



**CITY OF BOULDER  
CITY COUNCIL AGENDA ITEM**

**MEETING DATE: February 29, 2016**

**AGENDA TITLE:** City Council Retreat Follow-up on the 2016/2017 Work Plan

**PRESENTERS:**

Jane S. Brautigam, City Manager  
Mary Ann Weideman, Assistant City Manager  
David Gehr, Deputy City Attorney  
David Driskell, Executive Director of Planning, Housing, and Sustainability  
Bob Eichen, Chief Financial Officer  
Susan Richstone, Deputy Director for Planning  
Lynnette Beck, City Clerk  
James Cho, Court Administrator  
Joyce Lira, Human Resources Director  
Karen Rahn, Human Services Director  
Mike Sweeney, Acting Director Transportation  
Amanda Nagl, Neighborhood Liaison

**EXECUTIVE SUMMARY**

The purpose of this item is to follow up on the 2016/2017 work plan discussions at the January 22-23, 2016 City Council Retreat. Staff responses from Planning, Housing and Sustainability, and Transportation are below. A staff committee was also convened to provide information in this memo on a potential head tax work item for 2016. Other departments have provided responses to Retreat suggestions and are summarized in **Attachment A**.

Notes from the Retreat are attached for reference in **Attachment B**.

**Planning, Housing and Sustainability**

City Council Members expressed interest in understanding in better detail how and when the following items would/could be addressed in 2016 and 2017 as part of the Boulder Valley Comprehensive Plan Update, Housing Boulder Action Plan, Middle Income Housing Strategy, or as discrete work efforts:

**Diversity of housing types and products:** The Boulder Valley Comprehensive Plan (BVCP) Major Update will address the types and amount of housing likely to be built under current trends, and will also evaluate future scenarios that could change the mix of projected housing types and products through policy and land use map changes. The Middle Income Housing Strategy will look at the full range of potential city interventions to promote housing types and products affordable to middle income households. Please see **Attachment C** for an overview of the BVCP work plan, and in particular *Focus Area 4: Address Diverse Housing and Middle Income Housing Goals*, for more information on the proposed approach and next steps.

**ADUs/OAUs:** This is currently planned to be prioritized relative to other housing action items as staff capacity is available later in 2016 or in 2017. It may be possible to move some amendments to the current regulations forward sooner through a legislative approach (similar to short term rentals and current work on the co-op ordinance) by scheduling a Council study session to discuss and solicit Council feedback on potential regulatory changes. Some staff work has been done to identify potential changes to the current ordinance, including changes to requirements relating to concentration, parking, neighborhood notice and minimum lot sizes.

**Micro Units:** Staff has completed an initial analysis of zoning, building code and other issues that would need to be addressed to enable the production of micro units. The Middle Income Housing Strategy will evaluate whether micro units are a housing type that should be promoted as part of the strategy.

**Tiny Homes:** This is currently planned to be prioritized relative to other housing action items as staff capacity is available later in 2016 or in 2017. As with micro units, there are zoning, building code and other issues that would need to be resolved to enable the siting of tiny homes in the city.

**Subcommunity/Subarea/Neighborhood Planning:** Council members expressed interest in subcommunity and area planning, and requested that work occur this year to lay the groundwork and to provide information on potential resource needs to address this area of work in 2017. Some work has been completed at the subcommunity level as part of the current BVCP update including Subcommunity Fact Sheets, a series of listening sessions, and cross-tabulation of the results of the BVCP survey by subcommunity. Building on this foundational work, staff proposes to include new subcommunity plan sections and policies in the BVCP. Additionally, as part of the major update process, future area planning efforts will be prioritized (e.g., Boulder Community Health Site on Broadway, Transit Village Area Plan Phase 2, East Arapahoe, Downtown, etc.).

Staff has begun researching small area planning programs in other communities to help inform how Boulder may want to approach this area of work and to inform the 2017 budget. Additional information on how other cities address small area planning may be found in **Attachment D**.

In response to Council's request for information on potential resource needs to support subcommunity and/or area planning efforts in 2017, the department would like to request (as part of the 2017 budget) the continuation as ongoing positions two fixed term positions, one of which ends in 2016, and another that ends partway through 2017. Continuing these two planning positions would enable the department to support more than one area planning effort at the same time. Additionally, area planning efforts will require funding for consulting resources.

**Boulder Valley Comprehensive Plan – Attachment C** provides an overview of the 2016 work plan for the major update including the focus areas, small area planning efforts, and next steps. It would be helpful on February 29 to hear whether council members have any additional feedback on the work plan, proposed approaches and next steps to ensure it is heading in the right direction as the project moves forward.

