 55TH STREET
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EXHIBIT D TO DEED OF VACATION



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SCOTT, COX & ASSOCIATES, INC.
 consulting engineers • surveyors
 1530 55th Street • Boulder, Colorado 80303
 (303) 444 - 3051

9/24/14

JOB NO. 13452H

DRAWING NO. 13452H

EXHIBIT E TO DEED OF VACATION

LEGAL DESCRIPTION – PUBLIC SIDEWALK EASEMENT

A PUBLIC SIDEWALK EASEMENT RECORDED DECEMBER 15, 1972 AT RECEPTION NO. 047428 LOCATED IN THE SW 1/4 OF SECTION 29, T1N, R70W OF THE 6TH P.M., CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SW 1/4 OF THE SW 1/4 OF SECTION 29, T1N, R70W OF THE 6TH P. M., WHENCE THE NORTH LINE OF SAID SW 1/4, SW 1/4 BEARS N89°51'50"E SAID LINE FORMING THE BASIS OF BEARING FOR THIS DESCRIPTION; THENCE N89°51'50"E ALONG SAID NORTH LINE, A DISTANCE OF 761.18 FEET TO THE NORTHEAST CORNER OF PARCEL A; THENCE S62°09'20"E, A DISTANCE OF 426.28 FEET TO THE POINT OF BEGINNING;

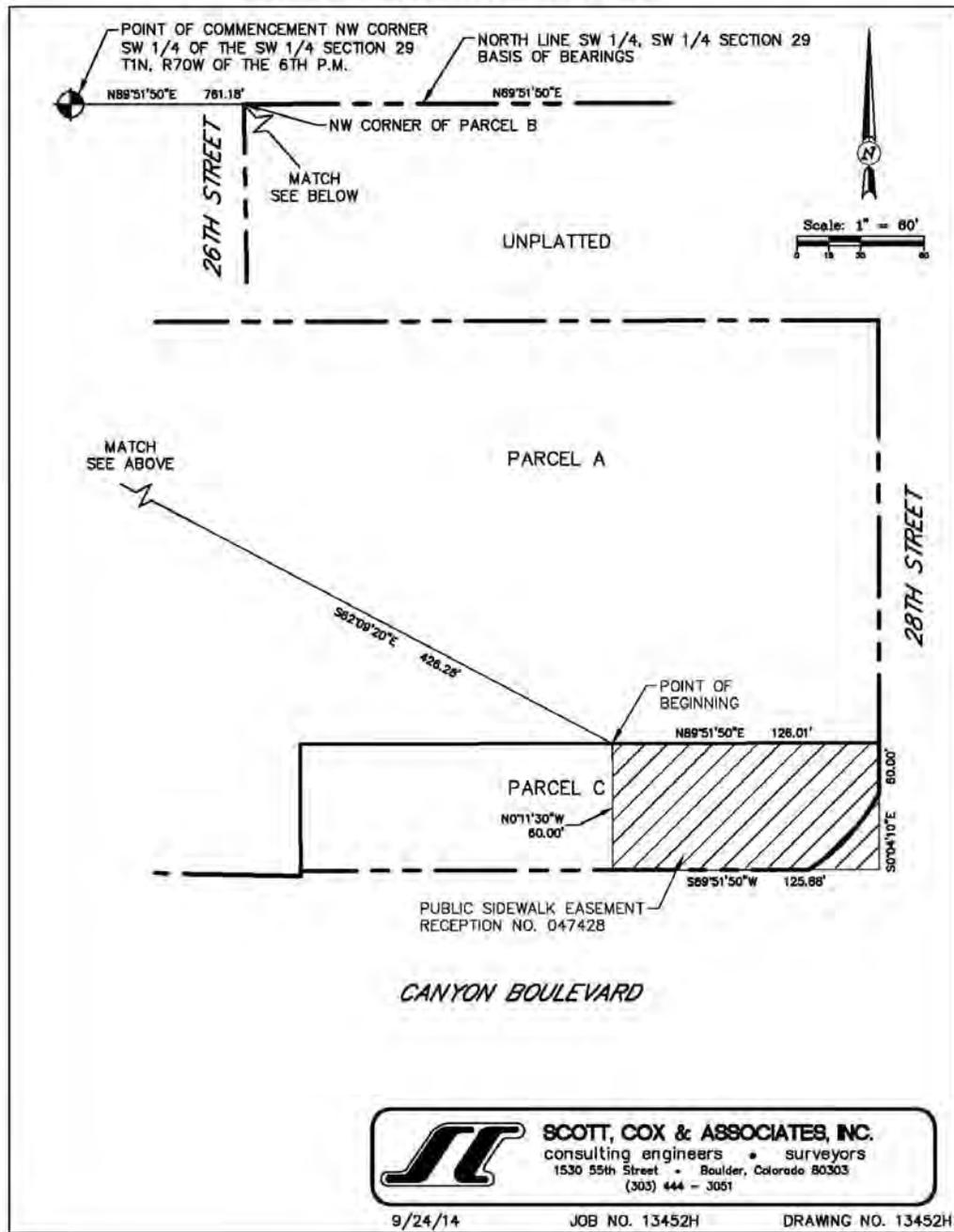
THENCE N89°51'50"E ALONG NORTH LINE OF PARCEL C, A DISTANCE OF 126.01 FEET TO THE NORTHEAST CORNER OF SAID PARCEL C; THENCE S00°04'10"E, A DISTANCE 60.00 FEET; THENCE S89°51'50"W, A DISTANCE OF 125.88 FEET; THENCE N00°11'30"W, A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING;

SAID PARCEL CONTAINS 7,557 SQUARE FEET OR 0.173 ACRES.



A. JOHN BURI P.L.S. #24302
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09/24/14
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EXHIBIT E TO DEED OF VACATION



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 (303) 444 - 3051

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**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: November 6, 2014

AGENDA TITLE:

Introduction, first reading and consideration of a motion to order published by title only an ordinance amending Chapter 2-2, B.R.C. 1981 by the addition of a new Section 2-2-19, "Record Retention"; adopting the Colorado State Records Retention Schedule; and repealing Ordinance Nos. 5753, 5879 and 5972.

PRESENTERS

Jane S. Brautigam, City Manager
Thomas A. Carr, City Attorney
Elesha M. Johnson, City Records Manager

EXECUTIVE SUMMARY

The proposed ordinance would add a new Section 2-2-19 to the Boulder Revised Code and adopt the Colorado State Records Retention Schedule (CSRRS). This schedule will be used as a basis to make decisions related to the destruction and preservation of city records. Before seeking council approval, the City Manager and Colorado State Archivist approved the proposed records retention schedule in July 2014 (**Attachment B**). Additionally, the proposed ordinance will repeal three ordinances that established a city records retention policy beginning in 1995.

STAFF RECOMMENDATION

Suggested Motion Language:

Staff requests council consideration of this matter and action in the form of the following motions:

Motion to introduce on first reading and order published by title only an ordinance amending Chapter 2-2, B.R.C. 1981 by the addition of a new Section 2-2-19, "Record Retention"; adopting the Colorado State Records Retention Schedule; and repealing Ordinance Nos. 5753, 5879 and 5972.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- **Economic:** Over time, as the city implements the record retention and destruction system, it is anticipated that the city will make more efficient use of city resources, including physical storage and electronic storage.
- **Environmental:** The proposed retention schedule supports the city's continued use of electronic records, which is supportive of the city's environmental values.
- **Social:** The proposed schedule will bring the city into alignment with 192 other municipalities in the State of Colorado and will provide consistency and transparency for those interested in accessing government records.

OTHER IMPACTS

- **Fiscal** – There are no budgetary impacts associated with the adoption of the CSRRS.
- **Staff time** – This work will be performed with existing staff as part of their normal duties.

BACKGROUND

In 1995, the city council adopted a records retention policy (Ordinance No. 5753). Council extended this policy in 1997 and 1998 (Ordinance Nos. 5879 and 5972) (**Attachment C**). As a home rule city, Boulder has the choice of using the state's retention schedule or establishing its own. Of the 271 municipalities in Colorado, 192 use the CSRRS. Staff from several municipalities recognized the need for a comprehensive records retention schedule that could be used by any municipality. The "*Colorado Municipal Records Retention Schedule*" was made possible through a cooperative venture between the state and local governments.

The State Archivist reviews and updates the schedule on an annual basis to ensure the practices are current and efficient. The most current revision and amendments were completed in May 2013. The Archivist compiles, reviews, and approves all changes/updates and distributes them to the municipalities through the Colorado Code Publishing Company.

The City of Boulder has both electronic and physical off-site storage. With the current schedule, the majority of records are retained permanently. This creates electronic and off-site repositories that are cluttered, difficult to manage and result in increased retention costs. Our off-site storage count to date is 4,053 boxes with a cost of approximately \$1,700 to \$2,000 per month.

A new retention schedule will provide the opportunity to re-assess the city's permanent retention practices and dispose of records that have reached the end of their useful life cycles. Fewer electronic and physical records will reduce off-site storage costs and decrease the burden on the city's IT infrastructure. This is a more sustainable retention model than what exists currently.

ANALYSIS

Staff recommends that the council adopt the CSRRS. This will ensure the following industry-standard records management practices will be supported:

- ✓ Allow the Central Records staff and the City’s Records Management Committee, once established, to perform a complete inventory of its paper and electronic records. This will include a box audit of all records currently being stored at our off-site facility and the electronic records stored within the city’s network servers and hard drives.
- ✓ Once the inventory is completed, staff will be able to decrease the cost of off-site storage.
- ✓ Re-claim inefficiently used server space.
- ✓ Provide a yearly schedule for records purging and destruction.
- ✓ Establish a foundation for training and standard operating procedures covering overall records management practices.

By adopting the state’s retention schedule, the city would be in alignment with the 192 municipalities that currently use this schedule. The state’s schedule has been well researched and tested over time. The research and feedback given to its authors has proven it to be effective and efficient for all types and sizes of municipalities. It is reviewed quarterly to ensure the forms and documents utilized by Colorado municipalities are current with the active life cycle of the record.

The city’s existing schedule and the state’s schedule are both too extensive to include as attachments, but can be found at <https://www-static.bouldercolorado.gov/docs/retention-1-201305021250.pdf> and <https://www.colorado.gov/archives/municipal-records-retention-manual>. The primary change is a reduction in the types of records that must be maintained permanently. The state schedule provides a rational basis for destroying records when they have reached the end of their life cycles. The following are a few illustrative examples of the differences between the city’s current retention schedule and the state schedule.

Type or Document	Category	Current City Policy	Proposed State Schedule
OATHS OF OFFICE	Elected and Appointed Officials	Permanent	1 year after the end of the Term of Office
PROOFS OF PUBLICATION	Ordinances and Resolutions	Permanent	6 years or until ordinance is repealed, reenacted, whichever is later
DOCKET SHEET	All	Permanent	2 years, except retain those older than 1920 permanently
PENSION RECORDS	All	Permanent	10 years after benefits are no longer paid or after eligibility of employee or survivors for benefits ceases, whichever is later

The next step is to review and refine the inventory of the city's paper and electronic records. This inventory will inform the city's retention practices and provide a solid foundation from which to further implement records management industry best practices. Decisions about what documents will be retained or destroyed will be guided by the Colorado Municipal Records Retention Schedule.

ATTACHMENTS

Attachment A - Proposed Ordinance

Attachment B - Colorado State Archivist Approval Form

Attachment C - Ordinance Nos. 5753, 5879 and 5972

ORDINANCE NO. 8011

AN ORDINANCE AMENDING CHAPTER 2-2, B.R.C. 1981 BY THE ADDITION OF A NEW SECTION 2-2-19, "RECORD RETENTION"; ADOPTING THE COLORADO STATE RECORDS RETENTION SCHEDULE; REPEALING ORDINANCE NOS. 5753, 5879 AND 5972; AND SETTING FORTH RELATED DETAILS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO:

Section 1. The City Council finds and recites:

The Council recognizes a need for a comprehensive records retention schedule for the district's non-permanent records and the retention of those records that have long-term administrative, fiscal and historical value.

Section 2. Ordinances Nos. 5753, 5879 and 5972, establishing city records retention schedules are repealed by this ordinance.

Section 3. The city council amends Chapter 2-2, B.R.C. 1981, by the addition of a new section 2-2-19, to read:

Section 2-2-19 Records Retention.

(a) The city manager is the custodian of the public records of the city not specifically entrusted to any other department by the city charter or other ordinance.

(b) The city adopts the Colorado Records Retention Schedule of the Colorado State Archives and subsequent revisions and amendments.

(c) The Records Retention Manual will be used as a basis to make decisions related to the destruction and preservation of city records.

Section 4. The Council authorizes the City Manager to submit the Records Management Manual Approval Request Form to the Colorado State Archives on behalf of the city.

Records Management Manual

Approval Request Form

County Municipality School District/BOCES Special District

NAME OF ENTITY

City of Boulder

CONTACT PERSON/TITLE:

Elesha M. Johnson, City Records Manager

MAILING ADDRESS:

1777 Broadway, Office of Central Records, 2nd Floor, Boulder, CO 80302

TELEPHONE:

303-441-3059

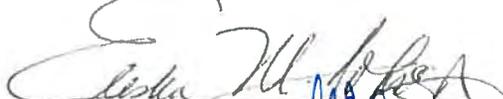
E-MAIL:

JohnsonE2@bouldercolorado.gov

LOCAL EXCEPTIONS:

(List and provide basis and description of any local exceptions for records retention periods that are specified by formal direction of the local ordinance, Home Rule Charter provision, by board resolution or formal direction of the school board, governing body, etc., that differ from those set out in the Records Retention Manual for your specific entity. Use additional pages if needed.)

THE ABOVE ENTITY HEREBY REQUESTS APPROVAL FROM THE COLORADO STATE ARCHIVES TO FOLLOW THE SPECIFIC ENTITY'S RECORDS RETENTION MANUAL, WITH THE LOCAL EXCEPTIONS INDICATED.



SIGNATURE OF AUTHORIZED ENTITY REPRESENTATIVE

7-10-14

DATE OF SUBMITTAL OF REQUEST FOR APPROVAL

07/09/2014

SIGNATURE OF STATE ARCHIVIST AND DATE

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ORDINANCE NO. 5753

AN ORDINANCE ADOPTING A RECORD RETENTION SCHEDULING SYSTEM AND SETTING FORTH DETAILS IN RELATION THERETO.

WHEREAS, the City of Boulder, in the County of Boulder and the State of Colorado (the "City"), is a municipal corporation duly organized and existing as a home rule city pursuant to Article XX of the Constitution of the State of Colorado and the Charter of the City (the "Charter"); and

WHEREAS, the promotion of storage efficiency and paper product recycling and conservation in a City record retention facility will promote the common welfare and benefit the inhabitants of the City and is a matter of local concern; and

WHEREAS, Section 68 of the Charter provides in relevant part that the Director of Finance and Record, ex-officio City Clerk, shall "have custody of all public records of the city not specifically entrusted to any other department by this charter or by ordinance and perform such other duties pertaining to such department as are in this charter specified, or may be by ordinance required, or be assigned by the city manager;" and

WHEREAS, the Records Manager, on behalf of the Director of Finance and Record ex-officio City Clerk, has corresponded with the Colorado State Archivist proposing a retention schedule in compliance with the guidelines prepared by the Colorado Municipal Clerks Association, to which the Archivist has agreed; and

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WHEREAS, the proposed new record retention schedule and disposal process will be on a trial basis for a period not to exceed eighteen (18) months beginning with the effective date of this ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO:

Section 1. **POLICY**

It is hereby declared to be the policy of the City to provide for efficient, economical and effective controls over the creation, distribution, organization, maintenance, use and disposition of all City records through a comprehensive system of integrated procedures for the management of records from their creation to their ultimate disposition, consistent with accepted records management practices.

Section 2. **CITY RECORDS DECLARED PUBLIC PROPERTY**

All City records as defined by state law are the property of the City. No City official or employee has, by virtue of his or her position, any personal or property right to such records even though he or she may have developed or compiled them. The unauthorized destruction, removal from files, or use of such records is prohibited.

Section 3. **RECORDS MANAGER**

The Director of Finance and Record shall designate an individual who will serve as the Records Manager of the City. The Records Manager shall implement the policies of the records management program for the City as defined in this ordinance.

Section 4. **ESTABLISHMENT OF THE RECORDS MANAGEMENT STEERING COMMITTEE: DUTIES**

A Records Management Steering Committee, consisting of a representative of the City Manager's department, a representative from the Information Systems department, a representative from the City Attorney's Office, and the City's internal auditor, is hereby established. The Committee shall:

- A. Assist the Records Manager in the development of policies and procedures governing the Records Management Program;
- B. Review the performance of the program on a regular basis and propose changes and improvements when necessary;
- C. Review and approve record retention schedules submitted by the Records Manager;
- D. Give approval to the destruction of records in accordance with approved records retention schedules; and
- E. Actively support and promote the Records Management Program throughout the City.

Section 5. DUTIES AND RESPONSIBILITIES OF DEPARTMENT HEADS

In addition to other duties as assigned, department heads shall:

- A. Cooperate with the Records Manager in carrying out the policies and procedures established in the City for efficient and economical management of records and in carrying out the requirements of this ordinance.
- B. Adequately document the transaction of government business and the services programs duties for which the department head and their staff are responsible; and
- C. Maintain the records in their care and carry out their preservation, destruction, or other disposition only in accordance with the policies and procedures of the records management program of the City and requirements of this ordinance.

Section 6. DESIGNATION OF RECORDS LIAISON OFFICERS

Each department head shall designate a staff member to serve as Records Liaison Officer for the implementation of the Records Management Program in such department. If the Records Manager determines in the best interest of the program that more than one Records Liaison Officer should be designated for a department, the department head shall designate the number of Records Liaison Officers specified by the Records Manager. Persons designated as Records Liaison Officer shall be thoroughly familiar with all the records created and maintained by such department and shall have full access to all of the records of the City maintained by the department. In the event of the resignation, retirement, dismissal or removal by action of the department head of a person designated as a Records Liaison Officer, the department head shall

promptly designate another person to fill the vacancy. A department head may serve as Records Liaison officer.

Section 7. DUTIES AND RESPONSIBILITIES OF RECORDS LIAISON OFFICERS

In addition to other duties as assigned, Records Liaison Officers shall:

- A. Assist the Records Manager in conducting inventories of the records of the department in preparation for the development of a records retention schedule;
- B. In cooperation with the Records Manager, coordinate and implement the policies and procedures of the Records Management Program in their departments; and
- C. Disseminate information to staff concerning the Records Management Program.

Section 8. RECORDS RETENTION SCHEDULES TO BE DEVELOPED; APPROVAL; FILING WITH STATE

- A. The Records Manager, in cooperation with department heads and Records Liaison Officers, shall prepare record retention schedules, on a department by department basis, listing all records created or received by the department and the retention period for each record.
- B. Each records retention schedule shall be monitored and amended as needed by the Records Manager on a regular basis to ensure that compliance is maintained, and that the schedule continues to reflect the record keeping procedures and needs of the department and the Records Management Program of the City.
- C. Before its adoption, a records retention schedule or revision of an existing records retention schedule for a department must be approved by the department head, the members of the Records Management Steering Committee, and the City Attorney.
- D. After the adoption of a records retention schedule, the schedule will be submitted to the State Archivist. If a retention schedule is not accepted, the schedule shall be amended to make it acceptable for filing with the State Archivist. In the event of a retention period being lengthened by the State Archivist, any records that have been destroyed by the City prior to notification of the change are covered by the previous retention schedule.

**Section 9. IMPLEMENTATION OF RECORDS RETENTION SCHEDULES;
DESTRUCTION OF RECORDS UNDER SCHEDULE**

- A. A records retention schedule for a department that has been approved and adopted under this ordinance shall be implemented by department heads and Records Liaison officers according to the policies and procedures set up by the Records Management Steering Committee.
- B. A record for which the retention period has expired on a records retention schedule shall be destroyed unless an open records request is pending on the record, the subject matter of the record is pertinent to a pending lawsuit, or the department head submits in writing to the Records Management Steering committee a valid reason for retaining the record for an additional period.
- C. Prior to the destruction of a record under an approved retention schedule, authorization for the destruction must be obtained by the Records Manager from the Records Management Steering Committee.

Section 10. DESTRUCTION OF UNSCHEDULED RECORDS

A record that has yet to be listed on an approved record retention schedule may be destroyed if its destruction has been approved in the same manner as a record destroyed under an approved schedule and the Records Manager has submitted to and received from the Records Management Steering Committee an approved destruction request. Drafts, notes, electronic mail, and other items not normally retained as public records may be destroyed without any such formality.

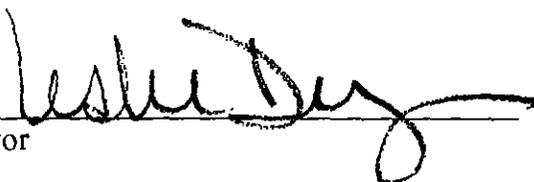
Section 11. TRACKING OF DESTROYED RECORDS

A log of destroyed records shall be maintained by the Records Manager as evidence of the records having been destroyed. This log shall contain what records series the record was, the date the record was destroyed, the authorization number, and how it was destroyed. This log shall be a permanent record and kept on file in the office of the Records Manager.

Section 12. This ordinance is necessary to protect the public health, safety, and welfare of the residents of the city, and covers matters of local concern.

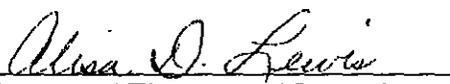
Section 13. The council deems it appropriate that this ordinance be published by title only and orders that copies of this ordinance be made available in the office of the city clerk for public inspection and acquisition.

INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY
TITLE ONLY this 5th day of September, 1995.



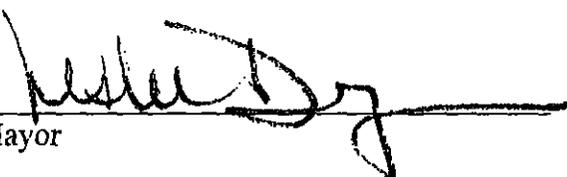
Mayor

Attest:



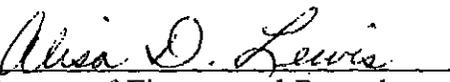
Director of Finance and Record
Ex-Officio City Clerk

READ ON SECOND READING, PASSED, ADOPTED, AND ORDERED PUBLISHED
BY TITLE ONLY this 19th day of September, 1995.



Mayor

Attest:



Director of Finance and Record
Ex-Officio City Clerk

ORDINANCE NO. 5879

AN EMERGENCY ORDINANCE TO EXTEND THE PROVISIONS OF ORDINANCE NO. 5753 RELATED TO THE RECORD RETENTION SCHEDULING SYSTEM FOR AN ADDITIONAL TWELVE MONTHS AND SETTING FORTH DETAILS IN RELATION THERETO.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO, THAT:

Section 1. Ordinance 5753 is amended to extend the new record retention schedule and disposal process on a trial basis beyond the original eighteen months for an additional twelve month period, beginning with the effective of this ordinance. The council finds this extension necessary to provide staff with additional time for training of personnel responsible for the implementation of records retention schedules and destruction of records.

Section 2. The council finds that an emergency exists due to the need to complete additional training and more fully develop appropriate handling procedures under the guidelines of the Colorado State Archivist. This ordinance is intended to be interim in nature and replaced by permanent legislation. Therefore, the council orders that this ordinance be effective immediately upon adoption.

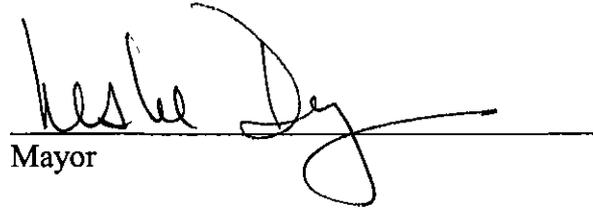
Section 3. This ordinance is necessary to protect the public health, safety, and welfare of the residents of the city, and covers matters of local concern.

Section 4. The council deems it appropriate that this ordinance be published by title only and orders that copies of this ordinance be made available in the office of the city clerk for public inspection and acquisition.

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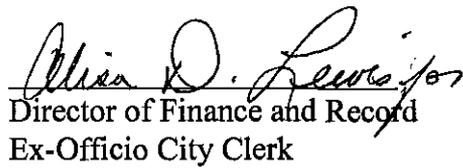
INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY TITLE

ONLY this 18th day of March, 1997.



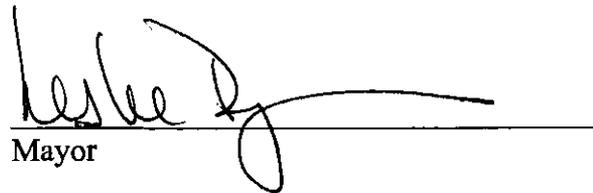
Mayor

Attest:



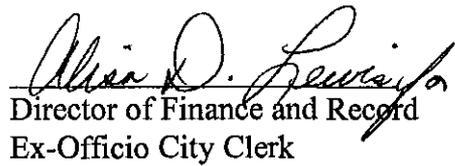
Director of Finance and Record
Ex-Officio City Clerk

READ ON SECOND READING, PASSED, ADOPTED AS AN EMERGENCY BY A
TWO-THIRDS VOTE OF COUNCILMEMBERS PRESENT, AND ORDERED PUBLISHED BY
TITLE ONLY this 1st day of April, 1997.



Mayor

Attest:



Director of Finance and Record
Ex-Officio City Clerk

ORDINANCE NO. 5972

AN ORDINANCE TO EXTEND THE PROVISIONS OF ORDINANCE NO. 5879 RELATED TO THE RECORD RETENTION SCHEDULING SYSTEM FOR AN ADDITIONAL THREE YEARS AND SETTING FORTH DETAILS IN RELATION THERETO.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO, THAT:

Section 1. Ordinance No. 5879 is amended to extend the new record retention schedule and disposal process on a trial basis ~~the~~ for an additional three year period beginning April 1, 1998. Ordinance No. 5879 amended Ordinance No. 5753 to extend the new record retention schedule and disposal process on a trial basis beyond the original eighteen months for an additional twelve month period until April 1, 1998. The council finds ~~this a new~~ three year extension ~~to April 1, 2001~~ is necessary to provide staff with additional time for staff to establish department specific retention schedules and to train personnel responsible for the implementation of records retention schedules and destruction of records.

Section 2. The council finds that there is a need to complete additional training and more fully develop appropriate handling procedures under the guidelines of the Colorado State Archivist. This ordinance is intended to be interim in nature and replaced by permanent legislation.

Section 3. This ordinance is necessary to protect the public health, safety, and welfare of the residents of the city, and covers matters of local concern.

Section 4. The council deems it appropriate that this ordinance be published by title only and orders that copies of this ordinance be made available in the office of the city clerk for public inspection and acquisition.

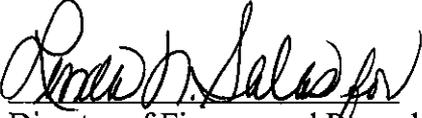
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INTRODUCED, READ ON FIRST READING, AMENDED, AND ORDERED
PUBLISHED BY TITLE ONLY this 3rd day of March, 1998.



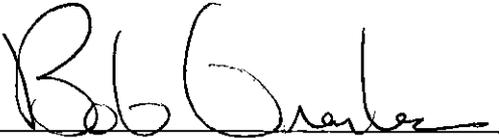
Mayor

Attest:



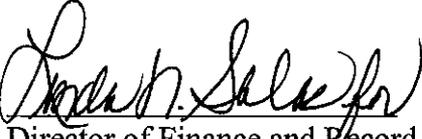
Director of Finance and Record
Ex-Officio City Clerk

READ ON SECOND READING, PASSED, ADOPTED, AND ORDERED PUBLISHED
BY TITLE ONLY this 17th day of March, 1998.



Mayor

Attest:



Director of Finance and Record
Ex-Officio City Clerk



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: November 6, 2014

AGENDA TITLE: Introduction, first reading and consideration of a motion to order published, by title only, an ordinance authorizing and directing the acquisition of property located along the Wonderland Creek corridor between Winding Trail Drive and Foothills Parkway, by purchase or eminent domain proceedings, for the construction of the Wonderland Creek Greenways Improvement Project.

PRESENTER/S

Jane S. Brautigam, City Manager
Maureen Rait, Executive Director of Public Works for Utilities
Jeff Arthur, Director of Public Works for Utilities
Bob Harberg, Principal Engineer - Utilities
Annie Noble, Flood and Greenways Engineering Coordinator
Kurt Bauer, Engineering Project Manager

EXECUTIVE SUMMARY

The city is in the process of designing a Greenways improvement project along Wonderland Creek from Foothills Parkway to Winding Trail Drive. The project will include extending the multi-use path along Wonderland Creek, providing three new pedestrian and bicycle underpasses, and constructing flood mitigation along the project reach. The September 2013 flood event resulted in substantial damages along Wonderland Creek, and future flood risks will be mitigated by this Greenways project.

Construction of the project requires the purchase of numerous temporary and permanent easements. The project has received \$2.9 million in federal grant money which has a deadline of June 30, 2015 to advertise for construction. In order to avoid losing federal funds, the city will need to have acquired all of the necessary easements prior to advertising the project for construction. The city has begun to purchase the required easements and so far has no indication of unwilling sellers. However, if the city is not able to acquire all of the easements by the required deadline, the project and federal funding will be jeopardized. Due to the lengthy process associated with eminent domain proceedings, staff is requesting council approval in advance in the event that the city

must acquire the remaining easements through eminent domain. City Council will be presented with a second reading of the proposed ordinance at a public hearing scheduled for Dec. 16, 2014.

STAFF RECOMMENDATION

Suggested Motion Language:

Staff requests council consideration of this matter and action in the form of the following motion:

Motion to introduce on first reading and order published, by title only, an ordinance authorizing and directing the acquisition of property located along the Wonderland Creek corridor between Winding Trail Drive and Foothills Parkway, by purchase or eminent domain proceedings, for the construction of the Wonderland Creek Greenways Improvement Project.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- **Economic** – The Wonderland Creek channel between Foothills Parkway and Winding Trail is inadequate to convey stormwater resulting from major storms. The September 2013 flood resulted in substantial flood damage along a portion of Wonderland Creek within the project corridor. This project will provide flood mitigation along the project reach and in neighborhoods such as Winding Trail and Kings Ridge, reducing the risk to life and property and disruptions to businesses.
- **Environmental** - The proposed multi-use path would help reduce greenhouse gas emissions by promoting non-motorized transportation. Reducing vehicle miles traveled helps meet the goals of the Transportation Master Plan and Climate Commitment. Use of the trail by commuters will also help reduce dependency on oil and other natural resources. Other project objectives include water quality and habitat improvements and mitigation of the environmental damages associated with flooding.
- **Social** - The proposed multi-use path would provide a connection to the rest of the city's path system, including a safe railroad crossing that can be used by all members of the community. The flood mitigation measures would reduce the risk to life and damage to property along a portion of Wonderland Creek, including an assisted living facility.

OTHER IMPACTS

- **Fiscal** – The total cost for this project is estimated to be \$21 million. Federal Transportation Improvement Program (TIP) funding has been granted for this project in two phases, for a total of \$2.9 million. The city's contribution is being funded through the Flood and Greenways Capital Improvement Program (CIP). Funding was initially approved by City Council as part of the [2014-2019 CIP](#), and was subsequently changed in late 2013 following the flood event. Funds previously allocated for the Wonderland Creek project were used for flood recovery efforts. While staff anticipates that FEMA will reimburse some of these funds, the timing of

the reimbursement is uncertain. As a result, the current CIP shows \$16 million in bonds for the Wonderland Project. About \$2.1 million in funding is also provided by the Urban Drainage and Flood Control District (UDFCD). Property acquisition associated with this project is estimated to cost approximately \$275,000.

- **Staff time** – Staff time for this project is included in the current work plan.

BOARD AND COMMISSION FEEDBACK

Two separate Community and Environmental Assessment Process (CEAP) reports have been prepared, one for the reach from Foothills Parkway to the Diagonal Highway and one for the reach from the Diagonal Highway to Winding Trail Drive. The Greenways Advisory Committee unanimously recommended approval of the [Wonderland Creek Foothills Parkway to Diagonal Highway CEAP](#) on Aug. 31, 2010 and unanimously approved the [Wonderland Creek Diagonal Highway to Winding Trail Drive CEAP](#) on Jan. 10, 2013. The Greenways Advisory Committee is comprised of representatives of six advisory boards that have an interest in the Greenways Program. The CEAPs were provided to all of the members of the six advisory boards for review and comment. Both CEAPs were also accepted by council.

PUBLIC FEEDBACK

An open house was conducted on Jan. 14, 2010 for the Wonderland Creek Foothills Parkway to Diagonal Highway project. Staff also conducted a meeting for the Boulders at Talisman Homeowners' Association (representing 104 units) on Feb. 16, 2010. An open house was conducted on Oct. 11, 2012 for the Wonderland Creek Diagonal Highway to Winding Trail Drive project. An open house was held on Aug. 25, 2014 to present the project design to the public. Onsite meetings were also held with all of the property management agencies and homeowners' associations affected by the project. The majority of comments received at the meetings favored all aspects of the project. Some comments noted concerns with trail crossing locations and the screening of project features. The project team has responded with the reason for the proposed trail crossing location and is working to resolve screening issues with stakeholders. Residents that were impacted by the September 2013 flood, including those located in the Winding Trail and Kings Ridge neighborhoods, have expressed great interest in completing this flood mitigation project.

BACKGROUND

The flood mitigation aspects of the Wonderland Creek Greenways Improvement Project were identified in the Fourmile Canyon Creek and Wonderland Creek Flood Mitigation Final Plan which was approved by City Council on November 10, 2009. The multi-use path and underpass components of the project are shown in the Greenways Master Plan and the Transportation Master Plan.

The September 2013 flood event resulted in substantial damages along Wonderland Creek, including damage to multifamily units located at 28th Street and Winding Trail Drive (Birchwood Condominiums) and in the King's Ridge neighborhood. This Greenways project will provide 100-year flood conveyance capacity throughout the project reach, reducing the risk of flooding for 130 structures and 583 dwelling units.

The project will also separate the creek flows from the Boulder and White Rock irrigation ditches, mitigating the flood risk in the King's Ridge neighborhood.

The project will reduce flood risk and extend and enhance the multi-use path system from Foothills Parkway to Winding Trail Drive. The project includes:

- Providing three bicycle and pedestrian underpasses at the BNSF railroad, Kalmia Avenue, and 28th Street;
- Extending the multi-use path system from Foothills Parkway to 30th Street; and
- Providing channel improvements along the project corridor.

Two separate CEAPs have been prepared and accepted, one for the reach from Foothills Parkway to the Diagonal Highway and one for the reach from the Diagonal Highway to Winding Trail. A CEAP was prepared in 2010 for the reach from Foothills Parkway to 30th Street and in 2013 for the reach from the Diagonal Highway to Winding Trail Drive. Both CEAPs were accepted by City Council. The city selected a consultant team in 2012 and is currently working on final design of the project elements. The project is estimated to cost \$21 million (including the costs associated with property acquisition) and has received a total of \$2.9 million in federal TIP funding, with the remainder being funded by the Flood and Greenways CIP and the Urban Drainage and Flood Control District.

Attachment B shows the project location.

ANALYSIS

In order to complete the Wonderland Creek Greenways Improvement Project, the city needs to secure 44 easements (14 permanent and 30 temporary) from 15 different property owners, including five homeowners' associations. The federal grant requires the project to be advertised for construction by the end of June 2015, and the city will need to acquire all of the necessary easements prior to advertising the project for construction.

The federal grant requires development and approval of right of way plans prior to acquiring any easements. The right of way plans for the project segment from Foothills Parkway to the Diagonal Highway were approved through the federal process in June 2013 and the right of way plans for the segment from the Diagonal Highway to Winding Trail Drive were approved in June 2014. The federal grant also stipulates a specific process for property acquisition. The city has hired Western States Land Services, Inc. to assist in this acquisition process, which includes:

- Determining fair market value through an appraisal process;
- Presenting an offer of fair market value to each property owner; and
- Presenting any counter offers to the city for consideration.

The average size of the permanent easements required for the project is 3,900 square feet, with an average cost of approximately \$16,000. There is no requirement to purchase structures. As of Oct. 24, 2014, Western States, on behalf of the city, has secured 9 permanent easements and 11 temporary easements from 6 property owners. **Attachment C** presents a tabular and graphical summary of the easements that will need to be secured

to complete the project, including the status of the purchasing process. **Attachment D** presents the legal descriptions of these easements.

Although the city currently does not have any indication that there may be unwilling sellers of the easements necessary to construct the project, staff recommends City Council approval to use eminent domain, if needed, to protect the project and its federal funding. **Attachment A** presents the proposed ordinance authorizing acquisition of right of way property necessary for the Wonderland Creek Greenways Improvement project by purchase or eminent domain proceedings. The city will continue to negotiate in good faith with those property owners from whom easements have not yet been secured, and the city does not intend to initiate any condemnation action unless it has exhausted efforts at negotiation. In order to ensure all easements are secured by the federal grant deadline, approval to use eminent domain would be required no later than Jan. 1, 2015.

Alternatives to approval for use of condemnation of the property to advance this project, if negotiations with any property owner fails, are:

1. Modify the project design to accommodate any missing easements. This option would be difficult, as considerable effort has been made during the design process to minimize the need to purchase easements. Modification of the design will therefore compromise the objectives of the project, including possible reduction in the flood mitigation and/or multi-use path enhancements. In addition, the federal grant requires specific project elements be constructed, including path connections and pedestrian and bicycle underpasses.
2. Abandon the project and forfeit the federal funds. Failure to fulfill the grant stipulations could jeopardize future TIP funding opportunities for the city.

ATTACHMENTS

A: Proposed Ordinance

B: Project Location Map

C: Ownership Tabulation and Right-of-Way Exhibits

D: Legal Descriptions for Outstanding Easements

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ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE ACQUISITION OF RIGHT OF WAY PROPERTY LOCATED ALONG WONDERLAND CREEK FROM FOOTHILLS PARKWAY TO WINDING TRAIL BY PURCHASE OR EMINENT DOMAIN PROCEEDINGS, FOR CONSTRUCTION OF THE WONDERLAND CREEK GREENWAYS IMPROVEMENT PROJECT.

WHEREAS THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO

FINDS AND RECITES THAT:

A. The city has adopted the Boulder Valley Comprehensive Plan, the purpose of which is to protect and promote the public health, safety and welfare. Providing for appropriate trailway, drainage and utility systems is central to policies and goals of the Plan, including but not limited to those related to economic sustainability, a multimodal transportation system, recreation, environmental protection, flood control, stormwater drainage, water quality, and the city's ecological objectives.

B. The Wonderland Creek Greenways Improvement Project (the "Project") has been identified in the Greenways Master Plan ("GMP" 2011), the Transportation Master Plan ("TMP" 2008), the Fourmile Canyon Creek and Wonderland Creek Major Drainageway Planning Final Plan ("Final Plan" 2011), the Wonderland Creek Greenways Improvement Project Foothills Parkway to Diagonal Highway Community Environmental Assessment Process ("CEAP" 2010), and the Wonderland Creek Diagonal Highway to Winding Trail Community Environmental Assessment Process ("CEAP" 2012).

C. The Project is funded through the Stormwater and Flood Management Utility and the Tributary Greenways capital improvements programs ("CIP" 2015-2020) which includes funding from the Urban Drainage and Flood Control District and the Federal Transportation Improvement Program. The total estimated project cost is \$21 million dollars.

D. The acquisition of certain rights of way described in Attachments C and D is necessary for the construction of the Project from Foothills Parkway to Winding Trail. The construction of the Project will accomplish a number of important public purposes, including:

- 1) Mitigation of flooding along the Project reach during a 100-year storm event;
- 2) Construction of a multi-use path along the creek corridor; and
- 3) Enhancement of traveler safety and traffic management by providing grade separated multi-use underpasses at the Burlington Northern and Sante Fe Railroad, Kalmia Avenue, and 28th Street.

E. Council finds that the acquisition of interest in the property described in Attachments C and D is necessary for the construction of the Wonderland Creek Greenways Improvement Project.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO:

Section 1. City Council authorizes the city manager and/or the city manager's designee and agents to formally negotiate for the acquisition of the property described in Attachments C and D or any part thereof. Council authorizes the acquisitions of such property as easements.

Section 2. City Council authorizes the acquisition of the property or properties described herein for the city by the city manager and the city attorney and/or his or her designee by the exercise of the city's power of eminent domain should negotiations for the acquisition of the property interests not be successful, and further authorizes the initiation of condemnation proceedings to acquire the above-designated property for the city.

Section 3. City Council adopts the findings and recitals set forth above into this ordinance by this ordinance. City Council deems this ordinance necessary to protect the public health, safety, and welfare of the residents of the city.

Section 4. City Council deems it appropriate that this ordinance be published by title only and orders that copies of this ordinance be made available in the office of the city clerk for public inspection and acquisition.

INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY
TITLE ONLY this ____ day of _____, 2014.

Mayor

Attest:

City Clerk

READ ON SECOND READING, PASSED, ADOPTED, AND ORDERED
PUBLISHED BY TITLE ONLY this ____ day of _____, 2014.

Mayor

Attest:

City Clerk

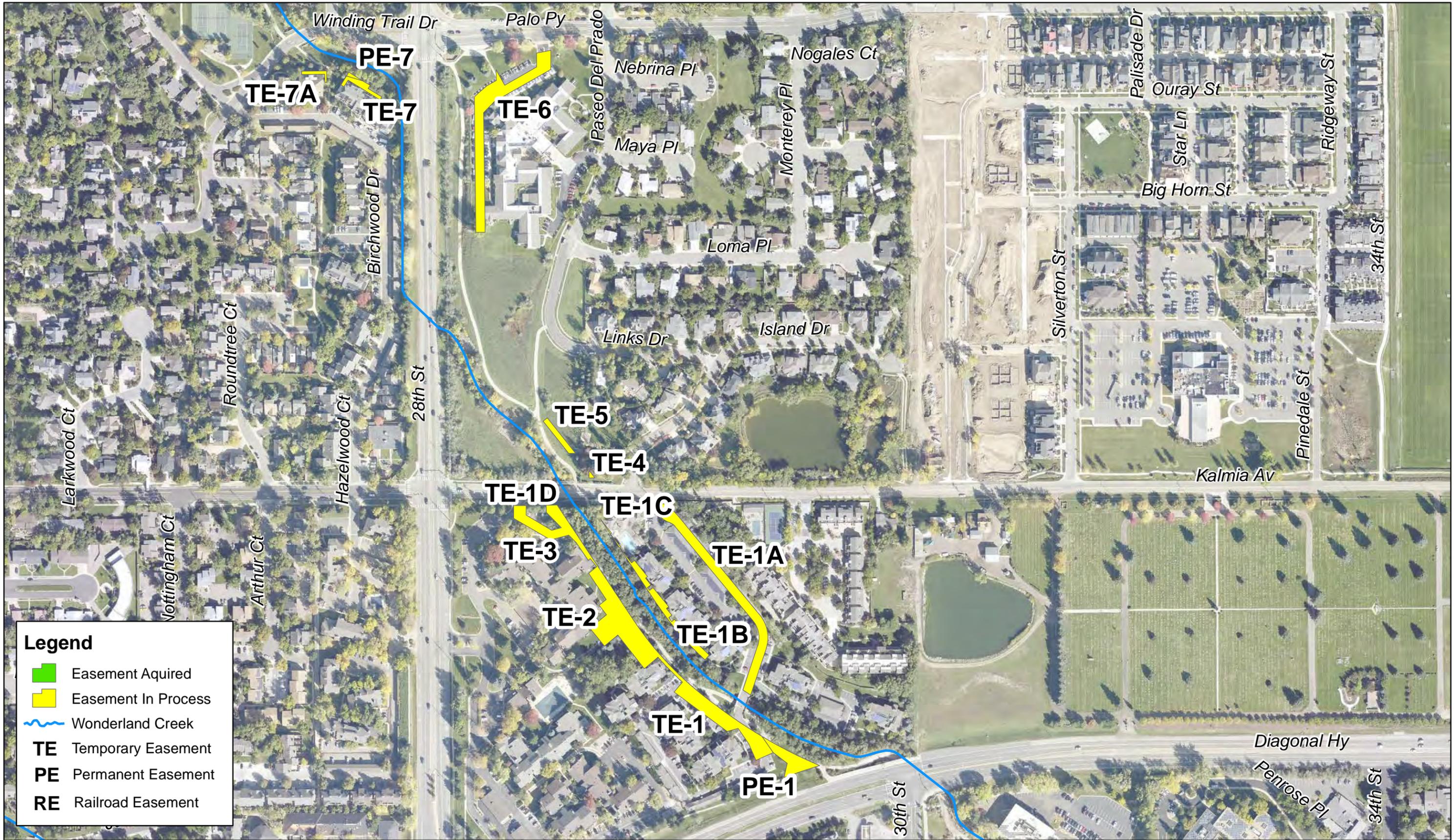
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Easement ID	Aquired Area (sq. ft.)	Owner Address	Owner Name	Purpose	Status
Diagonal Highway to Winding Trail Portion of the Project					
PE-1	5,053	2850 Kalmia, Boulder, CO 80301	Boulders Apartments Colorado, LLC	For purposes of construction, permanent placement, access, use and maintenance of a multi-use path, drainage, channel improvements and utilities.	IN PROCESS
TE-1	20,081	2850 Kalmia, Boulder, CO 80301	Boulders Apartments Colorado, LLC	For the purposes of temporary access, construction of a multi-use path, grading of channel and drainage improvements, and modifications to existing utilities.	IN PROCESS
TE-1A	16,596	2850 Kalmia, Boulder, CO 80301	Boulders Apartments Colorado, LLC	For the purposes of temporary access for construction.	IN PROCESS
TE-1B	5,619	2850 Kalmia, Boulder, CO 80301	Boulders Apartments Colorado, LLC	For the purposes of temporary access, construction of a multi-use path, grading of channel and drainage improvements, and modifications to existing utilities.	IN PROCESS
TE-1C	30	2850 Kalmia, Boulder, CO 80301	Boulders Apartments Colorado, LLC	For the purposes of temporary access, construction of a multi-use path, grading of channel and drainage improvements, and modifications to existing utilities.	IN PROCESS
TE-1D	142	2850 Kalmia, Boulder, CO 80301	Boulders Apartments Colorado, LLC	For the purposes of temporary access, construction of a multi-use path, grading of channel and drainage improvements, and modifications to existing utilities.	IN PROCESS
TE-2	11,020	525 Canyon Blvd., Boulder, CO 80301	Aspen Grove HOA	For the purposes of temporary access, construction of a multi-use path, grading of channel and drainage improvements, and modifications to existing utilities.	IN PROCESS
TE-3	9,278	525 Canyon Blvd., Boulder, CO 80301	Aspen Grove HOA	For the purposes of temporary access, construction of a multi-use path, grading of channel and drainage improvements, and modifications to existing utilities.	IN PROCESS
TE-4	181	2875 Island Drive, Boulder, CO 80301	Meraly J. Brown	For the purposes of temporary access, construction of a multi-use path, grading of channel and drainage improvements, and modifications to existing utilities.	IN PROCESS
TE-5	1,822	PO Box 79, Boulder, CO 80306	WCT, LLC	For the purposes of temporary access, construction of a multi-use path, grading of channel and drainage improvements, and modifications to existing utilities.	IN PROCESS
TE-6	18,668	333 N. Summit St., Toledo, OH 43604	HCR ManorCare Properties, LLC	For the purposes of temporary access, construction of a multi-use path, grading of channel and drainage improvements, and modifications to existing utilities.	IN PROCESS
TE-7	1,748	575 Canyon Blvd., Boulder, CO 80302	Birchwood Drive Condo Associaiton	For the purposes of temporary access, construction of a multi-use path, grading of channel and drainage improvements, and modifications to existing utilities.	IN PROCESS
PE-7	267	575 Canyon Blvd., Boulder, CO 80302	Birchwood Drive Condo Associaiton	For purposes of construction, permanent placement, access, use and maintenance of a multi-use path, drainage, channel improvements and utilities.	IN PROCESS
TE-7A	746	575 Canyon Blvd., Boulder, CO 80302	Birchwood Drive Condo Associaiton	For the purposes of temporary access, construction of a multi-use path, grading of channel and drainage improvements, and modifications to existing utilities.	IN PROCESS
Foothills Parkway to Diagonal Highway Portion of the Project					
PE-1	7,234	PO Box 3000, Boulder, CO 80307-3000	University Corporation For Atmospheric Research, a Colorado not-for-profit corp	For purposes of construction, permanent placement, access, use and maintenance of a multi-use path, drainage, channel improvements and utilities.	IN PROCESS
TE-1	21,809	PO Box 3000, Boulder, CO 80307-3000	University Corporation For Atmospheric Research, a Colorado not-for-profit corp	For the purposes of temporary access for grading and construction.	IN PROCESS
TE-2	15,303	176 E. 5th Street, Room 1120, St. Paul, MN 55101	BNSF Railway Company (Colorado Central Railroad Co)	For purposes of abandoning and filling a segment of the Boulder and White Rock Ditch.	IN PROCESS
TE-2A	8,727	176 E. 5th Street, Room 1120, St. Paul, MN 55101	BNSF Railway Company (Colorado Central Railroad Co)	For purposes of abandoning and filling a segment of the Boulder and White Rock Ditch.	IN PROCESS
RE-2	12,948	176 E. 5th Street, Room 1120, St. Paul, MN 55101	BNSF Railway Company (Colorado Central Railroad Co)	For purposes of construction, permanent placement, access, use and maintenance of a multi-use path, drainage, channel improvements and utilities.	IN PROCESS
RE-2A	8,790	176 E. 5th Street, Room 1120, St. Paul, MN 55101	BNSF Railway Company (Colorado Central Railroad Co)	For purposes of construction, permanent placement, access, use and maintenance of the relocated segment of the Boulder and White Rock Ditch and utilities.	IN PROCESS
TE-3	2,634	5545 Juhls Dr., Boulder, CO 80301	Hayden Place Owners Association	For purposes of construction of drainage and channel improvements and multi-use path/irrigation ditch maintenance path.	IN PROCESS
TE-3A	6,030	5545 Juhls Dr., Boulder, CO 80301	Hayden Place Owners Association	For purposes of construction of drainage and channel improvements and multi-use path/irrigation ditch maintenance path.	IN PROCESS
TE-3B	5,754	5545 Juhls Dr., Boulder, CO 80301	Hayden Place Owners Association	For purposes of construction of a multi-use path and drainage and channel improvements and reconstruction of a parking lot.	IN PROCESS
PE-3A	32,047	5545 Juhls Dr., Boulder, CO 80301	Hayden Place Owners Association	For purposes of construction of a relocated segment of the Boulder and White Rock Ditch including permanent placement of the ditch, access, use and maintenance of the ditch.	IN PROCESS

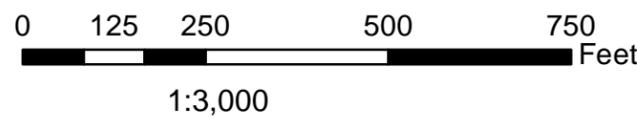
Easement ID	Aquired Area (sq. ft.)	Owner Address	Owner Name	Purpose	Status
PE-3REV	48,843	5545 Juhls Dr., Boulder, CO 80301	Hayden Place Owners Association	For purposes of construction, permanent placement, access use and maintenance of a multi-use path/irrigation ditch maintenance path and drainage and channel improvements.	IN PROCESS
PE-4	19,620		City of Boulder	For purposes of construction, relocating, permanent placement, access, use and maintenance of the Boulder and White Rock Ditch and utilities.	AQUIRED
TE-5	300	4800 North Broadway, Boulder, CO 80304	Housing Authority of the City of Boulder, Colorado a Colorado Housing Authority	For purposes of construction of a multi-use path and drainage and channel improvements.	IN PROCESS
TE-6REV	3,813	7901 Plateau Road, Longmont, CO 80503	Cahalan Hayden LLC, a Colorado limited liability company	For purposes of reconstructing a parking lot.	AQUIRED
TE-7	371	PO Box 325, Eldorado Springs, CO 80025	The Spring Creek Homeowners Association, Bartlett Management (Angela Bartlet)	For purposes of construction of utilities, drainage and channel improvements.	AQUIRED
PE-7	1,454	PO Box 325, Eldorado Springs, CO 80025	The Spring Creek Homeowners Association, Bartlett Management (Angela Bartlet)	For purposes of construction, permanent placement, access, use and maintenance of utilities and drainage and channel improvements.	AQUIRED
PE-7A	572	PO Box 325, Eldorado Springs, CO 80025	The Spring Creek Homeowners Association, Bartlett Management (Angela Bartlet)	For purposes of construction, permanent placement, access, use and maintenance of a multi-use path.	AQUIRED
TE-8A	3,206	2400 28th Street, Boulder, CO 80301	The Boulders Homeowners Association, a Colorado non-profit corporation	For purposes of slope construction.	AQUIRED
PE-8A	2,506	2400 28th Street, Boulder, CO 80301	The Boulders Homeowners Association, a Colorado non-profit corporation	For purposes of construction, permanent placement, access, use and maintenance of a multi-use path and channel improvements and utilities	AQUIRED
TE-8	608	2400 28th Street, Boulder, CO 80301	The Boulders Homeowners Association, a Colorado non-profit corporation	For purposes of slope construction.	AQUIRED
PE-8	2,809	2400 28th Street, Boulder, CO 80301	The Boulders Homeowners Association, a Colorado non-profit corporation	For purposes of construction, permanent placement, access, use and maintenance of a multi-use path and channel improvements and utilities	AQUIRED
PE-9	13,657	2400 28th Street, Boulder, CO 80301	The Boulders Homeowners Association, a Colorado non-profit corporation	For purposes of construction, permanent placement, access, use and maintenance of a multi-use path, drainage and channel improvements and utilities	AQUIRED
PE-10	397	47th Steet, Suite 220, Boulder, CO 80301	3393 Iris Avenue, LLC, a Colorado limited liability company	For purposes of construction, permanent placement, access, use and maintenance of a multi-use path and utilities	AQUIRED
TE-10	2,380	47th Steet, Suite 220, Boulder, CO 80301	3393 Iris Avenue, LLC, a Colorado limited liability company	For purposes of construction of a multi-use path.	AQUIRED
TE-11REV	4,081	5340 Waterstone Drive, Boulder, CO 80301	3333 Iris Egel, LLLP, a Colorado Limited Liability Limited Partnership	For purposes of construction of a multi-use path.	AQUIRED
PE-11	923	5340 Waterstone Drive, Boulder, CO 80301	3333 Iris Egel, LLLP, a Colorado Limited Liability Limited Partnership	For purposes of construction, permanent placement, access, use and maintenance of a multi-use path and utilities.	AQUIRED
TE-12	1,232	PO Box 9140, Boulder, CO 80301-9140	The Geological Society of America Inc., a Non-profit New York Corporation	For purposes of grading for drainage and channel improvements.	AQUIRED
TE-13	6,411	PO Box 9140, Boulder, CO 80301-9140	The Geological Society of America Inc., a Non-profit New York Corporation	For the purpose of slope construction.	AQUIRED
TE-14	2,073	2595 Canyon Blvd., Suite 2030, Boulder, CO 80302	DellaCava Family Limited Liability Company, a Colorado Limited Liability Company	For the purpose of slope construction of a multi-use path and drainage and channel improvements.	AQUIRED
TE-15	3,886	2595 Canyon Blvd., Suite 2030, Boulder, CO 80302	DellaCava Family Limited Liability Company, a Colorado Limited Liability Company	For purposes of construction of a multi-use path	AQUIRED
PE-15	1,565	2595 Canyon Blvd., Suite 2030, Boulder, CO 80302	DellaCava Family Limited Liability Company, a Colorado Limited Liability Company	For purposes of construction, permanent placement, access, use and maintenance of a multi-use path and utilities.	AQUIRED
TE-15A	637	2595 Canyon Blvd., Suite 2030, Boulder, CO 80302	DellaCava Family Limited Liability Company, a Colorado Limited Liability Company	For purposes of construction of a multi-use path	AQUIRED



Legend

- Easement Aquired
- Easement In Process
- ~ Wonderland Creek
- TE** Temporary Easement
- PE** Permanent Easement
- RE** Railroad Easement

Wonderland Creek
Easment Status and Type
 For Drainage Improvement Project North





Legend

- Easement Aquired
- Easement In Process
- ~ Wonderland Creek
- TE** Temporary Easement
- PE** Permanent Easement
- RE** Railroad Easement

Wonderland Creek
Easment Status and Type
 For Drainage Improvement Project South

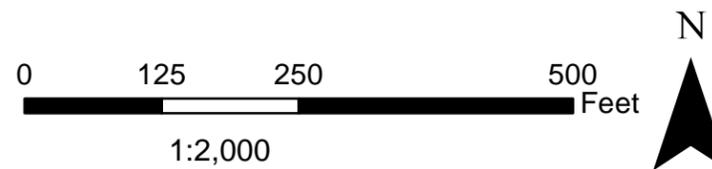


EXHIBIT "A"

**PROJECT NUMBER: AQC M110-087
PERMANENT EASEMENT NUMBER: PE-1
PROJECT CODE: 19748
DATE: JUNE 23, 2014
DESCRIPTION**

A Permanent Easement No. PE-1 of the City of Boulder, State of Colorado Project No. AQC M110-087 (PC 19748) containing 5,037 sq. ft. (0.116 acres) of land, more or less, being a portion of that property described in the Special Warranty Deed recorded May 27, 2011 at Reception No. 03150995, located in Aspen Grove, a subdivision plat, recorded October 14, 1980, in Plan File P-10, F-3, #12 and #13 and Aspen Grove - Partial Correction Plat No. 1, a subdivision plat, recorded June 2, 1991, in Plan File P-11, F-2, #24 of the Boulder County Records, in the S.E. 1/4 of the N.W. 1/4 of Section 20, Township 1 N., Range 70 W., of the 6th Principal Meridian, in the City and County of Boulder, Colorado, said tract or parcel being more particularly described as follows:

COMMENCING at the NW 1/16th corner of Section 20, being a found 3.25" diameter aluminum cap set in concrete, in range box, stamped in part "Flatirons Surveying LS 16406, 2012", Whence the W 1/16 corner of Section 17 and Section 20, being a found 3.25" diameter aluminum cap, in range box, stamped in part "DB&CO PLS 29413, 2008" bears N.00°20'55"W., a distance of 1328.79 feet; Thence S.53°24'32"E., a distance of 1,140.57 feet to a point on the westerly line of an 80 foot wide City of Boulder Drainage Easement as described in Film 1732 at Reception No. 01183529 of the Boulder County Records and the **POINT OF BEGINNING**;

1. Thence along said westerly easement line on a non-tangent curve to the left having a central angle of 07°42'47", a radius of 1340.00 feet, an arc length of 180.39 feet, the chord of which bears S.63°10'13" E., a distance of 180.25 feet to a point on the northerly line of a City of Boulder Sidewalk Easement recorded in Film 1732 at Reception No. 1183530 of the Boulder County Records;
2. Thence along said northerly easement line on a non-tangent curve to the left having a central angle of 02°03'17", a radius of 2965.00 feet, an arc length of 106.33 feet, the chord of which bears S.71°41'27" W., a distance of 106.32 feet;
3. Thence N.13°51'06" E., a distance of 41.11 feet;
4. Thence N.52°10'22" W., a distance of 49.37 feet;
5. Thence N.34°36'34" W., a distance of 54.15 feet, more or less, to the **POINT OF BEGINNING**.

The above described Permanent Easement contains 5,037 sq. ft. (0.116 acres) of land, more or less.



The purpose of the above-described Permanent Easement is for the construction, permanent placement, access, use and maintenance of a multi-use path, drainage, channel improvements and utilities.

BASIS OF BEARINGS: All bearings are based on the line connecting the NW 1/16 corner of Section 20, T. 1 N., R. 70 W. of the 6th P.M. (being a found 3.25" diameter aluminum cap set in concrete, in range box ,stamped in part "Flatirons Surveying LS 16406, 2012") and the W 1/16 corner of Section 17 and Section 20, T. 1 N., R. 70 W. of the 6th P.M. (being a found 3.25" diameter aluminum cap, in range box, stamped in part "DB&CO PLS 29413, 2008") being a **GRID** bearing of **N. 00°20'25" W. 1328.79'** as obtained from a global positioning system (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said grid bearing is NAD 83 (2007) Colorado State Plane North Zone 501.