## **Transportation**

The focus of the 2016 transportation work plan is to continue implementation of the Transportation Master Plan (TMP) with regular check-ins with City Council. The planned schedule with the identified area of focus is:

### TMP 2016 Study Session Focus

- Complete Streets – 2nd quarter
- Transit RTD issues – 3rd quarter
- Complete Streets – 4th quarter

Council gave feedback at their annual retreat regarding potential work items to integrate into the 2016 work program. Of these items some can be accommodated as “tuck-ins” associated within existing 2016 work tasks while others will be new work initiatives to be incorporated into the 2017 work plan.

### ***Tuck-ins***

**Pedestrians** - There was a theme of Council comments to make sure that the transportation system is working for people as they walk through the city. Specifically two suggestions were made to:

- Review city pedestrian crossing guidelines and implementation
- Snow removal efforts – pedestrian/cyclist focus: incorporate into ongoing city-wide snow/ice control review
  - Explore idea of creating “focus corridors” for enhanced enforcement of sidewalk snow removal requirements
  - Review snow removal practices to identify opportunities to enhance usability of bike routes that combine on-street and off-street multi-use paths such as 13<sup>th</sup> Street.

**Autonomous Vehicle (AV) Development** - Explore opportunities to advance AV development as a city organization.

### ***New work initiatives to incorporate into future work program***

**Improved North-South Cycling Network:** For 2016 the emphasis will be on corridor planning of priority corridors that emerged from the TMP update process including East Arapahoe, 30th Street, and Colorado Avenue as well as Canyon Complete Street associated with the Civic Area Plan.

After we have made progress on these efforts, in late 2016/early 2017 we have identified a work program task to initiate a system-wide cycling network review. This review termed Bike 2.0 will include an analysis of how to strengthen the North-South network connections.

**Neighborhood Traffic Mitigation Program:** The city Neighborhood Traffic Mitigation Program (NTMP) was in place for many years to assist neighborhoods with speeding traffic issues. Funding for building mitigation features such as traffic circles and speed humps was suspended due to prioritized budget reductions based on budget guiding principles. In response to requests from Council members to investigate reinstating funding for built mitigation features, staff will present options and associated analysis as part of the 2017 budget development process.

## **Staff Response on Head Tax**

**Background:** At the January 2016 City Council retreat, City Council requested that staff provide information on a potential head tax work item for 2016. This information below provides context and background information on this topic and explores potential work items and work program impacts if a ballot item for this tax is considered for the 2016 ballot.

In 2015, at the July 14 study session, City Council asked staff to draft first reading of an ordinance for its consideration and discussion of a potential ballot item for a head tax in the City of Boulder. This first reading item was scheduled for August 4, 2015; however City Council removed the item from the agenda at the start of the meeting. Council Members indicated they wanted to allow more time to discuss the item and receive public input about the potential tax and the use of the revenues. Council specifically expressed interest in wanting to engage the business community in an indepth discussion about the impacts of the tax.

The purpose of a head tax would be to generate revenue to help mitigate the impacts from Boulder serving as an employment center. If the tax is placed on a ballot and approved by Boulder voters, the tax would impose a flat dollar amount on each employee working within the boundaries of the City of Boulder. There can be an exemption for the employee based on the level of income. The tax rate must be the same for all and cannot be charged at different rates based on income. In addition, each employer would pay an equivalent tax for each of its employees, unless the employer is exempt from the tax. Key issues to be determined would include: the amount of a monthly tax to be paid, exemptions, the date of implementation, the cost of implementation, and, the city's use of the tax revenue. There are currently five cities in Colorado that have such a tax: Denver, Aurora, Greenwood Village, Sheridan and Glendale. In these cities, the tax – for both employees and employers – ranges from \$2.00 to \$5.75 per month. Additional information may be found in the August 4, 2015 staff memorandum provided as **Attachment E**.

**Transportation Updates:** Currently there are two transportation projects that have identified a head tax as a possible funding mechanism; the Community-Wide Eco Pass and the Impact Fee Studies. The Community-Wide Eco Pass Study has identified a head tax as a possible funding source for employer-based commuter transportation programs and, as part of the Impact Fee Study, staff intends to evaluate the possibility of using a head tax to cover on-going transportation operations and maintenance (O&M) costs for new and existing commercial and residential developments. The two studies could potentially have different timelines that need to be taken into account during the city's investigation of a head tax.

**Community-Wide Eco Pass Update:** The purpose of the Community-Wide Eco Pass Project is to partner with Boulder County and Regional Transportation District (RTD) to identify a feasible approach to increasing transit access to employees and residents of the city of Boulder and Boulder County. In 2016, the Technical (TAC) and Policy Advisory Committees (PAC) continue to work on pricing methodologies for different scenarios, how to address induced transit service demand, overcoming administration challenges, and identifying potential funding mechanisms. If a recommendation is made by the PAC and TAC to pursue an Eco Pass program that includes either city or county employees (within the boundaries of either or both jurisdiction/s), it is likely that a head tax would be identified as a potential mechanism to fund that portion of the program.