Geoffrey F. Stephenson, PLS 23521
For and on behalf of The Lund Partnership, Inc.
12265 W. Bayaud Avenue, Suite 130
Lakewood, CO 80228



EXHIBIT "A"

**PROJECT NUMBER: AQC M110-087
PERMANENT EASEMENT NUMBER: PE-7
PROJECT CODE: 19748
DATE: JUNE 23, 2014
DESCRIPTION**

A Permanent Easement No. PE-7 of the City of Boulder, State of Colorado Project No. AQC M110-087 (PC 19748) containing 267 sq. ft. (0.006 acres) of land, more or less, being a portion of Lot 8, Replat of Winding Trail Village, a subdivision plat, recorded April 17, 1981, in Plan File P-11, F-1, #26 - #29 of the Boulder County Records, located in the N.W. 1/4 of the N.W. 1/4 of Section 20, Township 1 N., Range 70 W., of the 6th Principal Meridian, in the City and County of Boulder, Colorado, said tract or parcel being more particularly described as follows:

COMMENCING at the NW 1/16th corner of Section 20, being a found 3.25" diameter aluminum cap, set in concrete, in range box, stamped in part "Flatirons Surveying LS 16406, 2012", Whence the W 1/16 corner of Section 17 and Section 20, being a found 3.25" diameter aluminum cap, in range box, stamped in part "DB&CO PLS 29413, 2008" bears N.00°20'55"W., a distance of 1328.79 feet; Thence N.11°52'16"W., a distance of 1,193.45 feet to a point on the westerly line of said Lot 8 and the **POINT OF BEGINNING**;

1. Thence along said westerly line of Lot 8, N.31°52'46"E., a distance of 13.33 feet to the N.W. corner of Lot 8;
2. Thence along the northerly line of Lot 8, S.58°07'14"E., a distance of 40.00 feet;
3. Thence N.76°33'04"W., a distance of 42.16 feet, more or less, to the **POINT OF BEGINNING**.

The above described Permanent Easement contains 267 sq. ft. (0.006 acres) of land, more or less.

The purpose of the above-described Permanent Easement is for the construction, permanent placement, access, use and maintenance of a multi-use path, drainage, channel facilities and utilities.

BASIS OF BEARINGS: All bearings are based on the line connecting the NW 1/16 corner of Section 20, T. 1 N., R. 70 W. of the 6th P.M. (being a found 3.25" diameter aluminum cap, set in concrete, in range box, stamped in part "Flatirons Surveying LS 16406, 2012") and the W 1/16 corner of Section 17 and Section 20, T. 1 N., R. 70 W. of the 6th P.M. (being a found 3.25" diameter aluminum cap, in range box, stamped in part "DB&CO PLS 29413, 2008") being a **GRID** bearing of **N. 00°20'25" W. 1328.79'** as obtained from a global positioning system (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said grid bearing is NAD 83 (2007) Colorado State Plane North Zone 501.

Geoffrey F. Stephenson, PLS 23521
For and on behalf of The Lund Partnership, Inc.
12265 W. Bayaud Avenue, Suite 130
Lakewood, CO 80228



EXHIBIT "A"

**PROJECT NUMBER: AQC M110-087
TEMPORARY EASEMENT NUMBER: TE-1
PROJECT CODE: 19748
DATE: JUNE 23, 2014
DESCRIPTION**

A Temporary Easement No. TE-1 of the City of Boulder, State of Colorado Project No. AQC M110-087 (PC 19748) containing 20,099 sq. ft. (0.461 acres) of land, more or less, being a portion of that property described in the Special Warranty Deed recorded May 27, 2011 at Reception No. 03150995, located in Aspen Grove, a subdivision plat, recorded October 14, 1980, in Plan File P-10, F-3, #12 and #13 and Aspen Grove - Partial Correction Plat No. 1, a subdivision plat, recorded June 2, 1991, in Plan File P-11, F-2, #24 of the Boulder County Records, in the S.E. 1/4 of the N.W. 1/4 of Section 20, Township 1 N., Range 70 W., of the 6th Principal Meridian, in the City and County of Boulder, Colorado, said tract or parcel being more particularly described as follows:

COMMENCING at the NW 1/16th corner of Section 20, being a found 3.25" diameter aluminum cap set in concrete, in range box, stamped in part "Flatirons Surveying LS 16406, 2012", Whence the W 1/16 corner of Section 17 and Section 20, being a found 3.25" diameter aluminum cap, in range box, stamped in part "DB&CO PLS 29413, 2008" bears N.00°20'55"W., a distance of 1328.79 feet; Thence S.53°24'32"E., a distance of 1,140.57 feet to a point on the westerly line of an 80 foot wide City of Boulder Drainage Easement as described in Film 1732 at Reception No. 01183529 of the Boulder County Records and the **POINT OF BEGINNING**;

1. Thence S.34°36'34"E., a distance of 54.15 feet;
2. Thence S.66°26'19"W., a distance of 53.36 feet;
3. Thence N.23°33'33"W., a distance of 49.84 feet;
4. Thence N.34°44'36"W., a distance of 52.53 feet;
5. Thence S.75°23'50"W., a distance of 32.24 feet;
6. Thence N.53°07'15"W., a distance of 185.02 feet;
7. Thence N.41°22'18"E., a distance of 35.89 feet;
8. Thence along a non-tangent curve to the right having a central angle of 06°06'28", a radius of 923.65 feet, an arc length of 98.46 feet, the chord of which bears N.44°23'32"W., a distance of 98.42 feet;



9. Thence S.49°34'07"W., a distance of 50.23 feet;
10. Thence N.38°00'56"W., a distance of 120.48 feet;
11. Thence N.50°34'06"E., a distance of 47.99 feet;
12. Thence N.05°34'06"E., a distance of 18.44 feet to a point on the westerly line of said 80 foot wide City of Boulder Drainage Easement as described in Film 1732 at Reception No. 01183529;
13. Thence along said westerly easement line, S.33°33'44"E., a distance of 8.35 feet;
14. Thence continuing along said westerly easement line on a curve to the left having a central angle of 19°30'00", a radius of 915.00', an arc length of 311.41 feet, the chord of which bears S.43°18'44"E., a distance of 309.91 feet;
15. Thence continuing along said westerly easement line, S.53°03'44"E., a distance of 34.15 feet;
16. Thence continuing along said westerly easement line on a curve to the left having a central angle of 06°15'06", a radius of 1340.00 feet, an arc length of 146.21 feet, the chord of which bears S.56°11'17"E., a distance of 146.14 feet, more or less, to the **POINT OF BEGINNING**.

The above described Temporary Easement contains 20,099 sq. ft. (0.461 acres) of land, more or less.

The purpose of the above-described Temporary Easement is for temporary access, construction of a multi-use path, grading of channel and drainage improvements, and modifications to existing utilities.

BASIS OF BEARINGS: All bearings are based on the line connecting the NW 1/16 corner of Section 20, T. 1 N., R. 70 W. of the 6th P.M. (being a found 3.25" diameter aluminum cap, set in concrete, in range box, stamped in part "Flatirons Surveying LS 16406, 2012") and the W 1/16 corner of Section 17 and Section 20, T. 1 N., R. 70 W. of the 6th P.M. (being a found 3.25" diameter aluminum cap, in range box, stamped in part "DB&CO PLS 29413, 2008") being a **GRID** bearing of **N. 00°20'25" W. 1328.79'** as obtained from a global positioning system (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said grid bearing is NAD 83 (2007) Colorado State Plane North Zone 501.

Geoffrey F. Stephenson, PLS 23521
For and on behalf of The Lund Partnership, Inc.
12265 W. Bayaud Avenue, Suite 130
Lakewood, CO 80228



EXHIBIT "A"

**PROJECT NUMBER: AQC M110-087
TEMPORARY EASEMENT NUMBER: TE-1A
PROJECT CODE: 19748
DATE: JUNE 23, 2014
DESCRIPTION**

A Temporary Easement No. TE-1A of the City of Boulder, State of Colorado Project No. AQC M110-087 (PC 19748) containing 16,612 sq. ft. (0.381 acres) of land, more or less, being a portion of that property described in the Special Warranty Deed recorded May 27, 2011 at Reception No. 03150995, located in Aspen Grove, a subdivision plat, recorded October 14, 1980, in Plan File P-10, F-3, #12 and #13 and Aspen Grove - Partial Correction Plat No. 1, a subdivision plat, recorded June 2, 1991, in Plan File P-11, F-2, #24 of the Boulder County Records, in the S.E. 1/4 of the N.W. 1/4 of Section 20, Township 1 N., Range 70 W., of the 6th Principal Meridian, in the City and County of Boulder, Colorado, said tract or parcel being more particularly described as follows:

COMMENCING at the NW 1/16th corner of Section 20, being a found 3.25" diameter aluminum cap set in concrete, in range box, stamped in part "Flatirons Surveying LS 16406, 2012", Whence the W 1/16 corner of Section 17 and Section 20, being a found 3.25" diameter aluminum cap, in range box, stamped in part "DB&CO PLS 29413, 2008" bears N.00°20'55"W., a distance of 1328.79 feet; Thence S.57°30'22"E., a distance of 1,021.73 feet to a point of intersection with the easterly line of an 80 foot wide City of Boulder Drainage Easement as described in Film 1732 at Reception No. 01183529 and the northerly line of a City of Boulder Emergency Access Easement as described in File 1732 at Reception No. 01183350 of the Boulder County Records and the **POINT OF BEGINNING**; Thence along the northerly and westerly lines of said Emergency Access Easement the following courses;

1. Thence N.18°52'18"E., a distance of 128.72 feet;
2. Thence along a curve to the left having a central angle of 58°23'02", a radius of 74.50 feet, an arc length of 75.91 feet, the chord of which bears N.10°19'13"W., a distance of 72.67 feet;
3. Thence N.39°30'44"W., a distance of 341.39 feet;
4. Thence along a curve to the left having a central angle of 30°49'51", a radius of 37.50 feet, an arc length of 20.18 feet, the chord of which bears N.54°55'39"W., a distance of 19.94 feet;
5. Thence along a reverse curve to the right having a central angle of 60°20'39", a radius of 66.92 feet, an arc length of 70.48 feet, the chord of which bears N.40°10'15"W., a distance of 67.27 feet to a point on the south line of Kalmia Avenue;
6. Thence along the south line of Kalmia Avenue, N.89°34'00"E., a distance of 41.20 feet to the N.E. corner of said Emergency Access Easement; Thence along the easterly and southerly lines of said emergency access easement the following courses;



7. Thence along a non-tangent curve to the left having a central angle of 43°08'22", a radius of 14.50 feet, an arc length of 10.92 feet, the chord of which bears S.22°06'15"E., a distance of 10.66 feet;
8. Thence S.43°40'26"E., a distance of 31.40 feet;
9. Thence S.39°30'44"E., a distance of 360.41 feet;
10. Thence along a curve to the right having a central angle of 58°23'02", a radius of 99.50 feet, an arc length of 101.39 feet, the chord of which bears S.10°19'13"E., a distance of 97.06 feet;
11. Thence S.18°52'18"W., a distance of 136.07 feet to a point on the easterly line of the aforementioned City of Boulder Drainage Easement;
12. Thence along said City of Boulder Drainage Easement on a non-tangent curve to the right having a central angle of 01°11'06", a radius of 1260.00 feet, an arc length of 26.06 feet, the chord of which bears N.54°44'52"W., a distance of 26.06 feet, more or less, to the **POINT OF BEGINNING**.

The above described Temporary Easement contains 16,612 sq. ft. (0.381 acres) of land, more or less.

The purpose of the above-described Temporary Easement is for temporary access for construction.

BASIS OF BEARINGS: All bearings are based on the line connecting the NW 1/16 corner of Section 20, T. 1 N., R. 70 W. of the 6th P.M. (being a found 3.25" diameter aluminum cap, set in concrete, in range box, stamped in part "Flatirons Surveying LS 16406, 2012") and the W 1/16 corner of Section 17 and Section 20, T. 1 N., R. 70 W. of the 6th P.M. (being a found 3.25" diameter aluminum cap, in range box, stamped in part "DB&CO PLS 29413, 2008") being a **GRID** bearing of **N. 00°20'25" W. 1328.79'** as obtained from a global positioning system (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said grid bearing is NAD 83 (2007) Colorado State Plane North Zone 501.

Geoffrey F. Stephenson, PLS 23521
For and on behalf of The Lund Partnership, Inc.
12265 W. Bayaud Avenue, Suite 130
Lakewood, CO 80228



EXHIBIT "A"

**PROJECT NUMBER: AQC M110-087
TEMPORARY EASEMENT NUMBER: TE-1B
PROJECT CODE: 19748
DATE: JUNE 23, 2014
DESCRIPTION**

A Temporary Easement No. TE-1B of the City of Boulder, State of Colorado Project No. AQC M110-087 (PC 19748) containing 5,600 sq. ft. (0.129 acres) of land, more or less, being a portion of that property described in the Special Warranty Deed recorded May 27, 2011 at Reception No. 03150995, located in Aspen Grove, a subdivision plat, recorded October 14, 1980, in Plan File P-10, F-3, #12 and #13 and Aspen Grove - Partial Correction Plat No. 1, a subdivision plat, recorded June 2, 1991, in Plan File P-11, F-2, #24 of the Boulder County Records, in the S.E. 1/4 of the N.W. 1/4 of Section 20, Township 1 N., Range 70 W., of the 6th Principal Meridian, in the City and County of Boulder, Colorado, said tract or parcel being more particularly described as follows:

COMMENCING at the NW 1/16th corner of Section 20, being a found 3.25" diameter aluminum cap, set in concrete, in range box, stamped in part "Flatirons Surveying LS 16406, 2012", Whence the W 1/16 corner of Section 17 and Section 20, being a found 3.25" diameter aluminum cap, in range box, stamped in part "DB&CO PLS 29413, 2008" bears N.00°20'55"W., a distance of 1328.79 feet; Thence S.81°11'10"E., a distance of 469.89 feet to a point on the easterly line of an 80 foot wide City of Boulder Drainage Easement as described in Film 1732 at Reception No. 01183529 of the Boulder County Records and the **POINT OF BEGINNING**;

1. Thence S.37°48'26"E., a distance of 48.73 feet;
2. Thence S.51°33'47"W., a distance of 3.39 feet;
3. Thence S.38°14'59"E., a distance of 46.41 feet;
4. Thence S.48°37'39"W., a distance of 3.73 feet;
5. Thence S.37°34'46"E., a distance of 53.08 feet;
6. Thence N.51°46'24"E., a distance of 11.38 feet;
7. Thence S.39°14'47"E., a distance of 57.97 feet;
8. Thence S.51°52'44"W., a distance of 7.94 feet;
9. Thence S.39°11'27"E., a distance of 23.85 feet;
10. Thence S.53°13'02"W., a distance of 12.51 feet;
11. Thence S.39°31'55"E., a distance of 10.43 feet;
12. Thence N.50°48'51"E., a distance of 12.49 feet;
13. Thence S.39°11'09"E., a distance of 69.73 feet;



14. Thence S.54°28'59"W., a distance of 8.54 feet;
15. Thence S.38°48'55"E., a distance of 23.60 feet;
16. Thence S.51°11'05"W., a distance of 11.16 feet;
17. Thence S.39°28'21"E., a distance of 13.74 feet;
18. Thence N.50°52'40"E., a distance of 9.61 feet;
19. Thence S.39°10'27"E., a distance of 54.74 feet;
20. Thence S.50°49'33"W., a distance of 9.48 feet;
21. Thence S.38°59'28"E., a distance of 13.51 feet;
22. Thence N.50°54'22"E., a distance of 10.31 feet;
23. Thence S.39°20'00"E., a distance of 23.96 feet;
24. Thence N.50°40'00"E., a distance of 5.82 feet;
25. Thence S.46°20'15"E., a distance of 47.72 feet;
26. Thence S.43°39'45"W., a distance of 18.11 feet to a point on the easterly line of said City of Boulder Drainage Easement;
27. Thence along the easterly line of said City of Boulder Drainage Easement on a non-tangent curve to the right having a central angle of 14°10'57", a radius of 835.00 feet, an arc length of 206.69 feet, the chord of which bears N.40°39'12"W., a distance of 206.16 feet;
28. Thence continuing along the easterly line of said City of Boulder Drainage Easement, N.33°33'44"W., a distance of 283.60 feet, more or less, to the **POINT OF BEGINNING**.

The above described Temporary Easement contains 5,600 sq. ft. (0.129 acres) of land, more or less.

The purpose of the above-described Temporary Easement is for temporary access, construction of a multi-use path, grading of channel and drainage improvements, and modifications to existing utilities.

BASIS OF BEARINGS: All bearings are based on the line connecting the NW 1/16 corner of Section 20, T. 1 N., R. 70 W. of the 6th P.M. (being a found 3.25" diameter aluminum cap, set in concrete, in range box, stamped in part "Flatirons Surveying LS 16406, 2012") and the W 1/16 corner of Section 17 and Section 20, T. 1 N., R. 70 W. of the 6th P.M. (being a found 3.25" diameter aluminum cap, in range box, stamped in part "DB&CO PLS 29413, 2008") being a **GRID bearing of N. 00°20'25" W. 1328.79'** as obtained from a global positioning system (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said grid bearing is NAD 83 (2007) Colorado State Plane North Zone 501.

Geoffrey F. Stephenson, PLS 23521
For and on behalf of The Lund Partnership, Inc.
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EXHIBIT "A"

PROJECT NUMBER: AQC M110-087
TEMPORARY EASEMENT NUMBER: TE-1C
PROJECT CODE: 19748
DATE: JUNE 23, 2014
DESCRIPTION

A Temporary Easement No. TE-1C of the City of Boulder, State of Colorado Project No. AQC M110-087 (PC 19748) containing 30 sq. ft. (0.001 acres) of land, more or less, being a portion of that property described in the Special Warranty Deed recorded May 27, 2011 at Reception No. 03150995, located in Aspen Grove, a subdivision plat, recorded October 14, 1980, in Plan File P-10, F-3, #12 and #13 and Aspen Grove - Partial Correction Plat No. 1, a subdivision plat, recorded June 2, 1991, in Plan File P-11, F-2, #24 of the Boulder County Records, in the S.E. 1/4 of the N.W. 1/4 of Section 20, Township 1 N., Range 70 W., of the 6th Principal Meridian, in the City and County of Boulder, Colorado, said tract or parcel being more particularly described as follows:

COMMENCING at the NW 1/16th corner of Section 20, being a found 3.25" diameter aluminum cap, set in concrete, in range box, stamped in part "Flatirons Surveying LS 16406, 2012", Whence the W 1/16 corner of Section 17 and Section 20, being a found 3.25" diameter aluminum cap, in range box, stamped in part "DB&CO PLS 29413, 2008" bears N.00°20'55"W., a distance of 1328.79 feet; Thence S.85°58'54"E., a distance of 438.02 feet to a point of intersection with the easterly line of an 80 foot wide City of Boulder Drainage Easement as described in Film 1732 at Reception No. 01183529 of the Boulder County Records and the existing south right-of-way line of Kalmia Avenue (May, 2014) being the **POINT OF BEGINNING**;

1. Thence along said south right-of-way line of Kalmia Avenue (May,2014), N.89°34'00"E., a distance of 4.45 feet;
2. Thence S.18°14'21"E., a distance of 14.11 feet to a point on the easterly line of said City of Boulder Drainage Easement;
3. Thence along the easterly line of said City of Boulder Drainage Easement, N.33°33'44"W., a distance of 16.04 feet, more or less, to the **POINT OF BEGINNING**.

The above described Temporary Easement contains 30 sq. ft. (0.001 acres) of land, more or less.

The purpose of the above-described Temporary Easement is for temporary access, construction of a multi-use path, grading of channel and drainage improvements, and modifications to existing utilities.

BASIS OF BEARINGS: All bearings are based on the line connecting the NW 1/16 corner of Section 20, T. 1 N., R. 70 W. of the 6th P.M. (being a found 3.25" diameter aluminum cap, set in concrete, in range box, stamped in part "Flatirons Surveying LS 16406, 2012") and the W 1/16 corner of Section 17 and Section 20, T. 1 N., R. 70 W. of the 6th P.M. (being a found 3.25" diameter aluminum cap, in range box, stamped in part "DB&CO PLS 29413, 2008") being a **GRID** bearing of **N. 00°20'25" W. 1328.79'** as obtained from a global positioning system (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said grid bearing is NAD 83 (2007) Colorado State Plane North Zone 501.

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For and on behalf of The Lund Partnership, Inc.
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EXHIBIT "A"

**PROJECT NUMBER: AQC M110-087
TEMPORARY EASEMENT NUMBER: TE-1D
PROJECT CODE: 19748
DATE: JUNE 23, 2014
DESCRIPTION**

A Temporary Easement No. TE-1D of the City of Boulder, State of Colorado Project No. AQC M110-087 (PC 19748) containing 142 sq. ft. (0.003 acres) of land, more or less, being a portion of that property described in the Special Warranty Deed recorded May 27, 2011 at Reception No. 03150995, located in Aspen Grove, a subdivision plat, recorded October 14, 1980, in Plan File P-10, F-3, #12 and #13 and Aspen Grove - Partial Correction Plat No. 1, a subdivision plat, recorded June 2, 1991, in Plan File P-11, F-2, #24 of the Boulder County Records, in the S.E. 1/4 of the N.W. 1/4 of Section 20, Township 1 N., Range 70 W., of the 6th Principal Meridian, in the City and County of Boulder, Colorado, said tract or parcel being more particularly described as follows:

COMMENCING at the NW 1/16th corner of Section 20, being a found 3.25" diameter aluminum cap, set in concrete, in range box, stamped in part "Flatirons Surveying LS 16406, 2012", Whence the W 1/16 corner of Section 17 and Section 20, being a found 3.25" diameter aluminum cap, in range box, stamped in part "DB&CO PLS 29413, 2008" bears N.00°20'55"W., a distance of 1328.79 feet; Thence S.84°44'33"E., a distance of 342.86 feet to a point of intersection with the westerly line of an 80 foot wide City of Boulder Drainage Easement as described in Film 1732 at Reception No. 01183529 of the Boulder County Records and the existing south right-of-way line of Kalmia Avenue (May, 2014) being the **POINT OF BEGINNING**;

1. Thence along the easterly line of said City of Boulder Drainage Easement, S.33°34'06"E., a distance of 50.86 feet;
2. Thence N.39°25'54"W., a distance of 54.80 feet to a point on said south right-of-way line of Kalmia Avenue (May,2014);
3. Thence along said south right-of-way line of Kalmia Avenue (May, 2014), N.89°34'00"E., a distance of 6.69 feet, more or less, to the **POINT OF BEGINNING**.

The above described Temporary Easement contains 142 sq. ft. (0.003 acres) of land, more or less.

The purpose of the above-described Temporary Easement is for temporary access, construction of a multi-use path, grading of channel and drainage improvements, and modifications to existing utilities.

BASIS OF BEARINGS: All bearings are based on the line connecting the NW 1/16 corner of Section 20, T. 1 N., R. 70 W. of the 6th P.M. (being a found 3.25" diameter aluminum cap, set in concrete, in range box, stamped in part "Flatirons Surveying LS 16406, 2012") and the W 1/16 corner of Section 17 and Section 20, T. 1 N., R. 70 W. of the 6th P.M. (being a found 3.25" diameter aluminum cap, in range box, stamped in part "DB&CO PLS 29413, 2008") being a **GRID bearing of N. 00°20'25" W. 1328.79'** as obtained from a global positioning system (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said grid bearing is NAD 83 (2007) Colorado State Plane North Zone 501.

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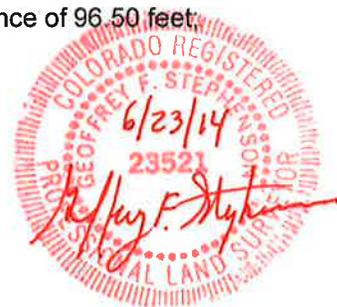
EXHIBIT "A"

**PROJECT NUMBER: AQC M110-087
TEMPORARY EASEMENT NUMBER: TE-2
PROJECT CODE: 19748
DATE: JUNE 23, 2014
DESCRIPTION**

A Temporary Easement No. TE-2 of the City of Boulder, State of Colorado Project No. AQC M110-087 (PC 19748) containing 11,011 sq. ft. (0.253 acres) of land, more or less, being a portion of First Supplemental Condominium Map of The Aspen Grove Condominiums, recorded December 29, 1981, in Plan File P-12, F-1, #27 of the Boulder County Records, located in the S.E. 1/4 of the N.W. 1/4 of Section 20, Township 1 N., Range 70 W., of the 6th Principal Meridian, in the City and County of Boulder, Colorado, said tract or parcel being more particularly described as follows:

COMMENCING at the NW 1/16th corner of Section 20, being a found 3.25" diameter aluminum cap, set in concrete, in range box, stamped in part "Flatirons Surveying LS 16406, 2012", Whence the W 1/16 corner of Section 17 and Section 20, being a found 3.25" diameter aluminum cap, in range box, stamped in part "DB&CO PLS 29413, 2008" bears N.00°20'55"W., a distance of 1328.79 feet; Thence S.64°42'49"E., a distance of 516.39 feet to a point of intersection with the westerly line of an 80 foot wide City of Boulder Drainage Easement as described in Film 1732 at Reception No. 01183529 of the Boulder County Records and the northerly line of said First Supplemental Condominium Map of The Aspen Grove Condominiums also being the **POINT OF BEGINNING**;

1. Thence along the westerly line of said City of Boulder Drainage Easement, S.33°33'44"E., a distance of 150.04 feet to point on the southerly line of said First Supplemental Condominium Map of The Aspen Grove Condominiums;
2. Thence along said southerly line, S.05°34'06"W., a distance of 18.44 feet;
3. Thence continuing along said southerly line, S.50°34'06"W., a distance of 96.50 feet;
4. Thence N.39°27'01"W., a distance of 64.81 feet;
5. Thence N.51°19'01"E., a distance of 60.12 feet;
6. Thence N.38°00'56"W., a distance of 33.37 feet;
7. Thence N.50°54'37"E., a distance of 25.52 feet;
8. Thence N.33°29'45"W., a distance of 65.41 feet to a point on the northerly line of said First Supplemental Condominium Map of The Aspen Grove Condominiums;
9. Thence along said northerly line, N.50°34'06"E., a distance of 31.68 feet, more or less, to the **POINT OF BEGINNING**.



The above described Temporary Easement contains 11,011 sq. ft. (0.253 acres) of land, more or less.

The purpose of the above-described Temporary Easement is for temporary access, construction of a multi-use path, grading of channel and drainage improvements, and modifications to existing utilities.

BASIS OF BEARINGS: All bearings are based on the line connecting the NW 1/16 corner of Section 20, T. 1 N., R. 70 W. of the 6th P.M. (being a found 3.25" diameter aluminum cap, set in concrete, in range box, stamped in part "Flatirons Surveying LS 16406, 2012") and the W 1/16 corner of Section 17 and Section 20, T. 1 N., R. 70 W. of the 6th P.M. (being a found 3.25" diameter aluminum cap, in range box, stamped in part "DB&CO PLS 29413, 2008") being a **GRID bearing of N. 00°20'25" W. 1328.79'** as obtained from a global positioning system (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said grid bearing is NAD 83 (2007) Colorado State Plane North Zone 501.

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For and on behalf of The Lund Partnership, Inc.
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EXHIBIT "A"

**PROJECT NUMBER: AQC M110-087
TEMPORARY EASEMENT NUMBER: TE-3
PROJECT CODE: 19748
DATE: JUNE 23, 2014
DESCRIPTION**

A Temporary Easement No. TE-3 of the City of Boulder, State of Colorado Project No. AQC M110-087 (PC 19748) containing 9,289 sq. ft. (0.213 acres) of land, more or less, being a portion of Condominium Map of The Aspen Grove Condominiums, recorded April 14, 1981, in Plan File P-11, F-1, #21 of the Boulder County Records, located in the S.E. 1/4 of the N.W. 1/4 of Section 20, Township 1 N., Range 70 W., of the 6th Principal Meridian, in the City and County of Boulder, Colorado, said tract or parcel being more particularly described as follows:

COMMENCING at the NW 1/16th corner of Section 20, being a found 3.25" diameter aluminum cap, set in concrete, in range box, stamped in part "Flatirons Surveying LS 16406, 2012", Whence the W 1/16 corner of Section 17 and Section 20, being a found 3.25" diameter aluminum cap, in range box, stamped in part "DB&CO PLS 29413, 2008" bears N.00°20'55"W., a distance of 1328.79 feet; Thence S.64°42'49"E., a distance of 516.39 feet to a point intersection with the westerly line of an 80 foot wide City of Boulder Drainage Easement as described in Film 1732 at Reception No. 01183529 of the Boulder County Records and the southerly line of said Condominium Map of The Aspen Grove Condominiums also being the **POINT OF BEGINNING**;

1. Thence along said southerly line, S.50°34'06"W., a distance of 31.68 feet;
2. Thence N.33°29'45"W., a distance of 22.37 feet;
3. Thence N.50°36'33"E., a distance of 29.09 feet;
4. Thence N.39°12'10"W., a distance of 29.04 feet;
5. Thence S.49°02'55"W., a distance of 7.44 feet;
6. Thence N.34°03'41"W., a distance of 59.74 feet;
7. Thence N.44°39'31"W., a distance of 30.22 feet;
8. Thence S.75°04'11"W., a distance of 53.04 feet;
9. Thence N.59°21'24"W., a distance of 119.42 feet;
10. Thence N.00°00'00"W., a distance of 35.43 feet to a point on the existing south right-of-way line of Kalmia Avenue (May,2014);
11. Thence along the south line Kalmia Avenue, N.89°34'00"E., a distance of 34.65 feet;



12. Thence S.00°00'00"E., a distance of 27.17 feet;
13. Thence S.59°21'24"E., a distance of 83.45 feet;
14. Thence N.75°04'11"E., a distance of 28.26 feet;
15. Thence N.44°39'31"W., a distance of 60.13 feet;
16. Thence N.00°25'44"W., a distance of 20.08 feet to a point on said south right-of-way line of Kalmia Avenue (May,2014);
17. Thence along said south right-of-way line of Kalmia Avenue (May,2014), N.89°34'00"E., a distance of 23.48 feet;
18. Thence S.39°25'54"E., a distance of 54.80 feet to a point on the westerly line of the aforementioned City of Boulder Drainage Easement;
19. Thence along said City of Boulder Drainage Easement, S.33°33'44"E., a distance of 176.13 feet, more or less, to the **POINT OF BEGINNING**.

The above described Temporary Easement contains 9,289 sq. ft. (0.213 acres) of land, more or less.

The purpose of the above-described Temporary Easement is for temporary access, construction of a multi-use path, grading of channel and drainage improvements, and modifications to existing utilities.

BASIS OF BEARINGS: All bearings are based on the line connecting the NW 1/16 corner of Section 20, T. 1 N., R. 70 W. of the 6th P.M. (being a found 3.25" diameter aluminum cap, set in concrete, in range box, stamped in part "Flatirons Surveying LS 16406, 2012") and the W 1/16 corner of Section 17 and Section 20, T. 1 N., R. 70 W. of the 6th P.M. (being a found 3.25" diameter aluminum cap, in range box, stamped in part "DB&CO PLS 29413, 2008") being a **GRID** bearing of **N. 00°20'25" W. 1328.79'** as obtained from a global positioning system (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said grid bearing is NAD 83 (2007) Colorado State Plane North Zone 501.

Geoffrey F. Stephenson, PLS 23521
For and on behalf of The Lund Partnership, Inc.
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EXHIBIT "A"

**PROJECT NUMBER: AQC M110-087
TEMPORARY EASEMENT NUMBER: TE-4
PROJECT CODE: 19748
DATE: JUNE 23, 2014
DESCRIPTION**

A Temporary Easement No. TE-4 of the City of Boulder, State of Colorado Project No. AQC M110-087 (PC 19748) containing 181 sq. ft. (0.004 acres) of land, more or less, being a portion of Lot 17, Sale Lake Subdivision, recorded September 1, 1993, in Plan File P-30, F-1, #23 of the Boulder County Records, located in the N.E. 1/4 of the N.W. 1/4 of Section 20, Township 1 N., Range 70 W., of the 6th Principal Meridian, in the City and County of Boulder, Colorado, said tract or parcel being more particularly described as follows:

COMMENCING at the NW 1/16th corner of Section 20, being a found 3.25" diameter aluminum cap, set in concrete, in range box, stamped in part "Flatirons Surveying LS 16406, 2012", Whence the W 1/16 corner of Section 17 and Section 20, being a found 3.25" diameter aluminum cap, in range box, stamped in part "DB&CO PLS 29413, 2008" bears N.00°20'55"W., a distance of 1328.79 feet; Thence N.84°12'48"E., a distance of 434.13 feet to the S.W. corner of said Lot 17 and the **POINT OF BEGINNING**;

1. Thence along the west line of said Lot 17, N.00°30'25"W., a distance of 21.58 feet;
2. Thence S.38°23'19"E., a distance of 27.37 feet to a point on the existing north right-of-way line of Kalmia Avenue (May, 2014);
3. Thence along said north right-of-way line of Kalmia Avenue (May, 2014), S.89°34'00"W., a distance of 16.80 feet, more or less, to the **POINT OF BEGINNING**.

The above described Temporary Easement contains 181 sq. ft. (0.004 acres) of land, more or less.

The purpose of the above-described Temporary Easement is for temporary access, construction of a multi-use path, grading of channel and drainage improvements, and modifications to existing utilities.

BASIS OF BEARINGS: All bearings are based on the line connecting the NW 1/16 corner of Section 20, T. 1 N., R. 70 W. of the 6th P.M. (being a found 3.25" diameter aluminum cap, set in concrete, in range box, stamped in part "Flatirons Surveying LS 16406, 2012") and the W 1/16 corner of Section 17 and Section 20, T. 1 N., R. 70 W. of the 6th P.M. (being a found 3.25" diameter aluminum cap, in range box, stamped in part "DB&CO PLS 29413, 2008") being a **GRID bearing of N. 00°20'25" W. 1328.79'** as obtained from a global positioning system (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said grid bearing is NAD 83 (2007) Colorado State Plane North Zone 501.

Geoffrey F. Stephenson, PLS 23521
For and on behalf of The Lund Partnership, Inc.
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EXHIBIT "A"

PROJECT NUMBER: AQC M110-087
TEMPORARY EASEMENT NUMBER: TE-5
PROJECT CODE: 19748
DATE: JUNE 23, 2014
DESCRIPTION

A Temporary Easement No. TE-5 of the City of Boulder, State of Colorado Project No. AQC M110-087 (PC 19748) containing 1,822 sq. ft. (0.042 acres) of land, more or less, being a portion of Lot 2, Manor Care Subdivision, recorded October 29, 2008, in Plan File P-70, F-4, #21 of the Boulder County Records, located in the N.E. 1/4 of the N.W. 1/4 of Section 20, Township 1 N., Range 70 W., of the 6th Principal Meridian, in the City and County of Boulder, Colorado, said tract or parcel being more particularly described as follows:

COMMENCING at the NW 1/16th corner of Section 20, being a found 3.25" diameter aluminum cap, set in concrete, in range box, stamped in part "Flatirons Surveying LS 16406, 2012", Whence the W 1/16 corner of Section 17 and Section 20, being a found 3.25" diameter aluminum cap, in range box, stamped in part "DB&CO PLS 29413, 2008" bears N.00°20'55"W., a distance of 1328.79 feet; Thence N.56°11'11"E., a distance of 365.14 feet to a point on the easterly line of a Permanent Bicycle Path, Drainage and Flood Control Easement recorded in Film 1615 at Reception No. 01029228 of the Boulder County Records and the **POINT OF BEGINNING**;

1. Thence N.51°36'41"E., a distance of 15.00 feet;
2. Thence S.38°23'19"E., a distance of 127.31 feet to a point on the north line of a an existing Platted Storm Drainage Easement per Refiling of Palo Park Filing No. 1, recorded in Plan File R 33-1-28 of the Boulder County Records;
3. Thence along the north line of said Platted Easement, S.89°36'41"W., a distance of 19.04 feet to a point on the easterly line of the aforementioned Permanent Bicycle Path, Drainage and Flood Control Easement;
4. Thence along said easterly line, N.38°23'19"W., a distance of 115.59 feet, more or less, to the **POINT OF BEGINNING**.

The above described Temporary Easement contains 1,822 sq. ft. (0.042 acres) of land, more or less.

The purpose of the above-described Temporary Easement is for temporary access, construction of a multi-use path, grading of channel and drainage improvements, and modifications to existing utilities.

BASIS OF BEARINGS: All bearings are based on the line connecting the NW 1/16 corner of Section 20, T. 1 N., R. 70 W. of the 6th P.M. (being a found 3.25" diameter aluminum cap, set in concrete, in range box, stamped in part "Flatirons Surveying LS 16406, 2012") and the W 1/16 corner of Section 17 and Section 20, T. 1 N., R. 70 W. of the 6th P.M. (being a found 3.25" diameter aluminum cap, in range box, stamped in part "DB&CO PLS 29413, 2008") being a **GRID bearing of N. 00°20'25" W. 1328.79'** as obtained from a global positioning system (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said grid bearing is NAD 83 (2007) Colorado State Plane North Zone 501.

Geoffrey F. Stephenson, PLS 23521
For and on behalf of The Lund Partnership, Inc.
12265 W. Bayaud Avenue, Suite 130
Lakewood, CO 80228
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EXHIBIT "A"

**PROJECT NUMBER: AQC M110-087
TEMPORARY EASEMENT NUMBER: TE-6
PROJECT CODE: 19748
DATE: JUNE 23, 2014
DESCRIPTION**

A Temporary Easement No. TE-6 of the City of Boulder, State of Colorado Project No. AQC M110-087 (PC 19748) containing 18,668 sq. ft. (0.429 acres) of land, more or less, being a portion of Lot 1, Manor Care Subdivision, recorded October 29, 2008, in Plan File P-70, F-4, #21 of the Boulder County Records, located in the N.E. 1/4 of the N.W. 1/4 of Section 20, Township 1 N., Range 70 W., of the 6th Principal Meridian, in the City and County of Boulder, Colorado, said tract or parcel being more particularly described as follows:

COMMENCING at the NW 1/16th corner of Section 20, being a found 3.25" diameter aluminum cap, set in concrete, in range box, stamped in part "Flatirons Surveying LS 16406, 2012", Whence the W 1/16 corner of Section 17 and Section 20, being a found 3.25" diameter aluminum cap, in range box, stamped in part "DB&CO PLS 29413, 2008" bears N.00°20'55"W., a distance of 1328.79 feet; Thence N.11°02'50"E., a distance of 744.78 feet to a point on the southerly line of Lot 1, Manor Care Subdivision and the **POINT OF BEGINNING**;

1. Thence along the south line of said Lot 1, S.89°35'59"W., a distance of 25.97 feet;
2. Thence N.00°28'12"W., a distance of 378.51 feet;
3. Thence N.49°39'28"E., a distance of 46.66 feet;
4. Thence N.60°59'35"E., a distance of 30.38 feet;
5. Thence N.00°28'06"W., a distance of 30.00 feet;
6. Thence S.29°09'50"E., a distance of 49.13 feet;
7. Thence N.60°50'10"E., a distance of 103.03 feet;
8. Thence N.00°27'16"W., a distance of 39.60 feet to a point on the northerly line of said Lot 1;
9. Thence along the north line of Lot 1, N.89°32'44"E., a distance of 0.96 feet;
10. Thence continuing along the north line of Lot 1, N.79°55'27"E., a distance of 40.24 feet;
11. Thence S.00°13'38"W., a distance of 53.01 feet;
12. Thence S.60°50'10"W., a distance of 181.58 feet;
13. Thence S.44°31'54"W., a distance of 44.16 feet;



14. Thence S.00°28'12"E., a distance of 334.23 feet, more or less, to the **POINT OF BEGINNING**.

The above described Temporary Easement contains 18,668 sq. ft. (0.429 acres) of land, more or less.

The purpose of the above-described Temporary Easement is for temporary access, construction of a multi-use path, grading of channel and drainage improvements, and modifications to existing utilities.

BASIS OF BEARINGS: All bearings are based on the line connecting the NW 1/16 corner of Section 20, T. 1 N., R. 70 W. of the 6th P.M. (being a found 3.25" diameter aluminum cap, set in concrete, in range box, stamped in part "Flatirons Surveying LS 16406, 2012") and the W 1/16 corner of Section 17 and Section 20, T. 1 N., R. 70 W. of the 6th P.M. (being a found 3.25" diameter aluminum cap, in range box, stamped in part "DB&CO PLS 29413, 2008") being a **GRID bearing of N. 00°20'25" W. 1328.79'** as obtained from a global positioning system (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said grid bearing is NAD 83 (2007) Colorado State Plane North Zone 501.

Geoffrey F. Stephenson, PLS 23521
For and on behalf of The Lund Partnership, Inc.
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EXHIBIT "A"

**PROJECT NUMBER: AQC M110-087
TEMPORARY EASEMENT NUMBER: TE-7
PROJECT CODE: 19748
DATE: JUNE 23, 2014
DESCRIPTION**

A Temporary Easement No. TE-7 of the City of Boulder, State of Colorado Project No. AQC M110-087 (PC 19748) containing 1,748 sq. ft. (0.040 acres) of land, more or less, being a portion of Lot 7 and Lot 8, Replat of Winding Trail Village, a subdivision plat, recorded April 17, 1981, in Plan File P-11, F-1, #26 - #29 of the Boulder County Records, located in the N.W. 1/4 of the N.W. 1/4 of Section 20, Township 1 N., Range 70 W., of the 6th Principal Meridian, in the City and County of Boulder, Colorado, said tract or parcel being more particularly described as follows:

COMMENCING at the NW 1/16th corner of Section 20, being a found 3.25" diameter aluminum cap, set in concrete, in range box, stamped in part "Flatirons Surveying LS 16406, 2012", Whence the W 1/16 corner of Section 17 and Section 20, being a found 3.25" diameter aluminum cap, in range box, stamped in part "DB&CO PLS 29413, 2008" bears N.00°20'55"W., a distance of 1328.79 feet; Thence N.11°52'16"W., a distance of 1,193.45 feet to a point on the westerly line of said Lot 8 and the **POINT OF BEGINNING**;

1. Thence S.76°33'04"E., a distance of 42.16 feet to a point on the northerly line of said Lot 8;
2. Thence along the northerly line of Lot 8, S.58°07'14"E., a distance of 30.00 feet to the N.E. corner of Lot 8;
3. Thence along the easterly line of Lot 8, S.31°52'46"W., a distance of 10.00 feet to the N.W. corner of said Lot 7;
4. Thence along the northerly line of Lot 7, S.58°07'14"E., a distance of 45.01 feet;
5. Thence S.31°52'46"W., a distance of 9.44 feet;
6. Thence N.58°13'04"W., a distance of 104.92 feet;
7. Thence S.32°19'44"W., a distance of 21.79 feet;
8. Thence N.58°05'11"W., a distance of 9.93 feet to a point on westerly line of said Lot 8;
9. Thence along the westerly line of Lot 8, N.31°52'46"E., a distance of 28.07 feet, more or less, to the **POINT OF BEGINNING**.



The above described Temporary Easement contains 1,748 sq. ft. (0.040 acres) of land, more or less.

The purpose of the above-described Temporary Easement is for temporary access, construction of a multi-use path, grading of channel and drainage improvements, and modifications to existing utilities.

BASIS OF BEARINGS: All bearings are based on the line connecting the NW 1/16 corner of Section 20, T. 1 N., R. 70 W. of the 6th P.M. (being a found 3.25" diameter aluminum cap, set in concrete, in range box, stamped in part "Flatirons Surveying LS 16406, 2012") and the W 1/16 corner of Section 17 and Section 20, T. 1 N., R. 70 W. of the 6th P.M. (being a found 3.25" diameter aluminum cap, in range box, stamped in part "DB&CO PLS 29413, 2008") being a **GRID** bearing of **N. 00°20'25" W. 1328.79'** as obtained from a global positioning system (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said grid bearing is NAD 83 (2007) Colorado State Plane North Zone 501.

Geoffrey F. Stephenson, PLS 23521
For and on behalf of The Lund Partnership, Inc.
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Lakewood, CO 80228



EXHIBIT "A"

PROJECT NUMBER: AQC M110-087
TEMPORARY EASEMENT NUMBER: TE-7A
PROJECT CODE: 19748
DATE: JUNE 23, 2014
DESCRIPTION

A Temporary Easement No. TE-7A of the City of Boulder, State of Colorado Project No. AQC M110-087 (PC 19748) containing 746 sq. ft. (0.017 acres) of land, more or less, being a portion of Lot 9, Replat of Winding Trail Village, a subdivision plat, recorded April 17, 1981, in Plan File P-11, F-1, #26 - #29 of the Boulder County Records, located in the N.W. 1/4 of the N.W. 1/4 of Section 20, Township 1 N., Range 70 W., of the 6th Principal Meridian, in the City and County of Boulder, Colorado, said tract or parcel being more particularly described as follows:

COMMENCING at the NW 1/16th corner of Section 20, being a found 3.25" diameter aluminum cap, set in concrete, in range box, stamped in part "Flatirons Surveying LS 16406, 2012", Whence the W 1/16 corner of Section 17 and Section 20, being a found 3.25" diameter aluminum cap, in range box, stamped in part "DB&CO PLS 29413, 2008" bears N.00°20'55"W., a distance of 1328.79 feet; Thence N.17°24'36"W., a distance of 1,239.28 feet to the N.W. corner of said Lot 9 and the **POINT OF BEGINNING**;

1. Thence along the north line of Lot 9, N.89°52'46"E., a distance of 70.00 feet to the N.E. corner of Lot 9;
2. Thence along the east line of Lot 9, S.00°07'14"E., a distance of 31.59 feet;
3. Thence S.89°52'46"W., a distance of 4.83 feet;
4. Thence N.01°44'07"W., a distance of 22.60 feet;
5. Thence S.89°52'46"W., a distance of 64.54 feet to a point on the west line of Lot 9;
6. Thence along the west line of Lot 9, N.00°07'14"W., a distance of 9.00 feet, more or less, to the **POINT OF BEGINNING**.

The above described Temporary Easement contains 746 sq. ft. (0.017 acres) of land, more or less.

The purpose of the above-described Temporary Easement is for temporary access, construction of a multi-use path, grading of channel and drainage improvements, and modifications to existing utilities.

BASIS OF BEARINGS: All bearings are based on the line connecting the NW 1/16 corner of Section 20, T. 1 N., R. 70 W. of the 6th P.M. (being a found 3.25" diameter aluminum cap, set in concrete, in range box, stamped in part "Flatirons Surveying LS 16406, 2012") and the W 1/16 corner of Section 17 and Section 20, T. 1 N., R. 70 W. of the 6th P.M. (being a found 3.25" diameter aluminum cap, in range box, stamped in part "DB&CO PLS 29413, 2008") being a **GRID** bearing of **N. 00°20'25" W. 1328.79'** as obtained from a global positioning system (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said grid bearing is NAD 83 (2007) Colorado State Plane North Zone 501.

Geoffrey F. Stephenson, PLS 23521
For and on behalf of The Lund Partnership, Inc.
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EXHIBIT "A"

**PROJECT NUMBER: STM M110-081
PERMANENT EASEMENT NUMBER: PE-3A
PROJECT CODE: 18405
DATE: JULY 25, 2013
DESCRIPTION**

A Permanent Easement No. PE-3A of the City of Boulder, State of Colorado Project No. STM M110-81 (PC 18405) containing 32,047 sq. ft. (0.736 acres) of land, more or less, being a portion of Tract "C" Meadow Wood a subdivision plat recorded May 21, 1975, in Plan File R P-5, F-1, #27 of the Boulder County Records, located in the S.E. 1/4 of Section 20, Township 1 N., Range 70 W., of the 6th Principal Meridian, in the City and County of Boulder, Colorado, said tract or parcel being more particularly described as follows:

COMMENCING at the C-E 1/16th corner of Section 20, being a found illegible 2.5" diameter aluminum cap in water box, whence the C 1/4 corner of Section 20, being a found 2.5" diameter aluminum cap in survey box stamped in part "City of Boulder Control" bears S. 89°38'05" W., a distance of 1329.40 feet; Thence S. 49°31'35" E., a distance of 1,231.39 feet to a point on the easterly line of said Tract "C" Meadow Wood and the **TRUE POINT OF BEGINNING**;

1. Thence along a non-tangent curve to the left, having a central angle of 70°00'27", a radius of 155.00 feet, an arc length of 189.39 feet, the chord of which bears S. 48°54'32" W., a distance of 177.83 feet;
2. Thence S. 13°54'18" W., a distance of 77.48 feet to the south line of Tract "C" Meadow Wood;
3. Thence along the south line of Tract "C" Meadow Wood, S. 89°44'42" W., a distance of 87.66 feet;
4. Thence N. 13°54'18" E., a distance of 98.92 feet;
5. Thence along a curve to the right, having a central angle of 60°14'09", a radius of 240.00 feet, an arc length of 252.31 feet, the chord of which bears N. 44°01'22" E., a distance of 240.85 feet;
6. Thence N. 32°03'42" E., a distance of 21.06 feet;
7. Thence along a non-tangent curve to the left, having a central angle of 63°36'28", a radius of 45.77 feet, an arc length of 50.81 feet, the chord of which bears N. 00°43'58" E., a distance of 48.24 feet to the south line of Talisman Filing No. Two, a subdivision plat recorded March 16, 1977, in Plan File P-5, F-4, #36 of the Boulder County Records;
8. Thence along the south line of said Talisman Filing No. Two, N. 89°39'02" E., a distance of 32.48 feet;



9. Thence along a non-tangent curve to the right, having a central angle of 45°50'40", a radius of 75.35 feet, an arc length of 60.29 feet, the chord of which bears S. 04°16'34" W., a distance of 58.69 feet;
10. Thence along a non-tangent curve to the right, having a central angle of 11°39'43", a radius of 240.00 feet, an arc length of 48.85 feet, the chord of which bears N. 89°41'18" E., a distance of 48.76 feet to the easterly line of said Tract "C" Meadow Wood;
11. Thence along the easterly line of Tract "C" Meadow Wood, S. 24°59'51" W., a distance of 93.52 feet, more or less, to the **TRUE POINT OF BEGINNING**.

The above described Permanent Easement contains 32,047 sq. ft. (0.736 acres) of land, more or less.

The purpose of the above-described Permanent Easement is for the construction of a relocated segment of the Boulder and White Rock Ditch including permanent placement of the ditch, access, use and maintenance of the ditch.

BASIS OF BEARINGS: All bearings are based on the line connecting the C 1/4 corner of section 20, T. 1 N., R. 70 W. of the 6th P.M. (being a found 2.5" diameter aluminum cap in survey box, stamped in part "City of Boulder Control") and the C-E 1/16 corner of section 20, T. 1 N., R. 69 W. of the 6th P.M. (being a found illegible 2.5" diameter aluminum cap in water box) being a **GRID** bearing of **N. 89°38'05" E. 1329.40'** as obtained from a global positioning system (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said grid bearing is NAD 83 (2007) Colorado State Plane North Zone 501.

Geoffrey F. Stephenson, PLS 23521
For and on behalf of The Lund Partnership, Inc.
12265 W. Bayaud Avenue, Suite 130
Lakewood, CO 80228



EXHIBIT "A"

PROJECT NUMBER: STM M110-081
PERMANENT EASEMENT NUMBER: PE-3REV
PROJECT CODE: 18405
DATE: MARCH 21, 2014
DESCRIPTION

A Permanent Easement No. PE-3REV of the City of Boulder, State of Colorado Project No. STM M110-81 (PC 18405) containing 48,843 sq. ft. (1.121 acres) of land, more or less, being a portion of Tract "C" and Tract "B" Meadow Wood a subdivision plat recorded May 21, 1975, in Plan File R P-5, F-1, #27 of the Boulder County Records, located in the S.E. 1/4 of Section 20, Township 1 N., Range 70 W., of the 6th Principal Meridian, in the City and County of Boulder, Colorado, said tract or parcel being more particularly described as follows:

COMMENCING at the C-E 1/16th corner of Section 20, being a found illegible 2.5" diameter aluminum cap in water box, whence the C 1/4 corner of Section 20, being a found 2.5" diameter aluminum cap in survey box stamped in part "City of Boulder Control" bears S. 89°38'05" W., a distance of 1329.40 feet; Thence S. 34°35'22" E., a distance of 1,204.78 feet to the southwest corner of Tract "C", Meadow Wood and the **TRUE POINT OF BEGINNING**;

1. Thence along the westerly line of Tract "C", N. 00°19'00" W., a distance of 222.14 feet;
2. Thence continuing along the westerly line of Tract "C", S. 89°41'00" W., a distance of 11.93 feet;
3. Thence continuing along the westerly line of Tract "C" and Tract "B", N. 00°19'00" W., a distance of 35.70 feet;
4. Thence N. 60°07'34" W., a distance of 151.36 feet to the south line of Spring Creek Townhouses Replat, Amended, a subdivision plat recorded May 26, 1982, in Plan File P-12, F-3, #38 of the Boulder County Records;
5. Thence along said south line of Spring Creek Townhouses Replat Amended and the south line of Talisman Filing No. Two, a subdivision plat recorded March 16, 1977, in Plan File P-5, F-4, #36 of the Boulder County Records, N. 89°39'02" E., a distance of 101.93 feet;
6. Thence S. 43°47'36" E., a distance of 206.52 feet;
7. Thence along a non-tangent curve to the right, having a central angle of 23°22'38", a radius of 223.50 feet, an arc length of 91.19 feet, the chord of which bears N. 52°34'39" E., a distance of 90.56 feet;
8. Thence N. 43°47'36" W., a distance of 60.78 feet;
9. Thence N. 90°00'00" E., a distance of 92.80 feet;

Attachment D: Legal Descriptions for Outstanding Easements

10. Thence N. 00°00'00" E., a distance of 51.79 feet to said south line of Talisman Filing No. Two;
11. Thence along said south line of Talisman Filing No. Two, N. 89°39'02" E., a distance of 25.00 feet;
12. Thence S. 00°00'00" W., a distance of 106.14 feet;
13. Thence S. 24°59'51" W., a distance of 50.98 feet;
14. Thence N. 43°47'36" W., a distance of 63.53 feet;
15. Thence along a non-tangent curve to the left, having a central angle of 24°59'13", a radius of 209.50 feet, an arc length of 91.36 feet, the chord of which bears S. 53°01'33" W., a distance of 90.64 feet;
16. Thence S. 43°47'36" E., a distance of 102.56 feet;
17. Thence N. 80°34'33" E., a distance of 31.77 feet to the easterly line of said Meadow Wood, Tract "C";
18. Thence along said easterly line of Tract "C", S. 24°59'51" W., a distance of 26.81 feet;
19. Thence S. 80°34'33" W., a distance of 24.25 feet;
20. Thence S. 24°59'51" W., a distance of 84.77 feet to the south line of Tract "C" Meadow Wood;
21. Thence along the south line of Tract "C" Meadow Wood, S. 89°44'42" W., a distance of 141.24 feet, more or less, to the **TRUE POINT OF BEGINNING**.

The above described Permanent Easement contains 48,843 sq. ft. (1.121 acres) of land, more or less.

The purpose of the above-described Permanent Easement is for the construction, permanent placement, access, use and maintenance of a multi-use path/irrigation ditch maintenance path and drainage and channel improvements.

BASIS OF BEARINGS: All bearings are based on the line connecting the C 1/4 corner of section 20, T. 1 N., R. 70 W. of the 6th P.M. (being a found 2.5" diameter aluminum cap in survey box, stamped in part "City of Boulder Control") and the C-E 1/16 corner of section 20, T. 1 N., R. 69 W. of the 6th P.M. (being a found illegible 2.5" diameter aluminum cap in water box) being a **GRID** bearing of **N. 89°38'05" E. 1329.40'** as obtained from a global positioning system (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said grid bearing is NAD 83 (2007) Colorado State Plane North Zone 501.

Geoffrey F. Stephenson, PLS 23521
For and on behalf of The Lund Partnership, Inc.
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EXHIBIT "A"

**PROJECT NUMBER: STM M110-081
TEMPORARY EASEMENT NUMBER: TE-3
PROJECT CODE: 18405
DATE: JULY 25, 2013
DESCRIPTION**

A Temporary Easement No. TE-3 of the City of Boulder, State of Colorado Project No. STM M110-81 (PC 18405) containing 2,634 sq. ft. (0.060 acres) of land, more or less, being a portion of Tract "C" Meadow Wood a subdivision plat recorded May 21, 1975, in Plan File R P-5, F-1, #27 of the Boulder County Records, located in the S.E. 1/4 of Section 20, Township 1 N., Range 70 W., of the 6th Principal Meridian, in the City and County of Boulder, Colorado, said tract or parcel being more particularly described as follows:

COMMENCING at the C-E 1/16th corner of Section 20, being a found illegible 2.5" diameter aluminum cap in water box, whence the C 1/4 corner of Section 20, being a found 2.5" diameter aluminum cap in survey box stamped in part "City of Boulder Control" bears S. 89°38'05" W., a distance of 1329.40 feet; Thence S. 56°14'37" E., a distance of 1,180.51 feet to a point on the south line of Talisman Filing No. Two, a subdivision plat recorded March 16, 1977, in Plan File P-5, F-4, #36 of the Boulder County Records and the **TRUE POINT OF BEGINNING**;

1. Thence S. 24°59'51" W., a distance of 117.44 feet;
2. Thence N. 00°00'00" E., a distance of 106.14 feet to said south line Talisman Filing No. Two;
3. Thence along said south line of Talisman Filing No. Two, N. 89°39'02" E., a distance of 49.63 feet, more or less, to the **TRUE POINT OF BEGINNING**.

The above described parcel contains 2,634 square feet (0.060 acres) of land, more or less.

The purpose of the above-described Temporary Easement is for the construction of drainage and channel improvements and multi-use path/irrigation ditch maintenance path.

BASIS OF BEARINGS: All bearings are based on the line connecting the C 1/4 corner of section 20, T. 1 N., R. 70 W. of the 6th P.M. (being a found 2.5" diameter aluminum cap in survey box, stamped in part "City of Boulder Control") and the C-E 1/16 corner of section 20, T. 1 N., R. 69 W. of the 6th P.M. (being a found illegible 2.5" diameter aluminum cap in water box) being a **GRID** bearing of **N. 89°38'05" E. 1329.40'** as obtained from a global positioning system (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said grid bearing is NAD 83 (2007) Colorado State Plane North Zone 501.

Geoffrey F. Stephenson, PLS 23521
For and on behalf of The Lund Partnership, Inc.
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EXHIBIT "A"

**PROJECT NUMBER: STM M110-081
TEMPORARY EASEMENT NUMBER: TE-3A
PROJECT CODE: 18405
DATE: JULY 25, 2013
DESCRIPTION**

A Temporary Easement No. TE-3A of the City of Boulder, State of Colorado Project No. STM M110-81 (PC 18405) containing 6,030 sq. ft. (0.138 acres) of land, more or less, being a portion of Tract "C" Meadow Wood a subdivision plat recorded May 21, 1975, in Plan File R P-5, F-1, #27 of the Boulder County Records, located in the S.E. 1/4 of Section 20, Township 1 N., Range 70 W., of the 6th Principal Meridian, in the City and County of Boulder, Colorado, said tract or parcel being more particularly described as follows:

COMMENCING at the C-E 1/16th corner of Section 20, being a found illegible 2.5" diameter aluminum cap in water box, whence the C 1/4 corner of Section 20, being a found 2.5" diameter aluminum cap in survey box stamped in part "City of Boulder Control" bears S. 89°38'05" W., a distance of 1329.40 feet; Thence S. 49°20'23" E., a distance of 1,008.76 feet to a point on the south line of Talisman Filing No. Two, a subdivision plat recorded March 16, 1977, in Plan File P-5, F-4, #36 of the Boulder County Records and the **TRUE POINT OF BEGINNING**;

1. Thence along said south line of Talisman Filing No. Two, N. 89°39'02" E., a distance of 141.63 feet;
2. Thence S. 00°00'00" W., a distance of 51.79 feet;
3. Thence N. 90°00'00" W., a distance of 92.80 feet;
4. Thence N. 43°47'36" W., a distance of 70.55 feet, more or less, to the **TRUE POINT OF BEGINNING**.

The above described parcel contains 6,030 square feet (0.138 acres) of land, more or less.

The purpose of the above-described Temporary Easement is for the construction of drainage and channel improvements and multi-use path/irrigation ditch maintenance path.