At this stage of the Community-Wide Eco Pass process, the PAC is at a key milestone to consider next step options. The first option is to agree upon a program scenario and pricing plan with the communities, Boulder County, and RTD by spring or in the early summer of 2016, in order to place the related funding mechanism(s) on the 2016 ballot. At this time, RTD staff has not made any commitment to supporting this ambitious timeframe.

The second option is to integrate the work of the PAC and the TAC into RTD's upcoming Pass Program Working Group. In September 2015, the RTD Board approved the final fare changes to the Eco Pass programs with a commitment to convene an RTD and Stakeholder Pass Program Working Group. The Working Group's role is to define the goals for all pass programs and revisit pricing. The passes under review include all individual pass programs (day, monthly and annual passes) and group rate passes (Eco Pass, Flex Pass and College Pass). RTD staff has explicitly stated that the Community Pass concept will also be included into the Work Group's scope of work. RTD anticipates that the first Working Group meeting will take place this summer but, at this time, there is no timeline as to when the study will be concluded, which could be a multi-year process.

The advantages of the first option include making progress sooner to offer a Community-Wide Eco Pass program to Boulder residents and employers and the opportunity to synchronize the Eco Pass funding options with the city's investigation into a head tax for the 2016 ballot. The head tax could serve as a tool to provide funding for the Community-Wide Eco Pass program for Boulder employees, as well as potential funding for other transit-related services, first and final mile connections, and additional TDM programs for Boulder commuters.

**Impact Fee Study Update:** The City is currently working with consultants and a citizen working group to conduct a three-part Impact Fee Study. The three parts are: an update of general impact fees and affordable housing linkage fees, how to integrate public art into new developments, and multimodal transportation impacts of new development.

There are two objectives within the transportation component of the Impact Fee Study. The first is to determine the fair share of capital improvement costs related to the impacts of new development on our transportation system taking into account the city's current transportation excise tax. The second objective is to identify and evaluate options for funding on-going transportation operations and maintenance (O&M) for existing and new developments.

On the capital side, the project team will be preparing material for council study sessions in April and June. It is anticipated that if council wishes to move forward with updates to the existing transportation excise tax or an additional or replacement impact fee, public hearings would take place in the summer and the tax or fee would be incorporated into the September study session on the recommended 2017 budget. Readings of the budget would take place in October and, if passed on a November 2016 ballot, the new fees or taxes would be implemented in 2017.

It is anticipated that the work on the operational side may take additional time to develop and explore options. The staff and consultant project team will be evaluating a number of different ways to fund on-going transportation O&M such as through general improvement districts like Boulder Junction, dedicated sales taxes, a transportation maintenance fee, regulatory means such as a TDM Plan ordinance, and possibly a head tax to fund employer-based on-going programs and services.

**Potential Uses of Revenue:** If the city was to pursue a head tax and revenues were to be partly or wholly dedicated to transportation, there are a wide variety of programs and services that could potentially be funded. Using head tax revenue to fund the employee-side of a community-wide Eco Pass programs has been identified as one option by the PAC and TAC and some members of Council. However, knowing that the Eco Pass may not be the best tool for serving all Boulder employers based on their location and existing level of transit service, revenue from a head tax could be used to fund other types of employee transportation programs and services. For example, head tax revenue could be used to fund additional transit service, vanpool subsidies, or first and final mile programs like carshare or bikeshare. By expanding beyond Eco Passes, the city could increase the benefit of a head tax to a larger proportion of employers and commuters.

*Employee Eco Pass Program Cost Estimates*

Based on the findings of the 2014 Community-Wide Eco Pass Feasibility Report and taking into account the recent Eco Pass price increase for 2016, it is estimated that the cost of a city-wide Eco Pass program would be \$6.4 million in the first year. Since RTD has required that any community-wide program include additional funds for transit service due to increased demand from the program, the total cost could range between \$6.8m to \$7.4m in the first year depending on the level of induced demand.

**Potential 2016 Ballot Issue Timing:** The preliminary timeline for Council to approve a ballot item in any year is as follows:

- April or May: Study session on all potential ballot items. This is the annual comprehensive review that is done so all city-wide issues can be considered at the same time.
- June and July: Follow up study sessions on ballot item topics, as needed.
- July or August: Formal council action taken to put items on the November ballot.
- August: Council will have to take final action on any ballot item and have it included on the November ballot at the end of August.

While the timeline above outlines the dates of approving a ballot item, it does not provide a timeline that includes the numerous community meetings and input that will need to be gathered to have a robust discussion about the head tax topic. The timeline for such meetings and compilation of input from other sources can be found in the section below entitled Anticipated Community Engagement Process.