BASIS OF BEARINGS: All bearings are based on the line connecting the C 1/4 corner of section 20, T. 1 N., R. 70 W. of the 6th P.M. (being a found 2.5" diameter aluminum cap in survey box, stamped in part "City of Boulder Control") and the C-E 1/16 corner of section 20, T. 1 N., R. 69 W. of the 6th P.M. (being a found illegible 2.5" diameter aluminum cap in water box) being a **GRID** bearing of **N. 89°38'05" E. 1329.40'** as obtained from a global positioning system (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said grid bearing is NAD 83 (2007) Colorado State Plane North Zone 501.

Geoffrey F. Stephenson, PLS 23521
For and on behalf of The Lund Partnership, Inc.
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EXHIBIT "A"

PROJECT NUMBER: STM M110-081
TEMPORARY EASEMENT NUMBER: TE-3B
PROJECT CODE: 18405
DATE: JULY 25, 2013
DESCRIPTION

A Temporary Easement No. TE-3B of the City of Boulder, State of Colorado Project No. STM M110-81 (PC 18405) containing 5,754 sq. ft. (0.132 acres) of land, more or less, being a portion of Tract "C" and Tract "B" Meadow Wood a subdivision plat recorded May 21, 1975, in Plan File R P-5, F-1, #27 of the Boulder County Records, located in the S.E. 1/4 of Section 20, Township 1 N., Range 70 W., of the 6th Principal Meridian, in the City and County of Boulder, Colorado, said tract or parcel being more particularly described as follows:

COMMENCING at the C-E 1/16th corner of Section 20, being a found illegible 2.5" diameter aluminum cap in water box, whence the C 1/4 corner of Section 20, being a found 2.5" diameter aluminum cap in survey box stamped in part "City of Boulder Control" bears S. 89°38'05" W., a distance of 1329.40 feet; Thence S. 38°17'38" E., a distance of 941.88 feet to the S.W. corner of said Tract "B" Meadow Wood and the **TRUE POINT OF BEGINNING**;

1. Thence along the southerly line of Tract "B" and Tract "C" Meadow Wood on a non-tangent curve to the left, having a central angle of 89°24'19", a radius of 40.00 feet, an arc length of 62.42 feet, the chord of which bears N. 79°05'42" W., a distance of 56.27 feet;
2. Thence N. 00°15'43" W., a distance of 69.85 feet to the south line of Spring Creek Townhouses Replat, Amended, a subdivision plat recorded May 26, 1982, in Plan File P-12, F-3, #38 of the Boulder County Records;
3. Thence along said south line of Spring Creek Townhouses Replat, Amended, N. 89°39'02" E., a distance of 11.24 feet;
4. Thence S. 60°07'34" E., a distance of 151.36 feet to a point on the east line of said Tract "B" Meadow Wood;
5. Thence along the east line of Tract "B" Meadow Wood, S. 00°19'00" E., a distance of 4.70 feet to the S.E. corner of Tract "B" Meadow Wood;
6. Thence along the south line of Tract "B" Meadow Wood, S. 89°41'00" W., a distance of 86.94 feet, more or less, to the **TRUE POINT OF BEGINNING**.

The above described parcel contains 5,754 square feet (0.132 acres) of land, more or less.

The purpose of the above-described Temporary Easement is for the construction of a multi-use path and drainage and channel improvements and reconstruction of a parking lot.

BASIS OF BEARINGS: All bearings are based on the line connecting the C 1/4 corner of section 20, T. 1 N., R. 70 W. of the 6th P.M. (being a found 2.5" diameter aluminum cap in survey box, stamped in part "City of Boulder Control") and the C-E 1/16 corner of section 20, T. 1 N., R. 69 W. of the 6th P.M. (being a found illegible 2.5" diameter aluminum cap in water box) being a **GRID bearing of N. 89°38'05" E. 1329.40'** as obtained from a global positioning system (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said grid bearing is NAD 83 (2007) Colorado State Plane North Zone 501.

Geoffrey F. Stephenson, PLS 23521
For and on behalf of The Lund Partnership, Inc.
12265 W. Bayaud Avenue, Suite 130
Lakewood, CO 80228
Packet Page 178



EXHIBIT "A"

**PROJECT NUMBER: STM M110-081
PERMANENT EASEMENT NUMBER: PE-1
PROJECT CODE: 18405
DATE: JULY 25, 2013
DESCRIPTION**

A Permanent Easement No. PE-1 of the City of Boulder, State of Colorado Project No. STM M110-81 (PC 18405) containing 7,234 sq. ft. (0.166 acres) of land, more or less, being a portion of Lot 6A, Center Green Replat "A", recorded March 2, 1989, in Plan File P-23, F-1, #24, and further described in the Special Warranty Deed recorded September 9, 2002 at Reception No. 2329000 of the Boulder County Records, located in the S.E. 1/4 of Section 20, Township 1 N., Range 70 W., of the 6th Principal Meridian, in the City and County of Boulder, Colorado, said tract or parcel being more particularly described as follows:

COMMENCING at the C-E 1/16th corner of Section 20, being a found illegible 2.5" diameter aluminum cap in water box, whence the C 1/4 corner of Section 20, being a found 2.5" diameter aluminum cap in survey box stamped in part "City of Boulder Control" bears S. 89°38'05" W., a distance of 1329.40 feet; Thence S. 42°08'05" E., a distance of 1,396.50 feet to a point on the westerly line of said Lot 6A and the **TRUE POINT OF BEGINNING**;

1. Thence along the west line of Lot 6A, N. 24°59'51" E., a distance of 156.38 feet to the northerly most point of Lot 6A;
2. Thence along the east line of Lot 6A, S. 05°36'37" E., a distance of 181.70 feet;
3. Thence N. 65°00'09" W., a distance of 92.51 feet, more or less, to the **TRUE POINT OF BEGINNING**.

The above described Permanent Easement contains 7,234 sq. ft. (0.166 acres) of land, more or less.

The purpose of the above-described Permanent Easement is for the construction, permanent placement, access, use and maintenance of a multi-use path and drainage and channel improvements and utilities.

BASIS OF BEARINGS: All bearings are based on the line connecting the C 1/4 corner of section 20, T. 1 N., R. 70 W. of the 6th P.M. (being a found 2.5" diameter aluminum cap in survey box, stamped in part "City of Boulder Control") and the C-E 1/16 corner of section 20, T. 1 N., R. 69 W. of the 6th P.M. (being a found illegible 2.5" diameter aluminum cap in water box) being a **GRID** bearing of **N. 89°38'05" E. 1329.40'** as obtained from a global positioning system (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said grid bearing is NAD 83 (2007) Colorado State Plane North Zone 501.

Geoffrey F. Stephenson, PLS 23521
For and on behalf of The Lund Partnership, Inc.
12265 W. Bayaud Avenue, Suite 130
Lakewood, CO 80228



EXHIBIT "A"

**PROJECT NUMBER: STM M110-081
TEMPORARY EASEMENT NUMBER: TE-1
PROJECT CODE: 18405
DATE: MARCH 21, 2014
DESCRIPTION**

A Temporary Easement No. TE-1 of the City of Boulder, State of Colorado Project No. STM M110-81 (PC 18405) containing 21,809 sq. ft. (0.501 acres) of land, more or less, being a portion of Lot 6A, Center Green Replat "A", recorded March 2, 1989, in Plan File P-23, F-1, #24, and further described in the Special Warranty Deed recorded September 9, 2002 at Reception No. 2329000 of the Boulder County Records, located in the S.E. 1/4 of Section 20, Township 1 N., Range 70 W., of the 6th Principal Meridian, in the City and County of Boulder, Colorado, said tract or parcel being more particularly described as follows:

COMMENCING at the C-E 1/16th corner of Section 20, being a found illegible 2.5" diameter aluminum cap in water box, whence the C 1/4 corner of Section 20, being a found 2.5" diameter aluminum cap in survey box stamped in part "City of Boulder Control" bears S. 89°38'05" W., a distance of 1329.40 feet; Thence S. 42°08'05" E., a distance of 1,396.50 feet to a point on the westerly line of said Lot 6A and the **TRUE POINT OF BEGINNING**;

1. Thence along the westerly line of Lot 6A, S. 24°59'51" W., a distance of 36.44 feet;
2. Thence S. 65°09'30" E., a distance of 21.43 feet;
3. Thence S. 25°06'14" W., a distance of 457.36 feet;
4. Thence S. 15°32'04" E., a distance of 337.34 feet to the north line of Center Green Drive as shown on said Center Green Replat "A";
5. Thence along said north line on a non-tangent curve to the right having a central angle of 24°07'25", a radius of 60.00 feet, an arc length of 25.26 feet, the chord of which bears S. 88°41'19" E., a distance of 25.08 feet;
6. Thence N. 15°32'04" W. a distance of 335.72 feet;
7. Thence N. 25°06'14" E. a distance of 448.47 feet;
8. Thence S. 65°20'28" E., a distance of 34.40 feet;
9. Thence N. 23°21'02" E., a distance of 36.23 feet;
10. Thence N. 65°00'09" W., a distance of 78.79 feet, more or less, to the **TRUE POINT OF BEGINNING**.

The above described Temporary Easement contains 21,809 sq. ft. (0.501 acres) of land, more or less.

The purpose of the above-described Temporary Easement is for temporary access for grading and construction.

BASIS OF BEARINGS: All bearings are based on the line connecting the C 1/4 corner of section 20, T. 1 N., R. 70 W. of the 6th P.M. (being a found 2.5" diameter aluminum cap in survey box, stamped in part "City of Boulder Control") and the C-E 1/16 corner of section 20, T. 1 N., R. 69 W. of the 6th P.M. (being a found illegible 2.5" diameter aluminum cap in water box) being a **GRID** bearing of **N. 89°38'05" E. 1329.40'** as obtained from a global positioning system (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said grid bearing is NAD 83 (2007) Colorado State Plane North Zone 501.

Geoffrey F. Stephenson, PLS 23521
For and on behalf of The Lund Partnership, Inc.
12265 W. Bayaud Avenue, Suite 130
Lakewood, CO 80228





**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: November 6, 2014

AGENDA TITLE:

Second reading and consideration of a motion to adopt Ordinance No. 8009, designating the building and property at 1919 14th St., to be known as the Colorado Building, as an individual landmark under the city's Historic Preservation Ordinance.

Owner/Applicant: 1919 14th Street, LLC

PRESENTERS:

Jane S. Brautigam, City Manager

David Driskell, Executive Director of Community Planning & Sustainability

Lesli Ellis, Comprehensive Planning Manager

James Hewat, Senior Historic Preservation Planner

Marcy Cameron, Historic Preservation Planner

EXECUTIVE SUMMARY:

The purpose of this item is to allow the City Council to determine whether the proposed individual landmark designation of the building at 1919 14th St. meets the purposes and standards of the Historic Preservation Ordinance (*Sections 9-11-1 and 9-11-2, B.R.C. 1981*). The property owner is in support of the designation.

If approved, this ordinance (see **Attachment A**) would designate the building as an individual landmark. The findings are included in the ordinance. The landmark designation application was submitted by the property owner on June 13, 2014, and was heard by the Landmarks Board on September 3, 2014. The board voted 4-1 (K. Remley opposed) to recommend the designation to City Council. The second reading for this designation will be a quasi-judicial public hearing.

STAFF RECOMMENDATION:

Suggested Motion Language:

Staff requests council consideration of this matter and action in the form of the following motion:

Motion to adopt Ordinance No. 8009, designating the building and property at 1919 14th St., to be known as the Colorado Building, as an individual landmark under the City of Boulder’s Historic Preservation Ordinance.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS:

Economic: Owners of locally designated landmarked properties are eligible for state and local tax credits for approved rehabilitations and repairs, and studies have found that historic preservation adds to economic vitality and tourism. Exterior changes to individually landmarked buildings require a Landmark Alteration Certificate, issued by the Community Planning and Sustainability Department at no charge. The additional review process for landmarked buildings may, however, add time and design expense to a project.

Environmental: The preservation of historic buildings is inherently sustainable. Owners of individually landmarked buildings are encouraged to reuse and repair as much of the original building as possible when making exterior alterations, thereby reducing the amount of building material waste deposited in landfills. City staff can assist architects, contractors and homeowners with design and material selections and sources that are environmentally friendly. Also, the Historic Preservation website provides information on improving the energy efficiency of older buildings.

Social: The Historic Preservation Ordinance was adopted to “...enhance property values, stabilize neighborhoods, promote tourist trade and interest, and foster knowledge of the city’s living heritage.” Section 9-11-1 (a), B.R.C., 1981. The primary beneficiaries of historic designation are the property owners of a historic landmark and adjacent neighbors, who are ensured that the character of the immediate area will be protected through the design review process. The greater community also benefits from the preservation of the community’s character and history.

OTHER IMPACTS:

Fiscal: The designation of individual historic landmarks is an anticipated and ongoing function of the Historic Preservation Program.

Staff Time: This designation application is within the staff work plan.

LANDMARKS BOARD ACTION

On September 3, 2014 the Landmarks Board voted 4-1, **K. Remley** opposed, to recommend to City Council that the building at 1919 14th St., to be known as the Colorado Building, be designated as a local historic landmark, finding that it meets the standards for individual landmark designations in sections 9-11-1 and 9-11-2, B.R.C. 1981, and is consistent with the criteria specified in section 9-11-5(c), B.R.C. 1981. Remley opposed the recommendation for

designation to City Council based on her consideration that the building is not of architectural or historic significance and exceeds the city's height limit.

BACKGROUND:

- On June 13, 2014, the city received an application from the owners of the building for individual landmark designation of the property at 1919 14th St. This application was submitted as a condition of Site Review approval for the re-development of the property.
- The owners are planning to rehabilitate the building; exterior changes will require a Landmark Alteration Certificate and will be reviewed by the Landmarks Design Review Committee (Ldrc).



Figure 1. Location Map, 1919 14th St.

PROPERTY DESCRIPTION:

The 15,165 sq. ft. lot at 1919 14th St. is located on the northwest corner of Walnut St. and 14th St. An alley, Lawry Ln., borders the property's northern boundary and marks the Downtown Historic District's southern boundary. The building encompasses the majority of the lot, with pavement on the north side.



Figure 2. Colorado Building, 1919 14th St., 1957.

Designed by prominent Boulder architect James M. Hunter, the nine-story Colorado Building is one of downtown Boulder's most prominent visual landmarks. The building, completed in 1957, was originally planned as a "six-story, glass and native stone structure, which will be designed somewhat along the lines of United Nations headquarters (completed in 1952)." The Daily Camera reported that the Colorado Insurance Building was the first private building project to exceed \$1,000,000 in the city of Boulder. The three lower floors were designed to hold a department store, Joslin's, described as the "first big store in Boulder." The building, measuring approximately 100 ft. in height, was erected before Boulder imposed a height restriction of 55 ft. in 1972.

The property was developed by Allen J. Lefferdink, a Boulder businessman who started several enterprises including Allen Enterprises, Allen Enterprises Loan, Colorado Credit Life Insurance Co., and Boulder Acceptance Co. In 1960, Lefferdink was indicted on 18 counts of mail fraud. He was convicted of the charges, but won a new trial where he was acquitted. Lefferdink then left the state, leaving investors with an estimated \$25 million in losses.



Figure 3. South and east facades, 1919 14th St., 2014.

The nine-story building features red brick walls that bookend a glass and aluminum curtain wall. The brick walls, located on the north and south elevations, are subtly textured with protruding horizontal brick bands, approximately located at each floor plate. Vertical tiles, measuring approximately 4” by 12”, wrap the ground floor of the building.



Figure 4. East Façade, 1919 14th St., 2014.

The east façade (facing 14th St.) features a large aluminum and glass curtain wall bordered by the masonry walls on the north and south. The curtain wall is composed of alternating horizontal bands of glass and painted panels.

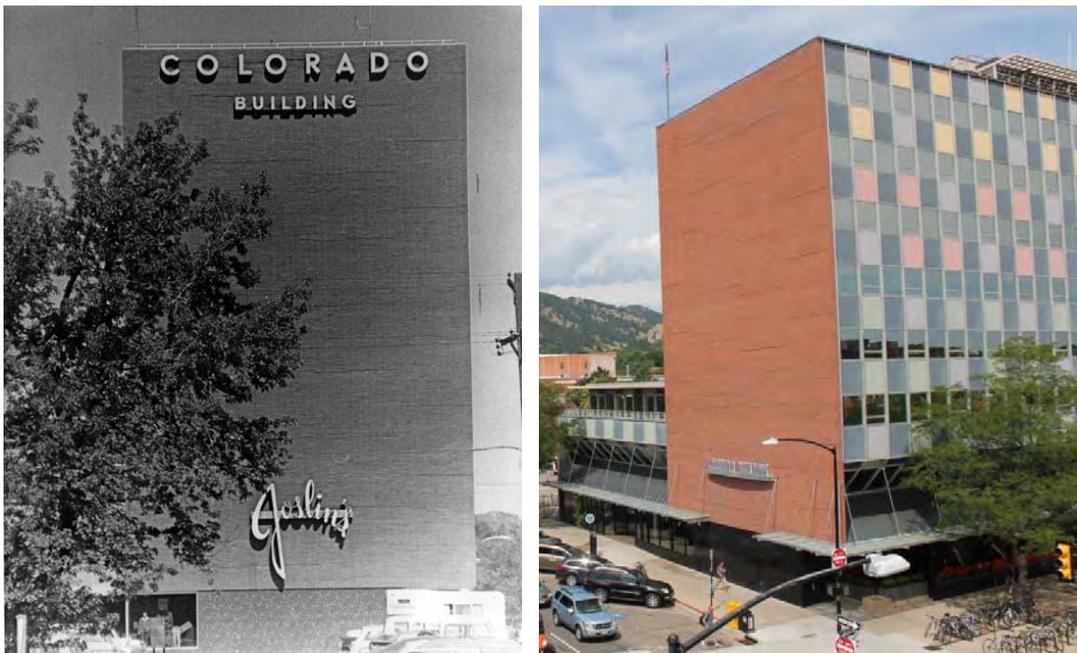


Figure 5. South Elevation, 1919 14th St., c. 1970s (left) and 2014 (right).

The south elevation (facing Walnut St.) features a contemporary “Colorado Building” sign located near the bottom of the elevation. The ground level is wrapped in a shiny black,

vertical tile (a later alteration). The entrance at the corner of 14th and Walnut St. is recessed, and is currently unused. A three-story pavilion is located west of the office tower, and features an open storefront on the ground level and an inverted curtain wall above. The third story is setback, and features a paneled curtain wall similar to that on the office tower. The pavilion is capped by an overhanging sun-screen that closed on the south elevation and has an open grid on the west elevation.



Figure 6. West Elevation, detail, 1919 14th St., 2014.

The west elevation of the office tower features a paneled glass curtain wall. The brick wall at the north end is recessed and features concrete panels at each level. The west elevation of the pavilion features regularly spaced sliding glass windows. The recessed third floor with the gridded sunshade extends approximately two-thirds of the elevation. A northernmost portion of the elevation is painted.



Figure 7. West Elevation, 1919 14th St., 2014.

The north elevation is nearly identical in design to the south elevation. The wall is subtly textured with slightly protruding horizontal bands of brick, as seen on the southern elevation. A 1966 photo shows that the north elevation originally featured a “Colorado Building” sign near the top that was identical to the sign seen on the south elevation.



Figure 8. Northeast corner, 1919 14th St., 1972 (left) and 2014 (right).

ANALYSIS:

Criteria for Review

Section 9-11-6(b), B.R.C. 1981, specifies that during the review for an application for local landmark designation, the council must consider “whether the designation meets the purposes and standards in subsection 9-11-1(a) and section 9-11-2, “*City Council May Designate or Amend Landmarks and Historic Districts,*” B.R.C. 1981, in balance with the goals and policies of the Boulder Valley Comprehensive Plan” and provides that the City Council “shall approve by ordinance, modify and approve by ordinance, or disapprove the proposed designation.”

Historic, Architectural, and Environmental Significance

Staff finds that the proposed application to landmark 1919 14th St. will protect, enhance, and perpetuate a building reminiscent of a past era important in local history and preserve an important example of Boulder’s historic architecture. Staff considers the application to meet the historic criteria for individual landmark designation as outlined below:

HISTORICAL SIGNIFICANCE:

Summary: The building at 1919 14th St. is considered to have historic significance under criteria 1, 3 and 4.

- 1. Date of Construction:** 1955
- 2. Association with Persons or Events:** None observed.

3. Development of the Community: Modern Architecture

Elaboration: This building was the first major construction project downtown after 1930 and demonstrates the development of the Modern Architectural Movement in the Post-World War II era and promotes community awareness of our cultural, economic and social heritage.

4. Recognition by Authorities: Survey of Modern Architecture, 2000.

ARCHITECTURAL SIGNIFICANCE:

Summary: The building at 1919 14th St. is believed to have architectural significance under criteria 1, 2, 3 and 4.

1. Recognized Period or Style: Modern Architecture

Elaboration: The Colorado Building was built in 1955 using the design of locally prominent architect, James M. Hunter, in a Modern Architectural style.

2. Architect or Builder of Prominence: James M. Hunter

Elaboration: The Colorado Building is one of Hunter's most important commissions in the 1950s. Some of Hunter's other key architectural designs in Boulder include the Boulder Municipal Building, the Nelson House, the original Boulder Public Library, and Boulder Medical Center. During his illustrious career, Hunter served as planner and architect for Colorado State University and Fort Lewis College in Durango. He also held similar posts with Regis College in Denver and Tarkio College in Missouri.

3. Artistic Merit: Embodies the characteristics of the International style.

Elaboration: This building is an excellent example of the Meisian Style influenced regional design, as reflected in its curtain wall system, flat roof, use of cantilevers, use of industrial materials including aluminum, enameled metal panels in colors, and rectilinear conception of building's volumes. Hunter felt that the structural qualities of the building's form and materials were key artistic elements.

4. Example of the Uncommon: The Colorado Building was the first major building constructed downtown after 1930 and remains one of Boulder's only high-rise buildings.

5. Indigenous Qualities: None observed.

ENVIRONMENTAL SIGNIFICANCE:

Summary: The building at 1919 14th St. has environmental significance under criterion 3.

1. Site Characteristics: None observed

2. Compatibility with Site: None observed

3. Geographic Importance: Downtown Boulder

Elaboration: The building is significant for its location on a prominent corner in downtown Boulder. It is situated on the northwest corner of 14th St. and Walnut St.,

forming a readily recognizable landmark in the surrounding landscape. Due to its height, the Colorado Building can be seen from many parts of Boulder's Downtown area, making it a visual landmark.

4. Environmental Appropriateness: None observed.

5. Area Integrity:

The property is located one block south of Pearl Street Mall at the intersection of Walnut St. and 14th Street. The building sits just outside the southern border of the Downtown Historic District. Aside from the many historical Pearl Street buildings that sit directly to the north of the Colorado Building, the historic U.S. Post Office sits one block to the east at 1905 15th St.

Walnut Street and 14th Street, which border the south and east sides of the building are both heavily trafficked streets. Additionally, the intersection of two of Boulder's main thoroughfares, Broadway and Canyon Boulevard, sits only two blocks to the southwest.

OPTIONS:

City Council may approve, modify or not approve the second reading ordinance.

Approved By:

Jane S. Brautigam,
City Manager

ATTACHMENTS:

- A: Ordinance No. 8009
- B: Sections 9-11-1 and 9-11-2, "*Purposes and Intent*," B.R.C., 1981
- C: Significance Criteria for individual landmarks

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ORDINANCE NO. 8009

AN ORDINANCE DESIGNATING THE BUILDING AND THE A PORTION OF THE PROPERTY AT 1919 14TH STREET, CITY OF BOULDER, COLORADO, ALSO KNOWN AS THE COLORADO BUILDING, A LANDMARK UNDER CHAPTER 9-11, "HISTORIC PRESERVATION" B.R.C. 1981, AND SETTING FORTH DETAILS IN RELATION THERETO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO:

Section 1. The council enacts this ordinance pursuant to its authority under Chapter 9-11, "Historic Preservation," B.R.C. 1981, to designate as a landmark a property having a special character or special historic, architectural, or aesthetic interest or value.

Section 2. The council finds that: 1) on or about June 13, 2014, property owner 1919 Street, LLC, applied to the City of Boulder to designate the building and property at said property as a landmark; 2) the Landmarks Board held a public hearing on the proposed designation on September 3, 2014; and 3) on September 3, 2014, the board recommended that the council approve the proposed designation.

Section 3. The council also finds that upon public notice required by law, the council held a public hearing on the proposed designation on November 6, 2014 and upon the basis of the presentations at that hearing finds that the building at 1919 14th Street does possess a special character and special historic, architectural, or aesthetic interest or value warranting its designation as a landmark.

Section 4. The characteristics of the subject property that justify its designation as a landmark are: 1) its historic significance is relevant to its construction in 1955 by local architect James M. Hunter and its connection with the development of the Modern Architectural Movement in the

1 Post-World War II era that was significant to the development of Boulder; and 2) its architectural
2 significance indicative of the International Style, and is significant for its curtain wall system,
3 flat roof, use of cantilevers, use of industrial materials and the rectilinear conception of the
4 building's volumes and its association with prominent architect James M. Hunter and as an
5 example of the uncommon as the first major building constructed downtown after 1930 and one
6 of Boulder's only high-rise buildings 3) its environmental significance for its geographic
7 importance as an existing visual landmark at the corner of 14th Street and Walnut Street.

8 Section 5. The council further finds that the foregoing landmark designation is necessary
9 to promote the public health, safety, and welfare of the residents of the city.

10 Section 6. There is hereby created as a landmark the building and property located at
11 1919 14th Street, also known as the Colorado Building, whose legal landmark boundary is
12 identical to the boundary of the legal lots upon which it sits:

13
14 E 12 FT LOT 10 & ALL LOTS 11 -12 BLK 68 BOULDER O T, BOULDER
15 COUNTY, COLORADO
16 as depicted in the proposed landmark boundary map, attached hereto as Exhibit A.

17 Section 7. The council directs that the department of Community Planning and
18 Sustainability give prompt notice of this designation to the property owner and cause a copy of
19 this ordinance to be recorded as described in Subsection 9-11-6(d), B.R.C. 1981.

20 Section 8. The council deems it appropriate that this ordinance be published by title only
21 and orders that copies of this ordinance be made available in the office of the city clerk for public
22 inspection and acquisition.
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INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY TITLE ONLY THIS 21ST DAY OF OCTOBER, 2014.

Mayor

Attest:

City Clerk

READ ON SECOND READING, PASSED, ADOPTED, AND ORDERED PUBLISHED BY TITLE ONLY this 6th day of NOVEMBER, 2014.

Mayor

Attest:

City Clerk

Exhibit A – Landmark Boundary Map for 1919 14th Street

E 12 FT LOT 10 & ALL LOTS 11 -12 BLK 68 BOULDER O T



**9-11-1 & 9-11-2 Purposes and Intent
Boulder Revised Code, 1981**

9-11-1: *Purpose and Legislative Intent* states:

- (a) The purpose of this chapter is to promote the public health, safety, and welfare by protecting, enhancing, and perpetuating buildings, sites, and areas of the city reminiscent of past eras, events, and persons important in local, state, or national history or providing significant examples of architectural styles of the past. It is also the purpose of this chapter to develop and maintain appropriate settings and environments for such buildings, sites, and areas to enhance property values, stabilize neighborhoods, promote tourist trade and interest, and foster knowledge of the city's living heritage.
- (b) The City Council does not intend by this chapter to preserve every old building in the city but instead to draw a reasonable balance between private property rights and the public interest in preserving the city's cultural, historic, and architectural heritage by ensuring that demolition of buildings and structures important to that heritage will be carefully weighed with other alternatives and that alterations to such buildings and structures and new construction will respect the character of each such setting, not by imitating surrounding structures, but by being compatible with them.
- (c) The City Council intends that in reviewing applications for alterations to and new construction on landmarks or structures in a historic district, the Landmarks Board shall follow relevant city policies, including, without limitation, energy-efficient design, access for the disabled and creative approaches to renovation.

9-11-2: *City Council may Designate or Amend Landmarks and Historic Districts* states:

- (a) Pursuant to the procedures in this chapter the City Council may by ordinance:
 - (1) Designate as a landmark an individual building or other feature or an integrated group of structures or features on a single lot or site having a special character and historical, architectural, or aesthetic interest or value and designate a landmark site for each landmark;
 - (2) Designate as a historic district a contiguous area containing a number of sites, buildings, structures or features having a special character and historical, architectural, or aesthetic interest or value and constituting a distinct section of the city;
 - (3) Designate as a discontinuous historic district a collection of sites, buildings, structures, or features which are contained in two or more geographically separate areas, having a special character and historical, architectural, or aesthetic interest or value that are united together by historical, architectural, or aesthetic characteristics; and
 - (4) Amend designations to add features or property to or from the site or district.
- (b) Upon designation, the property included in any such designation is subject to all the requirements of this code and other ordinances of the city.

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SIGNIFICANCE CRITERIA

Individual Landmark

September 1975

On September 6, 1975, the City Council adopted Ordinance #4000 providing procedures for the designation of Landmarks and Historic Districts in the City of Boulder. The purpose of the ordinance is the preservation of the City's permitted cultural, historic, and architectural heritage. The Landmarks Board is permitted by the ordinance to adopt rules and regulations as it deems necessary for its own organization and procedures. The following Significance Criteria have been adopted by the board to help evaluate each potential designation in a consistent and equitable manner.

Historic Significance

The place (building, site, area) should show character, interest or value as part of the development, heritage, or cultural characteristics of the community, state or nation; be the site of a historic, or prehistoric event that had an effect upon society; or exemplify the cultural, political, economic, or social heritage of the community.

Date of Construction: This area of consideration places particular importance on the age of the structure.

Association with Historical Persons or Events: This association could be national, state, or local.

Distinction in the Development of the Community of Boulder: This is most applicable to an institution (religious, educational, civic, etc) or business structure, though in some cases residences might qualify. It stresses the importance of preserving those places which demonstrate the growth during different time spans in the history of Boulder, in order to maintain an awareness of our cultural, economic, social or political heritage.

Recognition by Authorities: If it is recognized by Historic Boulder, Inc. the Boulder Historical Society, local historians (Barker, Crossen, Frink, Gladden, Paddock, Schooland, etc), State Historical Society, The Improvement of Boulder, Colorado by F.L. Olmsted, or others in published form as having historic interest and value.

Other, if applicable.

Architectural Significance

The place should embody those distinguishing characteristics of an architectural type specimen, a good example of the common; be the work of an architect or master builder, known nationally, state-wide, or locally, and perhaps whose work has influenced later development; contain elements of architectural design, detail, materials or craftsmanship which represent a significant innovation; or be a fine example of the uncommon.

Recognized Period/Style: It should exemplify specific elements of an architectural period/style, i.e.: Victorian, Revival styles, such as described by *Historic American Building Survey Criteria*, Gingerbread Age (Maass), 76 Boulder Homes (Barkar), The History of Architectural Style (Marcus/Wiffin), Architecture in San Francisco (Gebhard et al), History of Architecture (Fletcher), Architecture/Colorado, and any other published source of universal or local analysis of a style.

Architect or Builder of Prominence: A good example of the work of an architect or builder who is recognized for expertise in his field nationally, state-wide, or locally.

Artistic Merit: A skillful integration of design, material, and color which is of excellent visual quality and/or demonstrates superior craftsmanship.

Example of the Uncommon: Elements of architectural design, details, or craftsmanship that are representative of a significant innovation.

Indigenous Qualities: A style or material that is particularly associated with the Boulder area.

Other, if applicable.

Environmental Significance

The place should enhance the variety, interest, and sense of identity of the community by the protection of the unique natural and man-made environment.

Site Characteristics: It should be of high quality in terms of planned or natural vegetation.

Compatibility with Site: Consideration will be given to scale, massing placement, or other qualities of design with respect to its site.

Geographic Importance: Due to its unique location or singular physical characteristics, it represents an established and familiar visual feature of the community.

Environmental Appropriateness: The surroundings are complementary and/or it is situated in a manner particularly suited to its function.

Area Integrity: Places which provide historical, architectural, or environmental importance and continuity of an existing condition, although taken singularly or out of context might not qualify under other criteria.



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: November 6, 2014

AGENDA TITLE:

Second reading and consideration of a motion to adopt Ordinance No. 7992 amending Section 9-2-13, "Concept Plan Review and Comment," B.R.C. 1981, to add a process for review of concept plans by City Council.

PRESENTERS:

Jane S. Brautigam, City Manager
David Driskell, Executive Director of Community Planning and Sustainability
Susan Richstone, Deputy Director of Community Planning and Sustainability
Charles Ferro, Land Use Review Manager
Jeff Yegian, Housing Manager, Division of Housing
Jay Sugnet, Project Manager, Comprehensive Housing Strategy
Karl Guiler, Senior Planner/Code Amendment Specialist
David Gehr, Deputy City Attorney
Hella Pannewig, Assistant City Attorney

EXECUTIVE SUMMARY

The purpose of this item is City Council consideration of a draft ordinance to provide the option for City Council review of Concept Plan applications, which currently are only reviewed by Planning Board. The ordinance is meant to implement a short term action item identified as part of the city's Comprehensive Housing Strategy. The ordinance, which was approved on first reading on Sept. 2, 2014, can be found within **Attachment A**.

At its January 2014 retreat, City Council indicated a desire to influence large development projects early in the process. In addition, council requested that staff identify and propose some "early wins" that could help improve conditions related to housing as more significant policy work is undertaken in the coming months and year as part of the Comprehensive Housing Strategy. This ordinance is one of the identified five short term actions. Planning Board considered the proposed changes at its July 31st public hearing and recommended approval of the draft ordinance with changes.

There were no first reading questions on this item; however, some points of clarification were requested by members of council about the specific wording of the ordinance at the Council Agenda Committee (CAC) meeting on Oct. 27, 2014. The points of clarification related to the period of time necessary for City Council to vote to review Concept Plans, what types of council

meetings could be used to consider reviewing Concept Plans and also specific wording was found repetitious. The 'Analysis' section contains the specific questions and proposed alternative language.

STAFF RECOMMENDATION

Staff is recommending the original ordinance presented to Planning Board. To clarify issues related to the period of time necessary for council to review Concept Plans raised at the Oct. 27th CAC, an alternative second motion is proposed. Staff requests council consideration of this matter and action in the form of the following motions:

Suggested Motion Language:

1. *Motion to adopt Ordinance No. 7992 amending Section 9-2-13, "Concept Plan Review and Comment," B.R.C. 1981, to add a process for review of concept plans by City Council.*

Or;

2. *Motion to revise Ordinance No. 7992 by adding the alternative language proposed on page 6 of this memorandum and bringing the ordinance back for third reading consideration.*

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- Economic: None identified.
- Environmental: None identified.
- Social: The proposed change to the Concept Plan process would enable City Council review of projects such that early comments at a policy level could inform projects to better respond to social needs of the community.

OTHER IMPACTS

- Fiscal: None identified.
- Staff time: The proposed code changes are within normal staff work plans.

BOARD AND COMMISSION FEEDBACK

Planning Board

Planning Board reviewed the proposed code change at its July 31, 2014 meeting and recommended approval of the proposed ordinance to City Council on a vote of 6 to 1. The board's motion includes the consideration of joint hearings with Planning and City Council. Board member Gray voted against the motion, opposing the joint public hearing requirement. Staff is recommending the proposed change without the joint hearing requirement as discussed on page 5.

Motion:

On a motion by C. Gray, seconded by L. Payton, the Planning Board voted 5-2 (A. Brockett and B. Bowen opposed) to support the proposed change to allow City Council to review Concept Plans as amended by L. Payton.

On an amendment by L Payton, seconded by J. Gerstle, the board voted 6-1 (C. Gray opposed) to consider joint Concept Plan hearings.

PUBLIC FEEDBACK

An open house on the Comprehensive Housing Strategy was held on May 12, 2014. Staff has not received any written comments on the proposed Concept Plan process change, although one architect spoke against the proposed change at the July 31st public hearing.

BACKGROUND

City Council discussed the CHS and potential short term action items at a study session on May 27, 2014 and supported moving forward on the identified action items. City Council also discussed the overall scope of the CHS at the Sept. 2, 2014 meeting.

The Comprehensive Housing Strategy (CHS) will be a next generation housing policy framework, combined with an implementation toolkit, that will focus on:

1. Strengthening the city's affordable housing programs for low- and moderate-income households.
2. Expanding housing opportunities for middle-income households.
3. Exploring innovative approaches to providing additional housing and a broader range of housing options, particularly for housing needs not being met by the market.

The strategy will set forth a creative mix of policies, tools and resources to make progress on multiple fronts, in a manner consistent with the Boulder community's priorities, values and overarching sustainability framework.

It is meant to inform and guide Council decisions on which policies and tools to pursue in the short, medium, and long term within the context of the broader housing strategy. The CHS is intended as a "living document" that will guide ongoing work related to housing policies and programs. In other words, adoption of the strategy will not signal the end of the city's housing-focused discussions, but rather inform annual work program priorities aimed at continual monitoring, evaluation and action to strengthen and expand housing opportunities through a variety of tools and coordinated strategic initiatives.

ANALYSIS

City Council review of Concept Plan applications

At its 2014 retreat, City Council indicated a desire to help shape key projects early in the process. Through the CHS process, it was identified that some higher profile development proposals (e.g., ones that could fulfill city goals on providing additional housing) could benefit from City Council comments earlier in the review process. Currently, City Council's role in development approvals includes development approvals tied to Annexations and Site Reviews called up by council. When council is the final reviewing authority and reviews a fully shaped project, it is often years after a project is conceived. Creating an opportunity for council to review a project required to go through a Concept Plan review, will allow for council input early in the process and to help shape the project design. This may ultimately save time in the overall scope of review of a project. This is important considering the amount of time and cost that goes into development projects before any decisions are made.

Presently, Concept Plans require Planning Board review and comment per section 9-2-13, "Concept Plan Review and Comment," B.R.C. 1981. Applicants and staff find the comments from the board very helpful in informing the quality and general design of subsequent Site Review applications and the board's input results in better projects.

In fact, when Concept Plans were originally implemented by the city in 1994, the applications required Planning Board review and the resulting findings were forwarded to City Council for call-up consideration. After concerns were raised about the lengthy review process for Concept Plans, the process was simplified in 1999 and the City Council call-up provision was removed.

While it is not the intent to increase the review time on projects, allowing a mechanism for early comment by council, if council so desires, is viewed as an opportunity to perhaps better inform the design and composition of projects early with hopes of avoiding difficulties that may arise much further into the review process. The goal is to make the development review process more predictable to property owners, developers, neighbors and staff and also enable a forum for high level policy feedback that can inform projects to the extent that they could better meet city goals, policies and standards. Concept Plan is often the review stage where review bodies, staff and the community can comment on a project and influence the mix of housing, what amenities may be provided and inform how a project will appear and how it connects to its surroundings.

The proposed change to section 9-2-13, "Concept Plan Review and Comment," B.R.C. 1981 would create a process for City Council involvement earlier in the review process. Like the 1990s code provision, it would allow council to vote on whether or not to review a particular Concept Plan.

The proposed changes that create this process are listed below. The changes within the context of the entire section 9-2-13 are found within **Attachment A**.

9-2-13 Concept Plan Review and Comment.

(a) Purpose of Concept Plan Review: The purpose of the concept plan review step is to determine a general development plan for the site, including without limitation, land uses, arrangement of uses, general circulation patterns and characteristics, methods of encouraging use of alternative transportation modes, areas of the site to be preserved from development, general architectural characteristics, any special height and view corridor limitations, environmental preservation and enhancement concepts, and other factors as needed to carry out the objectives of this title, adopted plans, and other city requirements. This step is intended to give the applicant an opportunity to solicit comments from the ~~planning board~~ reviewing authority early in the development process as to whether the concept plan addresses the requirements of the city as set forth in its adopted ordinances, plans, and policies. Comments on a concept plan are not binding, but are meant to inform any subsequent site review application. A concept plan review and comment shall not relieve the applicant of the burden to seek approvals for elements of the plan that require review and approval under the Boulder Revised Code.

(b) Projects Required to Complete Concept Review and Comment: Any applicant for a development that exceeds the "Site Review Required" thresholds set forth in Paragraph 9-2-14(b)(1), B.R.C. 1981, shall complete the concept review process prior to submitting an application for site review.

.....

(f) Review of and Comment on Concept Plans: Upon receipt of an application for a concept plan review, the city manager will review the submitted materials for general compliance with the requirements of this title, and prepare staff comments. The scope of staff comments will differ from application to application, at the discretion of the manager. Unless withdrawn, a concept plan shall be referred to planning board pursuant to paragraph (1) of this subsection and may be reviewed by city council pursuant to paragraph (2) of this subsection:

(1) Planning Board Review and Comment: The manager will forward the application, any comments received from neighbors and other interested persons, and any staff comments to the planning board. The planning board shall review the concept plan at a public meeting held pursuant to the provisions of Subsection 2-3-1(b), B.R.C. 1981. Planning board members may provide individual comments on the concept plan.

(2) City Council Review and Comment: Following planning board review of a concept plan, the city manager shall forward the application, any comments received from neighbors and other interested persons, any staff comments, and a summary of the planning board discussion to the city council. The city council may within thirty days of the review by the planning board vote at a regularly scheduled meeting to review and comment on the concept plan. If the city council votes to review the concept plan, the city council will review the concept plan at a public meeting within sixty days of said vote.

Planning Board recommended the proposed change with the consideration of conducting joint public hearings with City Council. The proposed ordinance in **Attachment A** does not include the option for joint hearings for the following reasons:

1. Not all projects that require Concept Plan necessitate review by City Council based on lower levels of complexity and firm compliance with city policies. Such projects would be better handled by Planning Board. City Council would still have the option to choose projects it feels require higher level consideration.
2. The potential for what could be sixteen individual opinions on a project expressed in one hearing could be confusing for applicants as they must decide how to revise their project moving forward. Staff feels that the number of commenters in one hearing could be overwhelming for an applicant and difficult to respond to in a subsequent Site Review application.
3. Such a meeting could serve to blur the important distinction between the roles of the council and the planning board under the Charter. The planning board's role is advisory in nature. With respect to individual applications, the planning board applies criteria established by the council. The council sets policy. If council decides to pass the proposed ordinance, both council and planning board would serve important, but distinct, roles in the process. Staff does not recommend that these roles be combined.

Lastly, council members requested clarification on the proposed language above as follows:

1. Would extensions be possible in the 30-day period for which City Council has to vote to review a Concept Plan?
2. Could the item be considered on a meeting not considered a regularly scheduled meeting?
3. Can the wording be simplified as to not repeat words?

To address these concerns, staff has revised the code language to include a similar provision as Site and Use Review applications for allowing extensions to call-up periods, revised the language to allow consideration at any business meeting of the City Council and also simplified the wording to be more like the language currently used for call-ups. The following language is proposed and if supported by council, would necessitate action in the form of 'motion no. 2' on page 2 and third reading of an ordinance at a later date:

(f) Review of and Comment on Concept Plans: Upon receipt of an application for a concept plan review, the city manager will review the submitted materials for general compliance with the requirements of this title, and prepare staff comments. The scope of staff comments will differ from application to application, at the discretion of the manager. Unless withdrawn, a concept plan shall be referred to the planning board pursuant to paragraph (1) of this subsection and may be reviewed by the city council pursuant to paragraph (2) of this subsection:

(1) Planning Board Review and Comment: The manager will forward the application, any comments received from neighbors and other interested persons, and any staff comments to the planning board. The planning board shall review the concept plan at a public meeting held pursuant to the provisions of Subsection 2-3-1(b), B.R.C. 1981. Planning board members may provide individual comments on the concept plan. ~~A concept plan review and comment shall not relieve the applicant of the burden required to seek approvals for elements of the plan that require review and approval under the Boulder Revised Code.~~

(2) City Council **Call-Up** Review and Comment: ~~Following planning board review of a concept plan, the city manager shall forward the application, any comments received from neighbors and other interested persons, any staff comments, and a summary of the planning board discussion to the city council. The city council may call up a concept plan application within thirty days of the board's review. by the planning board vote at a regularly scheduled meeting to review and comment on the concept plan. If the city council votes to review the concept plan, The city manager may extend the call-up period until the council's next regular meeting, if the manager finds in writing within the original call-up period that the council will not receive notice of an application in time to enable it to call up the application. Any application that it calls up, the city council will review the concept plan at a public meeting within sixty days of said the call-up vote or within such other time as the manager or council and the applicant mutually agree.~~

STAFF FINDINGS AND RECOMMENDATION:

Staff recommends that the City Council adopt the proposed ordinances to enable a process for City Council review of Concept Plans.

ATTACHMENT:

- A. Ordinance No. 7992

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ORDINANCE NO. 7992

AN ORDINANCE AMENDING SECTION 9-2-13, CONCEPT PLAN REVIEW AND COMMENT, B.R.C. 1981, TO ADD A PROCESS FOR REVIEW OF CONCEPT PLANS BY CITY COUNCIL, AND SETTING FORTH RELATED DETAILS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO:

Section 1. Section 9-2-13, B.R.C. 1981, is amended to read:

9-2-13 Concept Plan Review and Comment.

(a) Purpose of Concept Plan Review: The purpose of the concept plan review step is to determine a general development plan for the site, including without limitation, land uses, arrangement of uses, general circulation patterns and characteristics, methods of encouraging use of alternative transportation modes, areas of the site to be preserved from development, general architectural characteristics, any special height and view corridor limitations, environmental preservation and enhancement concepts, and other factors as needed to carry out the objectives of this title, adopted plans, and other city requirements. This step is intended to give the applicant an opportunity to solicit comments from the ~~planning board~~ reviewing authority early in the development process as to whether the concept plan addresses the requirements of the city as set forth in its adopted ordinances, plans, and policies. Comments on a concept plan are not binding, but are meant to inform any subsequent site review application. A concept plan review and comment shall not relieve the applicant of the burden to seek approvals for elements of the plan that require review and approval under the Boulder Revised Code.

(b) Projects Required to Complete Concept Review and Comment: Any applicant for a development that exceeds the "Site Review Required" thresholds set forth in Paragraph 9-2-14(b)(1), B.R.C. 1981, shall complete the concept review process prior to submitting an application for site review.

(c) Application Requirements: A concept plan should be a preliminary plan for the development of a site of sufficient accuracy to be used for discussing the plan's conformance with adopted ordinances, plans, and policies of the city. The concept plan provides the public, the city manager, and the planning board opportunity to offer input in the formative stages of the development. An application for a concept plan review and comment may be filed by a person having a demonstrable property interest in land to be included in a site review on a form provided by the manager and shall include the following:

- 1 (1) The written consent of the owners of all property to be included in the development;
- 2 (2) A context map, drawn to scale, showing the site and an area of not less than 300-foot
3 radius around the site, including streets, zoning, general location of buildings, and parking
4 areas of abutting properties;
- 5 (3) A scaled and dimensioned schematic drawing of the site development concept, and an
6 area of not less than 200 feet around the site, showing:
 - 7 (A) Access points and circulation patterns for all modes of transportation;
 - 8 (B) Approximate locations of trails, pedestrian and bikeway connections, on-site transit
9 amenities, and parking areas;
 - 10 (C) Approximate location of major site elements, including buildings, open areas, natural
11 features such as watercourses, wetlands, mature trees, and steep slopes; and
 - 12 (D) Proposed land uses and approximate location;
- 13 (4) Architectural character sketches showing building elevations and materials; and
- 14 (5) A written statement that describes, in general, how the proposed development meets this
15 title, city plans and policies, and addresses the following:
 - 16 (A) Techniques and strategies for environmental impact avoidance, minimization, or
17 mitigation;
 - 18 (B) Techniques and strategies for practical and economically feasible travel demand
19 management techniques, including without limitation, site design, land use, covenants,
20 transit passes, parking restrictions, information or education materials, or programs that
21 may reduce single-occupant vehicle trip generation to and from the site; and
 - 22 (C) Proposed land uses, and if it is a development that includes residential housing type,
23 mix, sizes, and anticipated sale prices, the percentage of affordable units to be included;
24 special design characteristics that may be needed to assure affordability.
- 25 (d) Public Notice of Application: After receiving an application, the city manager shall provide
public notification pursuant to Section 9-4-3, "Public Notice Requirements," B.R.C. 1981.
- (e) Additional Information or Processes: Based on the concept plan submission, and to the extent
that such requirements can be determined from the information provided by the applicant, the
city manager will identify additional information or processes that may be needed prior to or
concurrent with site review, such as:
 - (1) Variances and exceptions to existing standards necessary to achieve the defined
objectives for the site, and the process and approving agency for the required changes;
 - (2) Processes, permits, and approvals that may be needed, including without limitation,
wetland permits, floodplain permits, flood map revisions, special large water user or sanitary
sewer pretreatment agreements, rezonings, or Boulder Valley Comprehensive Plan changes;

1 (3) Need for any further environmental studies or impact studies; and

2 (4) Public infrastructure improvements needed to serve the development, including without
3 limitation, transportation improvements such as streets, alleys, transit stops, and shelters,
4 other alternative mode facilities and connections, and acceleration and deceleration lanes,
5 water, wastewater, and flood control.

6 (f) Review of and Comment on Concept Plans: Upon receipt of an application for a concept plan
7 review, the city manager will review the submitted materials for general compliance with the
8 requirements of this title, and prepare staff comments. The scope of staff comments will differ
9 from application to application, at the discretion of the manager. Unless withdrawn, a concept
10 plan shall be referred to the planning board pursuant to paragraph (1) of this subsection and may
11 be reviewed by the city council pursuant to paragraph (2) of this subsection:

12 (1) Planning Board Review and Comment: The manager will forward the application, any
13 comments received from neighbors and other interested persons, and any staff comments to
14 the planning board. The planning board shall review the concept plan at a public meeting
15 held pursuant to the provisions of Subsection 2-3-1(b), B.R.C. 1981. Planning board
16 members may provide individual comments on the concept plan. ~~A concept plan review and
17 comment shall not relieve the applicant of the burden required to seek approvals for elements
18 of the plan that require review and approval under the Boulder Revised Code.~~

19 (2) City Council Review and Comment: Following planning board review of a concept plan,
20 the city manager shall forward the application, any comments received from neighbors and
21 other interested persons, any staff comments, and a summary of the planning board
22 discussion to the city council. The city council may within thirty days of the review by the
23 planning board vote at a regularly scheduled meeting to review and comment on the concept
24 plan. If the city council votes to review the concept plan, the city council will review the
25 concept plan at a public meeting within sixty days of said vote.

(g) Guidelines for Review and Comment: The following guidelines will be used to guide the
planning board's discussion regarding the site. It is anticipated that issues other than those listed
in this section will be identified as part of the concept plan review and comment process. The
planning board may consider the following guidelines when providing comments on a concept
plan:

(1) Characteristics of the site and surrounding areas, including without limitation, its
location, surrounding neighborhoods, development and architecture, any known natural
features of the site including without limitation, mature trees, watercourses, hills,
depressions, steep slopes, and prominent views to and from the site;

(2) Community policy considerations, including without limitation, the review process and
likely conformity of the proposed development with the Boulder Valley Comprehensive Plan
and other ordinances, goals, policies, and plans, including without limitation, sub-community
and sub-area plans;

(3) Applicable criteria, review procedures, and submission requirements for a site review;

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(4) Permits that may need to be obtained and processes that may need to be completed prior to, concurrent with, or subsequent to site review approval;

(5) Opportunities and constraints in relation to the transportation system, including without limitation, access, linkage, signalization, signage, and circulation, existing transportation system capacity problems serving the requirements of the transportation master plan, possible trail links, and the possible need for a traffic or transportation study;

(6) Environmental opportunities and constraints, including without limitation, the identification of wetlands, important view corridors, floodplains, and other natural hazards, wildlife corridors, endangered and protected species and habitats, the need for further biological inventories of the site, and at what point in the process the information will be necessary;

(7) Appropriate ranges of land uses; and

(8) The appropriateness of or necessity for housing.

Section 2. This ordinance is necessary to protect the public health, safety, and welfare of the residents of the city, and covers matters of local concern.

Section 3. The city council deems it appropriate that this ordinance be published by title only and orders that copies of this ordinance be made available in the office of the city clerk for public inspection and acquisition.

INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY
TITLE ONLY this 2nd day of September, 2014.

Mayor

Attest:

City Clerk

1 READ ON SECOND READING, PASSED, ADOPTED, AND ORDERED
2 PUBLISHED BY TITLE ONLY this 6th day of November, 2014.

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Mayor

Attest:

City Clerk

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**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: November 6, 2014

AGENDA TITLE:

Second reading and consideration of a motion to adopt the following ordinances:

1. Ordinance No. 8005 amending Title 9, "Land Use Code," B.R.C. 1981, to (1) simplify various vehicular parking standards and reduce quantitative requirements for warehouses, storage facilities, and airports and (2) create new land use - based bicycle parking standards, and
2. Ordinance No. 8006 amending the Design and Construction Standards (DCS) related to bicycle parking design standards.

The proposed changes were identified as part of the Access Management and Parking Strategy (AMPS) process relative to parking citywide.

PRESENTERS:

Jane S. Brautigam, City Manager
David Driskell, Executive Director of Community Planning and Sustainability (CP&S)
Susan Richstone, Deputy Director of CP&S
Karl Guiler, Senior Planner/Code Amendment Specialist
Marni Ratzel, Senior Transportation Planner, GO Boulder
David Thompson, Transportation Engineer
Hella Pannewig, Assistant City Attorney

EXECUTIVE SUMMARY

As part of the Access Management and Parking Strategy (AMPS) process, staff is bringing forward ordinances that would:



- 1) Update vehicle parking standards to simplify and correct parts of the vehicle parking requirements that require too much parking, contain errors or are difficult to implement. Some examples are reducing parking requirements for low parking demand uses (i.e., warehouses, self-storage, and aircraft hangers), simplifying requirements for restaurants and retail in large retail centers, and other clean up items and updates (listed below);

- 2) Revise bike parking requirements for new development to base bike parking requirements on land use type and require both short and long-term bike parking, and
- 3) Amend the Design and Construction Standards (DCS) related to bicycle parking design standards to eliminate the Cora-style multi-bike parking rack style and codify the use of inverted U racks for all bike parking requirements.

Transportation Advisory Board (TAB) reviewed the bicycle parking standards at a conceptual level in July 2013 and unanimously approved the changes advancing forward to Planning Board. Planning Board reviewed the suggested code changes and design standards on July 17, 2014 addressing both vehicular and bicycle parking standards with intent to:

- Remove errors from the code relative to vehicle parking;
- Create parking requirements more aligned to actual parking needs by specified uses, and
- Improve and simplify implementation of the code.

On Sept. 18, 2014, Planning Board unanimously recommended approval of the two ordinances with requests to increase non-residential bicycle requirements in the Land Use Code to better accommodate anticipated future demand.

Attachment A is the proposed ordinance amending Section 9-9-6, "Parking Standards" of the Boulder Revised Code.

Attachment B is the proposed ordinance amending Section 2.11 Bike Parking of the Design and Construction Standards.

Staff intends to return to Planning Board and City Council in the future when the long-term parking changes (discussed in the 'Background' section) are developed as part of the AMPS process. This is expected in 2015.

Proposed vehicular parking code changes

1. Update the RH-1 (Residential High -1) parking standards to be based on spaces per bedroom instead of floor area to be consistent with standards for RH-2 as changed in 2012;
2. Change the parking standards for RL-2 (Residential Low – 2) to allow driveway parking consistent with other low density residential zones;
3. Specify non-residential parking requirements in the RH-6 (Residential High – 6) zoning district;
4. Update accessible parking space standards to match current American with Disabilities Act (ADA) standards;
5. Reduce the rate of parking required for uses that do not have a high parking demand (i.e., warehouses, self-storage and aircraft hangers);
6. Simplify parking standards for restaurants, brewpubs and taverns to count floor area instead of variable seating within retail centers, and
7. Simplify the restaurant, brewpub and tavern seating requirement as they apply to areas outside large retail centers.
8. Apply parking standards to duplexes, which is not specified in the current code.

The item was heard on first reading on Oct. 21, 2014. At that hearing, City Council mentioned the extent of the bicycle parking changes and asked what level of public outreach has been undertaken to alert property owners of the change. Further, council asked how sites that would become non-conforming to the updated regulations would be affected.

As discussed in the 'Public Feedback' section on page 5, staff has held three AMPS open houses with one specifically focused on the proposed code changes and associated stakeholders. Staff reached out to a comprehensive list of commercial and industrial property owners (incl. large retail center owners, neighborhood representatives, architects and designers, developers and other Boulder organizations (e.g. chamber of commerce, Boulder Housing Partners, Boulder Airport, Boulder Community Hospital etc.) and has kept them updated through the process. On-going outreach and coordination with property owners/developers will be done as we move forward (if code changes approved) to evaluate how well this works and get additional input over time and then further adjustments can be done if/when needed to ultimately "right size" the bike parking code requirements.

Because the bicycle parking requirements would be significantly increased for many land uses, the change, if adopted, would make many sites in the city non-conforming. This is because the current code requirements only require bicycle parking at a rate of 10 percent of the total vehicular parking and increased bicycle usage in the city has increased such that more bicycle parking is necessitated and often requested for development projects. Like other non-conforming uses, property owners would not be affected unless they were to redevelop their sites or change the land uses on their sites (e.g., uses with a higher parking requirement or floor area expansion). In such case, the additional bicycle parking would have to be provided per the new regulations or alternatively, a parking reduction for bicycle parking could be processed administratively pursuant to the new proposed sections 9-9-6(g)(6) and (7), B.R.C. 1981.

At the Oct. 27, 2014 Council Agenda Committee (CAC) meeting, staff was also question about how the 4-day count numbers for bicycle parking were determined (referenced on page 8 and 9). The 4-day count is performed periodically to estimate the daily demand for bicycle parking and to determine the need for and location of additional bicycle parking in the downtown area. The count is performed during four different times of day on four different days. In 2013, a total of 4,131 bikes were counted over the four days equating to a daily demand of just over 1,000 bicycle parking spaces in the downtown area.

STAFF RECOMMENDATION

Staff requests council consideration of this matter and action in the form of the following motion:

Suggested Motion Language:

Motion to adopt the following ordinances:

- 1. Ordinance No. 8005 amending Title 9, "Land Use Code," B.R.C. 1981, to (1) simplify various vehicular parking standards and reduce quantitative requirements for warehouses, storage facilities, and airports and (2) create new land use - based bicycle parking standards, and*
- 2. Ordinance No. 8006 amending the Design and Construction Standards (DCS) related to bicycle parking design standards.*

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- **Economic:** A local survey estimates the direct economic benefit of the bicycling industry in Boulder to be \$52 million in 2010. No impacts are anticipated as a result of the vehicular code changes.
- **Environmental:** Reducing the number of trips made by cars reduces congestion and frees up road space for essential motor vehicle trips. Bicycle parking is an efficient use of land dedicated to storage a personal vehicle used for travel. An estimated eight to 10 bicycle parking spaces can be accommodated in the same space designed for the average motor vehicle parking space. Additionally, biking is a zero emission transportation option, reducing green house gas and vehicle miles traveled. The proposed changes to the Land Use Code relative to vehicular parking will result in site development plans that have less parking and greater amounts of open space as a result of the lower parking required for specified low parking demand uses.
- **Social:** An adequate supply of well-designed and located bike parking supports a complete transportation system. Bicycling expands modal choice for low-income, older adults and children as well as improves access for all community members. It is an active transportation modes that address health problems related to sedentary behavior. The proposed code changes relative to vehicular parking are mostly clean up and fixes to the code that will not result in any unforeseen social implications.

OTHER IMPACTS

- **Fiscal:** None identified.
- **Staff time:** The proposed code changes are within normal staff work plans.

BOARD AND COMMISSION FEEDBACK

Planning Board

Attachment C contains the minutes from the July 17th public hearing and the audio of the meeting can be accessed [here](#). **Attachment D** contains the draft minutes from the Sept. 18th meeting where Planning Board recommended approval of the ordinances.

At the July 17th meeting, Planning Board requested follow up on several topics and additional analysis. Staff followed up on the specific items and provided additional analysis for requested topics. At the Sept. 18th public hearing, the board supported the proposed changes, including but not limited to the proposed reduction in parking requirements for low demand parking land uses and increased bicycle parking standards. Following deliberations, Planning Board made the following motions:

- On a motion by J. Putnam seconded by L. May, the Planning Board voted 7-0 to recommend approval to the City Council of an ordinance amending Title 9, "Land Use Code," B.R.C. 1981, to (1) simplify various vehicular parking standards and reduce quantitative requirements for warehouses, storage facilities, and airports and (2) to create new land use-based bicycle parking standards, and of an ordinance amending the Design and Construction Standards related to bicycle

parking design standards to eliminate the Cora-style bike parking rack style and codify the use of inverted U racks for all bike parking requirements as recommended by staff with the following exception: that the bicycle parking for commercial uses be increased by 25% across the board and that staff reach out to disability and senior advocacy groups prior to the City Council hearing and that Council consider the long term adequacy of the ADA Parking requirements.