**Anticipated Community Engagement Process:** An extensive outreach process to Boulder businesses, employees, employers and residents would be necessary in order to provide sufficient information for the Boulder community to understand the proposed tax and make an informed decision on its merits.

Robust resident and employee outreach would likely involve at least one mass mailing to all Boulder postal customers and inclusion in the new city newsletter, public listening sessions and Q&A sessions throughout the city, web and social media outreach, and intensive correspondence management. Staff would also reach out to existing community groups, including Open Boulder, Better Boulder, Plan Boulder and others.

For business-specific outreach, the communication plan would include reaching out to major employers such as Ball Aerospace, IBM, Medtronics, Micro Motion, Boulder Community Health, Spectra Logic, Google and other businesses, major commercial property owners and the following organizations by email:

- Boulder Chamber
- Boulder Economic Council (BEC)
- Boulder Tomorrow
- BIBA (Boulder Independent Business Alliance)
- Boulder Small Business Development Center
- Downtown Boulder Inc.
- Latino Chamber of Boulder County
- Naturally Boulder
- Commercial Brokers of Boulder (CBB)
- Boulder Area Realtors Association (BARA)
- The Hill

Last year, the city emailed information about the issue to 200 businesses, about 10% to 20% of which responded. In addition, in 2016, presentations would be scheduled at member or board meetings for the Boulder Chamber, BEC, Boulder Tomorrow, Downtown Boulder Inc, the Hill Boulder, BARA and CBB. Several listening sessions would be held to gather input from businesses and employees.

Outreach would be extended to the University of Colorado, federal labs and non-profit community if the proposed tax were to apply to employees of those organizations.

This level of outreach and public engagement would require a significant amount of staff resources and community participation.

**Other Business Impacts:** Over the past few years, the cost and ease of doing business in Boulder has been impacted by a number of new fees, taxes and regulations. These changes have impacted property owners, businesses and in some cases, individuals who work in the city.

Effective Date	New Tax, Fee or Regulation	Property Owners	Businesses	Workers
2014	Commercial Energy Code (Strictest in U.S.)	X	X	
2015	Sales and Use tax rate (3.56% to 3.86%)	X	X	X
2015	Property Tax Increase for BVSD Bond Program	X	X	
2015, 2016	Water, wastewater, storm water rate increases	X	X	
2015	Affordable Housing Linkage Fee	X		
2016	Universal Zero Waste Ordinance	X	X	
2016*	Boulder Building Performance (rating & reporting)	X	X	
2018	Outdoor Lighting Ordinance	X		

*\*Regulations to be phased in*

<b>Under Consideration</b>	<b>Property Owners</b>	<b>Businesses</b>	<b>Workers</b>
<b>Development-Related Impact Fees and Excise Taxes</b>	X		
<b>Multimodal Transportation Impact Fees or Taxes</b>	X		
<b>Public Art Program for New Development</b>	X		

Consideration of a head tax needs to be evaluated within the broader context of existing and potential fees and taxes and their impact on Boulder as a place to do business.

**NEXT STEPS**

The exploration of a 2016 ballot item for a head tax would involve significant community engagement and staff resources are not available to undertake such a significant effort. Staff seeks Council direction on whether to move forward on this item.

- Attachment A: Summary of Other Department Work Plan Follow Up from Council Retreat
- Attachment B: Summary of January 22-23 Council Retreat Notes
- Attachment C: Boulder Valley Comprehensive Plan Phase 3 Schedule and Areas of Focus
- Attachment D: Subcommunity and Area Planning
- Attachment E: August 4, 2015 First Reading Memorandum for a potential OPT Ballot Item

## Summary of Other Department Work Plan Follow Up from Council Retreat

### City Attorney's Office/Municipal Court

**Camping Prohibition on Public Property:** Council Members at the retreat expressed an interest in further analyzing the role that prohibition of camping on public property may have on homeless persons. The first part of this process is to collect and analyze data related to municipal code violations in addition to the consequences for persons who receive a summons for such activity. Staff from the Municipal Court and the City Attorney's Office will collect this data. An important part of this analysis is the determination of the extent to which a camping ticket may lead to the consequence of receiving jail time. The City Attorney's Office may need to request analysis of the data by Human Services or other departments of the city.

It is anticipated that the first part of the analysis will be completed by the end of the second quarter of this year. The court has completed and compiled the raw data. This data should be ready for review by the end of February. Council Members Weaver and Shoemaker have volunteered to review the data and any staff analysis and make recommendations to the Council Agenda Committee or the Council as a whole.

At the February 2, 2016 city council meeting, council member Weaver asked for the Boulder Police Department policy regarding camping tickets. The Department does not have a policy specifically directed at policing standards for camping tickets. In these circumstances the overarching policy on police use of discretion applies, along with supervisory guidance to officers that warnings and summonses (when needed) are most appropriate for camping violations.