- Friendly amendment by **J. Gerstle**, accepted by **J. Putnam** and **L. May**, to revise the motion recommending an increase of the proposed requirements for commercial uses to referring to nonresidential uses rather than commercial uses.
- On a motion by **C. Gray**, seconded by **L. May**, the Planning Board recommends that during the AMPS analysis, that the Neighborhood parking program (NPP) be fully funded and made available to lessen impacts that parking reductions for restaurants, taverns, and brewpubs could potentially cause to adjacent residential areas and that the NPP program have adequate enforcement.

Transportation Advisory Board (TAB) feedback

In July 2013, the Transportation Advisory Board (TAB) held a public hearing to consider a recommendation regarding development related bike parking requirements. The TAB unanimously voted to recommend that Planning Board adopt policy direction and approach changes in bike parking requirements that would calculate space requirements based on land use and square footage, units/bedrooms. A summary of the TAB discussion is included in **Attachment E**.

It is important to note that development-related bicycle parking requirements are codified under Title 9, "Land Use Code" of the Boulder Revised Code (BRC). The Transportation Advisory Board (TAB) is not assigned a role in the review of and amendments to the land use regulations of [Title 9](#), "Land Use Code," B.R.C. 1981. Planning Board has to make a recommendation prior to the adoption of any new development-related bike parking requirements. TAB's recommendation was sought as part of the public outreach undertaken to guide the Planning Board and City Council in its review process.

PUBLIC FEEDBACK

As part of the AMPS process, two open houses with the public have been held to date - one on May 1st, which included information on all components of the AMPS and the second on June 12th which focused more specifically on the proposed short-term vehicular code changes, bike parking changes and Transportation Demand Management (TDM) programs.

At the June 12th open house, the City hosted a community stakeholder meeting with commercial, industrial and residential developers, property managers, bicyclists, and neighborhood representatives to get feedback on potential changes to parking requirements. About 12 community representatives attended the meeting to learn about the potential amendments to off-street vehicle parking requirements.

Most of the stakeholders expressed interest in the potential changes to the vehicular code standards and opinions ranged from the city requiring too much parking and that parking should be reduced (particularly for multi-family units) to encourage transit and bicycle usage to neighborhood representatives concerned that reductions in parking will create spillover impacts into their neighborhoods. Most of the discussion focused on the potential long term (Phase II)

parking code changes and the general philosophy behind how parking is required. Other attendees expressed support for the proposed changes to retail center parking requirements, but felt the changes should be farther reaching (i.e., be applied to all restaurant and taverns and retail centers of all sizes).

In general attendees were supportive of amending bike parking requirements to include a minimum number of both long and short-term bike parking spaces. There was support for more bike parking that is weather and access protected as well as logical and considers personal safety. Developers expressed a desire for more guidance on long-term bike parking solutions including rack styles and layout configurations, local suppliers, and more efficient use of space providing long-term bike parking. Feedback also requested City assistance with purchasing bike parking racks in bulk for resale to developers/property owners to help reduce the cost of shipping through an economy of scale order and other incentives in favor of long-term bike parking.

In June 2013, the City used *InspireBoulder.com* to ask people about where they currently park their bicycles and to share photos as well as their input on where they park their bike and how well this bike parking meets their needs. The feedback provided supports the need for additional bike parking throughout Boulder.

These stakeholders and other residential neighborhoods have been kept informed of the proposed changes following the Planning Board discussion on July 17th and in advance of the City Council review of the ordinances. As proposed changes would affect RH-1 zoned areas staff reached out to the Goss-Grove and Whittier neighborhoods. Staff also sent the proposed changes to other neighborhood representatives in Mapleton, Newlands, East Boulder, Martin Acres, Majestic Heights, North Boulder and East Boulder. Relative to the retail center changes, staff has been keeping management companies at the Village, Twenty Ninth Street, Crossroad Commons etc. in the communication loop. Industrial property owners have also been contacted about the proposed parking code changes to the warehouse spaces.

Staff expects to hold additional open houses and outreach as the AMPS process continues. The next open house is scheduled for Oct. 21, 2014.

BACKGROUND

The City of Boulder is undergoing a holistic analysis of its parking supply and needs, including both public and private parking, through the Access Management and Parking Strategy or “AMPS.” The AMPS process is being done simultaneous to the update to the Transportation Master Plan (TMP) and parallel with the Climate Commitment.

The City of Boulder’s parking management system has a long history. Parking meters were first installed on Pearl Street in 1946. Over the past decades, Boulder’s parking system has evolved into a nationally recognized, district-based, multi-modal access system incorporating alternative modes (transit, bicycling and pedestrians) along with automobile parking in order to meet city goals, support the viability of the city’s historic commercial centers and maintain the livability of its neighborhoods.

AMPS will update the current access and parking management policies and programs and developing a new, overarching citywide strategy in alignment with city goals. The project goal is to evolve and continuously improve Boulder’s citywide access and parking management

strategies and programs tailored to address the unique character and needs of the different parts of the city.

The AMPS was presented to City Council at a study session in April 2013 and to Planning Board on June 5, 2014 (see [weblink](#) for packet). AMPS is intended to take a comprehensive look at how all access and parking management is integrated throughout the city. It is a strategy rather than a stand-alone plan, so it is envisioned to be a phased, multi-year effort that integrates with the scope and timing of all the other related planning initiatives such as TMP update, Climate Commitment, East Arapahoe corridor, North Boulder plan update, and Comprehensive Housing Strategy.

Through several staff workshops and input from the Transportation Advisory Board (TAB), Environmental Advisory Board, Planning Board, and the District Boards, the AMPS effort has identified the following areas of focus. Each area of focus will include analysis of existing parking districts as well as city-wide applications: 1) District Management; 2) On and Off Street Parking; 3) Transportation Demand Management; 4) Technology and Innovation; 5) Zoning and Code Requirements; 6) Enforcement and Compliance; and 7) Parking Pricing. The focus of this memorandum is on AMPS focus area no. 5: Zoning and Code Requirements.

Proposed changes to vehicular parking standards in Section 9-9-6, B.R.C. 1981

As part of the AMPS process, staff is considering the full range of parking needs and potential impacts and implications for overhauling Section 9-9-6 “Parking Standards,” B.R.C. 1981 to modernize the code to contemporary trends in transit usage, car share, biking and walking etc. and to reflect current city policies on parking and sustainability set forth in the Boulder Valley Comprehensive Plan and the Transportation Master Plan.

Boulder has seen a growing transportation mode shift in accordance with our policies. Additionally, the city is more frequently processing requests for parking reductions. Consequently, the Land Use Code appears to be out of date with respect to how much parking should be provided on sites. This focus area will take significant analysis and is targeted for adoption in 2015. To assist, staff has consulted with Fox Tuttle Hernandez, Transportation Engineering Group with a focus on specific parking requirements and analyses as well as Kimley Horn and Associates to assist on other aspects of the AMPS. The overall goal is to strike a balance between requiring too much parking while also avoiding spillover impacts on neighborhoods or adjacent properties.

Staff has identified a number of options to consider in updating policy with regard to parking and ultimately updates to the parking standards, including but not limited to:

- Parking maximums
- Shared parking requirements
- Automatic parking reductions
- Unbundled parking in areas outside of Boulder Junction
- Parking requirements by land use instead of zone
- Special parking requirements along multi-modal corridors or within newly created general improvement districts

Staff, with input from the public, has identified some problems with the parking standards section of the code that should be remedied more promptly than the options above, because they have either been inconsistent with federal standards, initially instituted in error or as an oversight, or require continual parking reductions. These quick fixes have been termed the “short-term (Phase I) parking changes” as opposed to the changes listed above that will be addresses as part of the larger AMPS project through 2015 (Phase II). The specific short-term changes under consideration at this time are:

1. Updating the RH-1 (Residential High -1) parking standards based on spaces per bedroom instead of floor area to be consistent with standards for RH-2 as changed in 2012;
2. Changing the parking standards for RL-2 (Residential Low – 2) to allow driveway parking consistent with other low density residential zones;
3. Specifying non-residential parking requirements in the RH-6 (Residential High – 6) zoning district;
4. Updating accessible parking space standards to match current American with Disabilities Act (ADA) standards;
5. Reducing the rate of parking required for uses that do not have a high parking demand (i.e., warehouses, self-storage and aircraft hangers);
6. Simplifying parking standards for restaurants, brewpubs and taverns to count floor area instead of variable seating within retail centers, and
7. Simplifying the restaurant, brewpub and tavern seating requirement as they apply to areas outside large retail centers.
8. Applying parking standards to duplexes, which is not specified in the current code.

Each of these proposed changes is discussed in detail in the ‘Analysis’ section below.

Bike parking requirements for new development

An action item identified in the *Complete Streets: Bike and Pedestrian Innovations* focus area of the 2014 Transportation Master Plan Update and AMPS is developing strategies to enhance bicycling opportunities for residents, commuters, students, and visitors. This includes identifying improvements to the city’s bicycle parking policies to better meet bike parking demand and cyclists’ needs at both existing and new development within the City of Boulder as part of an integrated multimodal transportation system.

An objective of the bike parking regulations update is to define the minimum quantity of employee / resident (long-term) and customer / visitor (short-term bike) parking based on land use criteria, rather than using the existing approach which is based on a percentage of the required number of car parking spaces. The update also proposes to revise bike parking rack design for multi-bike parking and include new solutions for long-term bike parking.

Bike parking is an end of trip necessity, and providing convenient, safe and secure bike parking will help to increase bike mode share. While the city provides some bicycle parking in public areas of the downtown commercial district, property owners are required to provide adequate bike parking for their buildings throughout the city.

Since 2007, the city has conducted a downtown bike parking count each summer to estimate the demand for bicycle parking and to identify locations where additional bike parking is needed in

the downtown area. The bike parking count is conducted over a four day period with four one-hour counts tallied each day. Count times include the Wednesday evening and Saturday Farmer's Market activities. The total number of bicycles parked downtown has increased almost 48 percent over the last six years from a total of 2,796 to 4,131 bikes parked during the survey. On average, over 1,000 were counted each day during the count period.

The city initiated the review of bike parking based on the Downtown Bike Parking Survey and concerns raised from the cycling community. On behalf of their members and the greater bicycling community, Community Cycles has expressed dissatisfaction with the city's design standard for the multi-bike parking racks and bicycle storage lockers. The organization also is concerned that bike parking supply is not meeting demand.

A pilot program launched in 2013 as a partnership between the city and Community Cycles offers low cost bike racks and installation through a bike parking subsidy for existing development. As a pilot, the program seeks to address the lack of quality bike parking for bicyclists and businesses to better understand and address where supply is not meeting demand.

The city is seeing a trend toward developers choosing to voluntarily provide bike parking spaces that exceed existing requirements. Additionally, several recent redevelopment projects have sought guidance from the city on how to better accommodate bike parking demand. Specifically, developers would like to provide long-term bike parking for new multi-family residential developments to better accommodate demand of future tenants and prospective home buyers. Examples include the Peloton and the Landmark Lofts. The Steelyards development also consulted the city on how retrofit their development to improve long-term bike parking options.

ANALYSIS

Vehicular parking standards (Short-term parking code changes)

As discussed above, staff has identified a number of changes to the Land Use Code that could be implemented on a faster track than those items identified as part of a more comprehensive amendment to the parking regulations. Some of these changes have been tracked for several years as being problematic in the sense that either too much parking is required for certain uses or implementation is unduly complex and could be simplified. Each proposed changes are discussed below:

Topic 1: Updating RH-1 Parking Standards

Issue

The RH-1 zoning district is the only one in the city that bases parking on proposed floor area as opposed to proposed dwelling units or bedrooms, and is inconsistent with the standards found in RH-2 zone. RH zones in the Land Use Code are defined as follows: *High density residential areas primarily used for a variety of types of attached residential units, including without limitation, apartment buildings, and where complementary uses may be allowed.*

The parking standards for RH-1 create higher than necessary parking requirements and unnecessary complexity. RH-1 zones are limited in the city to the area south of Arapahoe Avenue west of Folsom adjacent to the University of Colorado (CU) and in two small blocks (one east of downtown and one west of downtown). The location of RH-1 zones (relative to nearby RH-2 zones) is shown on Figure 1 on page 6.

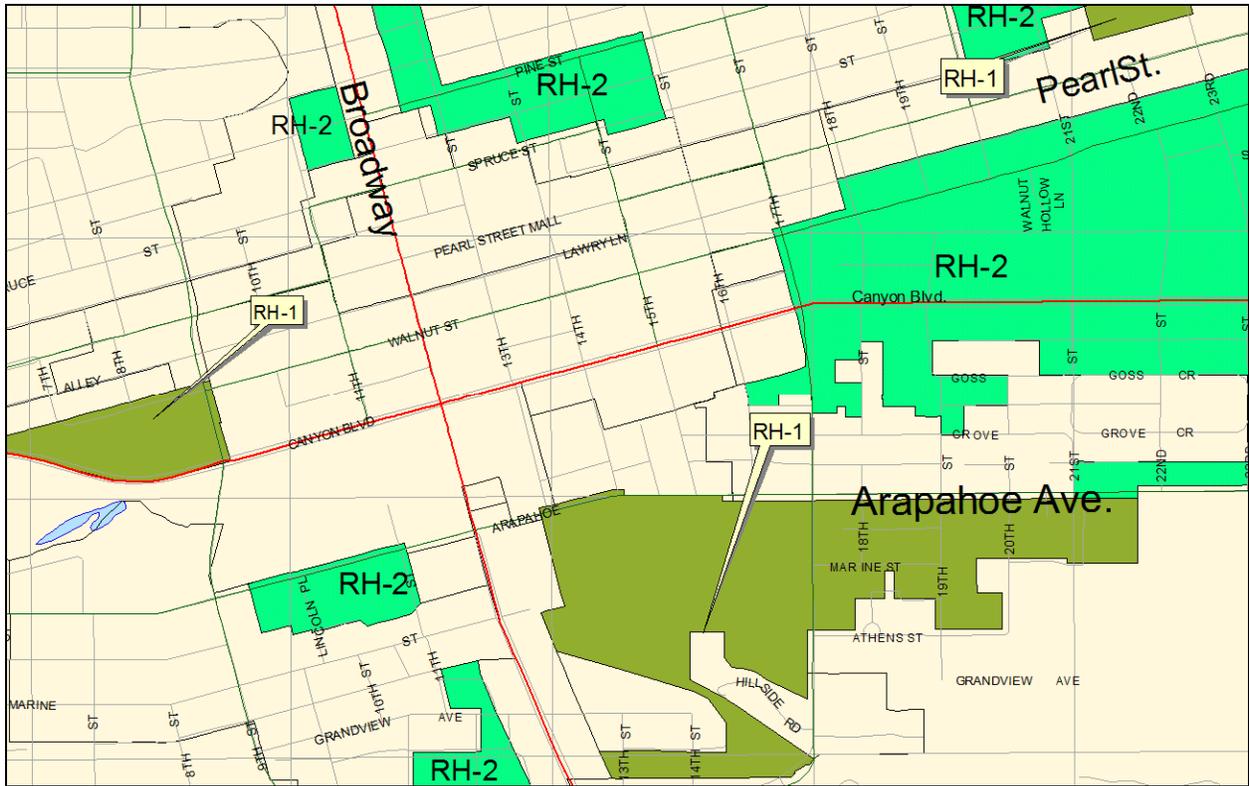


Figure 1- RH-1 zone locations (RH-2 shown for reference)

Background and Analysis

In 2008, Planning Board was seeing difficulties arising from implementation of the high parking requirements relative to floor area in the RH-2 zoning district. Consequently, City Council directed staff, at the request of Planning Board, to include the RH-2 Zone District Project as a work program item. The requirement mandated one parking space for the first 500 square feet of a dwelling unit and an additional space for each additional 300 square feet or portion thereof. This meant that an 801 square foot unit required three parking spaces. This was a very high parking requirement and was originally meant to address high demand for parking in higher occupancy areas, in particular, student areas. Several high parking reduction requests, with parking studies indicating that parking requirements doubled what was actually needed, highlighted the need to change the parking requirement.

In 2012, the RH-2 parking calculations were revised to be consistent with the intent of the high density residential zone district and the methodology of calculating parking in other residential zone districts:

- 1 space for detached dwelling units
- 1 space for a 1 bedroom attached dwelling unit
- 1.5 spaces for 2 bedroom attached dwelling unit
- 2 spaces for 3 bedroom attached dwelling unit
- 3 spaces for 4 or more bedroom attached dwelling unit

A link to the memorandum to Planning Board in 2012 is found [here](#) for reference.

The RH-1 zoning district, which has its largest concentration in the Goss-Grove neighborhood adjacent to RH-2 zoned areas, was not included in this amendment. The code continues to require a parking rate according to floor area. It is the only zone in the city to keep the old provision.

While the zone contains many student residences, it is no different than other areas that have student apartments adjacent to the university. Other zones adjacent to CU are RH-5 by University Hill, RMX-1 (Residential Mixed - 1) in areas west of Broadway and south of Arapahoe, and RH-3 in the redeveloping areas along the 28th Street frontage road. Parking needs in the RH-1 zoning district are therefore comparable to those in the RH-2 zoning district.

One example project in the RH-1 zone that illustrates the need for the code change is 1944 Arapahoe Avenue at the corner of 20th and Arapahoe. The project, which has been recently completed, is a four-unit apartment building that originally required 13 parking spaces (a rate of 3.25 parking spaces per unit). Planning Board approved a 38 percent parking reduction to permit eight parking spaces (a rate of 2 parking spaces per unit). Under the suggested requirements, the requirement would be six parking spaces.

Based on the analysis above, staff recommends aligning the parking requirements in RH-1 with those in RH-2 and with the methodology of how parking is calculated in similar residential zoning districts. The similar context between the zones is demonstrated by a study provided by the city's transportation consultant, Fox Tuttle Hernandez Transportation Group, which is found in **Attachment F**.

The study was conducted in RH-1 and RH-2 zoned areas (i.e., Goss-Grove, a block of Whittier and a block west of downtown) to quantify the supply and demand parking needs at the request of Planning Board. Analysis of the number of units within several blocks was done and evening parking counts were completed on Aug. 7th (before many students moved in) and on Sept. 3rd (when students were back in town).

The findings of the analysis are as follows:

- Off-street parking demand is nearly identical within both RH-1 and RH-2 zoning districts based on analysis of number of units and usage. Generally, off-street parking demand rates have ranged from 0.4 to 1.04 parking spaces per unit in both zones and show no indication for a need for a higher parking requirement based on floor area, which has typically required more than twice the actual demand (e.g., 3.25 parking spaces per unit in 1944 Arapahoe [2-bedroom units]).
- The supply of on-street parking in RH-1 areas is nearly double that in RH-2 zones based on an inventory of on-street parking spaces.

Therefore, staff recommends that the RH-1 parking requirements be changed to be per bedroom rather than the current floor area requirement as there is no evidence that the existing high parking requirement of the RH-1 zone reflects a greater parking need than the areas where the RH-2 zoning is applied.

Proposed Code Change

To accomplish these changes, staff proposes amending Section 9-9-6, Table 9-1 to remove the special column for RH-1 and include RH-1 to the same column as RH-2, with RH-3, RH-5 and RMX-1– other zoning districts that are found with high numbers of student residences that have requirements based on bedrooms.

Topic 2: Making Driveway Parking Standards for RL-2 Consistent with other Districts

Issue

RL-2 is a Low Density Residential zone district located throughout the city and applies mainly to neighborhoods with low density and single family homes; however, some locations also include townhomes and attached DUs. RL-2 permits the same density as RL-1 (i.e., two to six dwelling units per acres), but differs in that density is determined by amount of open space per unit whereas density in RL-1 zones is calculated by minimum lot area per dwelling unit. RL-2 also has slightly different setback requirements and oftentimes, open space is aggregated as opposed to all be provided on individual lots.

Currently, residents of RL-2 are technically not permitted to park in driveways. In all other low density residential zoning districts, driveway parking is permitted as long as the one required space on site is provided outside of the landscape setback. This is a potential enforcement issue and leads to excessive paved parking areas by virtue of having to pave areas next to garages outside the setback area.

Background and Analysis

In Section 9-9-6(d) (1), B.R.C. 1981, the location of parking spaces on lots is specified as follows:

(d) Parking Design Standards:

(1) Location of Open or Enclosed Parking: Open or enclosed parking areas are subject to the following requirements:

(A) No parking areas shall be located in any required landscaped setback abutting a street. However, in RR, RE, or RL-1 districts, if all off-street parking requirements of this chapter have been met, persons may park up to two additional vehicles in the driveway leading to the parking area. The requirements of this subsection may be varied to allow the required off-street parking to be located within the front yard setback pursuant to a variance being approved by the BOZA per subsection 9-2-3(j), B.R.C. 1981.

This code section permits up to two parking spaces in driveways of single-family homes, if the one required parking space is met outside of the landscape setback (typically 20 feet from the front lot line in low density residential zones). In the past, the code section above was written to apply to all low density residential zoning districts; however, through updates to the code over the last few decades, the section applied to RL-1 zoning districts only. Staff can see no reason why RL-2 and RL-1 lots should be treated differently. The contexts of each are similar with predominantly single-family homes with driveways leading to garage parking. The legislative history also does not provide an explanation for this change, leading staff to conclude that RL-2 was inadvertently treated differently. It is very common for cars to be parked in their driveways in front of homes in RL-1 and RL-2 districts all over the city. For these reasons, staff is

proposing that the code section be made consistent to legalize parking in driveways within the landscape setback of single-family homes in the RL-2 district.

Proposed Code Changes

Staff proposes that Section 9-9-6(d)(1)(A) be revised to apply to both RL-1 and RL-2 by removing the “-1” after RL (as shown below).

(A) No parking areas shall be located in any required landscaped setback abutting a street. However, in RR, RE, or RL-1 zoning districts...

In conjunction with this change and to make the code consistent, staff is also suggesting a change to Section 9-2-3, “Variance,” B.R.C. 1981, which permits variances to permit driveway parking as the one legal parking space, if the criteria are met. Presently it applies to all low density zones, with the exception of RL-2. See proposed change below:

(j) Variances for Parking Spaces in Front Yard Setbacks: The BOZA may grant a variance to the requirements of section 9-9-6, "Parking Standards," B.R.C. 1981, to allow a required parking space to be located within the front yard setback if it finds that the application satisfies all of the following requirements:

- (1) The dwelling unit was built in an RR-1, RR-2, RE, or RL-1 zoning district;*
- (2) The dwelling unit originally had an attached carport or garage that met the off-street parking requirements at the time of initial development or, at the time of initial construction, an off-street parking space was not required and has not been provided;*
- (3) The garage or carport was converted to living space prior to January 1, 2005;*
- (4) The current property owner was not responsible for the conversion of the parking space to living area and can provide evidence as such;*
- (5) A parking space in compliance with the parking regulations of section 9-9-6, "Parking Standards," B.R.C. 1981, cannot reasonably be provided anywhere on the site due to the location of existing buildings, lack of alley access, or other unusual physical conditions;*
- (6) Restoring the original garage or carport to a parking space would result in a significant economic hardship when comparing the cost of restoration to the cost of any other proposed improvements on the site; and*
- (7) The proposed parking space to be located within the front yard setback space shall be paved with asphalt, concrete, or other similar permanent hard surface and shall comply with Section 9-9-5, "Site Access Control," B.R.C. 1981, shall not be less than nine feet in width or more than sixteen feet in width, and shall not be less than nineteen feet in length. No parking space shall encroach into a public right of way or obstruct a public sidewalk.*

Topic 3: Specifying Non-Residential Parking Requirements in the RH-6 Zoning District

Issue

The RH-6 zoning district is in Boulder Junction. When the RH-6 zoning district was created as a result of adoption of the Transit Village Area Plan (TVAP)(along with RH-7), it was added to the Land Use Code, but erroneously was not added to the parking requirements table for non-residential uses.

Background and Analysis

As RH-6 is within the TVAP (Boulder Junction) area, and as such it seems appropriate to align its parking requirements with zones designed for that area and other redeveloping areas with comparable parking needs.

Proposed Code Change

To address this absence of a parking standard for non-residential uses in the RH-6 zone, staff proposes amending Table 9-3 to add RH-6 to columns containing the RH-3, RH-7 and MU-4 (Mixed Use -4) zones.

Topic 4: Updating Accessible Parking Requirements

Issue

Current accessible parking requirements are inconsistent with Federal standards for the Americans with Disabilities Act (ADA).

Background and Analysis

The Land Use Code currently implements accessible parking requirements based on an outdated iteration of the Americans with Disabilities Act (ADA) whereby no spaces are required for the first seven dwelling units and one space is required for every seven dwelling units thereafter. For larger residential projects (over 200 units), it has created a requirement that is excessive and not representative of the identified need for accessible tenants. One example is the Two Nine North residential project at Twenty Ninth Street. With 238 units, 33 accessible parking spaces were required, which was considered disproportionate to the need. Therefore, Planning Board approved a parking reduction to permit 10 accessible spaces.

Fox Tuttle Hernandez Transportation Group conducted an analysis of several large residential projects (e.g., Two Nine North, Peloton and Landmark Lofts where the current requirements have been problematic due to the higher number of dwelling units) and concludes the following:

- *The current city parking requirements for accessible parking spaces at residential developments requires up to 1.5 times more parking than the federal standard requires.*
- *The additional accessible parking is not being fully utilized during the evening peak parking hours based on the Sept. 2014 parking study.*
- *In this context, it appears that the city could relax its current accessible parking space requirements to be consistent with the federal standard.*

The full analysis and data to support the conclusions can be found within **Attachment G**.

Proposed Code Change

To eliminate this occurrence and align with current ADA standards, staff proposes the following change:

Accessible space requirement	0 spaces for the first 7 DUs, 1 space per 7 DUs thereafter. <u>Must meet the Americans with Disabilities Act, as amended.</u>
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The latest version of the ADA regulation requirements are shown below. An excerpt follows:

Total Parking in Lot	Required Minimum Number of Accessible Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	2 percent of total
1001 and over	20 plus 1 for each 100 over 1000

For comparative purposes, Two Nine North would require 33 accessible spaces under current requirements, whereas according to ADA it would require 8 accessible spaces.

Topic 5: Reducing the Parking Rate for Low Parking Demand Nonresidential Land Uses

Issue

Most land uses in the Land Use Code are not specified relative to parking requirements. Rather, a generic rate is applied (e.g., one space per 300 square feet or one space per 400 square feet) dependant on zoning district. While this generally makes sense when applied to many uses, it does not when applied to particular uses that have very low parking demand. This has necessitated applicants having to either provide too much parking for a use to do a by-right development or request significant parking reductions – many of which must be approved by Planning Board.

Background and Analysis

Some examples of low demand non-residential land uses are warehouse spaces, self-storage uses and aircraft hangers. In recent years, the city has processed several parking reductions for self-storage facilities where the code required a high amount of parking for uses that do not generate a parking demand to fill the required spaces. An example is 5675 Arapahoe where 184,440 square feet of floor area required 461 parking spaces. A vast majority of the floor area was proposed as self storage, which generates a very low need for parking. Planning Board approved an 82% parking reduction for that site.

Another example is the Boulder Municipal Airport. The Boulder Municipal Airport is hoping to expand by building new aircraft hangers. However, this expansion has been delayed due to the disproportionately high parking requirements that would have to be met for the expansion. For

example, with 364,292 square feet square feet of hangers at the airport (including the proposed hangers), over 1,200 parking spaces would be required, feasible number far exceeding the parking need generated by the use. The only options available to the airport are processing an 85 percent parking reduction, which requires Planning Board review and approval or passage of the proposed changes. Rather than leaving an unreasonable requirement that will be costly to the airport, staff found it appropriate to update the Land Use Code to address the issue.

As the Land Use Code does not recognize warehouses, self-storage and aircraft hangers as specific land uses, the proposed changes are to add these uses to the code and require parking spaces at a more appropriate rate. The suggested changes are:

- **Warehouses:** Staff and the project consultant, Fox Tuttle Hernandez, Transportation Engineering Group, have analyzed a number of warehouse locations and industrial uses with accessory warehouses as well as corresponding with warehouse owners and have determined that warehouse uses do not generate a parking need commensurate with the current requirement of one space for every 400 square feet. Rather, Fox Tuttle Hernandez’s data (found in **Attachment H**) indicates a need of roughly one space for 1,000 square feet. This is also consistent with the parking requirements of other communities that specifically identify warehouses in their parking codes. In their analysis, Fox Tuttle Hernandez found that the average occupancy of parking spaces for such uses in the City of Boulder, providing parking consistent with current parking standards, ranged from 35 percent to 60 percent and averaged 52 percent. Based on these findings, staff is proposing that warehouse spaces be specifically identified in the code and require parking at a rate of one space per 1,000 square feet as reflected in the language below which would be added to the existing Table 9-4:

<u>Warehouse or distribution facility or uses in industrial zones with accessory warehouse spaces</u>	1 space per 1,000 square feet of floor area used for warehousing and/or storage of goods, merchandise or equipment. Parking for associated office space or production areas not used for warehousing or storage outlined above shall be required per Table 9-3
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Parking for office space or other areas not used for warehousing would be required based on the current one space per 400 square feet as currently applied and matches the greater need for parking in these areas where there are more employees. The table below reflects some examples and demonstrates how current requirements are too high and how the proposed requirements, when applied, would generally match the observed peak parking need as found by Fox Tuttle Hernandez.

Warehouse	Square footage	Existing Parking provided	Required parking per current code	Proposed parking requirement	Observed peak parking
3600 Pearl	11,312	11	28	14	6
3635 Pearl	10,665	41	26	13	19
Frontier Buildings	188,116	324	420	260	173
3825 Walnut	100,872	185	252	134	114

Staff finds that the proposed parking requirement would better reflect the parking needs on such sites as compared to the current code.

- **Self-storage:** Like the warehousing use discussed above, self-storage uses are clear examples of square footage that does not generate the need for much parking. There have been a number of examples of where the city has reviewed and approved parking reductions and deferrals for self-storage uses to create a more reasonable parking rate. As it is uncommon to see high numbers of customers at self-storage facilities at the same time and considering that the square footage within the storage is not a parking generator in and of itself. Based on analysis, staff suggests the following requirement, which requires parking be provided for office use at the current rate, plus some visitor spaces, but no parking for the storage units specifically. Typically when customers visit self-storage sites they park moving trucks in existing circulation areas in front of their storage units and do not require designated parking spaces:

Self-service storage facility	<u>3 parking spaces for visitor parking, plus parking required per Table 9-3 for office spaces or areas not specially designated for self-storage. No parking required for square footage of floor area designated for self-storage.</u>
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Below are some recent examples of self-storage approvals showing the current parking required, what parking was approved through reduction and what would be required per the proposed requirement above:

Self Storage	Square footage	Required parking	Approved reduction/ spaces	Proposed parking requirement
5002 28 th	36,000	90	25% reduction & 56% deferral: 16	4
5675 Arapahoe	184,440	461	82% reduction: 54	9

- **Aircraft Hangers:** The Airport Manager has approached the city through the pre-application process about adding new hangers at Boulder Airport. The existing airport has a floor area of roughly 179,000 square feet and is within the Public (P) zoning district. Per the approved Boulder Municipal Airport Master Plan, a final build-out of 364,292 square feet is possible.

While the additions over time are technically approved, off-street parking has not been addressed. The site, which includes 186 parking spaces (which currently meet the needs of the airport), is technically non-conforming to parking since the P zone requires one space for every 300 square feet of floor area. To put in perspective how the current parking requirements would apply, the current parking requirement on the site is nearly 600 parking spaces and at build-out would be over 1,200 parking spaces. This amount of parking is clearly disproportionate to the need of the airport. In order for the airport to proceed with development plans, a significant parking reduction would have to be approved by the Planning Board. Staff has researched other peer community parking regulations relative to airports and has worked with Fox Tuttle Hernandez Transportation

Engineering Group to result in the proposed requirements above. Fox Tuttle’s analysis is included in **Attachment I** and substantiates the more reasonable parking requirements proposed.

With the assistance of Fox Tuttle Hernandez and the Airport Manager, staff suggests the following requirement:

<u>Airport and aircraft hangers</u>	<u>1 parking space for every 4 outside airplane or glider tie down spaces;</u> <u>1 parking space for every 4,000 square feet of floor area of private airplane hangar space (with or without external or internal walls);</u> <u>1 parking space for every 2,000 square feet of floor area of commercial or “executive” airplane hangar space, and,</u> <u>parking for associated office space or areas not used for aircraft hangers shall be required per Table 9-3</u>
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Proposed Code Changes

Based on the analysis above, staff proposes the three land uses be added to Section 9-9-6, “Parking Standards,” B.R.C. 1981, Table 9-4 as represented in the analysis above.

Topic 6: Simplifying Parking Standards for Retail Centers (Restaurants, Brewpubs and Taverns)

Issue

Retail centers often contain a dynamic mix of retail and restaurant, brewpub and tavern uses. Retail and restaurants have different parking requirements. Because of this, tenant change outs require a constant monitoring of retail centers and readjustment of parking calculations to confirm compliance. This has created a complicated system of tracking parking requirements in ever-changing retail centers that is costly to applicants and time consuming for staff. The goal is to simplify the land use code to create one parking rate requirement that can apply to all centers and is generally commensurate with how much parking is required under today’s code without having to analyze the ever changing retail and restaurant dynamic.

Background and Analysis

Current Land Use Code requirements for retail spaces are one space for every 300 square feet (400 square feet in the BR-1 zone). However, for restaurants and taverns, the requirement is one space for every three seats. While it is logical to require more parking for restaurant and tavern uses based on parking demand, the relationship between retail spaces and hospitality establishments has been problematic in implementation. This is because for many retail centers, which include a mix of the two land uses, every tenant space change from retail to restaurant or vice versa, changes how the parking requirement applies to the center and necessitates city review of the change and update of parking data. This is often time consuming, unnecessarily complicated and costly to retail centers that have to submit Administrative Review minor modification applications every time a tenant changes. To monitor these changes, complex spreadsheets exist for large retail centers in Boulder and require constant updating and education to applicants and other staff planners who manage the information. A more simplified approach of creating one metric applied to retail centers recognizing a mix of uses is warranted.

In cooperation with Fox Tuttle Hernandez, staff has researched the current parking needs of several shopping centers in Boulder, including:

- Willow Springs (corner of 28th & Iris);
- The Village (Arapahoe Avenue between Arapahoe and Canyon)
- Table Mesa Shopping Center (Broadway and Table Mesa)
- Twenty Ninth Street (between 28th and 30th north of Arapahoe)
- Basemar Shopping Center (Broadway and Baseline), and
- Crossroad Commons (Pearl Street east of 28th)

To illustrate the size of some of the larger retail centers in Boulder, staff created the table as follows that shows the square footage of each, the parking that is provided on each site, the parking rate (e.g., one space for every 240 square feet etc.) and the percentage of restaurant space to retail space.

Retail Center	Square footage	Parking Provided	Parking rate	% Restaurants to retail
Basemar	83,333	493	1:169	21%
Willowsprings	55,213	246	1:224	26%
Ideal Market	12,151	78	1:156	44%
Community Plaza	33,674	154	1:218	16%
Table Mesa Shopping Center	271,506	937	1:290	16%
The Meadows	222,484*	1373	1:162	16%
The Village	215,866**	898	1:240	12%
Twenty Ninth Street	853,128	3229	1:264	9%
Crossroad Commons (Whole Foods)	144,118	834	1:172	4%
Averages	208,604	912	1:210	16%

*includes hotel and library

**does not include existing hotel

Fox Tuttle Hernandez also did a supply and demand analysis for most of the centers above, which is found within **Attachment J**. Through this analysis, Fox Tuttle Hernandez determined the total peak parking need as observed at varying times of day for the centers and found that most of the centers have an oversupply of parking and have demand rates ranging between one parking space per 1,000 square feet to over four spaces per 1,000 square feet at peak times.

It should be noted that there are different circumstances associated with each center relating to parking supply and demand that must be recognized. For instance, Twenty Ninth Street has one of the lowest demand rates at around 55 percent (a demand rate of two parking spaces per 1,000 square feet). However, the perception of customers is that there is not enough parking at the center based on the concentration of restaurants and desire of patrons to park immediately adjacent to their destination. While the southwest quadrant is often quite full, parking in other areas of Twenty Ninth, including the parking garages, have high availability of parking. The perception comes from the fact surface parking is occupied at 82 percent, whereas the garages peak are at around 30 or 40 percent as observed by Fox Tuttle Hernandez.

Another example is the Crossroad Commons retail center, which includes the Whole Foods flagship store. While the center meets the city parking requirements without a parking reduction,

the demand rate is the highest of the observed retail centers with an observed occupancy of 70 percent (69 percent on the surface and 84 percent in the garage) or a parking need of over 4 spaces per 1,000 square feet.

Again, the goal of the short-term changes is to find a rate that can meet the needed range of the retail centers similar to current parking requirement albeit simplified. One of the outcomes of the AMPS process may be to reduce parking further in retail centers; however, this must be determined over the course of the long-term (Phase II) changes discussed in the ‘background’ section of the memorandum.

The next table is a comparison of the different retail centers, which shows the total parking provided as well as what the parking requirements would be if provided at the following rates: *one space for every 200 square feet, one space for every 300 square feet, and one space for every 400 square feet.* In most zone districts, one to 300 square feet for non-residential uses is the most common generically applied requirement.

Retail Center	Current Parking	Current Parking rate	@1:200	@1:300	@1:400	@1:250 (suggested)	Peak usage per transportation study
Basemar	493	1:169	416	278	208	333	280 (weekday afternoon) [1:298]
Willowsprings	246	1:224	276	184	138	220	174 (weekday afternoon)
Ideal Market	78	1:156	NA- No change (<50,000)*				
Community Plaza	154	1:218	NA- No change (<50,000)*				
Table Mesa Shopping Center	937	1:298	1358	905	679	1086	751 (weekday afternoon) [1:361]
The Meadows	1373	1:162	1112	742	556	889	No data
The Village	898	1:240	1079	719	539	863	599 (Friday evening) [1:360]
Twenty Ninth Street	3229	1:264	4265	2844	2133	3413	1778 (Saturday evening) [1:479]
Crossroad Commons	834	1:172	720	480	360	576	636 (weekday afternoon) [1:226]

*Ideal Market and Community Plaza are excluded as they are less than 50,000 square feet.

Proposed Code Change

Staff is proposing a rate of one space for every 250 square feet (i.e., 4 space for every 1,000 square feet) for retail centers that are 50,000 square feet or greater, which is also reflected in the following table above for reference. The 50,000 square feet threshold was chosen because it captures Boulder’s large shopping areas that are generally self-contained and have little chance

for spillover parking into adjacent neighborhoods. The rates in the table below are also compared to the observed peak parking numbers from Fox Tuttle Hernandez’s analysis.

One space per 250 square feet meets the peak demand for all of the centers with the exception of Crossroad Commons, which as discussed above has the highest drawing anchor and is somewhat of an outlier. The high parking demand is use driven and demand would likely change significantly if a tenant other than a regional Whole Foods moved in. While it would not meet the peak demand (as evidenced on weekend afternoons), the one space per 250 square feet would result in the same parking requirement for the retail center as required today (e.g., 576 parking spaces). The table as follows reflects this and shows how the proposed parking rate would be generally commensurate with the required parking under today’s code as applied to the retail centers, which is the goal of this short-term change.

Shopping Center	Current Parking provided	Required parking*	Approved parking** (appl. Reduction %)	Proposed parking***
Table Mesa Shopping Center	937	1003	937 (6%)	1086
The Village	898	958	857 (10%)	863
Twenty Ninth Street	3229	3456	3110 (10%)	3413
Crossroad Commons	834	575	575 (n/a)	576

*reflects parking at a rate of 1 space for every 300 sf for retail within the Table Mesa Shopping Center within the BC (Business Commercial) zone and 1 space for every 400 sf for retail within the other centers in the BR (Business Regional) zones. The number also reflects seating requirements for restaurants, brewpubs and taverns which increase the requirement.

**reflects parking as approved through a parking reduction,

***reflects the revised simplified rate of 1 space for every 250 sf.

Planning Board supported the proposed change, but expressed concern in instances where insufficient parking could result in retail centers that have a disproportionately higher percentage of restaurants, brewpubs and taverns. The board, therefore, requested that a tiered requirement based on percentage of restaurants, brewpubs and taverns be developed. Staff agreed with the suggestion and has proposed a tiered requirement. To determine the requirement, staff isolated the data at five retail centers to include only the restaurant, tavern and brewpub square footage and determined the parking requirement for each. This is reflected in the table as follows:

Retail center	Square footage- restaurants	Seats	Required parking per seating	Required parking – floor area
Twenty Ninth Street	67,785	2280	760	1:89
The Village	30,403	846	282	1:108
Crossroad Commons	3,408	90	30	1:114
Basemar	17,425	565	188	1:92
Ideal Market	5,347	144	48	1:111
AVERAGES	24,874	785	262	1:103

The data shows what would effectively be the worst case scenario for each retail center if all square footage were restaurants, brewpubs and taverns. Interestingly, all the retail centers above fall within a range of one space for every 89 square feet to one space for every 114 square feet with an average of one space for every 103 square feet. Therefore, staff is proposing the following tiers below with one space for every 100 square feet as the maximum:

Retail centers over 50,000 square feet of floor area under common ownership or management that contain a mix of some or all of the following uses: retail, commercial, office, restaurants, brewpubs, or taverns	<u>Less than 30 percent of the total floor area is occupied by restaurants, taverns, or brewpubs: 1 space per 250 square feet of floor area for retail, commercial, and office uses and restaurants, brewpubs, and taverns.</u>
	<u>30 percent or more of the total floor area is occupied by restaurants, taverns, or brewpubs: 1 space per 175 square feet of floor area for retail, commercial, and office uses and restaurants, brewpubs, and taverns.</u>
	<u>60 percent or more of the total floor area is occupied by restaurants, taverns, or brewpubs: 1 space per 100 square feet of floor area for retail, commercial, and office uses and restaurants, brewpubs, and taverns.</u>
	<u>This use-specific parking standard shall not apply to other uses for which a use-specific parking standard is created in this table 9-4 or to uses other than retail, commercial, and office uses, restaurants, brewpubs, and taverns. For those uses, parking shall be provided as required for each such use under this Section 9-9-6, B.R.C. 1981, and in addition to the requirement above.</u>

As the city and applicants already have square footage data, this approach would still achieve the goal of simplifying application of the standards, while aiming to avoid any parking shortfalls that may occur if restaurants, brewpubs and taverns took up higher percentages of centers. The changes above are reflected in the attached ordinance.

Topic 7: Simplifying Parking Requirements for Restaurants, Brewpubs and Taverns

Issue

General parking requirements for restaurants, brewpubs and taverns are one space for every three seats. However, in situations where there is outdoor seating, the requirements become quite complex with four different scenarios. This, like Topic 6 above, creates a complicated necessity for tracking on-going changes. Therefore, a simplification of the seating requirement is also suggested.

Background and Analysis

Staff is proposing to these requirements, which are based on seating (as applied to areas outside of retail centers greater than 50,000 sf), because the calculations can be quite complex due to the different scenarios that the code stipulates (i.e., 1) establishment with only indoor seating, 2) establishment with indoor and outdoor seating with less than 50 indoor seats, 3) establishment with indoor and outdoor seating with more than 50 indoor seats). The current code requires seating at a rate of one parking space for every three indoor seats, but exempts some outdoor seats at 25 percent for scenario 2) above or 20 percent for scenario 3) above. Outdoor seats above these percentages require one space per three seats.

Proposed Code Change

Staff finds that having the two different scenarios (above and below 50 indoor seats) adds unnecessary complexity. Therefore, staff proposes the following language, which would allow outdoor seating up to 20 percent not to count into the parking calculation. By removing the other option to exempt 25 percent, the language can be significantly condensed. The provision related to sites with non-conforming parking has been retained in the section, but revised to reflect the 20 percent allowance. The original language is also shown crossed out for reference.

<p><u>Restaurant, brewpub, or tavern – outside of retail centers greater than 50,000 square feet</u></p>	<p><u>1 space per 3 seats for indoor seats. Where outdoor seats do not exceed 20 percent of the indoor seats, no additional parking spaces are required. Where outdoor seats exceed 20 percent of the indoor seats, 1 space per 3 seats must be provided for those seats exceeding 20 percent of the indoor seats. Unless additional parking is provided to meet the requirements above, the maximum number of outdoor seats for restaurants, brewpubs, and taverns on sites that do not meet the required number of parking spaces for indoor seats shall be 20 percent x the number of parking spaces provided on the site x 3.</u></p>
<p>Restaurant, brewpub, or tavern — outdoor seating:</p>	
<p>a. Outside seats for restaurant, brewpub, or tavern with up to and including 50 interior seats if</p>	<p>No additional parking spaces required</p>

<p>outside seats do not exceed the greater of 6 seats or 25 percent of interior seats; or b. Outside seats for restaurant, brewpub, or tavern with more than 50 interior seats if outside seats do not exceed the greater of 12 seats or 20 percent of indoor seats</p>	
<p>e. Outside seats for restaurant, brewpub, or tavern in excess of requirements of Subsection a or b of this use</p>	<p>1 space per 3 outdoor seats in excess of exempted outdoor seats</p>
<p>d. Outside seats for restaurants, brewpubs, or taverns that do not meet the parking requirement for their indoor seats</p>	<p>The maximum number of outdoor seats shall be calculated in accordance with the following formula: (the number of parking spaces provided on site) x 3 x (the percentage of seats permitted in Subsection a or b of this use) = the maximum number of outdoor seats that may be provided without providing additional parking</p>

The proposed change maintains the same intent of the current section to encourage outdoor seating with significantly less words and one less scenario to account in calculations. In an analysis of data on restaurant seating (e.g., shopping center seating data and management plan information for a variety of locations) staff has found that most of the example restaurants have over 50 indoor seats. Therefore, staff finds it reasonable to apply the 20 percent exemption rate to all establishments as that is what is already within the code.

Topic 8: Specifying parking requirements for duplexes

In communications with developers and property owners, it was discovered that duplexes are not formally addressed in the parking requirements in table 9-1 ([link](#)) of the Parking Standards. More specifically, parking for detached units (one single-family home) and attached dwelling units (three or more attached units) are specified, but duplexes are not referenced. In the past, staff has interpreted duplexes as attached dwellings, which have a ‘per bedroom’ requirement. Staff is proposing to officially apply this requirement in the code as follows:

Maximum number of off-street parking spaces for an attached DU or duplex
Minimum number of off-street parking spaces for an attached DU or duplex

Bike parking code requirements and design standards for new development

As discussed above, staff is exploring updates to bike parking standards for new developments that is based on land use and square footage rather than the percentage of off-street vehicle parking requirement. Updates to specifications for bike parking designs that meet city standards also are proposed. Existing and proposed changes are discussed below.

Existing Requirements

The Boulder Revised Code outlines requirements for bike parking as part of site improvement standards for development in Section 9-9-6 Parking Standards. Currently, the quantity of bike parking required by a new development is calculated based on zoning district as well as a percentage of off-street vehicle parking requirements using the Institute of Transportation Engineering (ITE) trip generation. No bicycle parking spaces are required in agricultural and low density residential zoning districts. In all other zones, at least 3 bike parking spaces or 10 percent of the required off-street parking spaces, which ever is greater, are required. After the first 50 bicycle parking spaces are provided, the required number of additional bicycle parking spaces is 5 percent of the required of-street parking spaces.

Definitions for long-term and short-term bike parking also are specified in the Code. The purpose of a bike trip including how long a cyclist will leave their bicycle are important to understanding where and what type of bike parking to provide. In general, cyclists either seek short-term or long-term parking.

Short-term bike parking offers a convenient and accessible area to park bicycles for customers and other visitors who seek to leave their bicycle for two-hours or less. Short-term bicycle parking should be located on the public access/street level, within 50 feet of main building entrance(s) and outside the building.

Long-term bicycle parking offers a secure and weather protected place to store a bicycle for several hours or more. Long-term bicycle parking should be covered and located in a locked room or within an area that is within view of a parking attendant/employee work areas or enclosed by a fence with a locked gate.

Guidance on the number of short-term and long-term bike parking spaces to provide is limited to uses within the Boulder Junction area, which require and calculate the number of spaces based on dwelling units for residential uses and square footage for non-residential uses.

The Design and Construction Standards require that bicycle parking be designed to offer two contact points between the rack and bike. Bike parking also should accommodate a wide range of bicycle frame styles (mountain bike, cruiser, 10-speed, child-size and more) and be simple to use by novice and expert cyclists alike. Currently, two types of bike parking rack styles meet city design standards: the inverted U rack and the cora-style multi-bike parking rack. Bike lockers are specified as the only design to provide long term bike parking solutions. **Attachment K** shows each bike parking standard design.

Topic 1: Proposed Code changes for quantity of required bike parking

Background and Analysis

People in Boulder ride bikes 17 times more than the national average and every bicycle trip begins and ends with the need for a safe and secure parking place. The updated Transportation Master Plan establishes a target of 30 percent bike mode share by 2035. According to the Travel Diary Survey, Boulder currently has a 19 percent bike mode share for resident trips while the American Community Survey 2010 – 2012 (three year average) indicates that Boulder residents average a bike to work mode share of 11.8 percent, which is consistent with the 2012 travel diary mode split of all bike trips by trip purpose. The travel diary also captures data on trip purpose beyond the work commute and indicates that 2012 travel diary respondents completed 4,830 trips with approximately 900 being mode by bike. Of these bike trips additional destinations where residents choose to bike include for social/recreation (14.1%), to school (10.2%), shopping (8.4%), personal business (3.9%) and eating a meal (5.2%).

New technologies and best practices prompted staff to review its policy on the quantity of spaces that new developments must provide for both short and long-term bike parking. Transportation staff conducted a review of eight other Bicycle Friendly Communities (BFC) that recently updated their bike parking policy, including the three other the three other Platinum designated communities of Davis, California; Fort Collins Colorado; and Portland, Oregon. Additionally, staff consulted the Association for Pedestrian and Bicycle Professionals (APBP) *Bike Parking Design Guide, 2nd edition*, published in 2010. Collectively, this research found that an emerging industry standard and policy that each community has adopted is to calculate the quantity of bicycle parking based on land use type and square footage rather than associating it with the amount of motor vehicle parking required by a development.

The development-related bike parking requirements are minimum standards to be achieved. The aim is to balance demand with the transportation system through setting minimum standards while offering flexibility to negotiate additional bike parking spaces as part of establishing a Transportation Demand Management (TDM) plan. TDM Plans, as part of a Traffic Study, are required for Site Review applicants that exceed trip generation levels estimated by Traffic Assessments. For non-residential developments, Traffic Studies, which include TDM Plans, are required for developments producing over 100 peak hour trips. For residential developments, a TDM Plan is required if the development is estimated to generate 20 additional peak hour trips. TDM packages for new developments are increasingly including managed parking, secure bike parking and commuter incentives programs like Bike to Work Day to encourage bicycling. TDM packages also ensure bike parking supply meets demand for new developments designed for students and other populations with high bike mode potential.

Developing adequate bike parking requirements is as much an art as a science. Proposed changes carried forward and adopted will be evaluated overtime. To ensure that the proposed standards are achieving the intended goals of providing a better balance between demand and supply, staff

will monitor and determine whether iterative changes to development-related bike parking requirements are necessary as new cyclists are attracted to use the system and based on future bicycle mode share.

Bike parking requirements for new development

Attachment A is the draft ordinance to amend the Land Use Code. It presents a new table titled Table 9-7.1 Off-Street Bicycle Parking Requirements. The uses are categorized by land uses contained in the Boulder Revised Code Chapter 9-6: Use Standards **TABLE 6-1: USE TABLE**. The minimum number of bike parking spaces is calculated based on land use and square footage (commercial) and units/bedrooms (residential) for the proposed development. It is also recommended that new developments provide for the needs and users of both short-term bike parking (located within 50 feet of main entrance(s) on the ground floor, outside the building) and long-term bike parking (covered and secure – protected from the weather and theft). The percentage or short-term versus long-term bike parking spaces is based on the anticipated demand for each type of bike parking.

For residential users, staff recommends a minimum of 2 long-term bike parking spaces per residential dwelling unit without a private garage. According to the 2012 Travel Diary survey, 79 percent of all responding households responding own a bicycle. Of these, bicycles per household have increased from 1.98 bicycles per household in 1992 to 2.48 bicycles per household in 2012.

For non-residential land use categories, staff incorporated established a requirement of one bike parking space per 1,500 square feet as a default for several use categories. It is based the most common vehicle parking requirement for non-residential uses of one space per 300 square feet of floor area, which would be three vehicle spaces per 1,000 square feet and a bike parking requirement equivalent to approximately 25% of the required vehicle parking spaces. In response to Planning Board input, the table reflects an increase of 25% above required bike parking spaces presented at the Sept. 18 Planning Board Meeting. **Attachment L** presents local case study examples by land use category of existing and proposed bike parking requirements.

Parking Reductions

There may be site specific justification to allow a reduction in the total number of bike parking required as well as the ratio of long-term and long-term bike parking spaces. To allow flexibility, staff drafted language to guide potential bike parking reductions. Specifically, the proposed new language seeks to ensure that the to balance demand with the transportation system through setting minimum standards while offering flexibility to negotiate bike parking spaces as necessary is achieved. The ordinance in Attachment A incorporates proposed changes to parking reductions to address requests for bike parking reductions.

Topic 2: Bike parking design standards

Background and analysis

The City's *Boulder Revised Code* and *Design and Construction Standards* offer guidance on city standards for bike parking, including criteria for providing parking that serves short-term as well as long-term bike storage needs. In general, bicycle parking should be designed to offer two contact points between the rack and bike, accommodate a wide range of bicycle frame styles (mountain bike, cruiser, 10-speed, child-size and more), and be simple to use by novice and expert cyclists alike.

The cycling community has expressed that the current Cora-style multi-bike parking racks are no longer suitable to secure the variety of bikes used by cyclists today. In particular, bikes used for commuting are often equipped with a set of rear panniers and/or a front basket to carry goods and personal belongings. The design of the Cora-style rack hangers does not provide the spacing needed to allow a bike to have two points of contact with the rack. Feedback from the development community and property owners also supports the inclusion of additional guidance on long-term parking design solutions.

Suggested Design and Construction Standard Changes to Bike Parking

1. Replace the Cora-style multi-bike parking rack with a multi-bike inverted U rack

Proposed amendments to the Section 2.11 (E) of the Design and Construction Standards (DCS) to eliminate the Cora-style multi-bike parking rack style and codify the use of inverted U racks for all bike parking requirements is provided in **Attachment M**. The ordinance in **Attachment B** incorporates these proposed DCS changes.

2. Add guidance on long-term bike parking systems and configurations to the DCS

Staff supports the suggestion from the development community to provide examples of parking systems and configurations that would provide adequate solutions for long-term covered and secure bike parking. **Attachment N** presents draft Long-Term Bike Parking Guidelines.

In the spirit of the Living Laboratory approach introduced during the TMP update, staff proposes to offer these guidelines as a resource to developers in determining the design providing for long-term bike parking spaces. Working with the development community, staff envisions conducting an on-going assessment of various long-term bike parking solutions to consider for a future update to the Design and Construction Standards. Suggestions from Planning Board members for design standards that provide outlets for electric bikes bike repair spaces are included in these draft Bike Parking Guidelines.

STAFF FINDINGS AND RECOMMENDATION:

Staff recommends that the City Council adopt the proposed ordinance at time of second reading to:

- 1) Update vehicle parking standards to simplify and correct parts of the vehicle parking requirements that require too much parking, contain errors or are difficult to implement. Some examples are reducing parking requirements for low parking demand uses (i.e., warehouses, self-storage, and aircraft hangers), simplifying requirements for restaurants and retail in large retail centers, and other clean up items and updates.
- 2) Revise bike parking requirements for new development to base bike parking requirements on land use type and require both short and long-term bike parking, and
- 3) Amend the DCS related to bicycle parking design standards to eliminate the Cora-style multi-bike parking rack style and codify the use of inverted U racks for all bike parking requirements.

ATTACHMENTS:

- A. Ordinance No. 8005 amending Title 9, "Land Use Code," B.R.C. 1981
- B. Ordinance No. 8006 amending the Design and Construction Standards (DCS) relative to bike rack design
- C. Minutes from the July 17th Planning Board
- D. Minutes from the Sept. 18th Planning Board
- E. Summary of July 2013 TAB discussion
- F. Fox Tuttle Hernandez Transportation Group summary of RH-1 and RH-2 parking supply and demand
- G. Fox Tuttle Hernandez Transportation Group summary of ADA Residential Parking
- H. Fox Tuttle Hernandez, Transportation Engineering Group, data on warehouse uses
- I. Fox Tuttle Hernandez analysis and conclusions on airport parking
- J. Fox Tuttle Hernandez data on retail centers
- K. City of Boulder bike parking standard designs
- L. Boulder land use examples of existing and proposed bike parking space requirements
- M. Proposed amendments to DCS Section 2.11 (E) Bike Parking
- N. Draft Long-Term Bike Parking Guidelines

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ORDINANCE NO. 8005

AN ORDINANCE AMENDING SECTIONS 9-2-3, "VARIANCES AND INTERPRETATIONS," AND 9-9-6, "PARKING STANDARDS," B.R.C. 1981, TO SIMPLIFY VARIOUS MOTOR VEHICLE PARKING STANDARDS, TO REDUCE MOTOR VEHICLE PARKING REQUIREMENTS FOR WAREHOUSES, STORAGE FACILITIES, AND AIRPORTS, AND TO CREATE LAND USE-BASED BICYCLE PARKING STANDARDS, AND SETTING FORTH RELATED DETAILS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO:

Section 1. Table 2-1: Review Processes Summary Chart of Section 9-2-1, "Types of Reviews," B.R.C. 1981, is amended to read:

9-2-1. Types of Reviews.

(a) Purpose: This section identifies the numerous types of administrative and development review processes and procedures. The review process for each of the major review types is summarized in table 2-1 of this section.

(b) Summary Chart:

TABLE 2-1: REVIEW PROCESSES SUMMARY CHART

<i>I. ADMINISTRATIVE REVIEWS</i>	<i>II. ADMINISTRATIVE REVIEWS - CONDITIONAL USES</i>	<i>III. DEVELOPMENT REVIEW AND BOARD ACTION</i>
<ul style="list-style-type: none"> • Building permits • Change of address • Change of street name • Demolition, moving, and removal of buildings with no historic or architectural significance, per Section 9-11-23, "Review of Permits for Demolition, On-Site Relocation, and Off-Site Relocation of Buildings Not Designated," B.R.C. 1981 • Easement vacation • Extension of development approval/staff level 	<ul style="list-style-type: none"> • Accessory Units (Dwelling, Owners, Limited) • Antennas for Wireless Telecommunications Services • Bed and Breakfasts • Cooperative Housing Units • Daycare Centers • Detached Dwelling Units with Two Kitchens • Drive-Thru Uses • Group Home Facilities 	<ul style="list-style-type: none"> • Annexation/initial zoning • BOZA variances • Concept plans • Demolition, moving, and removal of buildings with potential historic or architectural significance, per Section 9-11-23, "Review of Permits for Demolition, On-Site Relocation, and Off-Site Relocation of Buildings Not Designated," B.R.C. 1981 • Landmark alteration certificates other than those

<p>1 • Landmark alteration certificates (staff review per Section 9-11-14, "Staff Review of Application for Landmark Alteration Certificate," B.R.C. 1981)</p> <p>2</p> <p>3 • Landscape standards variance</p> <p>4 • Minor modification</p> <p>5 • Nonconforming use (extension, change of use (inc. parking))</p> <p>6 • Parking deferral per Subsection 9-9-6(e), B.R.C. 1981</p> <p>7 • Parking reduction of up to fifty percent per Subsection 9-9-6(f), B.R.C. 1981</p> <p>8 • <u>Parking reductions and modifications for bicycle parking per Paragraph 9-9-6(g)(6), B.R.C. 1981</u></p> <p>9 • Parking stall variances</p> <p>10 • Public utility</p> <p>11 • Rescission of development approval</p> <p>12 • Revocable permit</p> <p>13 • Right of way lease</p> <p>14 • Setback variance</p> <p>15 • Site access variance</p> <p>16 • Solar exception</p> <p>17 • Zoning verification</p>	<ul style="list-style-type: none"> • Home Occupations • Manufacturing Uses with Off-Site Impacts • Neighborhood Service Centers • Offices, Computer Design and Development, Data Processing, Telecommunications, Medical or Dental Clinics and Offices, or Addiction Recovery Facilities in the Service Commercial Zoning Districts • Recycling Facilities • Religious Assemblies • Residential Care, Custodial Care, and Congregate Care Facilities • Residential Development in Industrial Zoning Districts • Restaurants, Brewpubs, and Taverns • Sales or Rental of Vehicles on Lots Located 500 Feet or Less from a Residential Zoning District • Service Stations • Shelters (Day, Emergency, Overnight, temporary) • Temporary Sales • Transitional Housing 	<p>that may be approved by staff per Section 9-11-14, "Staff Review of Application for Landmark Alteration Certificate," B.R.C. 1981</p> <ul style="list-style-type: none"> • Lot line adjustments • Lot line elimination • Minor Subdivisions • Out of city utility permit • Rezoning • Site review • Subdivisions • Use review • Vacations of street, alley, or access easement
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20 Section 2. Section 9-2-3, "Variances and Interpretations," B.R.C. 1981, is amended to read:

21 **9-2-3. Variances and Interpretations.**

22 ...