General Order 200, "Discretion, Arrest Standards and Enforcement Action," Section 200-2 D. (Use of Discretion) provides direction on using the least restrictive means to accomplish the intent or resolve the situation. The police department asks its officers to give warnings when appropriate and referral information on available services. There are times when a warning will not suffice and another enforcement action is needed. A large portion of homeless enforcement actions are related to complaints, such as camping at Eben G. Fine Park. Officers routinely check areas where the department receives multiple complaints on a regular basis.

**Affordable housing options through the lens of requiring on-site, affordable housing rather than cash-in-lieu and share legal options with Council:** The city's present inclusionary housing program provides a variety of options for meeting the requirements for developments to provide affordable housing that is associated with residential development. The options include on-site construction, a payment of cash-in-lieu of construction on-site, a contribution of land in-

lieu of construction, off-site acquisition or construction, or on-site construction. The City attorney's Office will provide the council with advice about changing inclusionary housing standards. The research will most likely balance the city's zoning police power with issues related to the state's rent control statute. The Housing division staff will also assist the City Attorney's Office in identifying and analyzing options.

There is a petition for certiorari review presently pending disposition for review of a California inclusionary housing case by the U.S. Supreme Court. If the Court decides that it will review this case, it has the potential to affect the timeline for this item. The Housing Division and the City Attorney's Office are monitoring this case.

It is anticipated that this legal analysis will be completed by the end of the third quarter of this year.

**Options for Planning Board Vacancies:** Council Members discussed the fact that many members of the Council are often elected while the member is serving on the Planning Board. When elected, it leaves a vacancy on the Planning Board that can make it difficult for the board to conduct business, especially in light of the charter requirement that requires a minimum of 4 votes of the board to take action on any matter that is before it. The City Attorney's Office and Planning, Housing and Sustainability will look at options that may provide for temporary appointment of former eligible board members to serve during times of vacancy between the November election and the board and commission recruitment that ends in March.

It is not anticipated this will be a time intensive work item nor is the completion time sensitive. Staff anticipates that this work item will be completed by the end of the fourth quarter of this year.

### **City Manager's Office and City Clerk's Office**

Council Members discussed a variety of options to improve public participation and the following items were added to the work plans of the City Manager's Office and Clerk's Office:

**Outreach to External Facilitators:** One potential option discussed at the retreat was to reach out to members of the community who are skilled in facilitation, mediation or design of engagement processes. Council Members provided names and contact information for identified community members with expertise in these areas. Staff has since completed three of nine scheduled meetings with these individuals to discuss community perception and experience related to engagement, recommendations for process improvement and ideas related to continued inclusion of community members in city processes. Information gathered will be provided to staff currently engaged in this or other improvement efforts related to public process for

inclusion in broader organizational goals and objectives. A more complete report will be provided to City Council in the second quarter.

**Town Hall Council Committee:** On February 16, 2016, the Council appointed Mayor Jones and Council Members Burton and Brockett to a “Town Hall” committee to look further at this type of public engagement. This Committee will work together to develop a proposal for future town hall meetings. The City Clerk will serve as the staff liaison for this committee.

**Council Agendas in Front Part of the Daily Camera:** Currently the agenda is published in the Legals section of the paper at an average cost of \$140 per meeting agenda. Quotes to publish in the *News From City Hall* section indicate an average cost of \$728 per meeting agenda. The budget impact of this would be an additional \$12,936 per year for 22 scheduled regular business meetings.

**Voluntary Shared Calendar for Council Members:** The City Clerk will work with the City Attorney and Director of Information Technology to explore options for a calendar where Council Members can schedule and share their public engagement activities with each other. Existing calendar options may be sufficient to meet this need.

**Background on Recent Process Improvement Initiative:** In 2010, the Information Technology (IT) Department led an effort to bring business process improvement to the city organization in order to help improve delivery of services to the community. Destra Consulting Group, LLC was hired to train city staff in business process improvement. Destra Consulting is a strategic business transformation firm that has been working with Fortune 500 clients, start-ups, government and educational organizations for over thirty years. Firm principal and Boulder resident David Hannegan has been working closely with the city ever since. While Destra Consulting offers the Six Sigma approach (from one-day Executive Alignment to three-week intensive Black Belt training), the city selected the process improvement approach called SIPOC\*R. Six Sigma is commonly used in large private organizations, especially as a way to improve profits. While the bottom line is important in government, it must also be considered alongside a number of other measures of success.

In many organizations that utilize LEAN or Six Sigma, the organization commits to a path and dedicated employees receive training and continually work on a portfolio of organizational processes that are in need of improvement. It is a philosophical and organizational commitment to move ahead with one of these methods across the entire organization. By contrast, SIPOC\*R can be used on an ad hoc basis and is more conducive to a “train the trainer” model. As such, staff has viewed it as a more practical, accessible, and efficient approach to meeting the organization’s needs than LEAN or Six Sigma, which require a much larger commitment of resources.

Business process improvement efforts employing SIPOC\*R have taken place across the organization in recent years. The entire IT department was trained in SIPOC\*R. and adopted a departmental goal to improve at least two processes each year. Planning and Development Services has used SIPOC\*R in the Affordable Housing Development Review process, Code Enforcement, Medical Marijuana business process development, and other permit-related business processes. It has also been used in Human Resources (HR) to evaluate business practices in support of the Transforming Boulder Business Initiative (TBBI) implementation.

Following these successful efforts, the organization's use of SIPOC\*R decreased in frequency. This can be traced at least partially to two main causes: a notable increase in the size and scope of the city's work plan and the departure, over time, of many of the staff who were originally trained as the city's SIPOC\*R facilitators.

### **Human Services and Human Resources**

**Living Wage:** An interdepartmental staff team presented city council with options to expand Living Wage Resolution 926 on Feb. 16. Council provided the following motions and direction to staff:

- Motion to support the amended Resolution 926 to reflect the City Manager's executive action to expand Living Wage resolution to cover temporary and part-time employees at 120% of Federal Poverty Guidelines.
- Motion to direct the City Manager to explore wage negotiations with janitorial and landscape contractors to increase wage rates to \$15.67 per hour, while the city explores bringing these services in-house.
- Motion to direct staff to do the studies identified in staff recommendations including: analyzing the three wages across the categories of part-time, temporary, seasonal and contractors, including EMS, and: include information on implementation strategies from other communities and an analysis of the CLIFF effect in the areas that would be impacted by raising wages.

Staff will bring back this analysis in time for the 2017 budget consideration, with the exception of the EMS analysis which is currently on the Fire Department work plan and is anticipated to be completed by the end of 2016.

**Municipal Employee Child Care:** Staff will conduct a feasibility study related to providing municipal employee child care services. The goal of the study will be to research the feasibility and options of providing child care services that support city employees and their families wellbeing. A team of city staff from cross functional departments, including Human Resources, Human Services, Parks and Recreation, Risk and Finance will compile and analyze relevant information and data to make recommendations.

The report will include: employee survey of child care needs, employee demographic data, current child care programs within thin city, assessment of city only or city and public child care, potential strategic partnerships with child care providers, costs, necessary resources, regulatory requirements such as licensing and quality standards, type of care, costs and availability in the community, comparable employer sponsored child care services with peer cities, and industry standards and best practices. Recommendations for Council consideration are anticipated in the first quarter 2017.

## **Human Resources**

**Gender Wage Gap:** According to the Institute for Women’s Policy Research, the national statistics show that on average, women make \$0.82 for every dollar made by a man in the same job. The Federal government is proposing a new rule to address unequal pay practices by requiring companies with more than 100 employees to submit salary data by gender. Staff will work through a consultant to complete a comprehensive study on potential gender differences in pay for city employees, provide relevant statistics and trends, and make appropriate recommendations to close any potential gaps in pay between male and female city employees. The scope of work will include benchmark studies, analyzing reasons for male/female pay differences as determined, implementing a sustainable gender equity strategy, and monitoring progress towards pay equity targets. A summary report with findings and recommendations will be prepared by a Consultant in fourth quarter 2016.

## **Open Space and Mountain Parks (OSMP)**

**Timing of Master Plan:** During the retreat discussion of survey results, Council Members identified concerns about “participation fatigue” in the community; and a desire to provide some time off between major OSMP planning projects. At the same time there is a longstanding expectation to address over-arching issues such as carrying capacity, night-time use and temporal use that the Visitor Master Plan update/OSMP Master Plan would address. As with any activity that calls upon community members to participate, there is a limit to the amount of time and energy people are willing to spend reviewing plans, participating in workshops or preparing and delivering public testimony. Participation fatigue, where residents show decreasing interest in participating in planning projects over time, has been described in communities throughout the world. When an ever-growing number of issues are the subject of requests for public feedback, fewer community members tend to take part in the public process. As people choose to participate less, it becomes more difficult for the city to deliver successful community engagement—that is, public participation outcomes that are representative of a broad cross section of the population. Uneven public involvement, where a small group of community members take part in discussion affecting the entire community, can create bias in the

information and feedback provided by staff to Boards and Council for use in planning and policy development.

OSMP staff has been actively and continuously engaging the community on open space issues since 2000 when the public process for the Visitor Master Plan (VMP) began. After completion of the VMP in 2005, two Trail Study Area (TSA) plans were completed in rapid succession (2005 and 2006), after which a number of projects associated with monitoring TSA plan implementation were the focus of community involvement (2007-2009). In 2009, the public process for the Grassland Plan began, which was followed immediately by the West TSA and Acquisition Plan update. After a brief hiatus to address the 2013 flood, the North TSA (NTSA) planning process began in late 2014.