23 (j) Variances for Parking Spaces in Front Yard Setbacks: The BOZA may grant a variance to the requirements of section 9-9-6, "Parking Standards," B.R.C. 1981, to allow a required parking space to be located within the front yard setback if it finds that the application satisfies all of the following requirements:

24

25

1 (1) The dwelling unit was built in an RR-1, ~~RR-2~~, RE, or RL-1 zoning district;

2 (2) The dwelling unit originally had an attached carport or garage that met the off-street
3 parking requirements at the time of initial development or, at the time of initial construction,
4 an off-street parking space was not required and has not been provided;

5 (3) The garage or carport was converted to living space prior to January 1, 2005;

6 (4) The current property owner was not responsible for the conversion of the parking space to
7 living area and can provide evidence as such;

8 (5) A parking space in compliance with the parking regulations of section 9-9-6, "Parking
9 Standards," B.R.C. 1981, cannot reasonably be provided anywhere on the site due to the
10 location of existing buildings, lack of alley access, or other unusual physical conditions;

11 (6) Restoring the original garage or carport to a parking space would result in a significant
12 economic hardship when comparing the cost of restoration to the cost of any other proposed
13 improvements on the site; and

14 (7) The proposed parking space to be located within the front yard setback space shall be
15 paved with asphalt, concrete, or other similar permanent hard surface and shall comply with
16 Section 9-9-5, "Site Access Control," B.R.C. 1981, shall not be less than nine feet in width or
17 more than sixteen feet in width, and shall not be less than nineteen feet in length. No parking
18 space shall encroach into a public right of way or obstruct a public sidewalk.

19 ...

20 Section 3. Section 9-9-6, "Parking Standards," B.R.C. 1981, is amended to read:

21 **9-9-6 Parking Standards.**

22 (a) Rationale: The intent of this section is to provide adequate off-street parking for all uses, to
23 prevent undue congestion and interference with the traffic carrying capacity of city streets, and to
24 minimize the visual and environmental impacts of excessive parking lot paving.

25 (b) Off-Street Parking Requirements: The number of required off-street motor vehicle parking
spaces shall be provided in tables 9-1, 9-2, 9-3, and 9-4 of this section; the number of required
off-street bicycle parking spaces shall be provided in table 9-8 of this section:

(1) Residential Motor Vehicle Parking Requirements: Unless the use is specifically
identified in Table 9-2 below, residential motor vehicle parking shall be provided
according to Table 9-1:

**TABLE 9-1: RESIDENTIAL MOTOR VEHICLE PARKING REQUIREMENTS BY
ZONING DISTRICT AND UNIT TYPE**

<i>Zone District Standard</i>	<i>RR, RE, MU-1, MU-3, BMS, DT, A, RH-6</i>	<i>RMX-2, MU-2, MH, IMS</i>	<i>RL, RM, RMX-1, RH-1, RH-2, RH-4, RH-5, BT, BC, BR, IS, IG, IM, P, RH-2</i>	<i>RH-1</i>	<i>RH-3</i>	<i>MU-4, RH-7</i>
Minimum number of off-street parking spaces for a detached dwelling unit (DU)	1	1	1	1 space for detached DUs construction prior to 9/2/1993. Use the requirements below for DUs built after 9/2/1993	1	0
Maximum number of off-street parking spaces for an attached DU or duplex	N/A	N/A	N/A	N/A	N/A	1 space per DU
Minimum number of off-street parking spaces for an attached DU or duplex	1	1 for 1- or 2-bedroom DU 1.5 for 3-bedroom DU 2 for a 4 or more bedroom DU	1 for 1-bedroom DU 1.5 for 2-bedroom DU 2 for 3-bedroom DU 3 for a 4 or more bedroom DU	1 space for first 500 square feet and 1 additional space for each 300 square feet or portion thereof not to exceed 4 spaces per DU	1 for 1-bedroom DU 1.5 for 2-bedroom DU 2 for 3-bedroom DU 3 for a 4-or-more-bedroom DU	0

1 2 3 4 5 6 7	Accessible space requirement	0 spaces for the first 7 DUs, 1 space per 7 DUs thereafter <u>Must meet the requirements of the Americans with Disabilities Act, as amended.</u>		
8 9 10 11 12	Bicycle parking requirement	No bicycle parking spaces are required in the A, RR, RE, RL, RM, and RMX districts. In all other zoning districts, at least 3 bicycle parking spaces or 10 percent of the required off-street parking spaces, whichever is greater, are required. After the first 50 bicycle parking spaces are provided, the required number of additional bicycle parking spaces is 5 percent of the required off-street parking spaces.	N/A	N/A
13 14 15 16	Short term bicycle parking requirements	N/A	At least 4 spaces or 1 space for every 10 DUs, whichever is greater	At least 4 spaces or 1 space for every 10 DUs, whichever is greater
17 18 19	Additional long term bicycle parking space requirement	N/A	Two spaces per DU	Two spaces per DU

(2) Supplemental Use Specific Motor Vehicle Parking Requirements for Residential Uses:

TABLE 9-2: SUPPLEMENTAL USE SPECIFIC MOTOR VEHICLE PARKING REQUIREMENTS FOR SPECIFIC RESIDENTIAL USES IN ALL ZONES

<i>Use</i>	<i>Parking Requirement</i>
Roomers within a single-unit dwelling	1 space per 2 roomers
Residential developments in which 1-bedroom units are 60 percent or more of the total	1.25 spaces per 1-bedroom unit

1	Rooming house, boarding house, fraternity, sorority, group quarters and hostels	2 spaces per 3 occupants
2		
3	Efficiency units, transitional housing	1 space per DU
4		
5	Bed and breakfast	1 space per guest room + 1 space for operator or owner's DU within building
6		
7	Accessory dwelling unit, owner's accessory unit	1 space, paved, in addition to the requirement for the principal DU
8		
9	Group homes: residential, custodial or congregate care	Off-street parking appropriate to use and needs of the facility and the number of vehicles used by its occupants, as determined through review
10		
11	Cooperative housing units	1 space per 2 occupants
12		
13	Overnight shelter	1 space for each 20 occupants, based on the maximum occupancy of the facility, plus 1 space for each employee or volunteer that may be on site at any given time computed on the basis of the maximum numbers of employees and volunteers on the site at any given time
14		
15	Day shelter	Use the same ratio as general nonresidential uses in the zone
16		
17	Emergency shelter	1 space for each 20 occupants, based on the maximum occupancy of the facility, plus 1 space for each employee or volunteer that may be on site at any given time computed on the basis of the maximum numbers of employees and volunteers on the site at any given time, plus 1 space for each attached type dwelling unit
18		
19	Existing duplexes or multi-family dwelling units in the RL-1 zoning district	Greater of 1.5 spaces per unit or number of spaces required when units were established
20		
21		

(3) Nonresidential Motor Vehicle Parking Requirements: Unless the use is specifically identified in Table 9-4 below, nonresidential motor vehicle parking shall be provided according to Table 9-3:

TABLE 9-3: NONRESIDENTIAL MOTOR VEHICLE PARKING REQUIREMENTS BY ZONING DISTRICT

Zone District Standard	RH-3, RH-6 , RH-7, MU-4 (within a parking district)	RH-3, RH-6 , RH-7, MU-4 (not in a parking district)	DT, MU-3, BMS (within a parking district)	BCS, BR-1, IS, IG, IM, A	RMX-2, MU-2, IMS, BMS (not in a parking district)	MU-1, MU-3 (not in a parking district)	RR, RE, RL, RM, RMX-1, RH-1, RH-2, RH-4, RH-5, BT, BC, BR-2, P (not in a parking district)		
Minimum number of off-street parking spaces per square foot of floor area for nonresidential uses and their accessory uses	0		1:400		1:400 if residential uses comprise less than 50 percent of the floor area; otherwise 1:500	1:300 if residential uses comprise less than 50 percent of the floor area; otherwise 1:400	1:300		
Maximum number of off-street parking spaces per square foot of floor area for nonresidential uses and their accessory uses	N/A	1:400 if residential uses comprise less than 50 percent of the floor area; otherwise 1:500	N/A						
Bicycle parking requirement	N/A		No bicycle parking spaces are required in the A, RR, RE, RL, RM and RMX districts. In all other zoning districts, at least 3 bicycle parking spaces or 10 percent of the required off-street parking spaces, whichever is greater, are required. After the first 50 bicycle parking spaces are provided, the required number of additional bicycle parking spaces is 5 percent of the required off-street parking spaces.						
Short term bicycle parking requirements	At least 3 spaces or 1:4000 sq. ft. if residential uses comprise less than 50 percent of the floor area, or 1:5000 sq. ft., whichever is greater	At least 3 spaces or 1:3000 sq. ft., whichever is greater	N/A						
Long term bicycle parking	At least 3 spaces or 1:2000 sq. ft. if residential uses comprise less than 50 percent of the floor area, or 1:2500 sq. ft., whichever is greater	At least 3 spaces or 1:1500 sq. ft., whichever is greater	N/A						
Accessible parking requirement	<p><u>Must meet the requirements of the Americans with Disabilities Act, as amended. A proportion of spaces in any parking facility provided to serve nonresidential uses shall be reserved as accessible parking spaces according to the following:</u></p> <table border="1" data-bbox="488 1797 1362 1866"> <tr> <td data-bbox="488 1797 878 1866">Total Number of Parking Spaces Provided</td> <td data-bbox="878 1797 1362 1866">Required Minimum Number of Accessible Spaces</td> </tr> </table>							Total Number of Parking Spaces Provided	Required Minimum Number of Accessible Spaces
Total Number of Parking Spaces Provided	Required Minimum Number of Accessible Spaces								

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1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2 percent of total
Over 1,000	20 plus 1 for each 100 over 1,000

(4) ~~Supplemental~~ Use Specific Motor Vehicle Parking Requirements for Nonresidential Uses:

TABLE 9-4: ~~SUPPLEMENTAL~~ USE SPECIFIC MOTOR VEHICLE PARKING REQUIREMENTS FOR NONRESIDENTIAL USES IN ALL ZONES

<i>Use</i>	<i>Parking Requirement</i>
Large daycare (less than 50 children)	Determined through review; <u>parking needs of the use must be adequately served through on-street or off-street parking</u>
Nonresidential uses in General Improvement Parking Districts	No parking required
Restaurant, brewpub, or tavern – <u>outside of retail centers greater than 50,000 square feet interior seating</u>	Greater of 1 space per 3 seats, or the ratio for the use module for indoor seats. <u>Where outdoor seats do not exceed 20 percent of the indoor seats, no additional parking spaces are required. Where outdoor seats exceed 20 percent of the indoor seats, 1 space per 3 seats must be provided for those seats exceeding 20 percent of the indoor seats. Unless additional parking is provided to meet the requirements above, the maximum number of outdoor seats for restaurants,</u>

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	<p><u>brewpubs, and taverns on sites that do not meet the required number of parking spaces for indoor seats shall be 20 percent x the number of parking spaces provided on the site x 3.</u></p>
<p>Restaurant, brewpub, or tavern — outdoor seating:</p>	
<p>a. Outside seats for restaurant, brewpub, or tavern with up to and including 50 interior seats if outside seats do not exceed the greater of 6 seats or 25 percent of interior seats; or b. Outside seats for restaurant, brewpub, or tavern with more than 50 interior seats if outside seats do not exceed the greater of 12 seats or 20 percent of indoor seats</p>	<p>No additional parking spaces required</p>
<p>c. Outside seats for restaurant, brewpub, or tavern in excess of requirements of Subsection a or b of this use</p>	<p>1 space per 3 outdoor seats in excess of exempted outdoor seats</p>
<p>d. Outside seats for restaurants, brewpubs, or taverns that do not meet the parking requirement for their indoor seats</p>	<p>The maximum number of outdoor seats shall be calculated in accordance with the following formula: (the number of parking spaces provided on site) x 3 x (the percentage of seats permitted in Subsection a or b of this use) = the maximum number of outdoor seats that may be provided without providing additional parking</p>
<p><u>Retail centers over 50,000 square feet of floor area under common ownership or management that contain a mix of some or all of the following uses: retail, commercial, office, restaurants, brewpubs, or taverns</u></p>	<p><u>Less than 30 percent of the total floor area is occupied by restaurants, taverns, or brewpubs: 1 space per 250 square feet of floor area for retail, commercial, and office uses and restaurants, brewpubs, and taverns.</u></p> <p><u>30 percent or more of the total floor area is occupied by restaurants, taverns, or brewpubs: 1 space per 175 square feet of floor area for retail, commercial, and office uses and restaurants, brewpubs, and taverns.</u></p> <p><u>60 percent or more of the total floor area is occupied by restaurants, taverns, or brewpubs: 1 space per 100 square feet of floor area for retail, commercial, and office uses and restaurants, brewpubs, and taverns.</u></p>

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	<u>This use-specific parking standard shall not apply to other uses for which a use-specific parking standard is created in this table 9-4 or to uses other than retail, commercial, and office uses, restaurants, brewpubs, and taverns. For those uses, parking shall be provided as required for each such use under this Section 9-9-6, B.R.C. 1981, and in addition to the requirement above.</u>
Motels, hotels, and bed and breakfasts	1 space per guest room or unit, plus required spaces for nonresidential uses at 1 space per 300 square feet of floor area
Theater	Greater of 1 parking space per 3 seats, or the parking ratio for the zone district
Gasoline service station	General ratio for the use zone plus storage of 2 vehicles per service bay
Religious assembly:	(See Paragraph (f)(8) of this section for permitted parking reductions)
a. Religious assemblies created prior to 9/2/1993	1:300
b. Religious assemblies created after 9/2/1993	1 space per 4 seats, or 1 per =50 square feet of assembly area if there are no fixed seats – assembly area includes the largest room plus any adjacent rooms that could be used as part of the assembly area
c. Uses accessory to a religious assembly and created after 9/2/1993	Uses accessory to the religious assembly shall meet the standards applicable to the use as if the use is a principal use
d. Total parking of a religious assembly and accessory uses created after 9/2/1993	Parking for the religious assembly use and any accessory use shall be for the use which has the greatest parking requirement
Small recycling collection facility	1 space for attendant if needed
Large recycling collection facility	General parking ratio for the zone plus 1 space for each commercial vehicle operated by the facility
Recycling processing facility	Sufficient parking spaces for a minimum of 10 customers, or the peak load, whichever is greater, plus 1 space for each commercial vehicle operated by the

1	facility
2 3 4 5	<u>1 space per 1,000 square feet of floor area used for warehousing or storage of goods, merchandise, or equipment. Parking for floor area used for associated office space or production areas and not for warehousing or storage as outlined above shall be provided consistent with table 9-3.</u>
6 7 8	<u>3 spaces for visitor parking, plus parking for any floor area used as office space or otherwise not used for self-service storage shall be provided consistent with table 9-3.</u>
9 10 11 12 13 14	<u>1 space per outside airplane or glider tie down space;</u> <u>1 space per 1,000 square feet of floor area of private airplane hangar space (with or without external or internal walls);</u> <u>1 space per 2,000 square feet of floor area of commercial or executive airplane hangar space; and</u> <u>Parking for floor area used as office space or otherwise not used for airport hanger shall be provided consistent with the requirements of table 9-3.</u>

(c) General Parking Requirements:

(1) Rounding Rule: For all motor vehicle and bicycle parking space requirements resulting in a fraction, the fraction shall be:

(A) Rounded to the next higher whole number when the required number of spaces is five or less; or

(B) Rounded to the next lower whole number when the required number of spaces is more than five.

(2) Parking Requirements for Lots in Two or More Zoning Districts: For lots that have more than one zoning designation, the required motor vehicle and bicycle parking for the use(s) on the lot may be provided on any portion of the lot, subject to the provisions of this title.

(d) Motor Vehicle Parking Design Standards:

(1) Location of Open or Enclosed Parking: Open or enclosed parking areas are subject to the following requirements:

(A) No parking areas shall be located in any required landscaped setback abutting a street. However, in RR, RE, or RL-4 zoning districts, if all off-street parking requirements of this chapter have been met, persons may park up to two additional vehicles in the driveway leading to the parking area. The requirements of this subsection may be varied to allow the required off-street parking to be located within the front yard setback pursuant to a variance being approved by the BOZA per Subsection 9-2-3(j), B.R.C. 1981.

(B) Required parking areas shall be located on the lot or parcel containing the use for which they are required.

(C) No parking areas shall be located closer than ten feet from a side yard adjacent to a public street in the BMS and MU-2 zoning districts.

(2) Parking Stall Design Standards: Parking stalls shall meet the following standards, based on stall type. ~~In all cases, t~~The minimum maneuvering area to the rear of any parking stall shall be no less than twenty-four feet except as specified in table 9-5 below for parking at an angle other than the 90 degree category. If the proposed use anticipates long-term parking as the major parking demand, the city manager may reduce those minimum parking stall sizes.

TABLE 9-5: STANDARD PARKING DIMENSION STANDARDS

<i>Parking Angle (degrees)</i>	<i>Curb Length C</i>	<i>Stall D</i>	<i>Aisle Width</i>		<i>Bay Width</i>	
			<i>One Way A1</i>	<i>Two Way A2</i>	<i>One Way B1</i>	<i>Two Way B2</i>
90	9'	19'	24'	24'	62'	62'
60	10.4'	21'	18'	22'	60'	64'
45	12.7'	19.8'	13'	20'	52.6'	59.6'
30	18'	17.3'	12'	20'	45.6'	54.6'
0	23'	8'	12'	20'	20'	36'

TABLE 9-6: SMALL CAR PARKING DIMENSION STANDARDS

<i>Parking Angle (degrees)</i>	<i>Curb Length C</i>	<i>Stall D</i>	<i>Aisle Width</i>		<i>Bay Width</i>	
			<i>One Way A1</i>	<i>Two Way A2</i>	<i>One Way B1</i>	<i>Two Way B2</i>
90	7.75'	15'	24'	24'	54'	54'

60	9.2'	17'	18'	22'	52'	56'
45	11.2'	16.1'	13'	20'	45.2'	52.2'
30	15.5'	14.3'	12'	20'	40.6'	48.6'
0	20'	8'	12'	20'	28'	36'

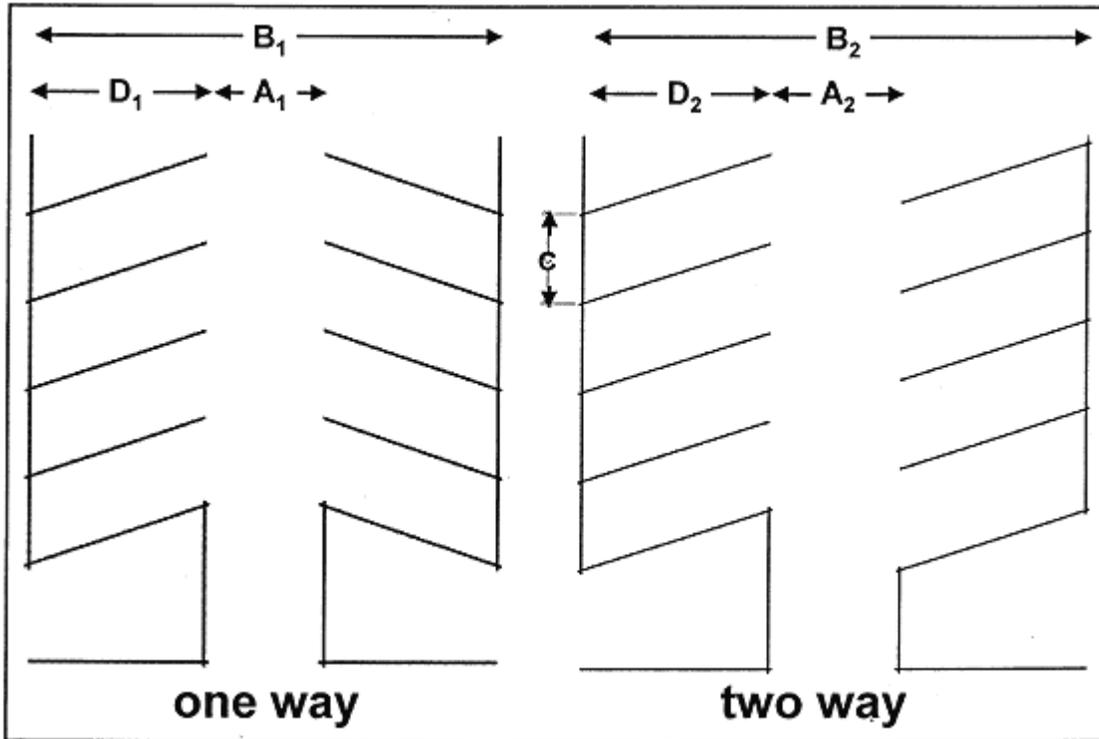


Figure 9-2: Parking Dimensions Diagram

(A) Standard Stalls: All off-street standard parking spaces shall meet the minimum size requirements as indicated in table 9-5 and figure 9-2 of this section.

(B) Small Car Stalls:

(i) Small Car Stalls Allowed: A proportion of the total spaces in each parking area may be designed and shall be signed for small car use according to table 9-7 of this section.

TABLE 9-7: SMALL CAR STALLS

<i>Total Spaces Required</i>	<i>Allowable Small Car Stalls</i>
5 - 49	40 percent

50 - 100	50 percent
101 or greater	60 percent

(ii) Dimensional Standards: All small car stalls shall meet the minimum size requirements as indicated in table 9-6 and figure 9-2 of this section.

(C) Accessible Parking Stalls:

(i) Dimensional Standards: Accessible parking spaces shall be eight feet wide and nineteen feet in length, with the standard width drive lane. Individual spaces shall have an additional five foot-wide, diagonally striped aisle abutting the passenger side of the space. If such spaces are provided in adjacent pairs, then one five foot aisle may be shared between the two spaces. Accessible parking spaces shall conform to the construction and design standards in the City of Boulder Design and Construction Standards and be located to maximize convenience of access to the facility and minimize the need to cross the flow of vehicular traffic. (See figure 9-3 of this section.)

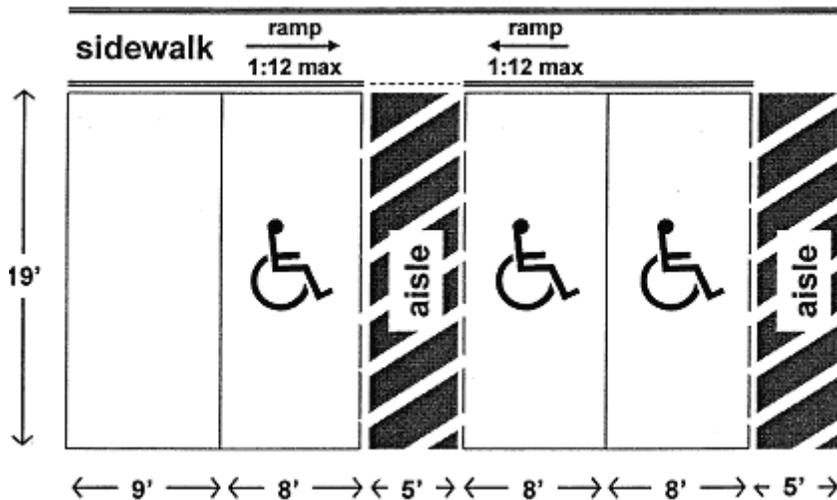


Figure 9-3: Accessible Parking Space Design

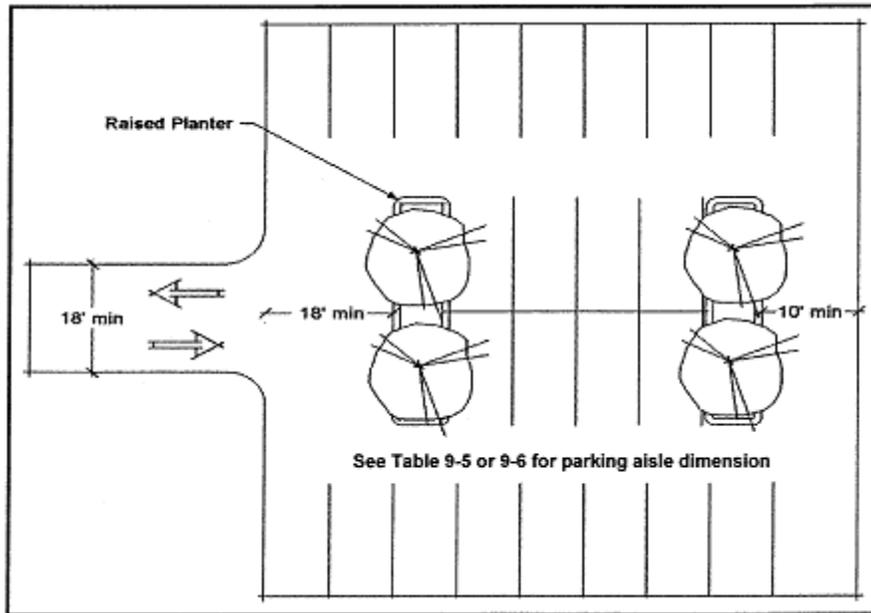
Accessible spaces must measure eight feet by nineteen feet and be flanked by a five foot diagonally-striped aisle. Two adjacent spaces may share a single five foot aisle. The aisle must be at the same grade as the accessible space and any adjacent sidewalk must slope to meet the grade of the aisle. The slope may not exceed 1:12.

(ii) Parking Waiver for Previously Conforming Accessible Parking Spaces: If a previously conforming required accessible parking space was rendered nonstandard by the amendment to subparagraph (d)(2)(C)(i) of this section which required the five foot aisle, and its owner desires to add such an aisle, and the addition will reduce the available parking below that required for the premises, such owner may apply to the city manager for a parking waiver. The manager shall

1 grant such a waiver insofar as it is necessary and appropriate to permit all required
2 parking spaces for the disabled to be conforming spaces.

3 (3) Drive Aisles:

4 (A) There is a definite and logical system of drive aisles to serve the entire parking
5 area. Drive aisles shall have a minimum eighteen-foot width clearance for two-way
6 traffic and a minimum ten foot width clearance for one-way traffic unless the city
7 manager finds that the parking stalls to be served require a greater or lesser width. A
8 physical separation or barrier, such as vertical curbs, may be required in order to
9 separate parking areas from the travel lanes. (See figure 9-4 of this section.)



17 **Figure 9-4: Drive Aisles**

18 *Drive aisles provide access to parking areas but not to individual spaces. Drive*
19 *aisles serving two-way traffic must be a minimum of eighteen feet wide. Drive*
20 *aisles serving one-way traffic must be a minimum of ten feet wide. Raised*
planters, curbs, or other physical barriers may be necessary to separate
parking areas from travel lanes. See tables 9-5 and 9-6 of this section for
parking aisle dimensions.

21 (B) Turnarounds are provided for dead-end parking bays of eight stalls or more.
22 Turnarounds must be identified with a sign or surface graphic and marked "no
23 parking." The use of accessible parking spaces as the required turnaround is not
24 permitted. (See figure 9-5 of this section.)
25

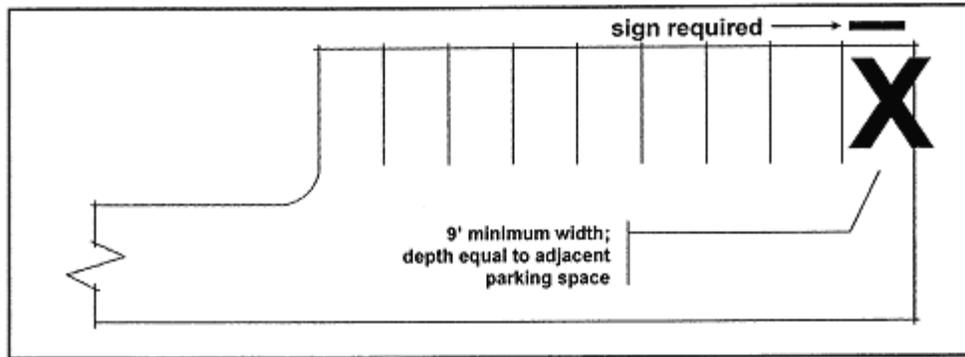


Figure 9-5: Parking Turnaround Spaces

In dead-end parking bays with eight or more stalls, a turnaround space must be provided and properly marked.

(4) Parking Access:

(A) No parking stall is located so as to block access by emergency vehicles.

(B) Driveways located in required yards are situated at an angle of approximately ninety degrees to the street to which they connect.

(5) Parking Design Details:

(A) If parking lot lighting is provided, all lighting shall comply with section 9-9-16, "Lighting, Outdoor," B.R.C. 1981.

(B) All parking areas are paved with asphalt, concrete, or other similar permanent, hard surface except for parking areas for detached dwelling units.

(C) Suitable curbs or barriers to protect public sidewalks and to prevent parking in areas where parking is not permitted are provided, except for parking areas for detached dwelling units.

(D) All open off-street parking areas with five or more spaces shall be screened from the street and property edges, and shall provide interior lot landscaping in accordance with section 9-9-14, "Parking Lot Landscaping Standards," B.R.C. 1981.

(E) Driveways parallel to public sidewalks are separated from such walks by an eight-foot landscaped area or a solid wall at least forty-two inches in height.

(F) Wheel or bumper guards are located so that no part of a vehicle extends beyond a parking area boundary line, intrudes on a pedestrian way, or contacts any wall, fence, or planting. A vehicular overhang may, however, intrude into a private pedestrian way located on the perimeter of a parking lot if the pedestrian way is not less than six feet in width. (See figure 9-6 of this section.)

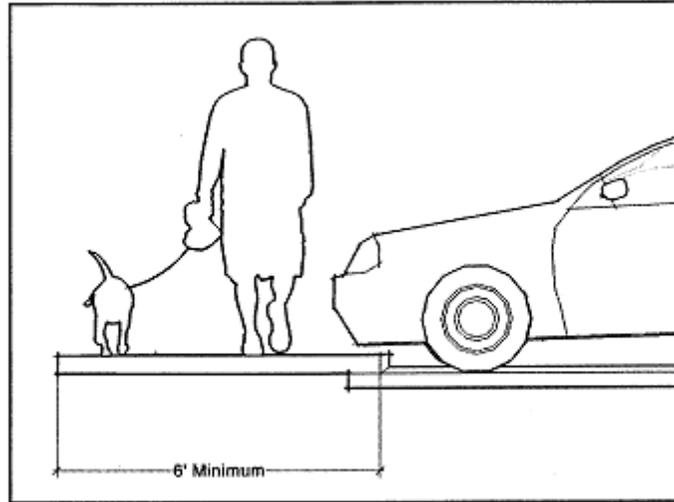


Figure 9-6: Permitted Vehicular Overhang

(G) Within the DT zoning districts, at-grade parking is not permitted within thirty feet of a street right-of-way unless approved as part of a site review approval under section 9-2-14, "Site Review," B.R.C. 1981. For the purpose of this subparagraph, the term "street" does not include "alley."

(6) Parking Study: At the discretion of the city manager, a parking study may be required to demonstrate that adequate parking is provided either for parking provided per zoning requirements or in conjunction with a parking reduction request. The scope of a parking study may consist of analysis of any or all of the following factors: joint use of parking areas, peak parking demand for each land use, unusual parking demand based on type of land use, availability of nearby on-street parking, vicinity of high frequency transit, and Institute of Transportation Engineers Parking Generation estimates.

(e) Motor Vehicle Parking Deferrals:

(1) Criteria for Parking Deferral: The city manager may defer the construction and provision of up to ninety percent of the off-street parking spaces required by this section, in an industrial district, thirty-five percent in a commercial district, and twenty percent in any other district if an applicant demonstrates that:

(A) The character of the use lowers the anticipated need for off-street parking, and data from similar uses establishes that there is not a present need for the parking;

(B) The use is immediately proximate to public transportation that serves a significant proportion of residents, employees, or customers;

(C) There is an effective private or company car pool, van pool, bus, or similar group transportation program; or

(D) The deferred percentage of residents, employees, and customers regularly walk or use bicycle or other nonmotorized vehicular forms of transportation.

1 (2) Parking Deferral With a Concurrent Use Review: If a proposed use requires both a
2 review pursuant to section 9-2-15, "Use Review," B.R.C. 1981, and a public hearing, the
3 city manager will make a recommendation to the approving agency to approve, modify
4 and approve, or deny the parking deferral as part of the use review approval.

5 (3) Site Plan: Applicants for a parking deferral shall submit a site plan demonstrating that
6 the total required parking can be accommodated on-site and designating the land to be
7 reserved for future parking.

8 (4) Landscaping: Landscaping shall be provided as required under section 9-9-14,
9 "Parking Lot Landscaping Standards," B.R.C. 1981, and shall be indicated on the site plan.

10 (5) Notice of Change of Condition: No person having an interest in property subject to a
11 parking deferral shall fail to notify the city manager of any change in the conditions set
12 forth in paragraph (e)(1) of this section that the manager considered in granting the
13 deferral.

14 (6) Construction of Deferred Parking Areas: The city manager may require the
15 construction of the deferred parking at any time upon thirty days' written notice by mail to
16 commence construction of such parking. No person having an interest in the property shall
17 fail to comply with such a notice.

18 (f) Motor Vehicle Parking Reductions:

19 (1) Parking Reduction: The city manager may grant a parking reduction for commercial
20 developments, industrial developments and mixed use developments to allow the
21 reduction of at least one parking space, with the total reduction not to exceed twenty-five
22 percent of the required parking, if the manager finds that the requirements of paragraph
23 (f)(3) below are met. The city manager may grant a parking reduction exceeding twenty-
24 five percent for those uses that are nonconforming only as to parking, if the manager finds
25 that the requirements of subparagraph (f)(1)(B) of this section have been met. Parking
reductions are approved based on the operating characteristics of a specific use. No person
shall change a use of land that is subject to a parking reduction except in compliance with
the provisions of this subsection.

(A) Parking Reduction for Housing for the Elderly: The city manager may reduce by
up to seventy percent the number of parking spaces required by this chapter for
governmentally sponsored housing projects for the elderly.

(B) Uses With Nonconforming Parking: The city manager is authorized to approve a
parking reduction to allow an existing nonresidential use that does not meet the current
off-street parking requirements of subsection (b) of this section, to be replaced or
expanded subject to compliance with the following standards:

(i) An existing permitted nonresidential use in an existing building may be
replaced by another permitted nonresidential use if the new use has the same or
lesser parking requirement as the use being replaced.

1 (ii) A nonconforming nonresidential use in an existing building may be replaced by
2 a conforming nonresidential use or another nonconforming nonresidential use,
3 pursuant to subsection 9-10-3(c), B.R.C. 1981, if the permitted or nonconforming
4 replacement use has the same or lesser parking requirement as the use being
5 replaced

6 (iii) An existing or replacement nonresidential use, whether conforming or
7 nonconforming, that does not meet current parking requirements, shall not be
8 expanded in floor area or seating or be replaced by a use that has an increased
9 parking requirement unless a use review pursuant to section 9-2-15, "Use Review,"
10 B.R.C. 1981, and a corresponding parking reduction pursuant to this subsection (f)
11 are approved.

12 (iv) Before approving a parking reduction pursuant to this subsection, the city
13 manager shall evaluate the existing parking arrangement to determine whether it
14 can accommodate additional parking or be rearranged to accommodate additional
15 parking in compliance with the design requirements of subsection (d) of this
16 section. If the city manager finds that additional parking can reasonably be
17 provided, the provision of such parking shall be a condition of approval of the
18 requested reduction.

19 (v) A nonconforming use shall not be replaced with a use, whether conforming or
20 nonconforming, that generates a need for more parking.

21 (2) Residential Parking Reductions: Parking reductions for residential projects may be
22 granted as part of a site review approval under section 9-2-14, "Site Review," B.R.C.
23 1981.

24 (3) Parking Reduction Criteria: Upon submission of documentation by the applicant of
25 how the project meets the following criteria, the city manager may approve reductions of
up to and including twenty-five percent of the parking requirements of this section (see
tables 9-1, 9-2, 9-3 and 9-4), if the manager finds that:

(A) The parking needs of the use will be adequately served through on-street parking
or off-street parking;

(B) A mix of residential uses with either office or retail uses is proposed, and the
parking needs of all uses will be accommodated through shared parking;

(C) If joint use of common parking areas is proposed, varying time periods of use will
accommodate proposed parking needs; or

(D) The applicant provides an acceptable proposal for an alternate modes of
transportation program, including a description of existing and proposed facilities,
proximity to existing transit lines, and assurances that the use of alternate modes of
transportation will continue to reduce the need for on-site parking on an ongoing basis.

(4) Alternative Parking Reduction Standards for Mixed Use Developments: The parking
requirements in section 9-9-6, "Parking Standards," B.R.C. 1981, may be reduced if the

1 following standards are met. These standards shall not be permitted to be combined with
2 the parking reduction standards in paragraphs (f)(3) and (f)(5) of this section, unless
3 approved as part of a site review pursuant to section 9-2-14, "Site Review," B.R.C. 1981.
4 A mixed use development may reduce that amount of required parking by ten percent in
5 the BMS, IMS, MU-1, MU-2, MU-3 and RMX-2 zoning districts, or in all other
6 nonresidential zoning districts in section 9-5-2, "Zoning Districts," B.R.C. 1981, a twenty-
7 five-percent parking reduction if the following requirements are met:

8 (A) The project is a mixed use development that includes, as part of an integrated
9 development plan, both residential and nonresidential uses. Residential uses shall
10 comprise at least thirty-three percent of the floor area of the development; and

11 (B) The property is within a quarter of a mile walking distance to a high frequency
12 transit route that provides service intervals of fifteen minutes or less during peak
13 periods. This measurement shall be made along standard pedestrian routes from the
14 property.

15 (5) Limiting Factors for Parking Reductions: The city manager will consider the following
16 additional factors to determine whether a parking reduction may be appropriate for a given
17 use:

18 (A) A parking deferral pursuant to subsection (e) of this section is not practical or
19 feasible for the property.

20 (B) The operating characteristics of the proposed use are such that granting the parking
21 reduction will not cause unreasonable negative impacts to the surrounding property
22 owners.

23 (C) The parking reduction will not limit the use of the property for other uses that
24 would otherwise be permitted on the property.

25 (6) Parking Reduction With a Concurrent Use Review: If a proposed use requires both a
review pursuant to section 9-2-15, "Use Review," B.R.C. 1981, and a public hearing, the
city manager will make a recommendation to the approving agency to approve, modify
and approve, or deny the parking reduction as part of the use review approval.

(7) No Changes to Use: No person benefiting from a parking reduction shall make any
changes to the use that would increase parking.

(8) Parking Reductions for Religious Assemblies: The city manager will grant a parking
reduction to permit additional floor area within the assembly area of a religious assembly
which is located within three hundred feet of the Central Area General Improvement
District if the applicant can demonstrate that it has made arrangements to use public
parking within close proximity of the use and that the building modifications proposed are
primarily for the weekend and evening activities when there is less demand for use of
public parking areas.

(g) Bicycle Parking:

(1) Required Bicycle Spaces: Bicycle parking spaces must be provided as required by tables 9-81 and 9-3 of this section.

TABLE 9-8 OFF-STREET BICYCLE PARKING REQUIREMENTS

<u>Land Use Category</u> <i>(based on use categories of Table 6-1 of Section 9-6-1, "Schedule of Permitted Land Uses," B.R.C. 1981)</i>	<u>Minimum Number of Off-Street Bicycle Spaces</u>	<u>Long-Term</u>	<u>Short-Term</u>
<u>Residential Uses</u>			
<u>Dwelling units</u> ^(a) <u>with a private garage</u> ^(b)	<u>no requirement</u>	<u>n/a</u>	<u>n/a</u>
<u>Dwelling units without a private garage</u> ^(b)	<u>2 per unit</u>	<u>75%</u>	<u>25%</u>
<u>Cooperative housing units</u>	<u>1 per 3 beds</u>	<u>75%</u>	<u>25%</u>
<u>Accessory units</u>	<u>no requirement</u>	<u>n/a</u>	<u>n/a</u>
<u>Group quarters – fraternities, sororities, and dormitories, boarding houses, transitional housing</u>	<u>1 per 3 beds</u>	<u>75%</u>	<u>25%</u>
<u>Group quarters – all others</u>	<u>1 per 5 beds</u>	<u>75%</u>	<u>25%</u>
<u>Dining and entertainment</u>			
<u>Restaurants, brewpubs and taverns</u>	<u>1 per 750 square feet of floor area, minimum of 4</u>	<u>25%</u>	<u>75%</u>
<u>Lodging uses</u>	<u>1 per 3 guest rooms, minimum of 4</u>	<u>50%</u>	<u>50%</u>
<u>All other dining and entertainment uses</u>	<u>1 per 1,500 square feet of floor area</u>	<u>25%</u>	<u>75%</u>
<u>Mobile food vehicle and temporary outdoor entertainment</u>	<u>no requirement</u>	<u>n/a</u>	<u>n/a</u>
<u>Public and Institutional Uses</u>			
<u>Daycare center, daycare, home</u>	<u>Determined through review: parking needs of use must be adequately served through on- or off-street parking, minimum of 4</u>	<u>50%</u>	<u>50%</u>
<u>Public and private elementary, junior, and senior high schools</u>	<u>5 per classroom</u>	<u>50%</u>	<u>50%</u>
<u>Public and private colleges and universities</u>	<u>5 per classroom</u>	<u>50%</u>	<u>50%</u>

1	<u>Religious assemblies</u>	<u>The greater of 1 per 15 seats or 1 per 150 square feet of assembly area</u>	<u>25%</u>	<u>75%</u>
2				
3	<u>All other public and institutional uses</u>	<u>1 per 1,500 square feet of floor area, minimum of 4</u>	<u>50%</u>	<u>50%</u>
4	<u>Office, Medical and Financial Uses</u>			
5				
6	<u>Data processing facilities, financial institutions, hospitals, medical and dental laboratories, medical or dental clinics or offices, addiction recovery facilities, all office uses, and all other medical and financial uses</u>	<u>1 per 1,500 square feet of floor area, minimum of 4</u>	<u>75%</u>	<u>25%</u>
7				
8				
9	<u>Parks and Recreation Uses</u>			
10				
11	<u>Campgrounds, outdoor entertainment, park and recreation uses, indoor recreational or athletic facilities</u>	<u>1 per 750 square feet of floor area. requirements for outdoor uses are determined through review: parking needs of use must be adequately served through on- or off-street parking, minimum of 4,</u>	<u>25%</u>	<u>75%</u>
12				
13				
14				
15	<u>Commercial, Retail, and Industrial Uses</u>			
16	<u>Service uses and retail sales uses</u>	<u>1 per 750 square feet of floor area, minimum of 4</u>	<u>25%</u>	<u>75%</u>
17	<u>Vehicle-related uses and industrial uses and all other</u>	<u>1 per 1,125 square feet of associated office space or production areas</u>	<u>25%</u>	<u>75%</u>
18				
19	<u>Agriculture & Natural Uses</u>			
20	<u>Agriculture & Natural Uses</u>	<u>no requirement</u>	<u>n/a</u>	<u>n/a</u>
21	<u>Other Uses Not Listed in Table 9-8</u>			
22				
23	<u>Other uses not listed in table 9-8</u>	<u>1 per 1,500 square feet of floor area, minimum of 4</u>	<u>50%</u>	<u>50%</u>

Footnotes to Table . 9-8, Off-Street Bicycle Parking Requirements:

(a) For purposes of this table 9-8, the "dwelling units" subcategories include all types of residential uses listed in Table 6-1, Use Table, of Section 9-6-1, "Schedule of Permitted Uses," B.R.C. 1981, except those separately listed in table 9-8.

(b) Private garage, for purposes of this table, means a building or indoor space that is associated with an individual dwelling unit for purposes of parking or keeping a motor vehicle, is fully enclosed, and has a secure door.

1 (2) Bicycle Facilities: Both bicycle lockers and racks shall:

2 (A) Provide for storage and locking of bicycles, either in lockers or medium-security
3 racks or equivalent installation in which both the bicycle frame and the wheels may be
4 locked by the user.

5 (B) Be designed so as not to cause damage to the bicycle.

6 (C) Facilitate easy locking without interference from or to adjacent bicycles.

7 (D) Consist of racks or lockers anchored so that they cannot be easily removed and of
8 solid construction, resistant to rust, corrosion, hammers, and saws.

9 (E) Be consistent with their environment in color and design and be incorporated
10 whenever possible into building or street furniture design.

11 (F) Be located in convenient, highly visible, active, well-lighted areas but not interfere
12 with pedestrian movements.

13 (3) Short-Term Bicycle Parking: Short term bicycle parking is intended to offer a
14 convenient and accessible area to park bicycles for customers and other visitors. Short
15 term bicycle parking shall be located:

16 (A) On the public access level;

17 (B) Within fifty feet of the main building entrances; and

18 (C) Outside the building.

19 (4) Long-Term Bicycle Parking: Long-term bicycle parking offers a secure and weather
20 protected place to park bicycles for employees, residents, commuters, and other visitors
21 who generally stay at a site for several hours. Long term bicycle parking shall meet the
22 following standards:

23 (A) Long term bicycle parking is required to be covered and shall include use of one of
24 the following:

25 (i) A locked room;

(ii) An area enclosed by a fence with a locked gate;

(iii) An area within view of an attendant or security guard or monitored by a
security camera; or

(iv) An area visible from employee work areas.

(B) The bicycle parking area shall be located on-site or in an area within three hundred
feet of the building it serves.

(C) Adequate lighting shall be provided for the bicycle parking area and the route to
the building entrance.

1 (D) The bicycle parking area shall include adequate clearance around racks or lockers
2 to give cyclists room to maneuver, and to prevent conflicts with pedestrians or parked
cars.

3 (E) If the bicycle parking is provided in an auto parking garage, the bicycle parking
4 spaces shall be clearly marked as such and shall be separated from auto parking.

5 (5) Bicycle Rental Stations. Bicycle rental stations that have permission to locate on public
property or private property shall post signs with the following information:

6 (A) Location of the station on a map of the area;

7 (B) Name of the station if applicable;

8 (C) Traffic law information that the city manager may require, including information
about areas where riding bicycles on sidewalks is permitted or prohibited; and

9 (D) Sponsor identification or logo, if applicable, that meets the requirements of
10 Subsection 8-6-11(b), B.R.C. 1981. The sign permitting requirements in Section 9-9-
21, "Signs," B.R.C. 1981, do not apply to any such sponsor identification or logo.

11 (6) Parking Reductions and Modifications for Bicycle Parking. Upon submission of
12 documentation by the applicant of how the project meets the following criterion, the
13 approving agency may approve reductions to the minimum number of off-street bicycle
14 parking or modifications to the ratio of long-term and short-term bike parking
15 requirements of table 9-8 if it finds that the long-term and short-term bicycle parking
16 needs of the use will be adequately accommodated through on-street parking or off-street
17 parking.

18 (7) Parking Study: At the discretion of the city manager, a parking study may be required
19 to demonstrate that adequate parking is provided either for parking provided per Boulder
20 Revised Code requirements or in conjunction with a parking reduction request. The scope
21 of a parking study may consist of analysis of any or all of the following factors: joint use
22 of parking areas, peak parking demand for each land use, unusual parking demand based
23 on type of land use, availability of nearby on-street parking, vicinity of high frequency
24 transit, and Institute of Transportation Engineers Parking Generation estimates.

25 (h) Parking and Storage of Recreational Vehicles: No person shall park, store, or use a travel
trailer, tent trailer, pickup camper or coach, motorized dwelling, boat and boat trailer, snow
vehicle, cycle trailer, utility trailer and van, horse trailer or van, or similar vehicular equipment in
a residential district unless the following requirements are met:

(1) Such vehicular equipment is stored or parked on private property no closer than
eighteen inches to any proposed or existing public sidewalk and so as not to project into
the public right-of-way;

(2) On corner lots, any such vehicular equipment that exceeds thirty-six inches in height is
not parked in the triangular area formed by the three points established by the intersection

1 of property lines at the corner and the points thirty feet back from this intersection along
2 each property line;

3 (3) No travel trailer, tent trailer, pickup camper or coach, motorized dwelling or van is
4 used for the conduct of business or for living or housekeeping purposes except when
5 located in an approved mobile home park or in a campground providing adequate sanitary
6 facilities;

7 (4) Any travel trailer, tent trailer, detached pickup camper or coach, boat and boat trailer,
8 cycle trailer, utility trailer and van, horse trailer and van parked or stored out-of-doors is
9 adequately blocked or tied down or otherwise secured so that such vehicle does not roll off
10 the lot and is not moved about by high winds; and

11 (5) No vehicular equipment regulated by this section is stored out-of-doors on a residential
12 lot unless it is in condition for safe and effective performance of the functions for which it
13 is intended.

14 (i) Parking Costs Separated From Housing Costs in New Residential Buildings: In the RH-7 and
15 MU-4 zoning districts, all off-street parking spaces accessory to residential uses in new
16 structures of ten dwelling units or more, or in new conversions of nonresidential buildings to
17 residential use of ten dwelling units or more, shall be leased or sold separately from the rental or
18 purchase fees for dwelling units for the life of the dwelling units, such that potential renters or
19 buyers have the option of renting or buying a residential unit at a price lower than would be the
20 case if there were a single price for both the residential unit and the parking space. Parking
21 spaces that are unused or unsold with a residential unit may be leased or otherwise permitted to
22 be used by persons who are not residents, tenants, or visitors to the property.

23 Section 4. Section 9-9-7, "Sight Triangles," B.R.C. 1981, is amended to read:

24 **9-9-7. Sight Triangles.**

25 . . .

(c) Sight Triangle Area: For purposes of this section, the sight triangle area is:

. . .

(3) Streets: The area formed at a corner intersection of two public rights-of-way lines
defined by a width of dimension X and a length of dimension Y as shown in table 9-98
and figure 9-8 of this section. The Y dimension will vary depending on the speed limit and
configuration of the intersecting street, and is outlined in the table below. The X distance
shall be thirteen feet measured perpendicular from the curb line of the intersecting street.
This triangular area is significant for the determination of sight distance requirements for
right angle intersections only.

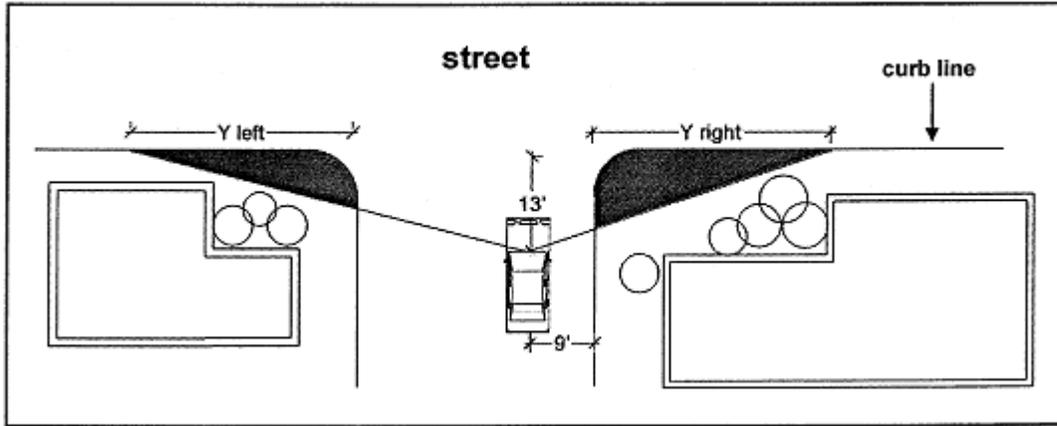


Figure 9-8: Sight Triangle at Intersection of Streets

The shaded area is required to be kept free of all structures, fences, landscaping and other materials. The size of the sight triangle is based on the size of the road and speed limit, as shown in the table below.

TABLE 9-89: SIGHT TRIANGLE REQUIREMENTS

Lane Usage	Additional Facilities	Speed Limit	Y Distance (Left)	Y Distance (Right)
2 lanes	None	25 mph	155 feet	105 feet
		30/35 mph	210 feet	145 feet
	Bike lane or on-street parking	25 mph	110 feet	85 feet
		30/35 mph	150 feet	115 feet
	Bike lane and on-street parking	25 mph	90 feet	75 feet
		30/35 mph	125 feet	100 feet
3 or 4 lanes	None	25 mph	155 feet	80 feet
		30/35 mph	210 feet	110 feet
		40/45 mph	265 feet	135 feet
	Bike lane or on-street parking	25 mph	110 feet	65 feet
		30/35 mph	150 feet	90 feet
		40/45 mph	195 feet	115 feet

	Bike lane and on-street parking	25 mph	90 feet	60 feet
		30/35 mph	125 feet	80 feet
		40/45 mph	160 feet	100 feet
5 or more lanes	None	25 mph	155 feet	60 feet
		30/35 mph	210 feet	85 feet
		40/45 mph	265 feet	110 feet
	Bike lane or on-street parking	25 mph	110 feet	55 feet
		30/35 mph	150 feet	75 feet
		40/45 mph	195 feet	95 feet
	Bike lane and on-street parking	25 mph	90 feet	50 feet
		30/35 mph	125 feet	65 feet
		40/45 mph	160 feet	85 feet

Section 5. Section 9-9-13, "Streetscape Design Standards," B.R.C. 1981, is amended to read:

9-9-13. Streetscape Design Standards.

...

(d) Streetscape Requirements: Street trees must be selected from the approved street tree list set forth in the City of Boulder Design and Construction Standards, unless an equivalent tree selection is approved by the city manager. Table 9-~~109~~ of this section sets the minimum planting interval for street and alley trees. The specific spacing for each development is dependant upon tree type (for a list of tree species in each type, see Approved Street Tree List, in the City of Boulder Design and Construction Standards) and existing conditions as identified in this section or an equivalent approved by the city manager.

TABLE 9-109: STREETSCAPE REQUIREMENTS

<i>Existing or Approved Condition</i>	<i>Required Planting</i>
---------------------------------------	--------------------------

<i>Sidewalk Condition</i>	<i>Planting Strip Width</i>	<i>Utility Location</i>	<i>Tree Type</i>	<i>Minimum Tree Planting Interval</i>
Detached	Up to and including 8 feet or more	Buried	Large	30 feet—40 feet
		Overhead	Small	15 feet—20 feet
	More than 6 feet to 8 feet	Buried	Medium	25 feet—30 feet
		Overhead	Small	15 feet—20 feet
	4 feet—6 feet: This planting strip width is less than desirable	Buried	Small	15 feet—20 feet
		Overhead	Small	15 feet—20 feet
Attached	Trees must be planted 4 feet—5 feet from the sidewalk. Trees may be planted on private property if there is not adequate right of way.	Buried	Large	30 feet—40 feet
		Overhead	Small	15 feet—20 feet
Urban sidewalk of 12 feet or wider (BMS, BR-1, BR-2, and MU-3 zoning districts)	Trees must be planted in irrigated tree grates or tree pits unless approved by the city manager. For tree grate dimensions and tree pit volume, see Design and Construction Standards, Table 3.05-5.	Buried	Large	20 feet—25 feet
		Overhead	Medium	15 feet—20 feet

...

Section 6. Section 9-9-16, 'Lighting, Outdoor,' B.R.C. 1981, is amended to read:

9-9-16. Lighting, Outdoor.

...

(e) Maximum Light Standards: No person shall operate any device which makes light in excess of the levels specified in this section. Light from any fixture shall not exceed any of the limits for

the applicable zoning district or use classification in tables 9-110 and 9-124 of this section. In the event an applicant utilizes light levels at the highest level permitted for a specific use area, such lighting shall be substantially confined to that particular use area.

TABLE 9-110: ZONING DISTRICT REQUIREMENTS

	<i>Residential Zoning Districts (Not Including Public Uses)</i>	<i>Commercial, Mixed Use, Downtown, Business, and Industrial Zoning Districts</i>	<i>Public Zoning District and Public Uses in Residential Zones</i>
Maximum allowable light levels (measured in footcandles)	5.0 at building entries	5.0 at building entries	5.0 at building entries
	3.0 in parking areas	5.0 in parking areas	5.0 in parking lots
	3.0 along pedestrian walkways	3.0 along pedestrian walkways	3.0 along pedestrian walkways
	2.0 in common open space areas	2.0 in outdoor storage areas (maximum uniformity ratio requirements are not applicable)	
Maximum uniformity ratio (maximum to minimum)	n/a	10:1 (except as noted above)	15:1
Maximum lumen rating for a full cutoff luminaire shielded from view of adjacent streets and properties	8,500 - parking areas of 6 or more spaces	8,500 - pedestrian areas 14,000 - parking and loading areas	14,000 - parking and loading areas
	4,000 - walkway lights and common areas	23,500 on 35 foot pole when permitted (parking and loading areas)	
	1,800 stairways and entryways	16,000 for high pressure sodium when permitted	
Maximum lumen rating for an IESNA cutoff or semi cutoff fixture	900	1,250	1,250
Maximum lumen rating for an unshielded light fixture	900: except no lamp or bulb, other than for seasonal displays and landscape ornamental lighting, shall be visible beyond the property line	900	900
Controls	Motion sensors required for all unshielded fixtures in excess of 900 lumens	Recommended after close of business	Recommended after close of business
Maximum allowable pole height (includes base, pole and luminaire)	20 feet in parking lots	25 feet in parking lots	20 feet in parking lots within or adjacent to residential zones, otherwise 25 foot maximum
	15 feet in all other areas	35 feet for contiguous parking lots of 5 or more acres in size	
		20 feet in all other areas	

TABLE 9-124: SPECIAL USE REQUIREMENTS

	<i>Open Parking Structures and Parking Below a Building</i>	<i>Private Recreation Use</i>	<i>Public Recreation Use</i>	<i>Service Stations, Automobile Dealerships, Drive-Thru Windows</i>
Maximum allowable light levels (measured in footcandles)	5.0 within open parking structure and parking below a building 5.0 for uncovered upper levels 5.0 for covered exterior pedestrian circulation areas that are a part of a parking structure or parking below a building	The lesser of 30 footcandles or the IESNA recommended standards for the specific sports venue 5.0 in parking lots 4.0 in pedestrian areas	The IESNA recommended standards for the specific sports venue 5.0 in parking lots 4.0 in pedestrian areas	5.0 in building entries and drive-up windows 20.0 under service station canopies 15.0 within vehicular display areas 5.0 in parking lots 3.0 along pedestrian walkways
Maximum uniformity ratio (maximum to minimum)	5:1 within parking structure 10:1 remainder of site	3:1 on sports field or court 10:1 remainder of site	3:1 on sports field or court 10:1 remainder of site	10:1
Maximum lumen rating for a full cutoff light fixture shielded from view of adjacent streets and properties	14,000	23,500 for field or court area 8,500 for parking and pedestrian areas	107,000 for sports field 23,500 for courts 14,000 for parking areas 8,500 for pedestrian areas	14,000
Maximum lumen rating for an IESNA cutoff or semi cutoff light fixture	1,800	1,250	4,000	1,800
Maximum lumen rating for an unshielded light fixture	900	900	900	900
Sports shielding	n/a	Internal and external	Internal and external	n/a
Light fixture aiming angle	n/a	n/a	Not greater than 60 degrees from nadir	n/a
Controls	Automatic daylight adaptation controls required	Field or court lights shall be turned off within 30 minutes of the last event or 12:00 midnight, whichever is earlier	Field or court lights shall be turned off within 30 minutes after the last event	Service station canopies and vehicular display lights shall not exceed 5.0 footcandles within 1 hour of the close of

				business
Maximum allowable pole height (includes base, pole, and light fixture)	12 feet for uncovered upper level parking	20 feet in residential zones 25 feet in all other zones	20 feet in parking lots within or adjacent to residential zones, otherwise 25 feet 35 feet for sports lighting or as approved by the city manager per section 9-2-14, "Site Review," B.R.C. 1981	20 feet when adjacent to residential zones, otherwise 25 feet in parking lots 20 feet in all other areas

...