The current NTSA schedule anticipates Council action prior to its 2016 recess. The Agricultural Resources Management Plan (Ag Plan) is scheduled to come before the Open Space Board of Trustees (OSBT) for approval in July, and to City Council later in the third or in the fourth quarter of 2016. The next anticipated OSMP-related community process is a Master Plan/Visitor Master Plan update.

Staff has some preliminary thoughts on a schedule which would provide the community some relief from active public process. Staff plans to further vet these preliminary schedule ideas with the OSBT, but will be addressed with the board when the NTSA planning process is concluded.

There are a number of activities that the staff could pursue to ready itself for the master planning process, while providing a break to the community for public engagement. These include information gathering through a system-wide, year-long visitation study; a resident survey; an OSMP asset inventory; and consultation with partner open space agencies on their experience of master planning. Another precursor to public involvement would be early coordination with internal city initiatives such as master/comprehensive planning, sustainability and resilience. Staff would also be able to use this time to prepare requests for proposal for consultant support for the update. The first public engagement step would likely be establishing a scope and refined timeline for the planning process that would include a recommendation from OSBT and approval by Council. Staff recommends that this scoping step not occur until early 2017 to allow sufficient time for quality foundational staff work and a meaningful hiatus for the public from consultation.

**BOULDER CITY COUNCIL RETREAT**  
**Museum of Boulder – Boulder, CO**  
**January 22 – 23, 2016**  
**Meeting Summary**

**ATTENDANCE**

*City Council:* Mayor Jones and Council Members Appelbaum, Brockett, Burton, Morzel, Shoemaker, Weaver, Yates, and Young.

*City Staff:* Jane Brautigam, City Manager and Tom Carr, City Attorney

*City Staff Presenters:* David Driskell, Executive Director Planning , Housing, and Sustainability, Karen Rahn, Director Human Services, Michael Sweeney, Acting Director Transportation

*Facilitation:* Heather Bergman and Katie Waller

**OUTCOMES**

<i>City Manager's Office</i>	<ul style="list-style-type: none"> <li>• Reach out to members of the community who have expressed interest in designing standard processes for public engagement.</li> <li>• Complete initial review of getting Head Tax on the 2016 ballot.</li> </ul>
<i>City Attorney's Office</i>	<ul style="list-style-type: none"> <li>• Review affordable housing options through the lens of requiring on-site, affordable housing rather than cash-in-lieu and share legal options with Council.</li> <li>• Draft options outlining how the Planning Board can be filled in between regular elections.</li> </ul>
CAC	<ul style="list-style-type: none"> <li>• Schedule a matter for the next Council meet to approve an ad hoc committee comprised of members Burton, Jones, and Shoemaker to come up with a proposal for future town hall meetings.</li> <li>• Schedule new items for the City Council discussion only if they are above a certain threshold and cannot be addressed by staff.</li> </ul>
<i>Human Services Staff</i>	<ul style="list-style-type: none"> <li>• Begin to think about municipal employee daycare and possibly include this under the Middle Income Housing Strategy.</li> <li>• Compile a list of simplified options regarding Living Wage and report back to Council in February.</li> </ul>
<i>Planning, Housing, and Sustainability Staff</i>	<ul style="list-style-type: none"> <li>• Come back to Council in June to prioritize Q3/Q4 2016 and 2017 tasks.</li> <li>• Bring forward "One-for-One Replacement Ordinance" related to permanently affordable housing to Council for approval.</li> <li>• Explore the scope of area and/or sub-community planning as part of the BVCP.</li> <li>• Analyze the need and feasibility of additional staff as part of revised work</li> </ul>

	plan discussion on Feb 29.
<i>Transportation Staff</i>	<ul style="list-style-type: none"> <li>• Revise work plan to reflect Council discussion; identify where/how the following items can be addressed:                             <ul style="list-style-type: none"> <li>○ Assessment of high-pedestrian corridors through the lens of code enforcement.</li> <li>○ Identification of road intersections that are or could become safety issues.</li> <li>○ Further analysis regarding land use codes and a possible coalition for Arapahoe Road.</li> </ul> </li> <li>• Come back to Council in February with a preliminary prioritization of 2017 tasks and a revised work plan for 2016.</li> </ul>
<i>Open Space and Mountain Parks Staff</i>	<ul style="list-style-type: none"> <li>• Asses the OSMP work plan and public and staff involvement to decide the best time to being work on the Visitor’s Master Plan/OSMP Master Plan with the knowledge that community members need a break from significant process.</li> </ul>
<i>Boards and Commissions Committee</i>	<ul style="list-style-type: none"> <li>• Tell all boards and commissions that they are encouraged to reach out to the public with the goal of raising awareness.</li> <li>• Tell boards and commissions that they are encouraged to organize meetings with other boards or commissions when appropriate and necessary.</li> </ul>
<i>Council Members</i>	<ul style="list-style-type: none"> <li>• Consistently refer to the 2016 work plan when deciding to take on new issues and defer to staff when necessary. (ALL)</li> <li>• Share names of people who have expressed interest in designing standard processes for public engagement with City Manager’s Office. (ALL)</li> <li>• Update all of Council on board and commission happenings when necessary and appropriate. (ALL)</li> <li>• Explore options for the camping ban and advance to CAC. (SHOEMAKER AND WEAVER)</li> <li>• Coordinate with Lynette Beck and IT Department to organize a shared Council member public engagement calendar. (YATES)</li> <li>• Develop a proposal for future town hall meetings. (BURTON, JONES, AND SHOEMAKER)</li> </ul>