Section 7. Section 9-9-21, "Signs," B.R.C. 1981, is amended to read:

9-9-21. Signs.

...

(e) Limitations on Area, Number, and Height of Signs by Use Module:

(1) Use Modules: The use modules set forth in section 9-6-1, "Schedule of Permitted Land Uses," B.R.C. 1981, apply to this section, and the boundaries of such districts are determined by reference to the zoning map of the city and to interpretation of such map under section 9-5-3, "Zoning Map," B.R.C. 1981.

(2) Maximum Sign Area Permitted: The maximum sign area permitted per property, maximum area per sign face, maximum number of signs, and maximum height of freestanding signs in the use modules in the city are as in table 9-132 of this section, except as modified by other provisions of this section.

TABLE 9-132: LIMITATIONS ON AREA, NUMBER, AND HEIGHT OF SIGNS BY USE MODULE

<i>Maximum Sign Area Permitted Per Property</i>	<i>Maximum Area Per Sign Face</i>	<i>Maximum Number Signs Permitted</i>	<i>Maximum Height of Freestanding Signs</i>
Residential and Agricultural Districts (RR, RE, RL, RM, RMX, RH, and A)			
For detached dwelling uses: 4 square feet	2 square feet	1 per use	7 feet
For attached dwelling uses: 32	16 square feet	1 per street	7 feet

Attachment A - Ordinance No. 8005 amending Title 9, "Land Use Code," B.R.C. 1981

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square feet		frontage	
For other uses permitted by zoning chapter 9-6, "Use Standards," B.R.C. 1981: 32 square feet	16 square feet	1 per street frontage	7 feet
For other uses permitted by special review and for lawful nonconforming uses: the lesser of 50 square feet or the maximum sign area for the use in the zoning district in which the use is permitted by chapter 9-6, "Use Standards," B.R.C. 1981	16 square feet	The lesser of 1 per street frontage or 2 per use	7 feet
Public District (P)			
The greater of: 15 square feet or 1/2 square foot of sign area for each foot of street frontage	50 square feet for freestanding signs. See subsection (d) of this section for limits on other signs	1 per street frontage for freestanding signs. 1 per ground level tenant for projecting signs. No limit on other signs	7 feet
Downtown, Mixed Use, and Business - Transitional Districts (BMS, BT, MU, DT)			
Any use that is permitted in a residential zone shall be regulated as in the residential zoning districts			
For any use not permitted in residential zones, other than MU-3, in addition to freestanding signs, as permitted in paragraph (d)(6) of this section, 1.25 square feet of sign area for each linear foot of total building frontage for the first 200 feet of frontage, plus 0.5 square feet of sign area for each foot of frontage thereafter	See subsection (d) of this section for area restrictions	1 per street frontage for freestanding signs. 1 per ground level tenant for projecting signs. No limit on other signs	See paragraph (d)(6) of this section for height restrictions
Business - Community, Business - Commercial Services, Business - Regional, and Industrial Districts not in the B.V.R.C. (BC, BCS, BR, IS, IG, IM, and IMS)			
For any use permitted in residential zones, as regulated in residential zoning districts	See subsection (d) of this section for area restrictions		Varies with setback; see paragraph (d)(6) of this section
In addition to freestanding signs, as permitted in paragraph (d)(6) of this section, 2 square feet sign area for each linear foot of total building frontage for the first 200 feet of frontage, plus 0.5 square foot sign area for each linear foot of frontage, except as provided in subparagraph	See subsection (d) of this section for area restrictions		See paragraph (d)(6) of this section for height restrictions

1	(d)(6)(D) of this section			
2	Boulder Valley Regional Center and Regional Business Districts			
3	Properties zoned BR-1 and properties located within the Boulder Valley Regional Center unless zoned BT-1 or BT-2			
4	For any use not permitted in residential zones, in addition to freestanding signs, as permitted in paragraph (d)(6) of this section, 1.5 square feet of sign area for each linear foot of total building frontage for the first 200 feet of each frontage, plus 1/2 square foot sign area for each additional linear foot of each frontage	See subsection (d) of this section for area restrictions	1 per street frontage for freestanding signs. 1 per ground level tenant for projecting signs. No limit on other signs	See paragraph (d)(6) of this section for height restrictions

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11 (r) Amortization Provisions: Except for signs described in paragraph (q)(1) or (q)(3) of this section, or a temporary sign, a legal nonconforming sign shall be brought into conformity or removed under the following schedule:

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13
14 (4) A sign having an original cost exceeding \$100.00 that is nonconforming as to permitted sign area or any other provision of this section that would require the complete removal or total replacement of the sign may be maintained for the longer of the following periods:

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16
17 (A) Three years from the date upon which the sign became nonconforming under the provisions of this section by annexation or code amendment; or

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19 (B) A period of three to seven years from the installation date or most recent renovation date that preceded the date on which the sign became nonconforming. But if the date of renovation is chosen as the starting date of the amortization period, such period of amortization shall be calculated according to the cost of the renovation and not according to the original cost of the sign. The amortization periods in table 9-143 of this section apply according to the original cost of the sign, including installation costs, or of the renovation:

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23 **TABLE 9-143: AMORTIZATION SCHEDULE**

24 Sign Code or Renovation Cost	25 Permitted Years From Installation or Renovation Date
---------------------------------	---

\$101 through \$1,000	3 years
\$1,001 through \$3,000	4 years
\$3,001 through \$10,000	5 years
Over \$10,000	7 years

(5) To be eligible for an amortization period longer than three years pursuant to subparagraph (r)(4)(B) of this section, the owner of a sign shall, within one year from the date on which the sign became nonconforming, file with the city manager a statement setting forth the cost of such nonconforming sign, the date of erection or the cost and date of most recent renovation, and a written agreement to remove or bring the nonconforming sign into conformity with all provisions of this section at or before the expiration of the amortization period applicable to the sign.

...

Section 8. This ordinance is necessary to protect the public health, safety, and welfare of the residents of the city, and covers matters of local concern.

Section 9. The city council deems it appropriate that this ordinance be published by title only and orders that copies of this ordinance be made available in the office of the city clerk for public inspection and acquisition.

INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY TITLE ONLY this 21st day of October, 2014.

Mayor

Attest:

City Clerk

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ORDINANCE NO. 8006

AN ORDINANCE AMENDING THE CITY OF BOULDER DESIGN AND CONSTRUCTION STANDARDS (the “D.C.S.”) ADOPTED PURSUANT TO ORDINANCE 5986 TO REVISE STANDARDS FOR BICYCLE PARKING RACKS, AND SETTING FORTH RELATED DETAILS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO:

Section 1. The city council adopts the amendments to City of Boulder *Design and Construction Standards*, originally adopted pursuant to Ordinance No. 5986 (and amended by Ordinance Nos. 7088, 7400, and 7688), that are shown in Exhibit A of this ordinance and adds to the technical drawings in Chapter 11 of the City of Boulder *Design and Construction Standards* a new technical drawing, Drawing Number 2.53 Inverted “U” Bicycle Racks on Rails, as shown in Exhibit B of this ordinance.

Section 2. This ordinance is prospective in nature and shall apply to all permits requested after the effective date of its adoption. Permits applied for prior to the effective date of this ordinance may proceed under the regulations in effect at the time of application.

Section 3. This ordinance is necessary to protect the public health, safety, and welfare of the residents of the city, and covers matters of local concern.

Section 4. The city council deems it appropriate that this ordinance be published by title only and orders that copies of this ordinance be made available in the office of the city clerk for public inspection and acquisition.

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INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY
TITLE ONLY this 21st day of October, 2014.

Mayor

Attest:

City Clerk

READ ON SECOND READING, PASSED, ADOPTED, AND ORDERED
PUBLISHED BY TITLE ONLY this 6th day of November, 2014.

Mayor

Attest:

City Clerk

CITY OF BOULDER

DESIGN AND CONSTRUCTION STANDARDS

CHAPTER 2

TRANSPORTATION DESIGN

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2.01 General

(A) Intent

The Transportation Design Standards are intended to provide for an integrated transportation system for all transportation modes, including pedestrian, bicycle, transit, and motor vehicle.

(B) Transportation Master Plan

All improvements proposed to the City's transportation system shall conform with the goals, policies, and standards adopted in the Transportation Master Plan (TMP).

(C) Reference Standards

Where not specified in these Standards or the B.R.C. 1981, to protect the public health, safety, and welfare, the Director of Public Works will specify the standards to be applied to the design and construction of transportation improvements and may refer to one or more of the references listed in the References Section of these Standards.

(D) Functional Street Classification

Public streets shall be designed and improved to conform to the applicable functional street classification as defined on the "Street Function Class and Proposed Street Facilities" map of the TMP.

2.02 Traffic Study

(A) Traffic Assessment

The Director will require an applicant to submit a Traffic Assessment in order to adequately assess the impacts of any development proposal on the existing and planned transportation system. The Assessment shall include a peak hour trip generation study projection (Refer to 2.03(J)) and may require additional information as determined by the Director.

(B) Traffic Study Requirements

For any development proposal where trip generation from the development during the peak hour of the adjacent street is expected to exceed 100 vehicles for nonresidential applications, or 20 vehicles for residential applications the Director will require an applicant to submit a Traffic Study to evaluate the traffic impacts of any development proposal required to undergo a concept review as set forth in Section 9-2-13, "Concept Plan Review and Comment," B.R.C. 1981. The traffic study may include the information required in Subsections (A) through (K), of Section 2.03, "Traffic Study Format," of these Standards at the discretion of the Director.

(C) Responsibilities for Traffic Studies

An applicant for construction approval shall be responsible for assessing all traffic impacts associated with a proposed development, with the City serving in a review and approval capacity.

(D) Preparation

A Traffic Study shall be prepared by an Engineer with adequate experience and expertise in transportation engineering. The Engineer shall be identified in the Traffic Study.

(E) Coordination with City

Transportation consultants and Engineers preparing Traffic Studies shall discuss proposed development projects with the Director prior to initiating the study. Issues to be discussed include, without limitation, the TMP, definition of the study area, relevant subarea plans, methods for projecting build-out volumes, background traffic conditions, trip generation, directional distribution of traffic, and trip assignment. These aspects of the Traffic Study shall be approved by the Director prior to study preparation.

(F) Submittal

A Traffic Study shall be prepared in conformance with, and including, the information required in Section 2.03, "Traffic Study Format," of these Standards.

2.03 Traffic Study Format

(A) Study Requirements

The information provided in the Traffic Study shall include the following sections as outlined below. The study shall be typed and bound, and clearly identify the data and information in the appropriate sections. In addition, the study shall contain a table of contents, lists of figures, and tables, and shall identify any map pockets and included drawings.

(B) Introduction

The Traffic Study shall provide an introduction with an overview and discussion of the project or development proposal.

(C) Site Location and Zoning

Include a vicinity map detailing the property location, a conceptual site plan reflecting the boundaries of the project or development, and information detailing the designated zoning district, general terrain and physical features of the site and the surrounding area.

(D) Study Area Boundaries

Include the Study Area Boundaries as determined based on discussions with the Director and include all roadways and transportation routes providing access to the site and the surrounding transportation system.

(E) Existing Area Street System Description

Describe and include roadway orientations, functional classifications and geometries, intersection geometries, and traffic controls, including without limitation signage and striping, speed limits, parking restrictions, sight distance, transit routes, the presence of bicycle and pedestrian facilities,

and any other related traffic operations information and improvements approved or planned by government agencies. For identified improvements scheduled by government agencies, include the nature of the improvements, extent, implementation schedule, and the agency or funding source responsible.

(F) Existing and Projected Roadway and Intersection Traffic Volumes

Include diagrams that map existing traffic volumes, and each variation of projected traffic volumes, for all roadways and intersections within the study area. Also provide diagrams that map the intersection and roadway geometries and traffic control within the study area.

(G) Existing and Proposed Site Uses

Include an identification of the existing land use and proposed land use or the highest potential land use based on zoning and maximum trip generation where a specific use has not been determined. If rezoning is proposed, the study shall provide a comparison between the highest trip generation uses for the existing zoning and the highest trip generation uses for the proposed zoning.

(H) Existing and Proposed Land Uses in Vicinity of the Site

Document any vacant land or potential redevelopment that may result in a change in traffic volume conditions within the study area during each time period studied. Perform and provide trip generation on these parcels and include the trips generated from these parcels in the trip volume diagrams and level of service analyses for each appropriate time period studied.

(I) Transportation Demand Management Strategies

Include an outline of transportation demand management strategies to mitigate traffic impacts created by proposed development and implementable measures for promoting alternate modes of travel, including but not limited to the following:

- (1) **Site Design:** Incorporate design features that facilitate walking, biking, and use of transit services to access a proposed development, including features such as transit shelters and benches, site amenities, site design layouts, orientations and connections to increase convenience for alternate modes and reduce multiple trips to and from the site, and direct connections to existing offsite pedestrian, bicycle, and transit systems.
- (2) **Programs and Education:** Incorporate alternate modes programs, such as providing transit passes to employees and residents, van pooling to the site by a major employer, ride-sharing, parking pricing, and planned delivery services, and educational measures such, as promoting telecommuting, distributing transit schedules and trails maps, signing alternate travel routes, and providing an onsite transportation coordinator or plan to educate and assist residents, employees, and customers in using alternate modes.

(J) Trip Generation

Traffic estimates for the proposed project and potential developed or redeveloped properties in the study area shall be obtained by performing trip generation using the procedures outlined in the most current edition of the *Trip Generation Manual* of the Institute of Transportation Engineers

(ITE). If adequate *Trip Generation Manual* data is not available for a specific land use, the procedures used to estimate trip generation data shall be approved by the Director. Include the following specific trip generation information:

- (1) **Summary Table:** List each land use that requires trip generation analysis, including the project plus developed or redeveloped land uses within the study area. For each trip generation summary include land use type, amount, intensity, average trip generation rates for total daily traffic and peak hour traffic (a.m., noon and/or p.m. peak hour traffic generation may be required), and the resultant total trips generated for each time period and each land use.
- (2) **Calculations:** Calculation of projected trip generation for any land use, used to determine study area impacts, shall be based on the following:
 - (a) Trip generation formulas (or rates, if formulas are not available) published in the most recent version of the *Trip Generation Manual*. Trip generation reports from other industry publications may be considered but are subject to the approval of the Director.
 - (b) A local trip generation study, following procedures outlined in the most recent version of the *Trip Generation Manual*, if no published rates are available and similar land uses can be studied.
 - (c) Additional data or studies from other similar jurisdictions. Trip generation obtained in this fashion is subject to the review and approval of the Director.
- (3) **Trip Generation Reductions:** Credit for any trip reductions is subject to review and approval in advance by the Director. Anticipated trip reduction assumptions should be discussed and approved by the Director prior to the preparation of the Traffic Study. Trip reductions typically fall into one of two categories: those that reassign some portion of the trip generation from the surrounding roadway network (passerby and diverted trip reductions), and those that remove trips generated from the land use trip generation (internal and modal split reductions).
 - (a) Use of passerby and diverted trip reductions may be evaluated and considered in reducing the additional estimated total trip generation of a new land use. However, passerby and diverted trip reduction factors are not to be applied directly to reduce trip generation and turning movement volumes at driveways serving the studied land use. These factors are subject to the approval of the Director.
 - (b) Internal trip reductions and modal split assumptions may reduce the total trip generation of a land use. These factors considered in the Traffic Study shall supply analytical support and detailed documentation to demonstrate how the estimates were derived and incorporated, and are subject to the approval of the Director.

(K) Trip Distribution/Assignment and Modal Split

Trip distribution/assignment of any generated traffic estimates shall be clearly summarized and illustrated for each access route entering and exiting the generating land use, using the study area

transportation system as a basis. Include the following specific trip distribution/assignment information:

- (1) **Trip Distribution:** The trip distribution for each site shall be identified and illustrated with a graphical figure detailing the percentages making each movement, at each intersection in the study area. The trip distribution shall be logically based upon factors such as the site's location within the City's existing traffic volume data in the study area, market analyses, applied census data, and/or professional engineering judgment. Trip distribution assumptions are subject to the approval of the Director.
- (2) **Trip Assignment:** Trip assignment shall be done by applying the trip generation totals for each time period studied, to the trip distribution percentages developed. The trip assignment shall develop anticipated traffic volumes for each of the movements identified by the trip distribution and each of the time periods identified in the analyses. The resulting traffic volumes shall be illustrated with graphical figures detailing the anticipated volumes making each movement, at each intersection in the study area, during each time period studied.

(L) Existing and Projected Traffic Volumes

- (1) **Traffic Volume Scenarios:** Five traffic volume scenarios and three separate times of the day may be required to be included in a Traffic Study analysis. The applicant shall meet with the Director to determine the scenarios and time periods to be studied, prior to the development of the Traffic Study. The number of scenarios and time periods to be studied are subject to the approval of the Director. The potential scenarios and time periods include the following:
 - (a) Scenario 1 - Existing Conditions: An analysis of existing traffic conditions will be required in the Traffic Study. Existing Conditions analysis should attempt to model traffic conditions at the time the traffic study is being prepared. Traffic counts that are older than the year the study is being prepared shall be factored up or adjusted to existing year volumes.
 - (b) Scenario 2 - Anticipated Project Completion Year Without Project Volumes: Include an analysis of the anticipated traffic conditions during the year the project is intended to be finished and traffic is generated. The analysis shall anticipate the increase in background traffic volumes and the generation of other related projects that are not present in the existing condition, but would likely be completed and generating trips in this time period. The trip generation for the proposed project shall not be included in this scenario. If the project is intended to be completed the same year that the Traffic Study is being prepared, then this scenario is the same as Scenario 1 - Existing Conditions.
 - (c) Scenario 3 - Anticipated Project Completion Year With Project Volumes: This scenario is the same as Scenario 2, except that the project volumes are assigned to the roadway network and included in the analyses.
 - (d) Scenario 4 - Future Buildout Conditions Without Project Volumes: An analysis of the anticipated traffic conditions during buildout, using the projected buildout year defined in the City's TMP. The analysis shall anticipate the increase in

background traffic volumes and the generation of other related projects that are not present in the existing condition, but would likely be completed and generating trips in this time period. The trip generation for the proposed project should not be included in this scenario.

- (e) **Scenario 5 - Future Buildout Conditions With Project Volumes:** This scenario is the same as Scenario 4, except that the project volumes are assigned to the roadway network and included in the analyses.
- (2) **Traffic Volume Projections:** The traffic volume projections shall identify existing and projected daily traffic counts and peak hour turning movement counts for each access point, intersection and street identified in the traffic study area for each of the aforementioned scenarios required in the study.
- (3) **Time Periods:** Each scenario may be required to look at three different time periods (the a.m., noon and p.m. peak hour conditions). The Director will determine which time periods and scenarios are required for each Traffic Study depending upon the project's size, location, types of land uses and other pertinent factors.
- (4) **Raw Traffic Count Data:** Include all raw traffic-count data for average daily and peak hour conditions and traffic analysis worksheets in the appendices of the Traffic Study for reference. Computer techniques and associated printouts may be used for this part of the report.

NOTE: All total daily traffic counts must be actual machine counts, not based on factored peak hour sampling. Latest available machine counts from the City, and other agencies, may be acceptable if not more than 2 years older than the year the Traffic Study is being prepared. Data older than the year the Traffic Study is being prepared shall be factored up to current year numbers, using growth rates approved by the Director.

(M) Transportation Service Standards

Include a discussion and analysis assessing the impacts of the project or development proposal on the existing and planned transportation system in the study area with respect to the following traffic impact and mitigation objectives:

- (1) **Transportation Master Plan Objectives:** TMP service standards' objectives include the following:
 - (a) No long-term growth in auto traffic over current levels described as a 0 percent increase in vehicle miles traveled.
 - (b) Reduction in single-occupant vehicle travel to 25 percent of total trips.
 - (c) Continuous reduction in mobile source emission of air pollutants, and no more than 20 percent of roadways congested at LOS F.
- (2) **Level of Service Design Guide:** LOS standards objectives include:
 - (a) Minimum LOS D design guide for peak hour conditions for all movements. Project impacts that maintain LOS D or better for all intersections and street segments may not be required to provide LOS-related traffic mitigation improvements.

- (b) LOS E and lower peak hour conditions require the implementation of one or more transportation management strategies consistent with the goals and objectives of the TMP. A transportation management strategy plan required to address and mitigate these conditions may include travel demand management, land use intensity reduction, site design, layout and access modifications, parking reduction measures, or transportation infrastructure improvements.

(N) Level of Service Analysis

- (1) The Traffic Study shall provide LOS analyses for all study area intersections (signalized and unsignalized) and mid-block roadway segments using methodologies outlined in the current *Highway Capacity Manual*. The analyses should be performed for Scenarios 1 through 5, described in Section 2.0 3(L), “Existing and Projected Traffic Volumes,” and for each time period (a.m., noon and/or p.m. peaks) that is required in the Traffic Study, unless otherwise required by the Director.
- (2) Level of service analyses shall consider the appropriate infrastructure, lane usage, traffic control and any other pertinent factors for each scenario to be studied. Intersections with planned improvements, discussed in City planning documents, may have those improvements shown in the level of service analyses.
- (3) Signalized intersection level of service analyses shall use the existing timing and phasing of the intersections for all scenarios. If the analyses are to deviate from existing timings or phasing, then a detailed signal progression analyses for the affected corridor shall also be provided.
- (4) The results of the level of service analyses for each scenario and each time period shall be summarized into one or more tables that illustrate the differences in level of service for each scenario. At a minimum, these tables shall list the level of service results for each intersection to include the level of service for each approach and the total intersection level of service, as well as the appropriate delay values for each approach and the total intersection. These tables shall highlight any locations where the addition of project traffic has caused any approach of any intersection to fall below the LOS D standard for the City.

(O) Traffic Counts and Analyses Worksheets

Provide capacity analysis calculations based on the planning or operational analysis techniques contained in the current *Highway Capacity Manual* or subsequent highway capacity techniques established by the Federal Highway Administration, including the following:

- (1) **Raw Traffic Count Data:** Include all raw traffic count data for average daily, hourly Average daily trip (ADT), and peak hour conditions and traffic analysis worksheets in the appendices of the traffic study for reference. Computer techniques and associated printouts may be used for this part of the report.
- (2) **Level of Service Analyses:** Include all level of service analyses performed for intersections and roadway links. If signal timing or phasing changes are proposed for traffic mitigation and the signal is currently part of a coordinated system, a progression analysis will be required to ensure that adequate progression is maintained or provided.

All progress analysis and assumptions to be used shall be reviewed and approved by the Director.

(P) Traffic Control and Signals

The Traffic Study shall discuss and analyze any traffic control measures that may be necessary to serve a proposed project or development. Any traffic control measures are to be evaluated based on the requirements established in the *Manual on Uniform Traffic Control Devices* (MUTCD) and by the City, and will be applied as necessary to ensure safe and efficient operation of the City's transportation system. The analysis shall demonstrate the need for traffic control measures considering the objectives and policies of the TMP and alternative site designs in order to minimize or mitigate traffic impacts from the proposed project or development. The following traffic control measures are to be addressed:

- (1) **Regulatory Signage, Markings and Islands:** These traffic control measures shall be applied as necessary in conformance with the MUTCD and City standards and policies.
- (2) **Traffic Signals:** The installation of new traffic signals is not encouraged by the City and all possible alternatives to signalization shall be evaluated before the installation of a new traffic signal will be considered. The need for new traffic signals will be based on warrants contained in the MUTCD and on City policies. In determining the location of a new signal, safety and community traffic circulation and progression will be the primary considerations. If a traffic signal is suggested as part of a mitigation package, and the intersection lies within a series of coordinated traffic signals, then a progression analysis may be required to ensure that adequate progression may still be provided. Generally, a spacing of one-half mile between all signalized intersections is to be maintained, to achieve optimum capacity and signal progression. Pedestrian and bicycle movements shall be considered in all cases and adequate pedestrian clearance is to be provided in the signalization design.
- (3) **Intersection and Access Locations:** To provide flexibility and safety for the existing roadway system and to ensure optimum two-way signal progression, an approved traffic engineering analysis shall be made to properly locate all proposed intersections that may require signalization, and any accesses to the proposed development.

(Q) Traffic Accidents

The Traffic Study may need to include accident analyses at one or more locations in the study area. The Director shall specify whether such accident analyses are needed for each Traffic Study. Where required, estimates of increased or decreased accident potential shall be evaluated for the proposed project or development and appropriate safety related mitigation measures are to be included. Traffic accident data is available from the City of Boulder's Police Department or from the Director.

(R) Noise Attenuation

If residential development is planned adjacent to a roadway designated collector or greater, the City may require noise attenuation measures. A discussion and analysis of noise attenuation measured using the methods in the *Fundamentals and Abatement of Highway Traffic Noise Textbook* is to be included in all traffic studies for residential developments adjacent to roadways

designated collector or greater.

(S) Recommendations

- (1) The Traffic Study shall include a section in the report that provides any recommendations of the Engineer. These recommendations shall include the Engineer's recommended location, nature and extent of proposed transportation improvements associated with the project or development to ensure safe and efficient roadway operations and capacity, and compatibility with the City's transportation system and the goals of the TMP.
- (2) These recommendations are to be supported with appropriate documentation and discussion of the technical analyses, assumptions and evaluations used to make the determinations and findings applied in the Traffic Study. In the event that any Traffic Study analyses or recommendations indicate unsatisfactory levels of service on any study area roadways, a further description of proposed improvements or mitigation measures to remedy deficiencies shall be included.
- (3) These proposed improvements or mitigation measures may include projects by the City or The Colorado Department of Transportation for which funds have been appropriated and obligated. These proposals may also include improvements to be funded and constructed by the applicant as part of project or development construction. Assumptions regarding future roads, widths and lane usages in any analyses are subject to the approval of the Director.
- (4) In general, the recommendation section shall include:
 - (a) Proposed and Recommended Improvements: Provide a detailed description and sketch of all proposed and recommended improvements. Include basic design details showing the length, width and other pertinent geometric features of any proposed improvements. Discuss whether these improvements are necessary because of development traffic or whether they would be necessary due to background traffic. Specify the approximate timing necessary for each improvement.
 - (b) Level of Service Analysis at Critical Points: Provide another iteration of the LOS analyses that demonstrate the anticipated results of making recommended improvements, such as movement LOS, operational and safety conditions and conformance with the City's transportation system goals and TMP. In association with LOS analyses for recommended improvements, include a comparison of these results with the background LOS analyses without the proposed project or development. Where appropriate, this step is to be provided for both near term (year of project completion) and buildout scenarios.

(T) Conclusion

Include a conclusion in the report that provides a clear and concise description of the study findings and recommendations, and serves as an executive summary.

(U) Revisions to Traffic Study

- (1) Following City review, the Director may require revisions to a traffic study based on the

following considerations:

- (a) Completeness of the study,
 - (b) Thoroughness of the level of service and impact analyses and evaluations,
 - (c) Compatibility of the study with the proposed access design, project or development plan and local transportation system,
 - (d) Compliance with local and state regulations and design standards, and
 - (e) An analysis of study deficiencies, errors, or conflicts.
- (2) Revisions may also be required as a result of public process with surrounding neighborhoods and land uses or review by City Council or the Planning Board. Additional details requiring traffic study revisions may include, but are not limited to, the following:
- (a) An enlarged study area
 - (b) Alternative trip generation scenarios
 - (c) Additional level of service analyses
 - (d) Site planning and design issues.

2.04 Site Access

(A) Access Requirements

All accesses and curb cuts shall be designed and constructed in compliance with these Standards and the requirements set forth in Section 9-9-5, "Site Access Control," B.R.C. 1981.

(B) Access Permit Required

All accesses and curb cuts proposed and constructed on City streets and alleys require a permit, as set forth in Section 9-9-5, "Site Access Control," B.R.C. 1981.

(C) Location of Access

(1) **Spacing:** Table 2-1, "Access Spacing Requirements," shows the required spacing of access points and curb cuts. Minimum spacing from corners shall be measured from point of intersection of the street flowlines. Minimum spacing between accesses shall be measured at the property line.

Table 2-1: Access Spacing Requirements

Minimum Spacing (measured from edge of access)	Single Family Residential	Other Residential	Commercial	Industrial
Local Streets				
- from property line	7.5'	10'	10'	10'
- from corner	20'	50'	50'	50'
- between accesses	15'	20'	20'	20'
Collector Streets	Permitted only when no			

	other access is available.			
- from property line		10'	10'	10'
- from corner		50'	50'	50'
- between accesses		20'	20'	20'
Arterial Streets	Permitted only when no other access is available.			
- from property line		75'	75'	75'
- from corner		150'	150'	150'
- between accesses		250'	250'	250'

- (2) **Alignment:** Accesses shall intersect City streets at a 90-degree angle. Accesses to properties on opposite sides of a collector or arterial, where turning movements are not controlled by a center median or access island, shall either be aligned, or offset by at least 150 feet on collectors, or at least 300 feet on arterials. Greater offsets may be required if left-turn storage lanes are required.
- (3) **Relocation of Existing Access Points and Curb Cuts:** Relocation, alteration, or reconstruction of any existing access points and curb cuts shall meet the requirements of these Standards.

(D) Sight Distance

All access points and curb cuts shall provide adequate sight distance as set forth under Section 9-9-7, "Sight Triangles," B.R.C. 1981.

(E) Restriction of Turning Movements

Along streets designated arterial or greater, or where necessary for the safe and efficient movement of traffic, the City will require access points and curb cuts to provide for only limited turning movements, as follows:

- (1) **Access With Barrier Island - Left-Turn Restrictions ("Pork Chop"):** Where restricted turning movements are required by the City, and where the abutting street does not have a median, a barrier island will be required.
 - (a) Islands shall have a minimum area of 150 square feet, be bounded by vertical curb, and have an appropriate concrete center surface treatment, approved by the Director.
 - (b) Barrier island lanes shall be at least 12 feet wide, have a radius of at least 20 feet, and be designed to accommodate the largest vehicle using the access on a daily basis. The island shall provide congruent curb ramps or cut through for sidewalks. The minimum width of the island along the abutting roadway frontage shall be 30 feet for right-in, right-out only islands, and 15 feet for islands allowing right-in, right-out and left-turning movements.
- (2) **Access With Median Divider Barriers – Left-Turn Restrictions:** Median barriers may be permitted where a median design can improve traffic circulation and safety, or overall site access. Where permitted, medians shall be at least 4 feet wide, and shall extend at

least 25 feet beyond the right-of-way.

(F) Traffic Control

All accesses shall be designed and constructed with appropriate traffic control and signage conforming to the MUTCD, B.R.C. 1981, and these Standards.

(G) One-Way Access Lanes

One-way access lanes may be permitted where restricted access is limited to one turning movement, or where the one-way access improves traffic circulation and safety. One-way access lanes shall be at least 12 feet wide, have at least radius of 20 feet, and be designed to accommodate the largest vehicle using the access on a daily basis.

(H) Speed Change Lanes

Speed change lanes shall be required on collectors or arterials when the design hour vehicles from the access will meet or exceed the standards in Section 4.8 of the Colorado State Highway Access Code. Design of speed change lanes shall conform with Subsection 2.07(D), "Horizontal Alignment," of these Standards.

(I) Access and Curb Cut Type

- (1) **Driveway Ramp and Curb Cut:** All new accesses and curb cuts shall be designed as driveway ramps and curb cuts, using the standard ramp driveway details provided in Chapter 11, except as allowed in Subsection (2), along streets where no curb and gutter exists, or for single family lots where roll-over curbs have been provided.
- (2) **Radii Curb Returns:** Radii curb return accesses may be required or permitted by the Director under the following conditions:
 - (a) The access is located along an arterial or collector.
 - (b) Access volumes indicate a need for a radii curb return where the ADT exceeds 500 or where speed change lanes would be required.
 - (c) The access is designed to restrict turning movements, requiring the installation of an access island or center median.
 - (d) The roadway has no curb and gutter.
 - (e) The access serves an industrial property, or provides for commercial deliveries, where large truck movements are required.
 - (f) The Director determines that a radii access is necessary to ensure adequate traffic safety and operation.
 - (g) The access is for a new public street

Table 2-2: Access Design Specifications

	Single Family Residential	Other Residential	Commercial	Industrial
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Width (in feet)				
- Minimum	10	10	15	20
- Maximum	20	35	35	35
- One-Way Lane	N/A	12-18	12-20	14-24
Radii (in feet)				
- Minimum	N/A	15	15	20
- Maximum	N/A	30	30	40
Access Grades				
Initial Grade (to a point 10 ft beyond ROW)				
- Minimum	(+) 3%	(+) 1%	(+) 1%	(+) 1%
- Maximum	(+) 8%	(+) 6%	(+) 6%	(+) 6%
Final Grade (G2)				
- Minimum	(+/-) 3%	(+/-) 1%	(+/-) 1%	(+/-) 1%
- Maximum	(+/-) 14%	(+/-) 8%	(+/-) 8%	(+/-) 8%
Max Grade Break	(+/-) 10%	(+/-) 6%	(+/-) 6%	(+/-) 6%

(J) Access and Curb Cut Width

Access and curb cut widths shall be consistent with Table 2-2, “Access Design Specifications,” of these Standards. The width of each access shall be the minimum width that is necessary to serve the property and use. No more than 50 percent of the street frontage shall be occupied by the access driveway, except for access to a cul-de-sac or flag lot. All access widths are measured from edge of pavement to edge of pavement (or curb to curb) at the throat of the driveway (or edge of the right-of-way), and are not inclusive of drive cut transitions or curb return radii.

(K) Access and Curb Cut Radii

Access and curb cut radii shall meet the specifications shown in Table 2-2, “Access Design Specifications,” of these Standards. All radii are measured from the flowline or from the edge of the pavement where no flowline exists.

(L) Access and Curb Cut Grades

Access and curb cut grades shall be consistent with Table 2-2. The initial grade (G1) shall be a positive grade, beginning at the back of the sidewalk, the back of the driveway ramp or pan section, or the edge of the pavement (where no curb and gutter exists), and shall continue at least 10 feet beyond the right-of-way. The final grade (G2) may be positive or negative, depending on the access conditions. The maximum grade break (or change in slope) shall apply at all grade changes. Additional grade changes may occur at intervals of at least 20 feet.

(M) Driveways

(1) **Vehicle Storage:** Adequate driveway storage capacity for both inbound and outbound vehicles to facilitate safe, unobstructed, and efficient traffic circulation and movements from the adjacent roadway and within the development shall be provided, except for single-family or duplex residential driveways on local streets. Adequate driveway length will be subject to approval by the Director and shall extend at least 20 feet beyond the right-of-way before accessing the first off-street parking space or parking lot aisle.

(2) **Internal Circulation:** Developments requiring off-street parking facilities shall provide

onsite vehicular circulation allowing access to all portions of the site without using the adjacent street system, unless a joint access or parking easement with one or more of the adjacent property owners has been dedicated.

- (3) **Backing Into the Right-of-Way Prohibited:** Driveways shall be designed to contain all vehicle backing movements onsite, except for single family or duplex residential uses on local streets.
- (4) **Minimum Back-Up Distance for Detached Single-Family Residential Driveways Accessing Public Alleys: Driveways** shall provide for a minimum distance of 24-feet from the rear of the parking stall or face of garage to the far edge of the adjacent alley right-of-way or turn around area as required by Chapter 9-9-6, "Parking Standards," B.R.C. 1981.
- (5) **Shared Driveways (Detached Single-Family Residential Only):** Shared driveways to access detached single-family residential lots may be permitted pursuant to an approved site review or subdivision as set forth in Chapter 9-9-14, "Site Review," B.R.C. 1981 or Chapter 9-12, "Subdivision," B.R.C. 1981, if they meet the following criteria:
 - (a) A common parking court is provided at a ratio of 0.5 additional spaces per unit if less than two onsite parking spaces, meeting City requirements, are provided on each single-family lot served by the shared driveway.
 - (b) The shared driveway is no more than 100 feet long, except in districts zoned RL-1 (Residential-Low 1), RE (Residential-Estate), and RR1 (Residential-Rural 1) and RR 2 (Residential-Rural 2), where the shared driveway may extend up to 300 feet long if each lot accessing the shared driveway exceeds 10,000 square feet.
 - (c) The number of units served shall be no more than three lots or houses that have less than 30 feet of usable frontage on the accessing street.
 - (d) Adequate turnaround for vehicles is provided either on an individual lot or lots.
 - (e) The driveway is properly engineered and constructed to mitigate any adverse drainage conditions and is appropriately surfaced for the type of development, usage, and zoning district.
 - (f) The Driveway is at least 12 feet wide.
 - (g) For units not fronting on the accessing street, addressing shall be located near the entrance to the shared driveway insuring visibility of the numbering from the street.
 - (h) A public access easement, a minimum fifteen feet in width, for the benefit and use of all properties and property owners accessing the shared driveway has been dedicated and recorded to ensure legal access rights in perpetuity for each property served.
 - (i) Driveway spacing conforms with the requirements in Table 2-1, "Access Spacing Requirements," of these Standards.

2.05 Right-of-Way Requirements

Dedication or reservation of public right-of-way required as part of any project or development proposal shall comply with the requirements set forth in Section 9-9-8, “Reservations, Dedication, and Improvement of Rights-of-Way,” B.R.C. 1981.

2.06 Base Street and Alley Standards

(A) Base Street Standard

Except for residential streets approved pursuant to Chapter 9-12, “Subdivision,” B.R.C. 1981, and Section 2.09, “Residential Streets,” all new streets shall provide at a minimum the base street standard components listed in Table 2-3, “Base Street Standard Components.”

(B) Base Alley Standard

Except for residential streets approved pursuant to Chapter 9-12, “Subdivision,” B.R.C. 1981, and Section 2.09, “Residential Streets,” all new alleys shall provide at a minimum the base alley standard components listed in Table 2-4, “Base Alley Standard Components.”

Table 2-3: Base Street Standard Components

Street Component	Base Standard
Right-of-Way	60' Minimum Width
Paved Street Section	36' Minimum Width, Curb Face to Curb Face
Travel Lanes	Two Travel Lanes, Two-Way Traffic
Curb and Gutter	Required Both Sides
Parking	Parking Allowed Both Sides
Sidewalks	5' Minimum Width, Detached, Required Both Sides
Streetscape Planting Strips*	8' Preferred Width (6' Minimum), Required Both Sides

*NOTE: In commercial streetside retail zones where 12-foot wide attached sidewalks may be provided, streetscape planting strips may be created using street trees in planting pits with tree grates (15-foot width between back of curb and back of walk).

Table 2-4: Base Alley Standard Components

Alley Component	Base Standard
Right-of-Way	20' Minimum Width
Paved Street Section	18' Minimum Width, Pavement Edge to Pavement Edge
Travel Lanes	Two-Way Traffic Allowed
Parking	Parking on Alley Not Permitted

2.07 Street Geometric Design

(A) Minimum Requirements

Except for State Highways and the geometric design variations allowed for residential streets approved pursuant to Chapter 9-12, “Subdivision,” B.R.C. 1981, and Section 2.09, “Residential

Streets,” all city streets shall be designed in conformance with this section. The design standards outlined in this section are minimum design standards, and all street design shall meet or exceed these standards. On streets designated collector or arterial in the TMP, the Director may specify standards to be applied to street design that may exceed the minimum standards in this section based on functional need to ensure safe and efficient operation of the street.

(B) Right-of-Way

The right-of-way width required for new streets shall comply with the requirements of Section 9-9-8, “Reservations, Dedication, and Improvement of Rights-of-Way,” B.R.C. 1981, and shall include without limitation the following elements:

- (1) The paved roadway section including without limitation travel lanes, turning and speed change lanes, transit lanes, bicycle lanes, and parking lanes;
- (2) Curbs and gutters or drainage swales;
- (3) Roadside and median landscaping areas;
- (4) Sidewalks and multi-use paths; and
- (5) Any necessary utility corridors.

(C) Lane Width

Street lanes shall meet the minimum width specifications shown in Table 2-5, “Minimum Street Lane Widths,” of these Standards.

Table 2-5: Minimum Street Lane Widths

Travel Lanes*	Auxiliary Lanes*	On-Street Bicycle Lanes	Parking Lanes
11'	10'	5', with parking lane	8' from curb face
		6.5' from curb face w/out parking lane	

*NOTES: Travel and Auxiliary lane dimensions do not include gutter pan width. Auxiliary lanes include, without limitation, turning and speed change lanes.

(D) Horizontal Alignment

- (1) **Conformance to Street Plan:** Horizontal alignment shall conform to the pattern of streets in the Boulder Valley Comprehensive Plan, TMP, and adopted right-of-way plans and shall provide continuous alignment with existing, planned, or platted streets with which they will connect.
- (2) **Extension to Property Line:** All streets shall be extended to the property lines across the property to be developed, unless the street to be constructed has been approved by the City as a cul-de-sac or other no-outlet street.
- (3) **Minimum Horizontal Curve:** Street curvatures shall meet the minimum specifications shown in Table 2-6, “Minimum Horizontal Street Curve Specifications,” of these Standards.

Table 2-6: Minimum Horizontal Street Curve Specifications

Design Criteria	Local Street	Collector Street	Arterial Street
Minimum Design Speed	20 mph	35 mph	40 mph
Minimum Centerline Radius	100 feet	300 feet	500 feet
Minimum Reverse Curve Tangent	50 feet	100 feet	200 feet
Minimum Intersection Approach Tangent	100 feet	200 feet	300 feet

- (4) **Design Horizontal Curve:** The design horizontal street curvature shall meet or exceed the minimum horizontal curvature and be calculated using the following equation:

$$R = V^2 / 15 * (e-f)$$

Where: E = rate of superelevation per foot
 F = side friction factor
 V = vehicle speed in MPH
 R = radius of curve in feet

Side Friction Factors	
Design Speed (mph)	Side Friction Factor (f)
30	0.22
35	0.20
40	0.18
45	0.16

(5) **Intersections and Street Spacing**

- (a) **Angles:** All streets shall intersect at right angles (90°).
 (b) **Minimum Street Spacing:** Spacing between streets, as measured from centerline to centerline, shall equal or exceed the minimum distances shown in Table 2-7, "Minimum Street Spacing," of these Standards.

Table 2-7: Minimum Street Spacing

Street Type	Minimum Street Spacing
Local	150 feet
Collector	300 feet
Arterial	500 feet

- (c) **Street Spacing for Signalized Intersections:** Signalized intersections shall be spaced at half-mile intervals, although other locations may be approved by the Director if adequate signal progression can be maintained.
 (d) **Corner Radii:** The minimum property line corner and flowline radii at intersections shall meet or exceed the minimum radii specifications shown in Table 2-8, "Minimum Intersection Radii," of these Standards.

Table 2-8: Minimum Intersection Radii

Street Type	Minimum Flowline Radius	Minimum Property Radius
Local	25 feet	15 feet
Collector	30 feet	15 feet

Arterial	30 feet	10 feet
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- (6) **Road Width Transition Tapers:** Where two street sections of different widths are to be connected, a transition taper is required between the outside traveled edge of the two sections. The length of the transition taper shall be calculated using the following equation:

$$L = WS$$

Where: S = Speed in MPH
 L = Length in feet
 W = Width of offset in feet

This transition is not to be used in the design of left turn storage lanes or speed change lanes.

- (7) **Left Turn Lanes**

(a) **Storage Length:** Left turn lane storage length shall be determined based on traffic volumes using the Leisch nomographs provided in the ITE *Guidelines for Major Urban Street Design*. The left turn lane storage length shall not be less than 50 feet. Where dual left turn lanes are provided, the lane storage length shall be based on at least 60 percent of the single lane storage length.

(b) **Lane Change Taper:** Left turn lane change tapers shall be calculated using the equation for bay tapers in Subsection (8).

- (8) **Speed Change Lanes:** Speed change lanes required for transitional access to turning lanes shall be designed according to the design standards provided in the ITE "Guidelines for Major Urban Street Design," as follows:

(a) **Bay Tapers:** Bay tapers are required for the lane transition from the travel lane into a turn lane. The bay taper length shall be calculated using the following equation:

$$L = WS / 3$$

Where: S = Speed in MPH
 L = Length in feet
 W = Width of offset in feet

(b) **Approach Tapers:** Approach tapers are required to transition the position of travel lanes to accommodate turn lanes. The approach taper length shall be calculated using the following equation:

$$L = WS^2 / 60$$

Where: S = Speed in MPH
 L = Length in feet
 W = Width of offset in feet

- (9) **Cul-de-sacs:** Where allowed, cul-de-sacs shall have a minimum pavement diameter of 90 feet, curb face to curb face, and a minimum right-of-way diameter of 115 feet, except for residential streets approved pursuant to Chapter 9-12, "Subdivision," B.R.C. 1981, and Section 2.09, "Residential Streets." Cul-de-sacs are prohibited on arterial and collector streets, and are strongly discouraged on local and residential streets. The Director may permit cul-de-sacs where there is no other possible street or driveway access to a property from a public right-of-way, or if a cul-de-sac would avoid direct property access to a collector or arterial.

(E) Vertical Alignment

- (1) **Minimum Street Grade:** All street grades shall equal or exceed the minimum street grade of 0.5 percent.
- (2) **Maximum Street Grade:** Street grades shall not exceed the maximum street grades shown in Table 2-9, "Maximum Street Grades," of these Standards.

Table 2-9: Maximum Street Grades

Street Type	Maximum Street Grade
Local	8%
Collector	6%
Arterial	5%
Intersection Approach (Minimum 50')	4%
Signalized Intersection Approach (Min. 50')	2%

- (3) **Design Controls for Vertical Curves:** Design control for sag and crest vertical curves, (based on a design speed of 30 mph) shall meet the specifications shown in Table 2-10, "Vertical Curve Design Control," of these Standards. For design speeds in excess of 30 mph, design control shall be in accordance with the current edition of "A Policy on Geometric Design of Highways and Streets," prepared by the American Association of State Highway and Transportation Officials.

Table 2-10: Vertical Curve Design Control

Algebraic Difference in Grades	Sag Curve Minimum Vertical Curve Length	Crest Curve Minimum Vertical Curve Length
0.5 - 1.0 %	50 feet	100 feet
1.0 - 3.0 %	100 feet	100 feet
3.0 - 5.0 %	200 feet	150 feet
5.0 - 7.0 %	300 feet	200 feet
7.0 - 8.0 %	300 feet	300 feet
Min. Vert. Sight Distance	N/A	250 feet

- (4) **Vertical Sight Distance:** Vertical curve sight distance shall equal or exceed 250 feet. Greater vertical sight distance may be required by the Director to ensure safe travel and street crossings for all transportation modes.

(F) Sight Distance

All streets and alleys shall provide adequate sight distance as set forth under Section 9-9-7,

“Sight Triangles,” B.R.C. 1981.

(G) Medians

The Director will require raised medians on new arterial streets. Raised medians may be permitted on all streets subject to review and approval by the Director.

- (1) **Median Widths:** Medians shall be at least 4 feet wide, curb face to curb face. If left turn lanes are installed in the median, the median width adjacent to the left turn storage lanes shall be 4 feet and the median width at the start of the left turn lane bay taper shall be at least 14 feet wide, curb face to curb face. Median design widths shall conform to Table 2-11, “Median Width Design Standards,” of these Standards.

Table 2-11: Median Width Design Standards

Function	Minimum Width	Recommended Width
Separation of Opposing Traffic	4 feet*	10 feet*
Pedestrian Refuge or Traffic Control Device Location	6 feet*	14 feet
Medians Separating Left Turn Lanes	14 feet	20 feet

* NOTE: Cannot accommodate left-turn lanes

- (2) **Landscaping in Medians:** Landscaping in medians shall comply with the requirements of Chapter 3, “Streetscaping,” of these Standards.

(H) Vertical Clearance of Structures

At least 17.5 feet of vertical clearance shall be provided for all overhead structures. Vertical clearance is measured from the crown of the street to the lowest portion of the structure on all streets and alleys.

2.08 Sidewalks

(A) Required

Sidewalks are required on both sides of all new streets, except for residential streets that were approved without required sidewalks pursuant to Chapter 9-12, “Subdivision,” B.R.C. 1981, and Section 2.09, “Residential Streets.”

(B) Conformance with the Transportation Master Plan

Off-street sidewalks may be required as part of any project or development proposal in conformance with the TMP.

(C) Compliance with Americans with Disabilities Act (ADA)

All public sidewalks shall comply with the requirements of the ADA’s “Standards for Accessible Design,” which includes without limitation sidewalk widths, grades, locations, markings, surface treatments, and access ramps.

(D) Minimum Widths

Sidewalk widths shall conform to the dimensions shown in Table 2-12, “Minimum Sidewalk Widths,” of these Standards.

Table 2-12: Minimum Sidewalk Widths

Minimum Sidewalk Width			
	Adjacent Land Use		
Street Type	Commercial/Retail	Commercial/Industrial	Residential
Local	12	5	4
Collector	12	5	5
Arterial	12	8	8

Note: All off-street multi-use/bike paths designated in the Transportation Master Plan shall be 12 feet wide.

(E) Vertical Grades

The vertical grade of a sidewalk shall not exceed 8.33 percent, a ratio of 12 feet horizontal to 1 foot vertical (12:1).

At sidewalk locations adjacent to transit stops or transfer points, the Director may require wider sidewalk sections to provide for adequate passenger storage areas.

(F) Vertical Clearance

A minimum 8 foot vertical clearance shall be provided between all sidewalk and multi-use path surfaces and any overhead encroachments.

2.09 Residential Streets

(A) Purpose

- (1) The residential street standards were developed to allow a variety of choices in the creation of new transportation corridors within the urban environment under conditions that will not compromise the safety and function of the city street system. Traditionally streets have provided the following:
 - (a) Corridors for pedestrian, bicycle, transit, and motor vehicle movement;
 - (b) Parking for vehicles;
 - (c) Fire, police, and emergency access;
 - (d) Locations for public utilities networks including water supply, sewage, electricity, telecommunications and gas services, and refuse disposal; and
 - (e) Postal and other delivery services.

- (2) These standards recognize that streets, if appropriately designed, may provide additional community amenities including landscape buffers, attractive public gathering spaces, opportunities for neighborhood interaction, public art, view corridors, and potential avenues for new technologies.

(B) Scope

(1) Location of Streets

- (a) These standards are intended to be used for new streets in undeveloped areas of the city.
- (b) Where infill development in the existing developed portions of the city requires the creation of new streets, these alternative standards may be used if the Director finds, after completing the review process described in Section (C) below, that the new streets will not impair the functions of the surrounding transportation system nor negatively impact the character of the surrounding existing development.
- (c) Further, the Director may determine that these standards are appropriate for redesigning and reconfiguring existing streets. Because the public cost of retrofitting, reconfiguring, or redesigning existing streets is often expensive, decisions about reconstruction of individual streets in accordance with these standards shall be made pursuant to the city's Capital Improvements Program process.

(2) Methods of Review

- (a) Permitted: The following street types may be developed without review:
 - (i) Residential collector street
 - (ii) Residential street
 - (iii) Residential alley
 - (b) By Director Review: Residential streets listed in paragraph (B)(2)(a) and the street types listed below may be developed upon approval by the Director under the criteria outlined in Section (C) below.
 - (i) Rural residential street
 - (ii) Access street
 - (iii) Access lane
 - (c) By Site Review: Those underlined criteria and specifications in the following residential street standards may be appropriate for modification under certain limited circumstances. Developments requesting such modifications shall meet all of the requirements of Section 9-2-14, "Site Review," B.R.C. 1981, in addition to the criteria outlined in Subsection (C), "Director Review," below.
- (3) Cumulative Standards:** These street standards are intended to be used in combination with Section 2.07, "Street Geometric Design," of these Standards. Where the standards in this section are silent, the criteria or specifications contained in Section 2.07 shall control.

(C) Director Review

- (1) **Application:** As part of a subdivision application, the applicant for residential street construction approval shall include plans that depict the building envelopes of all proposed structures, and the location of proposed trees, street furniture, fire hydrants, meter pits, utility cabinets, or pedestrians in the right-of-way.
- (2) **Criteria:** The Director will consider the following factors in determining whether an alternative street design is appropriate in a particular location:
 - (a) **Urban Design:** The street should contribute to the creation of an attractive community and to a clearly defined sense of place. Streets shall be designed with due attention to building spacing and setbacks, green spaces, attractive materials, plantings, and landscaping. Pavement and right-of-way widths that are less than the Residential Street standard should provide a benefit to the community that includes improved safety, improved site design, the creation of street canopies through landscaping, and secondary lot access through the use of alleys. Rural Residential streets shall be consistent with the existing character of the area, or with an approved subcommunity or area plan.
 - (b) **Street Function:** The street should be designed according to its function. This may require a diversity of street types, each serving a role in a hierarchical system. The street pattern and any reduced pavement or right-of-way widths should provide acceptable levels of accessibility, safety and convenience for all street users, including emergency service providers. The pattern shall discourage residential streets from operating as pass through traffic routes for externally generated traffic, while minimizing the length of time local drivers need to spend in a low-speed environment.
 - (c) **Connectivity:** The neighborhood street pattern should be simple, and logical, with the following characteristics:
 - (i) “No outlet” streets will be highly discouraged and allowed only when street connectivity is unachievable:
 - (ii) The street pattern provides for safe and convenient movements for pedestrians, bicycles, and motor vehicles, including transit.
 - (d) **Design Speed:** The design of the streets will control vehicular speeds under normal driving conditions to that specified in the residential street standards, while maintaining reasonable access for emergency vehicles.
 - (e) **Minimize Maintenance Costs:** The street will not create additional city obligations for maintenance and repair that exceed a standard street section.
 - (f) **Adequate Parking:** The site design provides for adequate on-street and off-street parking to serve the area.
 - (g) **Infill Streets:** In the case of infill development, the residential street design will not impair the functioning of, and will have a compatible transition to, the surrounding street system and will not negatively impact the character of the surrounding existing development. No additional density may result from approval of the reduced rights-of-way provided for in the case of Access Streets,

Access Lanes, or Residential Alleys.

(D) Residential Street Sections

Five residential street sections and a residential alley may be applied to the design of residential neighborhoods as part of subdivisions approved pursuant to Chapter 9-12, "Subdivision," B.R.C. 1981. Residential streets shall be designed in compliance with the standards outlined in Table 2-13, "Residential Street Design Standards," "Technical Drawings 2.63 - 2.68," Chapter 11, of these Standards, and the requirements of this Section.

- (1) **Residential Collector Street:** The residential collector street collects and distributes neighborhood traffic from residential streets to community collector and arterial transportation systems, and provides access to individual properties. The residential collector street is designed for residential streets where anticipated traffic volumes range from 1,000 to 2,500 vehicle trips per day. In addition to the requirements outlined in Table 2-13, "Residential Street Design Standards," and "Technical Drawing 2.63," Chapter 11, the residential collector street shall be designed to meet the following minimum standards:
 - (a) Parking: On-street parking is allowed on both sides.
 - (b) Bicycle Facilities: Additional street and right-of-way width shall be provided where onstreet bicycle lanes are required by a City-adopted subcommunity or area plan, the TMP, or the BVCP.
 - (c) Provision of Alleys: Where alleys are provided or required to be provided under a City-adopted subcommunity or area plan, onsite parking spaces shall be accessed from the alley and not the street.
 - (d) Emergency Response: Residential collectors exceeding 500 feet in length from any intersection shall provide a secondary emergency access at 500-foot intervals.
- (2) **Residential Street:** The residential street is designed to provide access to individual properties as well as access to the higher classification street network. The residential street provides for neighborhood circulation and may carry neighborhood traffic and through movements. The residential street is designed to carry traffic volumes in the range of 500 to 1,000 vehicles per day. The residential street shall be designed to meet the minimum standards shown in Table 2-13, "Residential Street Design Standards," and "Technical Drawing 2.64," Chapter 11, of these Standards.

Table 2-13: Residential Street Design Standards

Design Standards	Residential Collector	Residential Street	Rural-Type Residential Street	Access Street	Access Lane	Residential Alley
Design Speed	25 mph	25 mph	20 mph	15 mph	10 mph	10 mph
Design Traffic Volumes (Vehicle Trips Per Day)	1,000 -2,500	500 - 1,000	500 - 1,000	400	250	N/A
Minimum Right-of-Way	60'	60'	60'	40'	30'	16'
Minimum Pavement Section	<u>32'</u>	<u>30'</u>	22' plus 2' gravel shoulders	26'	20'	12'
Sidewalk	5'	<u>4'</u>	4' where required	4'	N/A	N/A
Streetscape Planting Strip	8'	<u>8'</u>	N/A	N/A	N/A	N/A
Minimum Centerline Radius	300'	150'	150'	100'	100'	100'
Minimum Curb Radius	20'	20'	20'	10'	10'	10'
Maximum Length Between Connecting Streets	<u>500'</u>	500'	500'	<u>350'</u>	<u>350'</u>	<u>N/A</u>
Maximum Street Length - No Outlet	500'	500'	500'	<u>150'</u>	<u>150'</u>	500'
Maximum Street Length - Loop or Circle Street	<u>500'</u>	<u>500'</u>	<u>500'</u>	<u>500'</u>	<u>500'</u>	<u>500'</u>
Minimum Turn-Around Area	35' Radius	35' Radius	30' Radius or "Y" or "T" Turn	30' Radius or "Y" or "T" Turn	25' Radius or "Y" or "T" Turn	25' Radius or "Y" or "T" Turn
Emergency Response Set Up Area Intervals	N/A	N/A	N/A	150'	150'	N/A
Sidewalk Placement	Detached Required	Detached Required	Adjacent to Property Line Where Required	<u>Attached</u>	N/A	N/A
Curb and Gutter	Required	Required	N/A	Required	N/A	N/A
On-Street Parking	Allowed	Allowed	Allowed	Allowed	Allowed	Not Allowed
Minimum Lot Frontages	N/A	N/A	60' no alley 40' w/ alley	<u>60'</u> no alley <u>40'</u> w/alley	<u>60'</u>	N/A
Maximum Number of Units to be Accessed	N/A	N/A	N/A	<u>25 single family</u>	<u>15 single family</u>	N/A

NOTE: Residential street standards that are underlined may be varied through Section 9-2-14, "Site Review," B.R.C. 1981.

- (a) Parking: Parking is allowed both sides or, on residential streets where parking is restricted or prohibited, off-street parking courts providing parking spaces at a ratio of 0.5 spaces per dwelling unit shall be provided.
 - (b) Bicycle Facilities: Additional street and right-of-way width shall be provided where on-street bicycle lanes are required by a City-adopted subcommunity or area plan, the TMP, or the BVCP.
 - (c) Provision of Alleys: Where alleys are provided or required to be provided under a City-adopted subcommunity or area plan, onsite parking spaces shall be accessed from the alley and not the street.
 - (d) Emergency Response: Residential streets exceeding 500 feet from any intersection shall provide a secondary emergency access at 500-foot intervals.
- (3) **Rural Residential Street**: The rural residential street is designed to provide access to individual properties as well as access to the higher classification street network. The rural residential street provides for neighborhood traffic and through movements, and is designed to carry traffic volumes in the range of 500 to 1,000 vehicles per day. The rural residential street shall be provided where prescribed by a City-adopted subcommunity or area plan to maintain the rural character of an area or neighborhood. The rural residential street is a curbless paved street section, with gravel shoulders for parking and open roadside ditches for drainage. In addition to the requirements outlined in Table 2-13, “Residential Street Design Standards,” and “Technical Drawing 2.65,” Chapter 11, the rural residential street shall be designed to meet the following standards:
- (a) Parking: Allowed on both sides of the street.
 - (b) Turnaround Standard (No Outlet Streets): If a “Y” or “T” turnaround is proposed in place of a standard cul-de-sac bulb turnaround, the “Y” or “T” turnaround shall be designed 60 feet long and 20 feet wide. The turnaround area (including sidewalks if required) shall be contained within the dedicated right-of-way.
 - (c) Provision for Future Sidewalks: If sidewalks are not required at the time of initial street construction, adequate space in the right-of-way shall be reserved for a future sidewalk and commitments from adjacent property owners to participate in assessment districts shall be obtained, so that sidewalks can be added and funded in the future when they are appropriate.
 - (d) Sidewalk Placement (Where Required): Sidewalks shall be required where vehicular traffic volumes are anticipated to exceed 1,000 trips per day, on routes to school, and as prescribed by a City-adopted subcommunity or area plan. Sidewalks shall be placed outside of the paved roadway and drainage ditch, and inside the right-of-way line.
 - (e) Roadside Drainage Ditches: Sideslopes along roadside drainage ditches shall be 4:1, and driveway culverts, at least 12 inches in diameter with flared end sections or headwalls, shall be installed by owners at driveways.
 - (f) Land Use Requirements: Lot frontages shall be at least 60 feet wide, unless alley access is provided. Lot frontages with alley access shall be at least 40 feet wide.

Two onsite parking spaces, meeting all City requirements, shall be provided on each single-family lot.

- (g) Provision of Alleys: Where alleys are provided or required to be provided under a City-adopted subcommunity or area plan, onsite parking spaces shall be accessed from the alley and not the street.
 - (h) Emergency Response: Rural residential streets exceeding 500 feet from any intersection shall provide a secondary emergency access at 500-foot intervals.
- (4) **Access Street**: The access street provides public access to no more than 25 single-family dwelling units, where anticipated vehicular volumes would not exceed 400 trips per day. The access street is narrow, to ensure slower speeds for vehicular travel, and provides sidewalks along both sides of the street. In addition to the requirements outlined in Table 2-13, “Residential Street Design Standards,” and “Technical Drawing 2.66,” Chapter 11, the access street shall comply with the following minimum standards:
- (a) Parking: Parking is allowed on both sides of the street or, if parking is not provided on-street, a parking court at a ratio of 0.5 spaces per dwelling unit is required.
 - (b) “L” Intersections: “L” intersections may be permitted as part of subdivision, and are subject to approval by the Director. Where permitted, “L” intersections shall have at least a 150-foot-long tangent street section from the intersection to the closest curvature and a minimum corner radius of 50 feet.
 - (c) Circle or Loop Street: If a circle or loop street is proposed as part of subdivision, the street shall connect to a higher classification street, or connect to two separate perpendicular or offset higher classification streets.
 - (d) Turnaround Standard (No outlet streets): If a “Y” or “T” turnaround is proposed in place of a standard cul-de-sac bulb turnaround, the “Y” or “T” turnaround shall be designed with a 60 foot length, 20 foot width. The turnaround area (including sidewalks if required) shall be contained within dedicated right-of-way.
 - (e) Land Use Requirements: A residential access street shall connect to a higher classification street. Lot frontages shall be at least 60 feet wide, unless alley access is provided. Lot frontages with alley access shall be at least 40 feet wide. Two onsite parking spaces, meeting all City requirements, shall be provided on each single-family lot.
 - (f) Provision of Alleys: Where alleys are provided or required to be provided under a City-adopted subcommunity or area plan, onsite parking spaces shall be accessed from the alley and not the street.
 - (g) Emergency Response: Access streets exceeding 175 feet from any intersection shall provide a fire apparatus setup area at 150 foot intervals. The setup area shall provide at least 30 foot long, 25 foot wide clear zone, and is subject to approval by the Fire Department.
- (5) **Access Lane**: The access lane provides public access to no more than 15 single family dwelling units, where anticipated vehicular traffic volumes would not exceed 250 trips per day. The access lane is a narrow “shared street” for all modes of travel (vehicular, bicycle,

and pedestrian), without curb and gutter or sidewalks, and must connect with a higher classification street. In addition to the requirements outlined in Table 2-13, “Residential Street Design Standards,” and “Technical Drawing 2.67,” Chapter 11, the access lane shall comply with the following minimum standards:

- (a) **Parking:** Parking is allowed.
 - (b) **“L” Intersections:** “L” intersections shall have a minimum 150-foot long tangent street section from the intersection to the closest curvature and a minimum corner radius of 50 feet.
 - (c) **Circle or Loop Street:** A circle or loop street shall connect to a higher classification street, or connect to two separate perpendicular or offset higher classification streets.
 - (d) **Turnaround Standard (No outlet streets):** A “Y” or “T” turnaround shall be designed with a 60 foot length, 20 foot width. The turnaround area (including sidewalks if required) shall be contained within dedicated right-of-way.
 - (e) **Land Use Requirements:** An access lane shall connect to a higher classification street. Lot frontages shall be at least 60 feet wide. Two onsite parking spaces, meeting all City requirements, shall be provided on each single-family lot. If the minimum lot frontage requirement is not met, additional parking spaces shall be provided at a ratio of 0.5 spaces per dwelling unit as a part of the subdivision. These required spaces shall be located on private property.
 - (f) **Right-of-Way Landscaping:** Landscaping other than ground cover or low shrubbery shall be placed outside of the right-of-way.
 - (g) **Emergency Response:** Access streets exceeding 175 feet from any intersection shall provide a fire apparatus setup area at 150 foot intervals. The setup area shall provide a minimum 30-foot long, 25 foot wide clear zone, and is subject to approval by the Fire Department.
- (6) **Residential Alley:** The residential alley is to provide secondary vehicular access to the rear of lots in detached single-family dwelling subdivisions with narrow street frontages, in order to limit curb cuts from the street and increase on-street parking. Alleys are most beneficial when lot widths are narrower than 50 feet. In addition to the requirements outlined in Table 2-13, “Residential Street Design Standards,” and “Technical Drawing 2.68,” Chapter 11, the residential alley shall be designed to meet the following minimum land use requirements: Backup distance for parking and garage access from the alley shall be 24 feet, including the 16-foot alley right-of-way width, and the remaining backup distance shall be provided on the lot being served.

2.10 Emergency Access Lanes

(A) Emergency Access Required

All industrial, commercial, and residential developments shall provide adequate emergency vehicle access. Adequate emergency access is a minimum 20 foot wide unobstructed fire apparatus access road with an unobstructed vertical clearance of 15 feet, and meets all applicable standards as set forth in Chapter 10-8, “Fire Prevention Code,” B.R.C. 1981.

(B) When Emergency Access Lane is Required

When adequate emergency access is not available from a public street, an applicant for construction approval shall construct an emergency access lane. Emergency access lanes must accommodate all emergency vehicles, including fire equipment.

(C) Secondary Emergency Access

Secondary emergency access lanes shall be provided to structures whenever the distance to the nearest public street equals or exceeds 500 feet. Secondary access lanes shall conform to all design requirements specified for emergency access lanes.

(D) Local Emergency Access Lane Standards

In addition to the emergency access standards set forth in Chapter 10-8, "Fire Prevention Code," B.R.C. 1981., an emergency access lane shall equal or exceed the following standards:

- (1) **Direct Route:** Emergency access lanes shall provide the shortest practical direct access to points of concern, and be entirely contained within a minimum, continuous 20 foot wide emergency access easement or public right-of-way.
- (2) **Distance From Structure:** Emergency access lanes shall be provided whenever a structure is located more than 150 feet from fire apparatus access.
- (3) **Surface:** An emergency access lane shall consist of either of the following:
 - (a) Two concrete strips at least 4 feet wide, with a 4-foot separation between them. Vegetation other than grass shall not be permitted in the separation area.
 - (b) A minimum continuous paved surface width of 12 feet.
- (4) **Radius:** An emergency access lane shall provide a minimum turning radius of 25 feet, or the radius needed to accommodate an SU-30 vehicle.
- (5) **Turnarounds:** If the length of the emergency access lane exceeds 150 feet (without an outlet accessible to emergency vehicles), then a turnaround with a minimum radius of 45 feet shall be provided.
- (6) **Grade:** The grade for an emergency access lane shall not exceed five percent. Exceptions may be allowed with specific approval from the City of Boulder Fire Chief where this standard cannot be met due to topographical conditions.
- (7) **Vertical Clearance:** Vertical clearance from the surface of the emergency access lane shall be at least 15 feet.

(E) Unobstructed Access

Emergency access lanes shall be kept free and clear of all obstructions. If the Director or Fire Chief determines that barriers are needed to prevent automobile traffic from using an emergency access lane, then the applicant for construction approval shall install traffic bollards. Traffic bollard designs shall provide for immediate access of emergency vehicles, without requiring these vehicles to stop and maneuver around, or unlock, any structures. The Director and Fire Chief shall have final approval of all bollard designs.

(F) Access Identification

Signs and pavement markings will be required if necessary by the Director and Fire Chief to delineate and identify emergency access lanes. All signage for emergency access lanes shall conform with the specifications in the MUTCD.

2.11 Bicycle Facilities and Multi-Use Path Design

(A) Conformance with Bicycle System Plan

The arrangement, type, and location of all bicycle paths, trails, and routes shall conform with the “Bicycle System Plan” section in the TMP. All new construction shall conform to the standards for bicycle lane facilities outlined in this section, the “Guide for the Development of Bicycle Facilities” prepared by the American Association of State Highway and Transportation Officials and the “Regulatory Negotiation Committee on Outdoor Developed Areas” prepared by the United States Architectural and Transportation Barriers Compliance Board (Access Board).

(B) On-Street Bike Lanes - Streets Without On-Street Parking

Bicycle lanes on new streets without on-street parking shall be at least 5 feet wide, exclusive of the curb pan, or 6.5 feet from the face of any curb. On existing streets where on-street bike lanes are being added and available right-of-way or improvements space is restricted, the width of the bicycle lane may be reduced to at least 5 feet wide, inclusive of the curb pan.

(C) On-Street Bike Lanes - Streets With On-Street Parking

Bicycle lanes on new streets with on-street parking shall be at least 5 feet wide, exclusive of the parking lane, or 13 feet from the face of any curb. On existing streets where on-street bike lanes are being added and available right-of-way or improvements space is restricted, the width of the bicycle lane may be reduced to at least 5 feet wide, exclusive of the parking lane, or 12 feet from the face of any curb.

(D) Off-Street Bike Paths or Trails

Design for off-street bike trails or paths shall conform to the design guidelines detailed in the City’s “Greenways Design Guidelines” adopted as part of the Tributary Green ways Master Plan. Off-street bike trails or paths shall be at least 10 feet wide with an inside edge radius of at least 15 feet and shall conform to “Technical Drawing 2.02D,” Chapter 11, of these Standards.

(E) Bicycle Parking

Bicycle parking should be located in a visible and prominent location that is lit at night and physically separated from automobile parking to prevent vehicles from intruding into the bike parking area. All bicycle parking constructed in the City of Boulder shall conform to the provisions in the Section 9-9-6(g), “Bicycle Parking,” B.R.C. 1981 or as adopted in any subcommunity or area improvement plan.

- (1) **Bicycle Parking in Public Right-of-Way:** Bicycle parking racks located in the public right-of-way shall be designed using either the inverted “U” rack standard or the

~~Cora~~inverted “U” racks on rails style rack standard. A minimum aisle of 5 feet shall be provided for bikes to maneuver in when accessing the rack. All racks shall be attached to a concrete base using a high security tamper proof anchor such as a mushroom head carbon steel expansion anchor “spike” #5550 as manufactured by Rawl or an equivalent theft-proof device.

- (a) Inverted “U” Rack: The inverted U rack is designed to park two bicycles, facing opposite directions, parallel to the rack. For the rack to meet its design specification of parking two bikes, it must be installed according to the specifications below, otherwise it will be considered to provide parking for one bike. The inverted U standard may be installed with the following conditions:
- (i) Where the U rack is installed oriented parallel to a wall or curb, at least 3.0 feet shall be provided between the parallel wall or curb and the center of the rack. Where a bike rack is located near a curb with “head-in” automobile parking, a minimum distance of 5 feet from the curb to the center of the rack is required to avoid damage to bicycles or racks by automobiles extending across the curb over the sidewalk.
 - (ii) Where the U rack is installed oriented perpendicular to a wall or curb, a minimum distance of 4 feet from the wall or curb to the center of the rack will be provided to allow two bikes to access and use the rack.
 - (iii) Where placed side-by-side, bike racks shall be placed at least 3.5 feet apart to accommodate ease of access to the racks.
 - (iv) Where placed in a series of 2 or more and parallel to a wall, inverted U racks will be separated by a minimum distance of 10 feet between the centers of the racks to allow access to both sides of the rack.
 - (v) The location of a bike rack shall maintain a minimum unobstructed sidewalk width of 6 feet from any bicycle parked properly in the bike rack.
 - (vi) The location of a bike rack shall maintain a minimum unobstructed distance of 3 feet from any pedestrian curb ramp to any bicycle parked properly in the bike rack.
- (b) Inverted “U” Racks on Rails: The inverted U racks on rails are designed to park four to ten bicycles, with two bikes facing opposite directions parked on either side and parallel to each inverted U rack. These racks allow locking of frame and wheel with a U-lock and support bikes with two points of contact. For the rack to meet its design specifications of parking bikes from both sides, it must be installed according to the conditions of the inverted U rack listed above; otherwise it will be considered to provide no more than half of its designed parking capacity.

~~Cora Style Racks:~~ The Cora style standard is designed to be loaded from both sides without an overlap

of the handlebars of the bicycles parked on the two sides. For the rack to meet its design specification of parking bikes from both sides, it must be installed according to the conditions below, otherwise it will be considered to provide half the rated bike parking. The Cora style standard can be installed with the following conditions:

~~Where a bike rack is located perpendicular to a curb with “head-in” automobile parking, a minimum distance of 4 feet from the curb to the end of the rack is required to avoid damage to bicycles or racks by automobiles extending across the curb over the sidewalk.~~

~~A minimum of 10 feet of clear space is required on both sides of a Cora style rack. This provides 5 feet of space for bike parking and a 5-foot access aisle for both sides of the rack. When a series of racks are provided, a common 5-foot access aisle can serve two racks.~~

~~The location of a bike rack shall maintain a minimum unobstructed sidewalk width of 6 feet from any bicycle parked properly in the bike rack.~~

~~The location of a bike rack shall maintain a minimum unobstructed distance of 3 feet from any pedestrian curb ramp to any bicycle parked properly in the bike rack.~~

- (2) **Onsite Bicycle Parking:** Bicycle parking should generally be provided within 50 feet of the main building entrance. Racks must be installed according to the guidelines in (1) above to reach their designed parking capacity. Otherwise, they shall be credited with no more than half their design capacity. Bicycle parking racks or lockers located on development or project sites or in parking lots outside of public right-of-way shall generally be selected from the following standards:

- (a) Inverted “U” Rack: The inverted “U” rack is recommended for most bike rack installations, and is one of the standards for bicycle parking in public rights-of-way as required in Subsection (1) above. Each rack provides space for two bicycles, and allows flexibility in parking by providing two supports for attaching locks. The “U” rack may be used individually where space is limited, or, in circumstances requiring a larger amount of bike parking, inverted “U” racks on rails may be used to park four to ten bikes. Inverted “U” racks and inverted “U” racks on rails shall meet the specifications for the dimensions and installation shown in Chapter 11, “Technical Drawings,” of these Standards in clusters where space is available for concentrated bike parking.
- (b) Cora Style Racks: ~~The Cora rack will accommodate more than eight bicycles and is one of the standards for bicycle parking in public rights-of-way as required in Subsection (1) above. The Cora style rack is recommended where space exists for concentrated bike parking, such as in a parking structure or lot.~~
- (c) Other Bike Rack Styles: Another rack style may be approved by the Director of Public Works if it meets the following criteria:
- (i) Provides at least two contact points between the rack and the bike to securely support the bike;

- (ii) Provides at least a 2 foot by 6 foot parking space for each bike without the need to lift the handlebars of one bike over those of another to park;
 - (iii) Allows the frame and one wheel to be locked to the rack with a standard high security, U-shaped shackle lock.
 - (iv) The rack is uncomplicated and intuitively simple for the bicyclist to use.
- (d~~c~~) Lockers: Bicycle lockers provide secure weatherproof storage for bike parking. Lockers are recommended for employee and longer-term parking and require adequate space, since they require more area than bicycle racks.

2.12 Street Lighting

(A) Scope

The provisions of this section shall apply to public streets, and are subject to the restrictions outlined in the Section 9-9-16, "Lighting, Outdoor," B.R.C. 1981.

(B) Guidelines for Street Lighting

(1) Street Light Requests

- (a) Public Service Company (PSC) of Colorado is responsible for providing street lighting as requested by the City.
- (b) Before considering new or additional local street light requests, the City will require unanimous consent of all affected owners of property within 100 feet of proposed street light locations and the support of at least 51 percent of the total number of owners of properties within 500 feet of proposed locations.

(2) **Costs:** The installation costs of street light fixtures, excluding those that provide a demonstrated safety need, shall be paid by the applicant requesting the installation. The City will assume continued maintenance and energy costs associated with new installations.

(3) **Priorities for Installation:** Streetlights may be provided on the basis of identified traffic need with priorities established as follows:

- (a) Reduction of an identified night time traffic accident problem correctable through street light installation.
- (b) Major traffic corridors with significant turning movement conflicts and night time pedestrian activity.
- (c) Major traffic corridors with significant night-time turning movement conflicts.
- (d) Arterial and collector intersections and/or horizontal or vertical alignment changes.
- (e) Residential street lighting.

- (f) Commercial alleys with significant night-time pedestrian activity.
- (4) **Design:** Street lights installed in public rights-of-way shall be an energy efficient lighting source (high pressure sodium or metal halide) with a minimum of ambient or reflected light (full cut-off fixtures). The City has adopted the Illuminating Engineering Society's (IES) American National Standard Practice for Roadway Lighting as the design standard for all city streets, with the following modifications:
 - (a) Expressway and Arterial: Street lighting shall be based on IES standards.
 - (b) Other Streets: Street lighting may be provided at intersections and identified pedestrian crossings only. Lighting may be considered at locations with demonstrated needs based on changes in horizontal or vertical alignments. Fixtures shall be 70-watt power unless street width or other conditions justify higher wattage.
 - (c) Alleys: Except for alleys in commercial areas with significant night time pedestrian activity, the city will not provide alley lighting.
 - (d) Private Driveways: Street lighting installed at the intersection of private driveways and city streets shall be installed using City standards, be located outside of the public right-of-way, and all costs for installation, maintenance, and continued energy expenditures shall be the responsibility of the applicant requesting the lighting installation.

(C) Easements

Adequate rights-of-way or utility easements shall be dedicated to the City to allow PSC of Colorado to install street lights. Facilities with detached bike paths or sidewalks may use a combined signage, utility, and pedestrian easement for placement of the street lights between the curb and bikeway provided that the requirement for 2 feet of horizontal clearance from the sidewalk or bike path is met. Where a bike path or sidewalk is attached to the street curb and gutter, street lights shall be placed behind the sidewalk or path within a minimum 3-foot wide utility easement. Utility easements for street lights are not exclusive, and may be landscaped or used for parking subject to City approval. If there is an exclusive gas easement behind an attached walk or path, the street lights shall be located beyond that easement in an additional three-foot wide easement or the gas easement shall be relocated.

**CITY OF BOULDER
DESIGN AND CONSTRUCTION STANDARDS**

**CHAPTER 11
TECHNICAL DRAWINGS**

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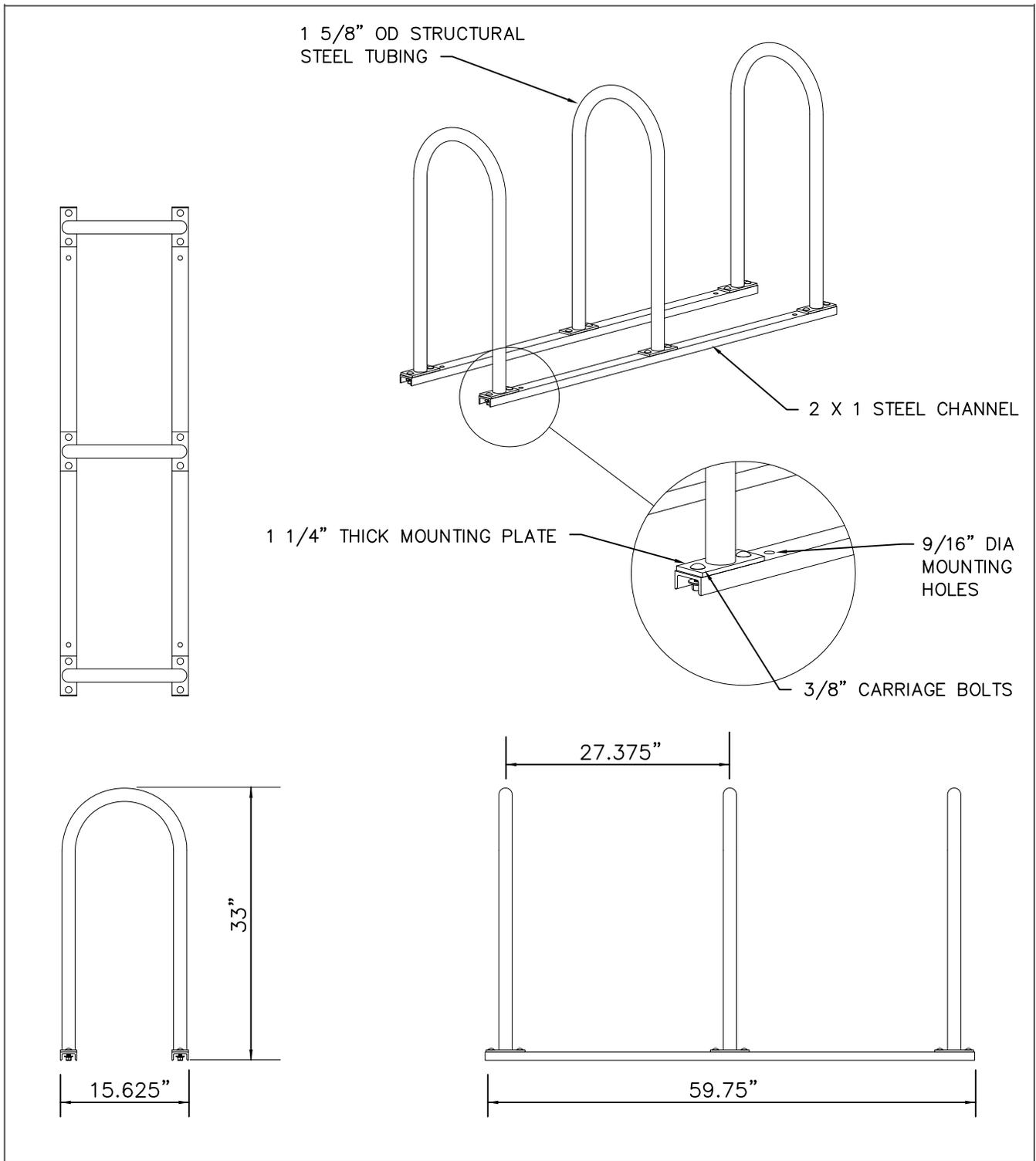
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<p>DRAWN BY: BG CHECKED BY: MR APPROVED BY: DIRECTOR OF PUBLIC WORKS</p>	<p>CITY OF BOULDER, COLORADO INVERTED "U" BICYCLE RACKS ON RAILS</p>	<p>ISSUED: REVISED: DRAWING NO. 2.53</p>
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**CITY OF BOULDER
PLANNING BOARD ACTION MINUTES
July 17, 2014
1777 Broadway, Council Chambers**

C. Public hearing to receive feedback on proposed changes to the Parking Standards of Title 9, “Land Use Code,” B.R.C. 1981 relative to 1) identified inconsistencies and standards that are often problematic and require update and 2) new bicycle parking standards by land use. The proposed changes were identified as part of the Access Management and Parking Strategy (AMPS) process relative to parking citywide.

Staff Presentation:

K. Guiler and **M. Ratzel** presented the item.

Board Questions:

K. Guiler answered questions from the board.

Bill Fox, the transportation consultant, answered questions from the board.

Public Hearing:

No one from the public spoke.

Board Comments:

C. Gray expressed concern that Topic 2: Driveway Parking Standards would encourage people to park over the sidewalk. For Topic 7, she wanted to assure that there would not be unintended consequences.

Topic 7: Simplifying Parking Requirements for Restaurants, Brewpubs and Taverns

L. May wanted to assure that restaurant seating patterns were taken into account and questioned whether the number of people at a restaurant changes depending on the weather; the client base may just move between interior and exterior seats.

A. Brockett noted that this could significantly raise the parking requirements for businesses. He requested more analysis and examples to provide a better understanding of the ramifications.

J. Putnam agreed with **A. Brockett**. He would like to see more analysis to avoid unintended consequences.

A. Brockett recommended restricting the percentage of restaurants by square footage. Develop tiers depending on the number of restaurants.

Topic 1: Updating RH-1 Parking Standards

C. Gray opposed the addition of curb cuts for homes with access to an alley; she felt that they decrease the walkability of neighborhoods.

L. May thought **C. Gray’s** point was legitimate. Remove curb cuts where alley access is available.

B. Bowen recommended that the revised code remove the parking requirement for projects with 60% or more one-bedroom units.

J. Gerstle was interested in learning more about this and requested additional analysis on this topic.

J. Putnam suggested moving **B. Bowen's** parking reduction recommendation to Phase 2 unless information is already readily available.

L. May noted that this could perform differently based upon the location.

A. Brockett noted that the board previously received a great deal of analysis on RH-2 parking standards that were virtually identical to the proposed RH-1 parking standards. This is a simplified version of that, therefore he felt comfortable with this proposal.

Topic 2: Making Driveway Parking Standards for RL-2 Consistent with other Districts

Topic 3: Specifying Non-Residential Parking Requirements in the RH-6 Zoning District

The board felt comfortable with topic three.

Topic 4: Updating Accessible Parking Requirements

B. Bowen looked at NCA117.1, the ADAG. Both documents specify the size, arrangement and clearances requirement for the stalls, but they do not specify the number. The ADA specifies the number. He thought it was either one or both.

J. Putnam thought the concept made sense but prior to approval he would want to assure that the federal standard is keeping up with Boulder's demographics.

Topic 5: Reducing the Parking Rate for Low Parking Demand Nonresidential Land Uses

The board felt comfortable with topic five.

Topic 6: Simplifying Parking Standards for Retail Centers (Restaurants, Brewpubs and Taverns)

A. Brockett noted that restaurants currently require more parking than other retail uses. He suggested restricting the percentage of restaurants by square footage. Include two or three tiers. Reduce the complexity.

Topic 8: Add Duplex to Single Family Detached

The board saw little distinction between single family residential and duplexes.

C. Gray wanted to avoid unintended consequences in locations such as the Hill. She recommended that staff discuss this concept with neighbors on the Hill. Nonconforming duplexes could reduce the parking requirements.

B. Bowen noted that this is currently a hole in the code. There is not currently a requirement.

C. Gray cited an email from her neighbor that that there are many VRBO rentals and old properties that have been turned into VRBO's where parking districts are not enforced.

B. Bowen asked that there be requirements to make parking lots more user friendly. Add sidewalks, and increase tree count and hardscape permeability requirements.

C. Gray exited the meeting at 11:06pm.

Bike Parking Code Requirements and Design Standards:

J. Putnam noted that hotels may not need the same bike rack requirements as multifamily residential and suggested that outlets for electric bikes be added to the standards. He also recommended drafting standards for bike repair spaces in housing complexes with smaller unit sizes.

J. Gerstle agreed with **J. Putnam's** hotel comment.

A. Brockett commented on the difference between office and retail bike parking requirements. Office bike parking should have a 50:50 short term and long term bike parking ratio with the exception of medical offices; they behave more like retail spaces.

B. Bowen thought that this was fantastic and applauded staff for going this far with the rev

CITY OF BOULDER
PLANNING BOARD ACTION MINUTES
September 18, 2014
1777 Broadway, Council Chambers
DRAFT

- A. Public hearing to consider a recommendation to City Council on an ordinance amending Title 9, "Land Use Code," B.R.C. 1981, to (1) simplify various vehicular parking standards and reduce quantitative requirements for warehouses, storage facilities, and airports and (2) create new land use - based bicycle parking standards. The proposed changes were identified as part of the Access Management and Parking Strategy (AMPS) process relative to parking citywide.

Staff Presentation:

C. Ferro introduced the item.

K. Guiler and **M. Ratzel** presented the item to the board.

Board Questions:

K. Guiler answered questions from the board.

C. Ferro answered questions from the board.

Board Questions:

Full name, the **role**, answered questions from the board.

Public Hearing:

No one from the public spoke.

Board Comments:

C.Gray 58 mins- listen.

L.May was interested in adding a sunset provision to the x after two years. He wanted to get ahead of the curve to allow parking spaces to be converted to ADA standards.

A.Brockett thought that two years was too short for the sunset provision.

J. Putnam agreed with L.May and thought it was likely to shift over time. He thought 2 years was too short and that it could depend on the feds and the changes that they make.

L.Payton recommended that staff reach out to the disabled community to get their input.

L.May thought that it could be helpful to reach out to the senior community as well.

B.Bowen suggested that staff reach out to organizations that help disabled populations. He felt that ADA was on the ball and felt comfortable tying it to ADA.

L.Payton and B.Bowen agreed that it could also be good to reach out to the local population.

L.May thought that our standards should address the local population as opposed to the national standard because the demographics may be different.

J.Gerstle thought that the bicycle x goal was too modest. He noted that the city is doing everything possible to increase cycling and he thought that we should plan for success and more ambitious bicycle parking requirements.

C.Gray and J.Putnam agreed with J.Gerstle. J.Putnam thought that electric bikes could encourage more people to ride and could affect future demand.

L.May agreed with J. Gerstle and noted that it can be difficult to find bike parking downtown. He has noticed that there has been an increase in biking and thought it would be good to support that.

A.Brockett thought that it would be good to be ambition but also didn't want to waste resources in locations with little bike activity. He would support a directive to be a bit more ambitious.

B.Bowen thought that it could make sense to be more ambitious in commercial and multifamily areas.He would support pushing a bit more on the commercial sites. He also thought that it could be good to put more bike racks on busses.

A.Brockett would support duplexes being treated as single family homes for parking purposes. (with the exception of Uni Hill if possible).

B.Bowen agreed... 1.10.

L.May agreed with A.Brockett and also understood staff's perspective. He suggested adding a clause that pertained to land to building ratios.

C.Gray would support the staff recommendation but thought it was a missed opportunity not to add a overlay on uni hill where conditions are unique.

B.Bowen would support staff's recommendation but thought that it would be good to be more restrictive because the board could always relax the requirement. He noted that car ownership is rates are very low for cooperative housing models for future discussion.

Motion:

Hella will send final language

On a motion by J. Putnam, seconded by J.Gerstle, the Planning Board voted 7-0 to approve... language.

J. Putnam picked 25% mode share increment by taking the target numbers and multiplying them by 1.25. It was arbitrary but a general target. He thought that this would help staff to generate a recommendation to City Council, but wanted to note that this was not a set number. The board had not crunched the numbers enough to have an exact number.

On a friendly amendment by J. Gerstle to non-residential areas, accepted by J. Putnam.

C.Gray was in support of reduction but wanted to make a statement that MPP was a companion with other initiatives such as EcoPass use. She did not want ... listen to suggested motion language 1.25. She was trying to be proactive and let the AMPS folks know that there will need to be enforcement.

On a motion by **J. Putnam** seconded by **L. May**, the Planning Board voted 7-0 to recommend approval to the City Council of an ordinance amending Title 9, "Land Use Code," B.R.C. 1981, to (1) simplify various vehicular parking standards and reduce quantitative requirements for warehouses, storage facilities, and airports and (2) to create new land use-based bicycle parking standards, and of an ordinance amending the Design and Construction Standards related to bicycle parking design standards to eliminate the Cora-style bike parking rack style and codify the use of inverted U racks for all bike parking requirements as recommended by staff with the following exception: that the bicycle parking for commercial uses be increased by 25% across the board and that staff reach out to disability and senior advocacy groups prior to the City Council hearing and that Council consider the long term adequacy of the ADA Parking requirements.

Friendly amendment by **J. Gerstle**, accepted by **J. Putnam** and **L. May**, to revise the motion recommending an increase of the proposed requirements for commercial uses to referring to nonresidential uses rather than commercial uses.

On a motion by **C. Gray**, seconded by **L. May**, the Planning Board recommend that during the AMPS analysis, that the Neighborhood parking program be fully funded and made available to lessen impacts that parking reductions for restaurants, taverns, and brewpubs could potentially cause to adjacent residential areas and that the MPP program have adequate enforcement.

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CITY OF BOULDER
BOULDER, COLORADO
BOARDS AND COMMISSIONS MEETING
MINUTES

Name of Board/ Commission: Transportation Advisory Board
Date of Meeting: 8 July 2013
Contact Information Preparing Summary: Kaaren Davis 303-441-3233
Board Members Present: Andria Bilich, Dom Nozzi, Jessica Yates, Matt Moseley Board Members Absent: Zane Selvans
Staff Present: Tracy Winfree, Director of Public Works for Transportation Kathleen Bracke, GO Boulder Manager J.R. Clanton, Transportation Budget Analyst Marni Ratzel, Senior Transportation Planner Bill Cowern, Acting Principal Traffic Engineer Brett KenCairn, Senior Environmental Planner Carlos Hernandez, Fox-Tuttle Consulting Chris Hagelin, Senior Transportation Planner Kaaren Davis, Board Secretary
Type of Meeting: Advisory/ Regular
Agenda Item 5: Public hearing and consideration of a recommendation regarding development-related bicycle parking requirements [6:06 p.m.] Marni Ratzel presented the item.
Executive Summary from Packet Materials: The City of Boulder is considering changes to bike parking requirements for new development. While the city provides some bicycle parking in public areas of the downtown commercial district, property owners are required to provide adequate bike parking for their buildings throughout the city. Development-related bicycle parking requirements are codified under Title 9, "Land Use Code" of the Boulder Revised Code (BRC). According to the BRC, the Transportation Advisory Board (TAB) cannot get involved in any review under the land use regulation, title 9 , "Land Use Code," B.R.C. 1981, unless its opinion is requested by the city council. While Planning Board will consider a staff recommendation and approval of proposed development-related bike parking requirements, a TAB recommendation is being sought as part of the public input to guide the Planning Board in its decision-making process. The BRC requires the TAB to hold a public hearing prior to making any recommendation. Improvements to the city's development-related bicycle parking requirements will better meet demand and cyclist's needs and is an important element of an integrated multimodal transportation system. As part of the <i>Complete Streets: Bike and Pedestrian Innovations</i> focus area of the 2013 Transportation Master Plan Update, the city is developing strategies to enhance bicycling opportunities for residents, commuters, students, and visitors. While the TMP Update is underway, work on regulations for new development was already in progress with results already available. Staff believes it is prudent to advance changes to these bike parking regulations for new development and incorporate the changes into the TMP Update. This bike parking policy analysis is also being coordinated with the 2013 <i>Access Management & Parking Strategies</i> (AMPS) interdepartmental process.
Board Discussion and comments included: <ul style="list-style-type: none"> • Whether there is or will be pushback from development community regarding the cost of fulfilling the requirements. • Suggestion for additional criteria for bike parking design that it should seek to minimize damage to bike frames. • Clarification on changes to minimum bike parking space requirements and the move to uncouple bike parking from car parking and connect it to land usage and occupancy. • Bike share at transit stations currently, and how the recommendation would change this. Effects on RTD. • The more bike parking there is, the more people will ride. Good way to increase mode share. • An expression of preference for the multi-parking spiral model wherein the connecting part between loops

is along the ground rather than over the top.

- How staff is working towards guidance for the development community regarding long term bike parking.
- Codification of the location of bike racks in relation to business.
- Process for learning from the implementation with a goal of further review and improvements.
- Clarification of calculation of mode share regarding the recommendations for bike parking at Park-n-Rides.
- Discussion of the requirement for placing bike parking on a hard surface such as concrete or asphalt.

Public Comment: None

Motion: Nozzi, Seconded by Moseley

TAB recommends that Planning Board adopt policy direction and approach for changes in Bike Parking Requirements as per the staff recommendation wherein requirements are calculated based on: land use and square footage, units/bedrooms (for prior ratio see attachment C and for design see Attachment D).

Vote: 4-0 Motion Passes

An audio recording of the full meeting for which these minutes are a summary, is available on the Transportation Advisory Board web page.

FOX TUTTLE HERNANDEZ

TRANSPORTATION GROUP

Date: September 4, 2014

To: Karl Guiler

From: Carlos Hernandez

RE: Summary of RH-1 and RH-2 parking supply and demand

This memorandum summarizes a parking supply and demand study completed for housing projects within the RH-1 and RH-2 zone districts in the city of Boulder. Parking supply and demand data was collected in August and September of this year. The key findings are listed below.

- The actual RH-1 off-street parking demand ranged from 0.4 to 1.04 spaces per dwelling unit.
- The actual RH-2 off-street parking demand ranged from 0.4 to 0.53 spaces per dwelling unit.
- There is underutilized off-street parking in the RH-1 and RH-2 zones after 9:00 PM (supply exceeds demand). The same is true when combining both the off-street and on-street parking supply and demand.
- Adjusting the RH-1 parking supply requirements to be the same as the RH-2 requirements would meet the current parking demand based on the results of the 2014 field studies.

Current Parking Code Requirements

The current City of Boulder parking code has different requirements for RH-1 and RH-2 zone districts as illustrated in the table below. The RH-1 zone requires parking using a square footage calculation. The RH-2 zone requires parking by the total number of dwelling units and their associated size (number of bedrooms). Currently, RH1 typically requires more parking overall than RH2.

Figure 1: (9-9-6 Parking Standards, Table 9.1)

Zone District Standard	RR, RE, MU-1, MU-3, BMS, DT, A, RH-6	RMX-2, MU-2, MH, IMS	RL, RM, RMX-1, RH-4, RH-5, BT, BC, BR, IS, IG, IM, P, RH-2	RH-1	RH-3	MU-4, RH-7
Minimum number of off-street parking spaces for a detached dwelling unit (DU)	1	1	1	1 space for detached DUs construction prior to 9/2/1993. Use the requirements below for DUs built after 9/2/1993	1	0
Maximum number of off-street parking spaces for an attached DU	N/A	N/A	N/A	N/A	N/A	1 space per DU
Minimum number of off-street parking spaces for an attached DU	1	1 for 1- or 2-bedroom DU 1.5 for 3-bedroom DU 2 for a 4 or more bedroom DU	1 for 1-bedroom DU 1.5 for 2-bedroom DU 2 for 3-bedroom DU 3 for a 4 or more bedroom DU	1 space for first 500 square feet and 1 additional space for each 300 square feet or portion thereof not to exceed 4 spaces per DU	1 for 1-bedroom DU 1.5 for 2-bedroom DU 2 for 3-bedroom DU 3 for a 4-or-more-bedroom DU	0

Summary of RH1 and RH2 Parking

September 4, 2014

Page 2

RH-1 and RH-2 Field Study

Parking supply and demand studies we conducted in August and September 2014 to determine the available parking supply and the peak parking demand per dwelling unit in the RH-1 and RH-2 zones. The field study evaluated each parcel and individual dwelling unit in the zones. The off-street and on-street parking was evaluated independently and then consolidated to account for the urban nature of RH-1 and RH-2 zones. The supply and demand rate ranges are shown below and detailed in the attached tabulation.

Parking Supply Rate Results:

RH1 parking supply (existing multi-family buildings)

- the district ranges from 0.48 (off street only) to 2.15 (with on-street) spaces per dwelling unit

RH2 parking supply (existing multi-family buildings)

- the district ranges from 0.91 (off street only) to 1.20 (with on-street) spaces per unit

Parking Demand Rate Results:

Parking demand (August 7, 2014 @ 8:00 PM)

- RH1 range was 0.40 to 0.78 spaces per unit (off street only) and 0.73 to 0.98 spaces per unit (with off-street and on-street)
- RH2 range was 0.40 spaces per unit (off street only) to 0.52 spaces per unit (with off-street and on-street)

Parking demand (Sept 3, 2014 @ 8:00 PM)

- RH1 range was 0.43 to 1.04 spaces per unit (off street only) and 0.56 to 1.38 spaces per unit (with off-street and on-street)
- RH2 range was 0.53 spaces per unit (off street only) to 0.72 spaces per unit (with off-street and on-street)

In summary, the RH-1 off-street parking demand was typically at or below 1 space per dwelling unit, and the combined off-street and on-street parking demand was below 1.4 spaces per dwelling unit. In this context, we would expect that applying the RH-2 parking standards to the RH-1 zones would provide adequate parking, in both the off-street and combined off-street and on-street situations.

RH-1 and RH-2 Parking Study



1. Parking Supply Rates

District	Number of Dwelling Units	Parking Supply			
		Total Off Street Spaces	Total On Street Spaces	Supply Rate (off-street)	Supply Rate (on & off-street)
RH-1 (Canyon and 9th)	82	39	31	0.48	0.85
RH-1 (Arapahoe)	89	141	50	1.58	2.15
RH-2 (Canyon)	128	117	36	0.91	1.20

2. Parking Demand Rates (August 7, 2014 @ 8:00 PM)

District	Number of Dwelling Units	Parking Demand (August 7, 2014)			
		Off Street Demand	On Street Demand	Demand Rate (Off-street)	Demand Rate (on & off-street)
RH-1 (Canyon and 9th)	82	33	27	0.40	0.73
RH-1 (Arapahoe)	89	69	18	0.78	0.98
RH-2 (Canyon)	128	51	16	0.40	0.52

3. Parking Demand Rates (Sept 3, 2014 @ 8:00 PM)

District	Number of Dwelling Units	Parking Demand (September 3, 2014)			
		Off Street Demand	On Street Demand	Demand Rate (Off-street)	Demand Rate (on & off-street)
RH-1 (Canyon and 9th)	82	35	11	0.43	0.56
RH-1 (Arapahoe)	89	93	30	1.04	1.38
RH-2 (Canyon)	128	68	24	0.53	0.72

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Date: September 4, 2014

To: Karl Guiler

From: Carlos Hernandez

RE: Summary of ADA Residential Parking

The following summarizes ADA accessible (ADA) parking at new residential developments in the city of Boulder. Each of the developments provided ADA parking based on the current residential parking requirements in the city code. The key findings are listed below.

- The current city parking requirements for accessible parking spaces at residential developments requires up to 1.5 times more parking than the federal standard requires.
- The additional accessible parking is not being fully utilized during the evening peak parking hours based on September 2014 field study.
- In this context, it appears that the City could relax its current accessible parking space requirements to be consistent with the federal standard.

ADA Parking Requirements

The U.S. Department of Justice (DOJ) issued new regulations under the Americans with Disabilities Act (ADA) in 2010. The new rules affect state and local governments (Title II of the ADA), as well as public accommodations and commercial facilities (Title III). The regulations include the new 2010 ADA Standards for Accessible Design, outlining minimum accessibility requirements for buildings and facilities. New construction projects must meet minimum standards with very few exceptions. Alterations to existing projects are also subject to strict requirements, though those requirements can vary based on existing structural conditions. Existing buildings and facilities that are not undergoing planned alterations are viewed differently. Additional information can be found at (<http://adata.org/factsheet/parking>). In general, one accessible parking space is required for every 25 regular parking spaces provided, but there is no guidance specific to residential only developments.

The current City of Boulder parking code requires 1 accessible parking space per every 7 dwelling units (DU) for projects that have more than 7 DU. The requirements are shown below. The current requirements exceed the ADA regulations. As an example, the current city code would require a project with 25 dwelling units to provide approximately 2.5 or 3 accessible parking spaces. The ADA regulations only require 1 ADA parking space (assuming 1 parking space per dwelling unit on average).

Figure 1: (9-9-6 Parking Standards, Table 9.1)

Zone District Standard	RR, RE, MU-1, MU-3, BMS, DT, A, RH-6	RMX-2, MU-2, MH, IMS	RL, RM, RMX-1, RH-4, RH-5, BT, BC, BR, IS, IG, IM, P, RH-2	RH-1	RH-3	MU-4, RH-7
Accessible space requirement	0 spaces for the first 7 DUs, 1 space per 7 DUs thereafter					

Summary of ADA Parking Research

September 4, 2014

Page 2

ADA parking supply within recently constructed projects

The following table provides a summary of the ADA parking space supply, utilization and violations at residential developments in the city that have applied the parking code. The parking spaces are located in underground parking garages and in surface parking lots as shown.

	Street Location	Total ADA Parking Spaces	ADA Parking Spaces in Garage	ADA Parking Spaces in Lot	ADA Parking Space % Occupancy and # of Violations
29th Street Place	30th St. and Walnut St.	10	9	1	50% / 0
The Lofts at Peloton-Boulder	33rd St. and Arapahoe Ave.	14	6	8	14% / 1
Landmark Lofts	28th St. Frontage Road and College Ave.	6	6 (as a total in two garages)	0	0% / 0

Boulder Industrial Area Parking Supply and Demand Study



Warehouse	Warehouse Size (1,000 sq. ft.)	Parking Supply		Weekday Afternoon Parking Demand		
		(spaces)	Supply Rate (spaces per 1,000 sq. ft.)	(spaces)	(% occupancy)	Demand Rate (spaces per 1,000 sq. ft.)
Area 1	11.0	41	3.73	19	46%	1.73
Area 2	11.0	11	1.00	6	55%	0.55
Area 3+4+5 - Surface		324		160	49%	
Area 3+4+5 - On Street		37		13	35%	
Area 3+4+5 (Total)	188.0	361	1.92	173	48%	0.92
Area 6	101.0	185	1.89	114	60%	1.13
Aggregate for All Six Areas	311.0	598	1.92	312	52%	1.00



Google earth

feet
meters



Industrial Bldgs 1 + 2
(Auto parking only - Not Trucks)



Google earth



*Industrial Bldgs 3 - 6
inventory the auto parking spaces - NOT TRUCKS*

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April 28, 2014

Mr. Karl Guiler, AICP
Senior Planner/Code Amendment Specialist
City of Boulder Department of Community Planning & Sustainability
1739 Broadway, 3rd Floor
Boulder, CO 80306-0791

Re: Proposed parking code revision for airplane hangars at the Boulder Municipal Airport

Dear Karl,

At your request, I have prepared a draft recommendation for creating a parking supply requirement for airplane hangars at the Boulder Municipal Airport. In preparation of this recommendation I have:

- Reviewed various publications listing the parking requirements for airplane hangars at small municipal airports in other communities,
- Reviewed existing hangar and parking configuration at a number of small municipal airports in Colorado using available aerial photography,
- Discussed the existing hangar and parking conditions at the Boulder Municipal Airport with the airport manager.

In the process it was noted that:

- Many communities require one parking space per aircraft that is stored (or space for a stored aircraft), although the rate ranged as low as one space per four aircraft stored.
- Many other communities require parking spaces on a per floor area of the storage space basis, with rates typically in the range of one space per 1,500 to 2,000 sq. ft. of storage floor area.
- A stored personal aircraft typically occupies 1,200 to 1,500 sq. ft. of space.
- In many communities, airport uses in or adjacent to airplane hangars that are not specific to airplane storage, such as designated office space or commercial areas, typically have parking rates applied that are specific to those other types of uses for that portion of the space.
- Many small airports surveyed had very few formal parking spaces adjacent to the airplane hangars used for storage. Yet, when the aerial photos used in the survey were taken, there were very few parked automobiles noted in the vicinity of the aircraft hangars.
- It is my understanding that many people who store their airplane in a hanger also park their automobile within the hangar when the airplane is in use.

Mr. Karl Guiler, AICP

Proposed parking code revisions for airplane hangars at the Boulder Municipal Airport

April 28, 2014

Page 2

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- Except for during special airport events, the number of airplane owners that are parked at their airplane hangars at the same time is typically low. In this context, it is likely that parking spaces at an airport have the potential to serve multiple stored aircraft.
 - It is my understanding that the Boulder Municipal Airport currently has a parking supply of over 260 spaces when counting all designated lots and adjacent gravel areas that are considered available for automobile parking. On the day the aerial photo was taken, approximately 80 vehicles were parked at the airport (approx. 31% occupancy). The airport manager has indicated that this is typical at the Boulder Municipal Airport.
 - The existing automobile parking spaces at the Boulder airport serves a range of uses, including:
 - private hangar space for 88 airplanes
 - surface tie down spots for 68 airplanes (with only 18 airplanes parked when photographed)
 - space for up to 50 gliders (only 17 parked when photographed)
 - additional airplanes parked near hangars (8 observed when photographed)
 - 56,000 sq. ft. of executive hanger space
 - 27,000 sq. ft. of office space.
 - It is my understanding that the Boulder Municipal Airport can serve commercial flights arriving to pick up or drop off passengers, but the airport classification does not allow it to function as a commercial terminal with scheduled passenger flights.

On this basis I offer the following:

- It is clear that Boulder's airport has more than enough automobile parking in aggregate to serve the existing airport activity and typical parking demand.
- Boulder's parking code should be updated to include specific automobile parking rates for airport hangars used for airplane storage. These rates should acknowledge the likely parking demand associated with the airplane storage function rather than apply other unrelated parking rates for uses such as "industrial or warehousing".
- Additional uses that occur in or adjacent to airplane hangars, other than airplane storage, should have parking rates applied that are specific to those other types of uses (such as "office").
- My proposed parking supply rates for airplane storage are as follows:
 - **1 parking space for every 4 outside airplane or glider tie-down spaces**
 - **1 parking space for every 4,000 sq. ft. of private airplane hangar space (with or without external or internal walls)**
 - **1 parking space for every 2,000 sq. ft. of commercial or "executive" airplane hangar space**
 - **Parking for all other uses calculated based on rates for other specific uses.**
- These rates reflect the less intense use of hangars or tie-downs for private airplane storage, and a more intense use of airplane hangar space for commercial operations.
- These rates are intended to provide necessary parking while minimizing "excess" parking being required.
- When I apply these rates to the existing airport property I estimate a supply of 172 spaces (including 27,000 sq. ft. of office space with a supply of one space per 300 sq. ft.). This total is 110 spaces less than currently available at the airport, and over twice the typical parking demand of 80 spaces observed.

I hope this information is helpful. Please let me know if you have any questions.

Sincerely,

FOX TUTTLE TRANSPORTATION GROUP, LLC

Mr. Karl Guiler, AICP

Proposed parking code revisions for airplane hangars at the Boulder Municipal Airport

April 28, 2014

Page 3



William C. Fox, P.E.

Principal

Attachments: Billing Rate Sheet

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Boulder Shopping Center Parking Supply and Demand Study



Shopping Center	Shopping Center Size (1,000 sq. ft.)	Parking Supply		Weekday Afternoon Parking Demand			Friday Evening Parking Demand			Saturday Afternoon Parking Demand		
		(spaces)	Supply Rate (spaces per 1,000 sq. ft.)	(spaces)	(% occupancy)	Demand Rate (spaces per 1,000 sq. ft.)	(spaces)	(% occupancy)	Demand Rate (spaces per 1,000 sq. ft.)	(spaces)	(% occupancy)	Demand Rate (spaces per 1,000 sq. ft.)
Willow Springs	55.0	246	4.47	174	71%	3.16	146	59%	2.65	72	29%	1.31
The Village	215.9	898	4.16	548	61%	2.54	599	67%	2.77	540	60%	2.50
Table Mesa - King Sooper Only	55.0	191	3.47	147	77%	2.67	153	80%	2.78	139	73%	2.53
Table Mesa - Except King Soopers	216.0	746	3.45	604	81%	2.80	518	69%	2.40	373	50%	1.73
Table Mesa (Total)	271.0	937	3.46	751	80%	2.77	671	72%	2.48	512	55%	1.89
29th Street - Surface Lots and Street Only		1,450		999	69%		899	62%		1,185	82%	
29th Street - Parking Structures Only		1,779		734	41%		573	32%		593	33%	
29th Street (Total)	851.0	3,229	3.79	1,733	54%	2.04	1,472	46%	1.73	1,778	55%	2.09
Whole Foods - Surface Lots Only		755		571	76%		454	60%		518	69%	
Whole Foods - Structure Only		79		65	82%		19	24%		66	84%	
Whole Foods (Total)	145.0	834	5.75	636	76%	4.39	473	57%	3.26	584	70%	4.03
Basemar	83.3	493	5.92	280	57%	3.36	219	44%	2.6	213	43%	2.63
Aggregate for All Six Centers	1,621.2	6,637	4.09	4,122	62%	2.54	3,580	54%	2.21	3,699	56%	2.28

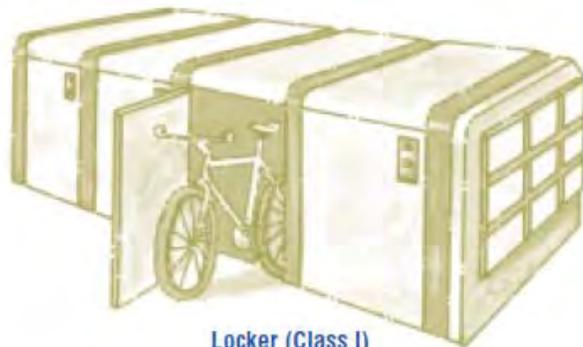
City of Boulder Bike Parking Standard Designs



Inverted "U" (Class II)



Cora (Class I)



Locker (Class I)

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Land use examples of existing and proposed bike parking space requirements

Land Uses	Units/Sq. Ft.	Existing		Proposed	
		(long, short)	Total	(long, short)	Total
<i>Residential</i>					
Red Oak Park - 2637 Valmont	79	(0, 42)	42	(119, 40)	158
Two Nine North - 30th Street	238	(0, 36)	36	(358, 120)	476
Element Properties - 1707 Walnut	17	(0,8)	8	(26,9)	34
Landmark Lofts II - 970 28th Street	138	(128,50)	178	(207,69)	276
950 28th Street	84	(170,38)	208	(126,42)	168
<i>Dining and Entertainment</i>					
Dunkin' Donuts	3,106	(0, 4)	4	(1, 3)	4
McDonald's	4,610	(0, 4)	4	(2, 5)	6
Upslope	16,393	(0, 20)	20	(5, 16)	22
<i>Lodging</i>					
St Julien Hotel & Spa	158,742	(34, 24)	58	(17, 17)	34
Hampton Inn	61,500	(0, 14)	14	(17, 17)	34
<i>Medical and Financial</i>					
BCH - Foothills	418,000	(0,104)	104	(208, 70)	279
BCH Broadway	304,530	(28,18)	46	(152, 50)	203
Boulder Medical Center	76,200	(0,20)	20	(28, 13)	51
<i>Office</i>					
Park Central - 1739 Broadway	20,910	(24,10)	34	(10,3)	14
New Britain Building - 1101 Arapahoe	13,851	(0,12)	12	(7,2)	9
Municipal Building - 1777 Broadway	23,657	(0,28)	28	(12,4)	16
Atrium Building - 1300 Caynon Blvd	12,392	(0,16)	16	(6,2)	8
3333 Walnut Street	158,199	(0,42)	42	(79,26)	105
1738 Pearl Street	42,000	(0,19)	19	(21,7)	28
<i>Commercial, Retail, and Industrial</i>					
Walgreens	14,820	(0, 8)	8	(5, 15)	20
Alfalfa's Market	36,066	(0, 20)	20	(12, 36)	48
Trader Joes	14,200	(0, 14)	14	(4, 10)	19
Christie's Sports	8,820	(0,10)	10	(4,10)	12
<i>Mixed Use</i>					
901 Pearl	4 / 6,396	(0,6)	6	(9,3)	12
1175 Lee Hill Drive	31 / 1,395	(0,17)	17	(47,16)	63

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2.11 Bicycle Facilities and Multi-Use Path Design

(E) Bicycle Parking

Bicycle parking should be located in a visible and prominent location that is lit at night and physically separated from automobile parking to prevent vehicles from intruding into the bike parking area. All bicycle parking constructed in the City of Boulder shall conform to the provisions in the Section 9-9-6(g), Bicycle Parking,” B.R.C. 1981 or as adopted in any subcommunity or area improvement plan.

(1) **Bicycle Parking in Public Right-of-Way:** Bicycle parking racks located in the public right-of-way shall be designed using either the inverted “U” rack standard or the inverted “U” racks on rails standard. A minimum aisle of 5 feet shall be provided for bikes to maneuver in when accessing the rack. All racks shall be attached to a concrete base using a high security tamper proof anchor such as a mushroom head carbon steel expansion anchor “spike” #5550 as manufactured by Rawl or an equivalent theft-proof device.

- (a) **Inverted “U” Rack:** The inverted U rack is designed to park two bicycles, facing opposite directions, parallel to the rack. For the rack to meet its design specification of parking two bikes, it must be installed according to the specifications below, otherwise it will be considered to provide parking for one bike. The inverted U standard may be installed with the following conditions:
- (i) Where the U rack is installed oriented parallel to a wall or curb, at least 3.0 feet shall be provided between the parallel wall or curb and the center of the rack. Where a bike rack is located near a curb with “head-in” automobile parking, a minimum distance of 5 feet from the curb to the center of the rack is required to avoid damage to bicycles or racks by automobiles extending across the curb over the sidewalk.
 - (ii) Where the U rack is installed oriented perpendicular to a wall or curb, a minimum distance of 4 feet from the wall or curb to the center of the rack will be provided to allow two bikes to access and use the rack.
 - (iii) Where placed side-by-side, bike racks shall be placed at least 3.5 feet apart to accommodate ease of access to the racks.
 - (iv) Where placed in a series of 2 or more and parallel to a wall, inverted U racks will be separated by a minimum distance of 10 feet between the centers of the racks to allow access to both sides of the rack.
 - (v) The location of a bike rack shall maintain a minimum unobstructed sidewalk width of 6 feet from any bicycle parked properly in the bike rack.

Deleted: Cora

Deleted: style rack

(vi) The location of a bike rack shall maintain a minimum unobstructed distance of 3 feet from any pedestrian curb ramp to any bicycle parked properly in the bike rack.

(b) Inverted “U” Racks on Rails: The inverted U racks on rails are designed to park four to ten bicycles, with two bikes facing opposite directions parked on either side and parallel to each inverted U rack. These racks allow locking of frame and wheel with a U-lock and support bikes with two points of contact. For the rack to meet its design specifications of parking bikes from both sides, it must be installed according to the conditions of the inverted U rack listed above, otherwise it will be considered to provide no more than half of its designed parking capacity.

(2) **Onsite Bicycle Parking:** Bicycle parking should generally be provided within 50 feet of the main building entrance. Racks must be installed according to the guidelines in (1) above to reach their designed parking capacity. Otherwise, they shall be credited with no more than half their design capacity. Bicycle parking racks or lockers located on development or project sites or in parking lots outside of public right-of-way shall generally be selected from the following standards:

(a) Inverted “U” Rack: The inverted U rack is recommended for bike rack installations, and is the standard for bicycle parking in public rights-of-way as required in Subsection (1) above. Each rack provides space for two bicycles, and allows flexibility in parking by providing two supports for attaching locks. The U rack may be used individually where space is limited, or in circumstances requiring a larger amount of bike parking, inverted U racks on rails may be used to park between four and ten bikes. The specifications for the dimensions of these racks are attached.

(c) Other Bike Rack Styles: Another rack style may be approved by the Director of Public Works if it meets the following criteria:

- (i) Provides at least two contact points between the rack and the bike to securely support the bike;
- (ii) Provides at least a 2 foot by 6 foot parking space for each bike without the need to lift the handlebars of one bike over those of another to park;
- (iii) Allows the frame and one wheel to be locked to the rack with a standard high security, U-shaped shackle lock.
- (iv) The rack is uncomplicated and intuitively simple for the bicyclist to use.

(d) Lockers: Bicycle lockers provide secure weatherproof storage for bike parking. Lockers are recommended for employee and longer-term parking and require adequate space, since they require more area than bicycle racks.

Effective: November 6, 2009 DESIGN AND CONSTRUCTION STANDARDS 2-31

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¶ ~~Cor Style Racks:~~ The Cora style standard is designed to be loaded from both sides without an overlap of the handlebars of the bicycles parked on the two sides. For the rack to meet its design specification of parking bikes from both sides, it must be installed according to the conditions below, otherwise it will be considered to provide half the rated bike parking. The Cora style standard can be installed with the following conditions: ¶

- (i) . Where a bike rack is located perpendicular to a curb with “head-in” automobile parking, a minimum distance of 4-feet from the curb to the end of the rack is required to avoid damage to bicycles or racks by automobiles extending across the curb over the sidewalk. ¶
- (ii) A minimum of 10 feet of clear space is required on both sides of a Cora style rack. This provides 5 feet of space for bike parking and a 5-foot access aisle for both sides of the rack. When a series of racks are provided, a common 5-foot access aisle can serve two racks. ¶
- (iii) . The location of a bike rack shall maintain a minimum unobstructed sidewalk width of 6 feet from any bicycle parked properly in the bike rack. ¶
- (iv) The location of a bike rack shall maintain a minimum unobstructed distance of 3 feet from any pedestrian curb ramp to any bicycle parked ¶ properly in the bike rack. ¶

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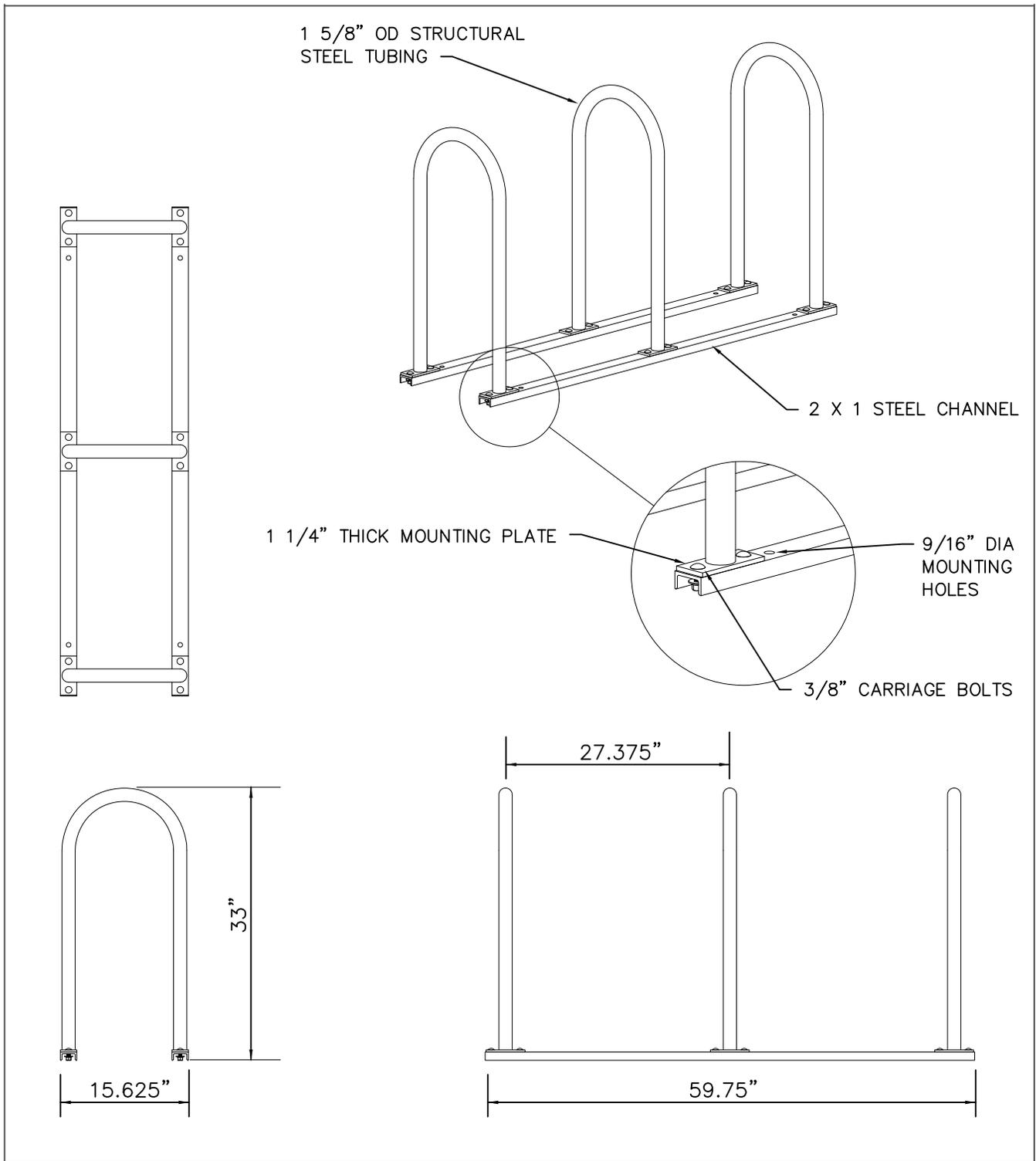
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¶ (b) Cor Style Racks: The Cora rack will accommodate more than eight bicycles and is one of the standards for bicycle parking in public rights-of-way as required in Subsection (1) above. The Cora style rack is recommended where space exists for concentrated bike parking, such as in a parking structure or lot.

Attachment M - Proposed amendments to DCS Section 2.11 (E) Bike Parking



<p>DRAWN BY: BG CHECKED BY: MR APPROVED BY: DIRECTOR OF PUBLIC WORKS</p>	<p>CITY OF BOULDER, COLORADO INVERTED "U" BICYCLE RACKS ON RAILS</p>	<p>ISSUED: REVISED: DRAWING NO. 2.53</p>
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Long term bicycle parking provides employees, students, residents, commuters and others who generally stay at a site for several hours a secure and weather protected place to park their bicycle. To comply with City of Boulder requirements, long term bike parking **must be enclosed and secure** to ensure protection from theft and inclement weather.



Long Term Bike Parking Guidelines

Long Term Bike Parking - Guidelines

Types of Bike Parking:

The purpose of a bike trip including how long a cyclist will leave their bicycle are important considerations in understanding where and what type of bike parking to provide. In general, cyclists either seek to short term or long term parking. *Short term bike parking* offers a convenient and accessible area to park bicycles for customers and other visitors who seek to leave their bicycle for two hours or less. *Long term bike parking* offers a secure and weather protected place to store a bicycle for several hours or more. Long term bicycle parking should be covered and located in a locked room, within an area that is within view of a parking attendant / employee work areas, or enclosed by a fence with a locked gate.

Long Term Bike Parking:

Long term bicycle parking provides employees, students, residents, commuters and others who generally stay at a site for several hours a secure and weather protected place to park their bicycle. Although long-term parking does not have to be provided on-site, the intent of these standards is to allow bicycle parking to be within a reasonable distance in order to encourage travel by bicycle.

To comply with City of Boulder requirements, long term bike parking must be enclosed and secure to ensure protection from theft and inclement weather. In general types of long term bike parking include enclosed storage lockers, a room within a building dedicated to bike parking or a stand alone building or enclosed bike shelter.

Bicycle parking racks are installed within the room or shelter to provide a space for a bicyclist to affix and lock their bicycle. Some options to increase the capacity within the storage space include vertical and double decker bicycle racks.



Basic Dimensions:

Bicycles are among the easiest vehicles to park because they are small in size and simple in design. Bicycle parking is significantly more efficient than parking for motorized vehicles. A standard bike is 6' long with handle bars 2' wide and approximately 4' tall. Envision the bicycle as a box that you need to move within the given space.



Bike Lockers

Description:

Bike lockers fully encloses each individual bicycle. They provide weather protection and are anchored securely to the ground resists tampering and vandalism. Bike lockers provide a physical barrier between thieves or weather and the individual bike.

Specifications:

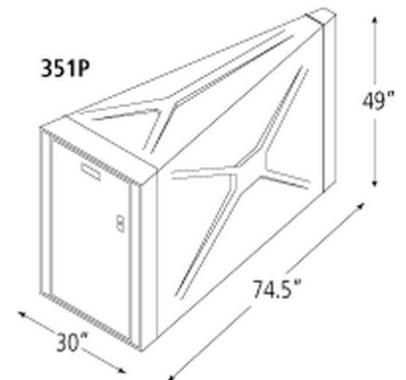
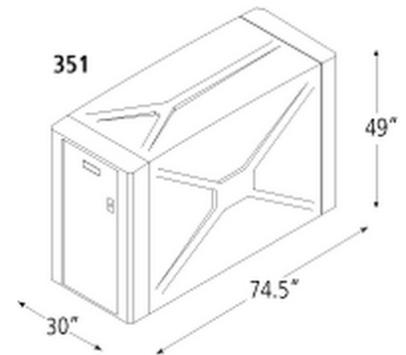
- » Locker doors should open to at least 90 degrees to allow easy loading/unloading.
- » Lockers should be clearly labeled as bicycle parking.
- » Directions for use should be posted on or near the lockers.
- » Information about how to sign up for lockers (leased or smartcard on-demand) should be posted on or near the locker.



Site Layout:

Ensure adequate end and side clearance for users to maneuver their bicycles around the parking area, given the increased size and obstruction of larger bicycle lockers. Also consider access from both sides where two-sided lockers are used.

Aisle spacing should: allow for simultaneous users, consider entry and exit flow and take into account door swing from opening lockers, both to allow the door to open and to maneuver the bicycle into and out of the locker.

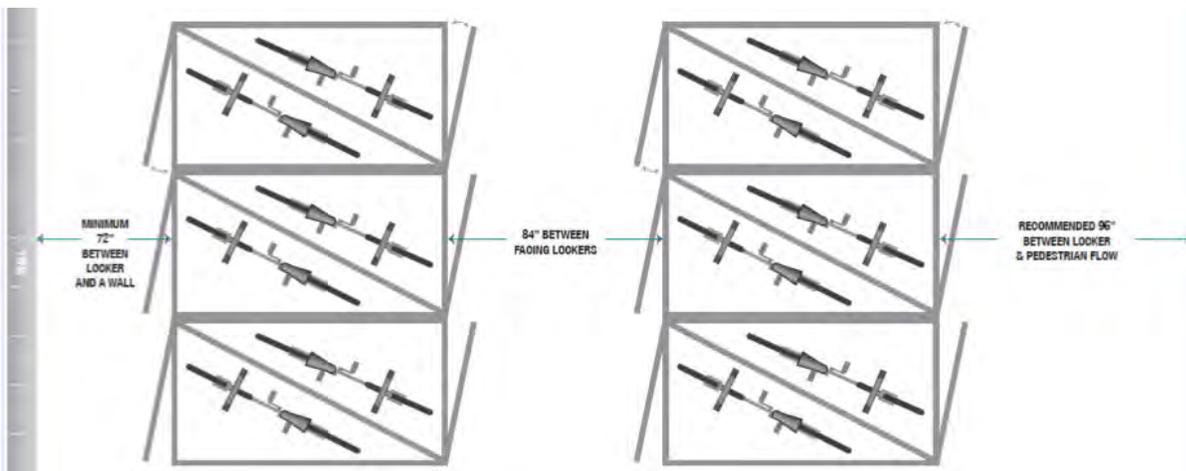


Advantages:

- » Low operating costs
- » High security

Disadvantages:

- » Space requirements per bicycle
- » Lack of capacity and other amenities for bicyclists



Bike Rooms and Cages

Description:

Bike rooms or cages are fully enclosed facilities that include racks on the inside. Access to bike cage/room is restricted to only the owners of the bicycles stored inside. Indoor storage rooms can be incorporated into employment or residential buildings. These rooms include racks and sometimes include other amenities such as lockers or showers.

Specifications:

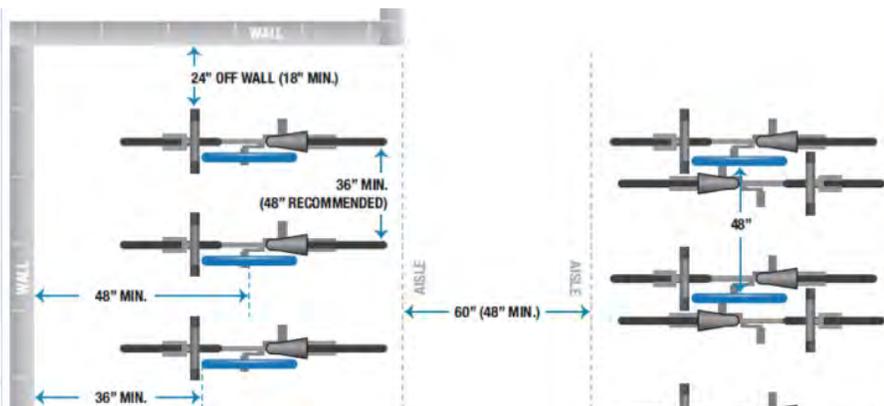
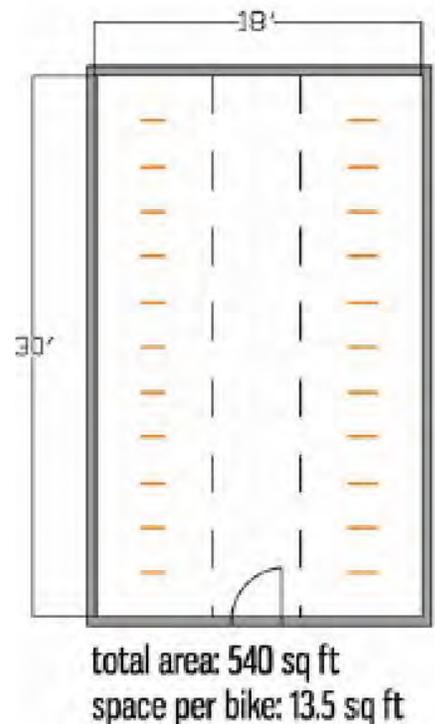
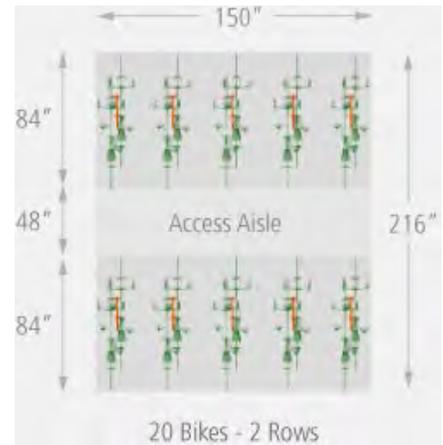
- » Approximately 15 square feet per bicycle parking space
- » Width of aisle serving single level of bike parking should be 5 feet minimum
- » Doors should be automatic opening if at all possible.
- » Corridor widths should be sufficiently wide so that there is both easy access and allows for easy turning movements.
- » Areas should be well lit, and in a convenient location
- » Room should be intuitive to use
- » Provide enough space to comfortably navigate when the facility is under high usage

Advantages:

- » Relatively low in capital cost
- » Can convert existing space in a parking garage or a room to provide bicycle parking
- » Can vary in design from basic chain-linked fenced areas to more elaborate indoor facilities

Disadvantages:

- » Since more than one person has access to these facilities, there are potential security issues in comparison to bike locker.
- » Potentially large space requirements



Custom Bike Parking Solutions

Description:

There are custom bike parking solutions to provide secure and covered bike parking for sites where storage space is limited. These still offer a safe and effective way to protect bikes from inclement weather conditions, vandalism and theft. An example would be the *Lambeth Bikehangar*:

www.cyclehoop.com/product/bike-lockers/bike-hangar

Specifications:

- » Solution specific

The Lambeth Bikehangar

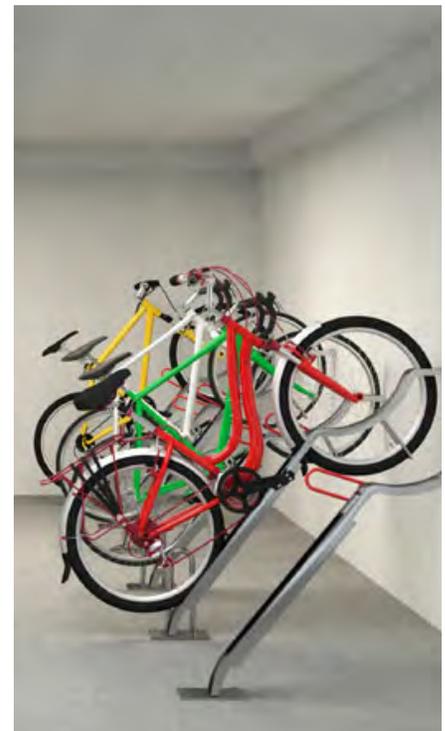
- » Stores up to six bicycles
- » Gas sprung door which remains open at the required height.
- » Can be placed in half a parking space.

Advantages:

- » Fit specific settings and situations where other options may not be possible.

Disadvantages:

- » May be more expensive than other long term bike parking solutions



Space Saving Solutions

Double Decker Bike Parking

Description:

Double Decker bike parking allows for increased space efficiency through the use of a second level of bicycle storage. Bikes on the second level sit in trays that can be lowered for easier loading.

Specifications:

- » Width of aisle serving double decker bike parking should be 7 feet minimum
- » Double decker bike parking is only possible in places with enough ceiling height

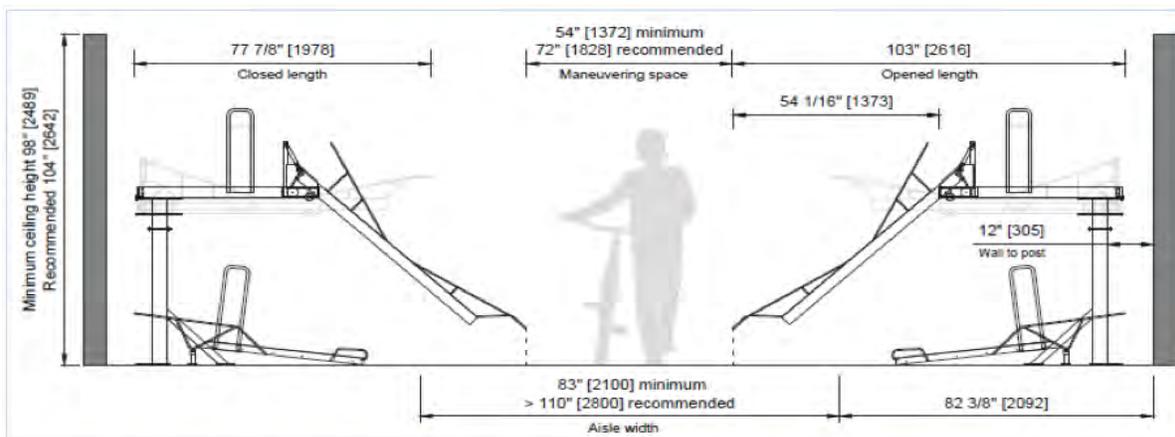
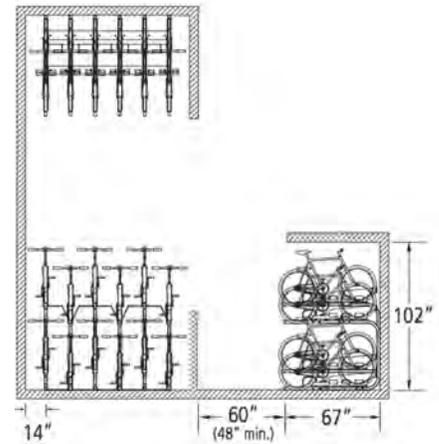


Advantages:

- » Increased space efficiency
- » Increased storage options within the facility

Disadvantages:

- » Moving parts are susceptible to malfunction and require periodic inspection
- » Design may not be intuitive so instructional signage may be needed
- » Medium to high cost per bicycle



(© Urban Bicycle Parking Systems 2014)

Space Saving Solutions

Vertical Bike Parking

Description:

Vertical bike parking solutions increase space efficiency by allowing bicycles to be mounted vertically on the walls. This type of rack requires manual lifting of bicycles in order to mount the bike to the rack.

Specifications:

- » Designs typically space bicycles 14 to 16 inches apart.
- » Maximum bicycle density is achieved by rack designs or installations that vertically stagger bicycles such that the handlebars overlap in space.
- » Raising every other bicycle about 12 inches achieves maximum density.

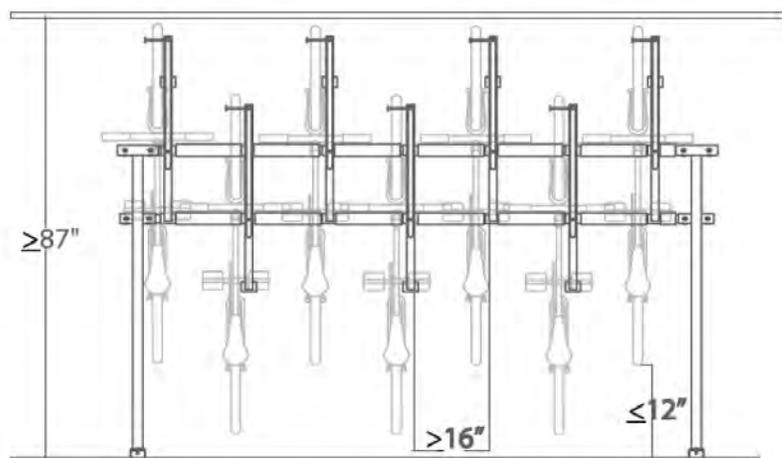
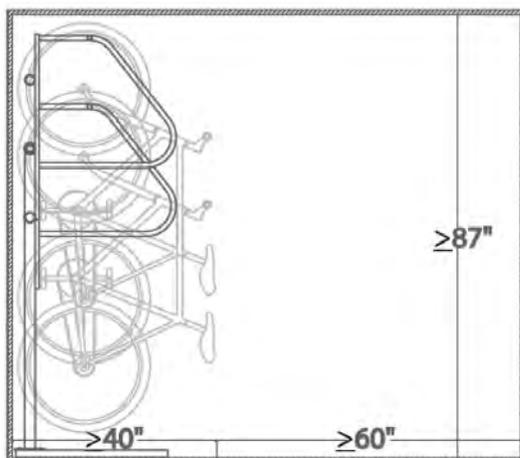


Advantages:

- » Increased space efficiency
- » Low cost per bicycle
- » Small footprint

Disadvantages:

- » May be difficult to lift bicycle to necessary position for some users
- » Design may not be intuitive so instructional signage may need to be provided to prevent misuse and injury.



Bike Parking Amenities

In designing and providing long term bike parking, consider including the following amenities that will further accommodate the needs of cyclists.

Repair Stations

Providing tools cyclist most need when bikes need tuning is essential for exceptional long term bike parking. Tools can everything from bike pumps and extra tubes to full-featured bike repair racks including wrenches, screwdrivers, and air pumps. These amenities will allow cyclists to perform repairs and maintenance, from changing a flat to adjusting brakes and gears.

All-in-one bike maintenance stations come with the necessary tools and air pump securely attached to a stand with stainless steel cables. Hanging the bike from a hanger arms allows the pedals and wheels to spin freely while making adjustments.

Recommended Spacing:

Wall setbacks:

- » Minimum of 48" from side of station to wall or other objects
- » Minimum of 12" from back of station to wall
- » Minimum of 6" between station and pump



Electric Assist Bike (eBike) Parking

Electric Assist Bikes must be charged fairly frequently. Providing a standard electrical outlet in or near the long term bike parking allows for electric assist bicycle users to charge their bikes conveniently and securely. Provide a table or shelf near the outlet where the users charging stand can be placed and stored.

Showers and Clothes Lockers

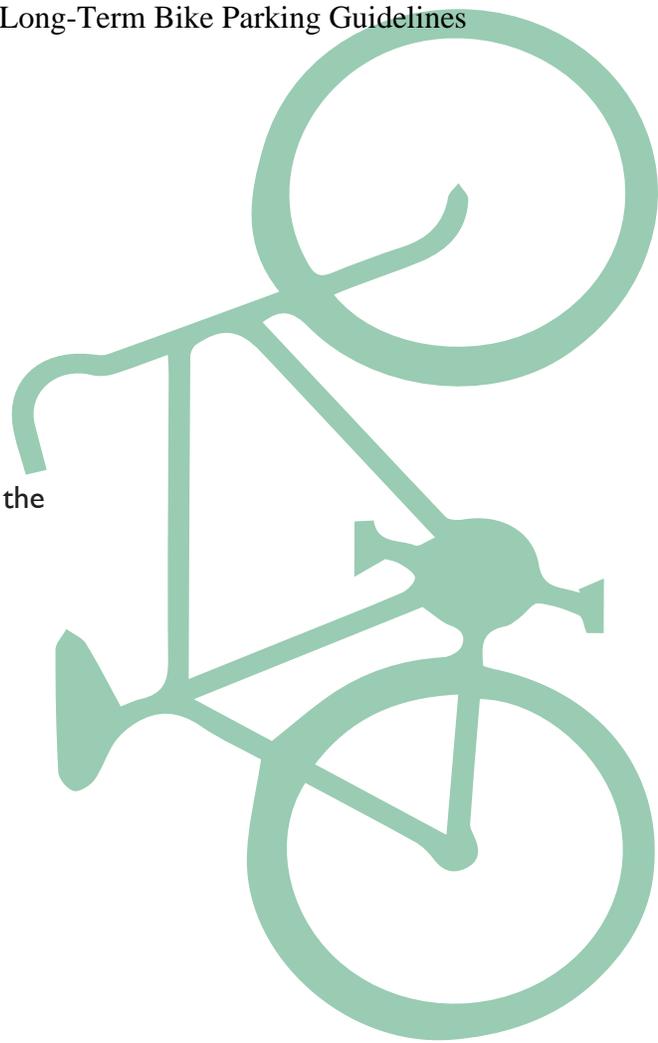
Other amenities, particularly for employers are cyclist showers and clothes lockers. These provide a place for cyclists to freshen up after a long ride or on a hot day.



For more information please
visit *goboulder.net*

Reference:

- Bicycle Parking Guidelines - A Set of Recommendations from the Association of Pedestrian and Bicycle Professionals (APBP)
- Urban Racks Bicycle Parking Guidelines
- City of San Francisco
- San Francisco Municipal Transportation Agency
- NYC Dept of City Planning Transportation Division
- City of Portland Office of Transportation
- Arlington County Guide to Effective Bicycle Parking
- <http://www.dero.com/>



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TO: Members of Council
FROM: Dianne Marshall, City Clerk's Office
DATE: November 6, 2014
SUBJECT: Information Packet

1. CALL UPS

None

2. INFORMATION ITEMS

None

3. BOARDS AND COMMISSIONS

- A. Human Relations Commission – October 20, 2014
- B. Open Space Board of Trustees – October 23, 2014

4. DECLARATIONS

- A. Small Business Saturday – November 29, 2014
- B. United Nations Day – October 24, 2014
- C. Veterans Speak Day – November 7, 2014

City of Boulder
BOARDS AND COMMISSIONS MEETING SUMMARY FORM

NAME OF BOARD/COMMISSION: Human Relations Commission
DATE OF MEETING: Oct. 20, 2014
NAME/TELEPHONE OF PERSON PREPARING SUMMARY: Robin Pennington 303-441-1912
NAMES OF MEMBERS, STAFF AND INVITED GUESTS PRESENT: Commissioners – Amy Zuckerman, Emilia Pollauf, Nikhil Mankekar, José Beteta Staff – Carmen Atilano, Robin Pennington Commissioners absent - Shirly White
WHAT TYPE OF MEETING (CIRCLE ONE) [REGULAR] [SPECIAL] [QUASI-JUDICIAL]
AGENDA ITEM 1 - CALL TO ORDER – The Oct. 20, 2014 HRC meeting was called to order at 6 p.m. by A. Zuckerman .
AGENDA ITEM 2 – AGENDA ADJUSTMENTS – None.
AGENDA ITEM 3 – APPROVAL OF MINUTES – N. Mankekar moved to conditionally accept the Sept. 15, 2014 minutes with changes. E. Pollauf seconded the motion. Motion carries 4-0.
AGENDA ITEM 4 – COMMUNITY PARTICIPATION (non-agenda action items) – Tamil Maldonado spoke about the problems that people without a social security number face finding housing in Boulder, even in cases where one family member does have the required documentation, and requested that the HRC look into revision of the Human Rights Ordinance to address potential discrimination.
AGENDA ITEM 5 – ACTION ITEMS A. 2014 Community Impact Fund Reports 1. Veterans Helping Veterans Now - Trisha Dittrick, Executive Director, gave a report on the Veterans Awareness Series. Acceptance of the report was tabled for November pending receipt of the 2014 budget. B. 2014 Community Event Reports 1. Boulder Asian Pacific Alliance – Brenda Pearson, Chair of the Boulder Asian Festival, gave a report on the Aug. 9 and 10 Boulder Asian Festival held on the Pearl Street Mall. J. Beteta moved to approve. E. Pollauf seconded. Motion carries 4-0. 2. Boulder Dance Coalition (formerly Village Arts Coalition) - Jim Schwartzkopff gave a report on the Village Arts Coalition International Festival, held on June 20, 21 and 22 on the Pearl Street Mall. E. Pollauf moved to approve. N. Mankekar seconded. Motion carries 4-0. 3. Dental Aid – Elva Quintana gave a report on the Community BBQ and Children’s Dental Health Screening held at the Dental Aid office on Aug. 2. J. Beteta moved to approve. E. Pollauf seconded. Motion carries 4-0.
AGENDA ITEM 6 – DISCUSSION/INFORMATIONAL ITEMS A. 2015 Community Event Applications 1. Veterans Helping Veterans Now - Trisha Dittrick, Executive Director and Hilary Johnson, co-Executive Director, presented the proposal for the 2015 Veterans Awareness Series. 2. Boulder Asian Pacific Alliance – Brenda Pearson presented the proposal for the 2015 Boulder Asian Festival.

3. **Boulder Dance Coalition (formerly Village Arts Coalition)** - Jim Schwartzkopff presented the 2015 Village Arts Coalition International Festival proposal.
4. **Intercambio Uniting Communities** – Lee Shanis, Executive Director, Alison Rhodes, District Services Manager from the City of Boulder Parks and Recreation, and a representative from Logo Ligi spoke about the proposal for Building Community and Health Through African Dance, a collaborative event with Boulder Parks and Recreation and Logo Ligi.

B. Work Plan Update

1. **Resolution on Unaccompanied Immigrant Children** – **C. Atilano** reported that the resolution was passed by council.
2. **Marriage Equality** – **A. Zuckerman** gave a summary of the recent U.S. Supreme Court decision and its impact in Colorado and Boulder County.
3. **Living Wage Issue** – Staff and commissioners discussed alternative dates in November and December for the public forum on the Living Wage Issue. **S. White** has been invited to participate on a panel at the CU Summit on Diversity and Inclusivity.

C. Bolder Boulder – **A. Zuckerman** reported on the status of recent discussions between Out Boulder, Bolder Boulder and the community regarding the issue of gender shaming and the slogan “Sea Level is for Sissies” on the Bolder Boulder t-shirt.

D. Event Reports – **N. Mankekar** attended the reception for Fulbright Dr. Maphosa at CU. **J. Beteta** reported on receiving the Immigrant Heritage Proclamation from council and **J. Beteta** and **N. Mankekar** attended several events during Immigrant Heritage Week. **A. Zuckerman** spoke about the recent PrideFest event and gave an update on the reading session of the proposed extension of the smoking ban.

E. Follow Up Tasks – Revise the September minutes, bring background information on the housing and social security issue to the HRC at the November meeting, obtain 2014 budget from Veterans Helping Veterans Now, confirm Dec. 7 with Sacred Heart Church and continue to look into dates and locations for a second bilingual public hearing on Living Wage Issue, invite Out Boulder to attend the November meeting and communicate with **S. White** and CU about her role at the summit, and follow-up with the commissioners on an invitation they received for mediation training.

AGENDA ITEM 7 – IMMEDIATE ACTION ITEMS – None.

AGENDA ITEM 8 – Adjournment – **J. Beteta** moved to adjourn the Oct. 20, 2014 meeting. **E. Pollauf** seconded the motion. **Motion carries 4-0.** The meeting was adjourned at 8:45 p.m.

TIME AND LOCATION OF ANY FUTURE MEETINGS, COMMITTEES OR SPECIAL HEARINGS: The next regular meeting of the HRC will be Nov. 17, 2014 at 6:00 p.m. at 1777 West Conference Room, Municipal Building, 1777 Broadway St.



CITY OF BOULDER
Boards and Commissions Minutes

NAME OF COMMISSION: Open Space Board of Trustees
DATE OF MEETING: October 23, 2014
NAME/EXTENSION OF PERSON PREPARING SUMMARY: Alyssa Frideres x3440
NAMES OF MEMBERS, STAFF AND INVITED GUESTS PRESENT: MEMBERS: Tom Isaacson, Shelley Dunbar, Frances Hartogh, Molly Davis, Kevin Bracy Knight STAFF: Mike Patton, Jim Reeder, Dave Kuntz, Don D'Amico, Kacey French, Mark Gershman, Todd Doherty, Phil Yates, Leah Case, Alyssa Frideres GUESTS: Clay Douglas, Deputy City Attorney
TYPE OF MEETING: <u>REGULAR</u> CONTINUATION SPECIAL
SUMMATION: AGENDA ITEM 1- Approval of the Minutes Molly Davis moved to approve the minutes from Sept.10, 2014 as amended. Kevin Bracy Knight seconded. This motion passed unanimously. AGENDA ITEM 2- Public Participation None. AGENDA ITEM 3- Director's Updates Kacey French, Environmental Planner, gave the Board an update on the North Trail Study Area (TSA) Program. Don D'Amico, Ecological Systems Supervisor, gave an update to the Board on the \$535,474 of 2014 restoration grant money awarded to Open Space. AGENDA ITEM 4- Matters from the Board The Board asked for an update on the dog poop signs, compost containers and a timeline for implementation, as well as the status of the Voice and Sight Education Class attendance so far. Molly Davis presented a concern from the lessee at Boulder Valley Ranch about his cattle eating plastic dog poop bags. Frances Hartogh noted she has received comment from the equestrian community that cattle grades (and gates next to) should be more accessible.

AGENDA ITEM 5 – Request a letter of support for a grant application to Great Outdoors Colorado (GOCO) which will partially fund a study to provide water resource management strategies for the benefit of the environment within the Open Space and Mountain Parks (OSMP) system.*

Todd Doherty, Water Resources Administrator, gave a presentation to the Board requesting a letter of support for GOCO’s Stewardship and Long-Term Sustainability (category of the Conservation Excellence program) grant.

This item spurred one motion:

Shelley Dunbar moved the Open Space Board of Trustees provide a letter of support for a grant application to Great Outdoors Colorado to help fund a study to provide water resource management strategies for the benefit of the environment within the OSMP system. Frances Hartogh seconded. This motion passed unanimously.

AGENDA ITEM 7 – Consideration of a proposal to dispose of 11 small, noncontiguous, paved parcels of Open Space land to the City of Boulder Transportation Department for the Purpose of Electric Bicycle Use as a Means of Alternate Transportation Pursuant to Article XII, Section 177, of the Boulder City Charter. *

Mike Patton, Director, Open Space and Mountain Parks, gave a presentation on a possible transfer of city land. OSMP staff propose treating this transfer as a disposal to insulate the city from any claim that the disposal procedures had not been followed to effectuate the change.

This item spurred two motions:

Frances Hartogh moved the Open Space Board of Trustees to make the following statement to City Council: the Board maintains that conveying or otherwise transferring management responsibilities for any parcel of Open Space Land including those containing paved multi-use paths to any other department of the city constitutes a disposal of Open Space Land, which is subject to all applicable City charter provisions including without limitations section 177. Molly Davis seconded. This motion passed unanimously.

Shelley Dunbar moved the Open Space Board of Trustees approve the disposal of Open Space Land consisting of the parcels identified in Attachment A, consisting of 11 small non-contiguous, paved parcels, which primarily serve a non-Open Space purpose, to the City of Boulder Public Works Department. This disposal is at no cost. The compensation to the Open Space and Mountain Parks Department will consist of the cost savings of having no management or maintenance of those parcels. Kevin Bracy Knight seconded. This motion passed three to two; Molly Davis and Frances Hartogh dissented.

ADJOURNMENT: The meeting adjourned at 9:00 p.m.

ATTACH BRIEF DETAILS OF ANY PUBLIC COMMENTS:

Four members of the public spoke in regard to the disposal of 11, non-contiguous, paved parcels of Open Space. Most were in support of the staff recommendation, as long as the Board followed the provisions of Article XII, Section 177, of the Boulder City Charter.

TIME AND LOCATION OF ANY FUTURE MEETINGS, COMMITTEES OR SPECIAL HEARINGS:

The next OSBT meeting will be Nov. 12, 2014.

**Small Business Saturday
November 29, 2014**

WHEREAS, the City of Boulder celebrates our local small businesses and the contribution they make to our local economy and community; according to the United States Small Business Administration, there are currently 23 million small businesses in the United States; they represent more than 99% of American companies, create two-thirds of the net new jobs, and generate 46% of private gross domestic product; and

WHEREAS, small businesses employ 55% of the employees in the private sector in the United States and 89% of consumers in the United States agree that small businesses contribute positively to the local community by supplying jobs and generating tax revenue; and

WHEREAS, 89% of consumers in the United States agree that it is important for people to support the small businesses that they value in their community and 93% of consumers in the United States are willing to pledge support for a *buy local* movement; and

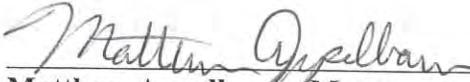
WHEREAS, the City of Boulder supports our local businesses that create jobs, boost our local economy and preserve our neighborhoods; and

WHEREAS, advocacy groups and public and private organizations across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday.

NOW, THEREFORE, BE IT DECLARED by the City Council of the city of Boulder, Colorado that November 29 is

SMALL BUSINESS SATURDAY

And we urge the residents of our community to support small businesses and merchants on Small Business Saturday and throughout the year.


Matthew Appelbaum, Mayor



**United Nations Day
October 24, 2014**

WHEREAS, October 24, 2014, marks the 69th anniversary of the date when the United Nations Charter went into effect; and

WHEREAS, since 1947, public officials, educators, students, and civic groups across the county and around the world have commemorated the occasion with activities that build public awareness of and support for the mission and ideals of the world's foremost international institution; and

WHEREAS, this year, the Boulder County Chapter of the United Nations Association-USA is continuing its annual commemoration of this anniversary with a gathering of local NGOs working on international issues; and

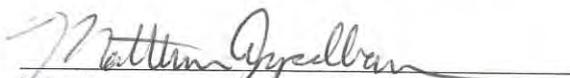
WHEREAS, this year, as is traditional, the city of Boulder is flying the UN flag above Sister City Plaza during the week surrounding October 24, and

WHEREAS with a dedicated UNA-USA grassroots movement in support of the UN, and the U.S. Government's leadership at the UN, the UN provides food to 100 million people in 73 countries; vaccinates 58% of the world's children, saving 2.5 million lives annually; keeps the peace with 110,000 Peacekeepers on 4 continents; promotes maternal health, saving the lives of 30 million women a year; protects and promotes human rights on site and through more than 80 treaties/declarations; and advances democracy throughout the globe.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Boulder, Colorado, that October 24 is recognized as

UNITED NATIONS DAY

in the City of Boulder, and urge all members of our community to join in recognizing this special occasion with appropriate ceremonies and activities.


Matthew Appelbaum, Mayor



VETERANS SPEAK DAY
November 7, 2014

WHEREAS, The Dairy Center for the Arts uses the performing and visual arts as a catalyst for public engagement and conversation about issues of our time that are pertinent to our community; and

WHEREAS, The Dairy Center for the Arts is collaborating with Broomfield Veterans Memorial Museum and The University of Colorado Office of Veteran Services and The University of Colorado Student Veterans Association to present a two week long tribute to veterans called Veterans Speak; and

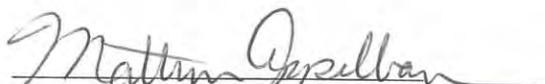
WHEREAS, Veterans Speak intends to provide veterans with an engaging environment in which to tell their stories and to provide the community with a greater understanding and appreciation of what it means to leave all that is loved and familiar in order to serve your country; and

WHEREAS, Veterans Speak is an opportunity for veterans, both young and old, to share their stories with the public through art, performance, conversations, film, lectures, panels and literature.

NOW THEREFORE, BE IT DECLARED, by the City Council of the City of Boulder, Colorado, that November 7, 2014, is

VETERANS SPEAK DAY IN BOULDER

and we call upon the people of the City of Boulder to recognize and value the sacrifices of veterans who have taken an oath to protect our freedom.


Matthew Appelbaum, Mayor



Council Working Agreements

Council Process:

- The council will work on general discipline in being prepared to ask questions and make comments.
- The council asks the mayor to intervene if discussion on agenda items extends beyond a reasonable time frame.
- The council will engage in the practice of colloquy to fully explore the different sides of a specific point.
- The mayor will ask the city clerk to set the timer lights for council members if discussions begin to exceed efficient debate. Members should respect the lights as a time reminder, but will not be bound by them as absolute limits.
- Rather than restating a point, council members should simply say "I agree."
- The council agenda committee may, with advance notice, adjust each public speaker's time to two rather than three minutes during public hearings for items on which many speakers want to address the council.
- Council members will grant each other permission to mentor and support each other on how each person contributes to the goal of being accountable for demonstrating community leadership.
- In order to hear each other respectfully and honor the public, council will avoid body language that could convey disrespect, side conversations, talking to staff, whispering to neighboring council members, passing notes, and leaving the council chambers.
- Regarding not revisiting past discussions, the council should check-in with fellow members periodically to ensure that this is not an issue.
- During a council meeting, any form of electronic messages, including emails and texts, that relate to matters being considered and which arrived at any time during that meeting shall not be read by council members, nor shall any messages on matters under consideration be sent by council members.

Council Communication:

- Council members agree to keep quasi-judicial roles scrupulously separate between members of boards and members of council, avoid expressing ideas to board members on things coming before the board, and carefully disclose or recuse themselves when there is involvement with board members on a topic.
- Council agrees to e-mail the city manager about issues that they run into that staff or boards may be working on so that the manager can be actively involved in managing issues and keeping the full council informed well in advance of items coming before council for action.
- Members will keep the full council informed on issues from committees, public groups or other agencies that they are following, through hot line e-mails, brief verbal reports at the end of council meetings or other means.
- The council will find ways to support majority council decisions and adequately inform the public, through responsive letters that explain how divergent points of view were heard and honored in decisions, via standard e-mail responses for hot issues, by occasional council Letters to the Editor to clarify the facts, or by seeking out reporters after meetings to explain controversial decisions.

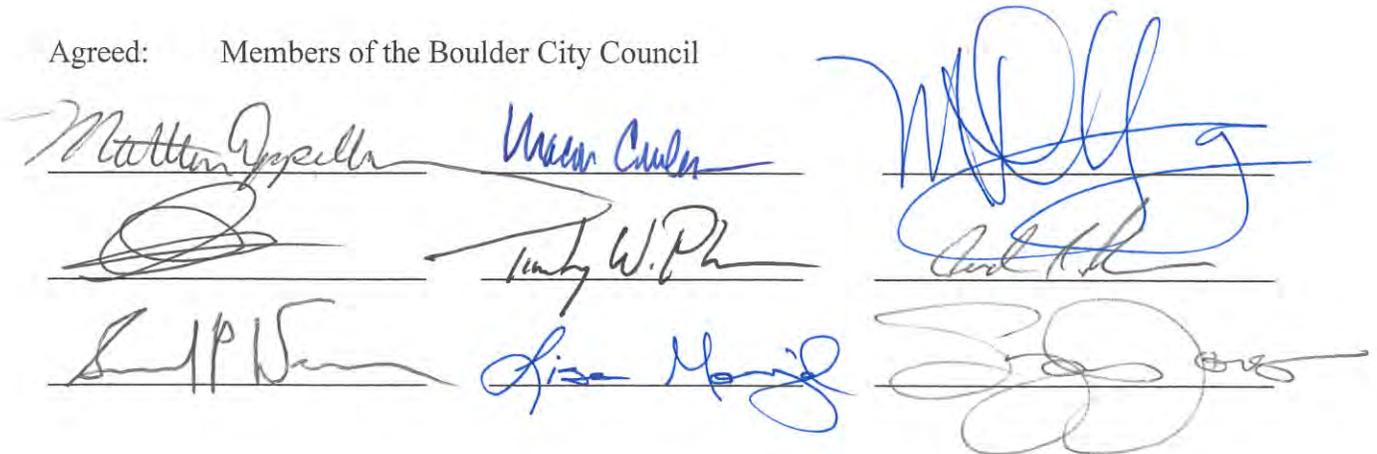
Council Committees:

- Council committee meetings will be scheduled to accommodate the council members on the committee.
- Notice of the times and places for each committee meeting will be noticed once per month in the Daily Camera.
- The council agenda will include time for reports from committees under Matters from Members of Council, noting that written communications from the committees are appropriate as well.

Selection of Mayor and Mayor Pro Tem:

- Council members will make a good faith effort to select the mayor and mayor pro tem in an open and transparent process.
- After the council election, members seeking election as mayor or mayor pro tem should:
 - make their interest in the positions known to their fellow members as soon as possible;
 - focus their communication with other council members on the positive attributes the member brings to the positions; and
 - refrain from any negative remarks about any person seeking election as mayor or mayor pro tem.
- Nominated individuals' presentations may include, but need not be limited to the following:
 - the skills and attributes the member would bring to the mayoral position;
 - the member's ability to efficiently run council meetings, respect the views of the minority while allowing the majority to rule, and perform other mayoral duties;
 - how the member would represent the city and city council and mayor position at gatherings outside of city council meetings
 - how the member would serve on and appoint other council members to regional and national boards and commissions; and
 - how the member would promote trust of the community and other council members.
- Council members should work to avoid divisiveness by being inclusive during the mayoral selection process.

Agreed: Members of the Boulder City Council



The image shows nine handwritten signatures in blue ink, arranged in three rows and three columns. Each signature is written over a horizontal line. The signatures are: Row 1: Matthew Appella, Warren Cauden, [unclear]; Row 2: [unclear], Andy W. Ph..., [unclear]; Row 3: [unclear], Lisa M..., [unclear].

Approved by Council: January 21, 2014

Project	Council or Staff?	2014				2015			
		1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
Comprehensive Housing Strategy	Council	Briefing - with other related efforts, workplan	SS - objectives, recommended early action items	Briefing	Direction on policy options	Adopt strategy and action plan			
	Staff Activities	Housing choice analysis; needs assessment; best practices; trends data; workplan	Opportunity site inventory; potential tools with "bang for buck" analysis	Develop policy options and recommendations; stakeholder engagement					
North Boulder	Council	IP - update and preliminary policy choices	Briefing - options and feedback	Update and direction					
	Staff Activities	Public meeting with options	Preferred options and refined action plan	Action plan					
East Arapahoe/Sustainable Streets and Centers	Council		Briefing - issues, scope, and feedback	SS - preferred scenarios, draft plan, and action plan	Plan "Lite" - council action	Next Corridor - 30th St or Colorado			
	Staff Activities	Joint East Arapahoe workshop to "test" planning workshop	East Arapahoe scope of work, public workshop, scenario modeling, character definition	Scenario refinement and recommendations	Develop East Arapahoe action plan				
Resilience	Council		Briefing - scope agenda		SS - scoping session	SS	Direction or IP	Direction or IP	Direction or IP
	Staff Activities	Agenda setting workshop 4/28	Hire Asst. City Manager, begin strategy development	Scope strategy components	Scoping	Resilience work	Strategy analysis and development	Strategy analysis and development	Strategy analysis and development
Boulder Valley Comprehensive Plan	Council				SS - scoping session	SS	Direction or IP	Direction or IP	Direction or IP
	Staff Activities				Scoping analysis and partner outreach	Issues identification	Strategy analysis and development	Strategy analysis and development	Strategy analysis and development
Other	Council	Annexation Strategy - Direction (options and feedback)	Usable open space - Code Change	Economic Sustainability Strategy implementation - Code Change					
		Density/ROW Dedication Calculations - Code Change	Parking generation and reduction - Code Change						
		County Assessor valuations for landscape and lighting upgrades - Code Change	Renewable energy sources - Code Change						
	Staff Activities	Annexation Strategy - analyze costs and options	Planning Board for above code changes	Planning Board for above code changes					
Planning Board for above code changes									

HOUSING/LAND USE/PLANNING

		2014				2015				
Project	Council or Staff?	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	
TRANSPORTATION	Transportation Master Plan	Council	IP (includes scope for AMPs)	SS (includes AMPS)	Acceptance - establish work program and coordination	Continue implementing pilots	Coordination with BVCP	Coordination with BVCP	Coordination with BVCP	Coordination with BVCP
		Staff Activities	Scenario and sensitivity analysis	Joint board workshop, TAB	Develop final update for board recommendation and council acceptance	Implement and coordination with BVCP and Resilience				
	Community EcoPass	Council	Feasibility Study - joint release with County	Rolls into TMP update						
		Staff Activities								
	Regional Transportation	Council	Briefing	Briefing		Briefing		Briefing		Briefing
		Staff Activities								
	Electric Vehicle Parking Ordinance/Energy Services	Council	Council agenda	SS			IP	IP	IP	IP
		Staff Activities								
	Access Management and Parking Strategies	Council	Scope	SS - Guiding principles, work program and process (includes TMP update)	Round 1 Code Changes - Auto and parking planning, zoning regs, EV charging stations	Update - Work plan and policy issues	Long Term Round 2 - Parking code changes and other policy issues	Council endorsement of ongoing work plan		
		Staff Activities	Finalize work program	Short term parking code regulation changes	Long term parking code changes	Long term parking code changes	Additional workplan items and public process tbd	Finalize document		
			TDM tool kit development for TMP integration	Long term parking code regulation changes	Additional workplan items tbd	Additional workplan items and public process tbd				
			Short term parking code ordinance changes	Public outreach and joint board meeting						
			Research/best practices	Additional workplan items tbd						
			Develop communications strategy							

ADD'L HOUS/PLAN/TRANS	Comp. Financial Strategy/Capital Bond	Council	Direction	SS	SS - finalize ballot?	Ballot?			
		Staff							
	Cap. Bond 1 Implement.	Staff		Construction			85% complete		100% Complete
	Flood Recovery	Staff		Repairs and FEMA Reimbursement	FHWA/FEMA work	FHWA/FEMA work	Building Better Boulder		Building Better Boulder
	Boulder Junction Phase 1 Implementation	Staff			South side of Pearl opens	Ongoing redevelopment coordination		Goose Creek Bridge opens	Depot Square opens
	Boulder Junction Phase 2 - City owned site	Staff		Coordination	Coordination		Coordination		
	Yards mobilized to move for Pollard option	Staff		Grading, prairie dogs, moving	Final prep			Yards moves continue	
	Safe Routes to School	Staff			Public process to prioritize projects		Application		
Implement Transpo.Tax	Staff		Expand maintenance, hire						

Project	Council or Staff?	2014				2015			
		1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
Homelessness/Human Services	Council Items	Shelter/ Funding: Update on position and relationship with Boulder Shelter; Shelter funding and issues update and other funders.	SS - Human Services Strategy Update and Homeless Action Plan (including funding priorities and partnerships)	IP - Homelessness Issues	SS - Human Services Strategy Update and Homeless Action Plan (including funding and service priorities)				
				Regional Planning update/services and housing					
				2014 Point in Time Report					
				SS - Services and Regional coordination update	IP - Services and Regional coordination	IP - Services and Regional	SS - Services and Regional coordination	SS - Services and Regional	IP - Services and Regional
	Staff Activities	Facilitate monthly Boulder Homeless Planning Group re:	HS Strategy Update and Homeless Action Plan Update	HS Strategy Update and Homeless Action Plan -					
		Convene regional meeting with Denver/Boulder/MDHI							
County Ten Year Plan meeting with focus on meeting housing		County Ten Year Plan meeting with focus on meeting housing							
Neighborhood/Park Events and Other Events	Council Items	GOCO grant application		GOCO grant acceptance					
					SS - Special Events with Street Closures and Block Party Permitting				
	Staff Activities	Review current PR permits and developm pilot program	Conduct pilot neighborhood event (link with Hill and GOCO school yard grant)	Conduct pilot neighborhood event	Review neighborhood park planning and event pilot success and plan schedule for 2015	Finalize nneighborhood event schedule for 2015	Conduct neighborhood events	Conduct neighborhood events	Review pilot program and propose permit changes required to make improvements
		Link with park planning outreach	Summer recreation programs - arts, music, health, wellness	Continue summer art series and volunteer events					
		GOCO school yard grant	Submit GOCO grant	GOCO grant award - start civic area community park					
			Review and analysis of existing special event permitting	Develop recommendations					
Arts	Council Items		SS - Library & Arts, including Community Cultural Plan			Adoption of Community Cultural Plan			
	Staff Activities		Work with new director						

LIVABILITY

2014

2015

Project	Council or Staff?	2014				2015			
		1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
Code Enforcement	Council Items	SS	SS (includes Social Issues Strategy information)						
	Staff Activities								
University Hill	Council Items	IP - 14th St Public/Private Partnership	Update - 14th St Public/Private Partnership	Update - 14th St Public/Private Partnership					
		Bears/Trash							
	Staff Activities		SS - Hill Reinvestment Strategy	Update - Hill Reinvestment Strategy					
		14th St - Hill Alt. Mode survey	14th St - Finalize analysis and develop recommendation to proceed with the Global Agreement						
		14th St - Finalize LOI							
		14th St - Financial Analysis							
		14th St - Additional access analysis							
		14th St - Board outreach							
		Pilot Parklet Competition	Parklet Implementation						
		Outreach to CU and stakeholders for support of Reinvestment Strategy	Fox Theatre mural by CU students	start pilot RSD program (to run through 2016)					
Recommendation for staffing Strategy implementation and prelim. analysis of future org structure options	Hire a fixed term Hill Coordinator								
Civic Area	Council Items					SS - Park Program and Improvements			
	Staff Activities	Civic Activity Team established	Coordinate music in park series		Review summer series success and revise for 2015	Prepare first phase of park improvements for 2015	Conduct adult fitness and health classes	Conduct visitor event at civic area around art installations	
		Hire Civic Area staff for P&R	Add seasonal park staff for outdoor education and orientation		Expand Ready to Work crew	Revise summer programs and plan for 2015	Install temporary adult fitness playground	Coordinate horticulture gardens with Farmers' Market event	
		Prepare GOCO grant for nature play and park planning	Conduct volunteer event around upgrades to Peace Garden and edible plant exhibit		Complete park planning outreach	Conduct art competition for summer installation	Install south side nature play area		
		Work with Park Foundation to develop plan for art and entertainment	Coordinate with CU for partnership with GUB and Civic Area park plan		Develop 1% for Arts demonstration project in partnership with foundations and non-profits		Expand seasonal staffing and horticulture/edible garden displays		

LIVABILITY

Project	Council or Staff?	2014				2015			
		1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
LOCAL FOOD	Civic Area	Council Items	IP - update on implementation		SS - catalyst projects				
		Staff Activities							
	Ag Plan	Council Items	IP				Acceptance		
		Staff Activities							
	Other or not categorized	Council Items							
		Staff Activities	CU/BVSD partnership for neighborhood garden	Form cross-dept team	Develop work plan to achieve council vision				
Burk Park/Horizon School playground			Housing links with YSI programs and local gardening pilot						
	Staff Activities	Design guidelines for edible landscape in local parks							

CLIMATE AND ENERGY	Zero Waste Master Plan	Council Items	IP	SS - options and feedback		Acceptance and action plan		Implementation - commercial focus		
		Staff Activities	Stakeholder input on options and rulemaking on curbside compost		Public feedback on strategies	Draft plan and action plan for public review		Implementation - program enhancements and ordinance development		
	Municipalization	Council Items		SS - workplan	Briefing - energy services	Briefing - energy services	Update - energy services	Update - energy services	Update - energy services	Update - energy services
				SS - energy services						
	Staff Activities		Xcel/city task force; refine recommendations							
		Council Items		Briefing - framework, preliminary goals/targets, strategy development	SS - goals/targets, feedback on strategy scenarios, draft document	Approval				
	Climate Commitment	Staff Activities	Working groups meet	Scenario development; GHG inventory complete	Strategy formulation; city organization initiative launched		Launch action plan			
		Council Items			SS					
	Valmont Butte	Staff Activities								

		2014				2015			
Project	Council or Staff?	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
OPEN SPACE	Charter Issues	Council Items			Address disposition process and use of Realization Point for pro bike race				
		Staff Activities							
	Highway 93 Underpass	Council Items							
		Staff Activities			In process				
	Eldo to Walker Ranch	Council Items							
		Staff Activities	City/County review of contractor proposals for potential mountain bike connection	Routes - weather dependent					
	IBM Connector	Council Items							
		Staff Activities		City/County requirement complete and await railroad to replace bridge					
	Trailhead as part of transportation system	Council Items							
		Staff Activities			status update				
	Other or not categorized	Council Items							
		Staff Activities			additional signage				

Project	Council or Staff?	2014				2015				
		1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	
OTHER	Emerald Ash Borer (EAB)	Council	IP Develop preliminary management plan	Implement pilot plan	Monitoring	Evaluate long term forest management plan and EAB strategy	Management plan and response	Response	EAB	EAB
	Civic Use Pad	Council	SS - Public/private partnership	Approval of MOU with St. Julien Partners	Update on negotiations with St. Julien Partners					
	Human Services Strategy	Council		SS		SS		Public hearing		
	Various	Council	IGA with CDOT/County for US 36 bikeway maintenance	Pilot dog waste composting project - Valmont and OSMP possible site	Transportation code changes for AMPS	Smoking ban - public hearing				
			IGA for bikeway maintenance/ US 36 enhancements	CEAP call up for Baseline Underpass east of Broadway	Comprehensive Annual Financial Report					
			Old Pearl Street ROW vacation	DRCOG TIP Priorities for city applications	Appointment of independent auditor					
Transportation code changes - bike parking, TDM, etc.			Mobile food vehicles - ordinance change to expand podding in downtown	Update on investment policies - action						
NPP - zone expansions and removal				Modification of construction use tax filing - IP then action						
				Pearl Street Mall regulations - code changes						

COUNCIL MEMBERS

Matthew Appelbaum	Mayor
George Karakehian	Mayor Pro Tem
Macon Cowles	Council Member
Suzanne Jones	Council Member
Lisa Morzel	Council Member
Tim Plass	Council Member
Andrew Shoemaker	Council Member
Sam Weaver	Council Member
Mary Young	Council Member

COUNCIL EMPLOYEES

Thomas A. Carr	City Attorney
Jane S. Brautigam	City Manager
Linda P. Cooke	Municipal Judge

KEY STAFF

Mary Ann Weideman	Assistant City Manager
Bob Eichem	Chief Financial Officer
Alisa D. Lewis	City Clerk
Patrick von Keyserling	Communications Director
David Driskell	Executive Director of Community Planning and Sustainability and Acting Director of Housing
Molly Winter	Downtown, University Hill Management & Parking Services Director
Heather Bailey	Energy Strategy and Electric Utility Development Executive Director
Larry Donner	Fire Chief
Joyce Lira	Human Resources Director
Karen Rahn	Human Services Director
Don Ingle	Information Technology Director
Eileen Gomez	Labor Relations Director
David Farnan	Library and Arts Director
Lynne C. Reynolds	Municipal Court Administrator
Michael Patton	Open Space and Mountain Parks Director
Jeff Dillon	Acting Parks and Recreation Director
Greg Testa	Police Chief
Maureen Rait	Public Works - Executive Director
Cheryl Pattelli	Director of Fiscal Services
Tracy Winfree	Transportation Director
Jeff Arthur	Utilities Director

2013 City Council Committee Assignments

INTERGOVERNMENTAL ORGANIZATIONS

Beyond the Fences Coalition	Morzel, Plass (Castillo – staff alternate)
Boulder County Consortium of Cities	Morzel, Young
Colorado Municipal League (CML) – Policy Committee	Jones, Appelbaum (Castillo – staff alternate)
Denver Regional Council of Governments (DRCOG)	Jones, Plass
Housing Authority (Boulder Housing Partners)	Shoemaker
Metro Mayors Caucus	Appelbaum
National League of Cities (NLC)	Appelbaum, Cowles
Resource Conservation Advisory Board	Morzel (at large seat), Plass
Rocky Flats Stewardship	Morzel, Plass (1 st alternate), Castillo (2 nd alternate)
University of Colorado (CU) / City Oversight	Cowles, Shoemaker, Weaver
US36 Mayors and Commission Coalition	Appelbaum
US36 Commuting Solutions	Karakehian, Morzel (alternate)
Urban Drainage and Flood Control District	Karakehian

LOCAL ORGANIZATIONS

Boulder Museum of Contemporary Art (BMoCA)	Young
Boulder Convention and Visitors Bureau	Plass, Cowles (alternate)
Dairy Center for the Arts	Jones
Downtown Business Improvement District Board	Shoemaker, Weaver, Young

INTERNAL CITY COMMITTEES

Audit Committee	Cowles, Morzel, Shoemaker
Boards and Commissions Committee	Plass, Shoemaker
Boulder Urban Renewal Authority (BURA) Mayoral Appointment	Karakehian
Charter Committee	Karakehian, Morzel, Weaver
Civic Use Pad/ 9 th and Canyon	Karakehian, Morzel, Young
Council Retreat Committee	Jones, Morzel
Evaluation Committee	Morzel, Plass
Legislative Committee	Jones, Karakehian, Weaver
School Issues Committee	Morzel, Plass, Shoemaker

SISTER CITY REPRESENTATIVES

Jalapa, Nicaragua	Jones
Kisumu, Kenya	Morzel
Llasa, Tibet	Shoemaker
Dushanbe, Tajikistan	Weaver
Yamagata, Japan	Plass
Mante, Mexico	Young
Yateras, Cuba	Karakehian
Sister City Sub-Committee	Morzel, Cowles, Karakehian