## IMPROVING PUBLIC PARTICIPATION

The Council Members broke into small groups to discuss how to improve public participation in the City. Below is a list of the identified issues and benefits of public participation:

- Avoid getting sidetracked through unnecessary public processes and engagement.
- Use public participation to ensure Council is on the right track.
- Go forward at a moderate speed to avoid getting off course.
- Remain flexible and agile, while keeping the ultimate goal in mind.
- Identify ways to engage citizens who are not typically active in government.

- Capitalize on any opportunities to have a two-way conversation with the public.
- Improve one-way communication efforts so they are more effective.
- Identify early warning signs to avoid marginalizing vulnerable populations.
- Remain steady and consistent throughout particularly rough engagement processes.
- Anticipate problems before they arise, when possible.
- Work with members of the public who are trying to slow down processes to identify their motivations.
- Understand that policymaking is neither a straight line nor a direct route.
- Involve the public early in processes to ensure they run more smoothly.
- Understand that some opinions are fundamentally contradictory and cannot be reconciled through a public engagement process.
- Analyze the lessons from past engagement processes and apply them in the future.
- Continue forward with processes when going back is not productive, even if some citizens are unhappy.
- Limit the length of public processes so citizens remain engaged.
- Undertake tasks that are within the capacity and threshold of Council and staff.
- Recognize gaps in roles, rules, and regulations early in a process.
- Understand that some portion of the public thinks there is only one way to solve certain problems and assure them that City Council has not already made a decision.
- Keep the public from feeling railroaded by engaging them early on and allowing their input to inform the final product.
- Identify which public emails are being answered and which are slipping through the cracks and/or are not getting a complete response.

City Council members also discussed possible solutions to the identified problems. These proposed solutions are listed below:

- Use and analyze place-based, interest-based, and culture-based outreach to assess if public engagement is working as intended.
- Organize listening sessions or town hall meetings to encourage two-way discussion and allow the public to interact with City Council in a more informal setting.
- Assess possibilities for two-way conversation to ensure that they are scaled properly and engage the intended audience in a feasible manner.
- Utilize professional facilitators at future meetings to encourage the public to present possible solutions and identify tradeoffs, rather than only stating the problems.
- Explore the use of task forces and blue ribbon commissions and work to better understand the trust issues the community may have with representation on these types of groups.
- Assess the feasibility and benefits of two or three City Council members holding working or study sessions with citizens and then reporting back to the entire Council with a better understanding of certain public opinions and perspectives.
- Communicate the results of surveys in a more impactful manner, perhaps using two-way channels such as social media and other online mediums to summarize key outcomes of surveys; just posting the survey results is not sufficient.

- Outline a more efficient system to ensure that all public emails receive a response and all citizens, especially those who are not typically involved in government, are heard.
- Standardize the capacity of outreach and public engagement processes to ensure that there is consistency in depth across departments, keeping in mind that not all processes are going to require the same design.
- Express public participation or decision space constraints early in a public process and frame the problems carefully and intentionally to receive the most useful feedback.
- Tell the public the path to the final outcome and how their feedback will impact this path.
- Provide clear and concise information to the public explaining exactly how they can get involved early on; this will help to create an environment of authenticity.
- Create a voluntary, shared calendar for Council members so they remain informed about each other's interactions and meetings with concerned members of the community.
- Utilize boards and commissions to engage in public communication and outreach, encouraging them to serve as public messengers.
- Explore the possibility of having a person or department to explain processes to the public and direct input and community involvement to the proper department in a multi-disciplinary manner.
- Host Council meetings out of chambers and in the community a few times a year.
- Encourage City Council members to do listening sessions out in the community.
- Make a calendar publicly available that includes information for work plans, specific projects, and department efforts.
- Publish the City Council agendas in the front of the Daily Camera, rather than in the classified section.
- Increase meeting efficiency by providing guidance for public comment, including providing directional questions before the meeting or possibly in the Daily Camera and stating what Council hopes to learn from public comments.

Based on the previous discussions, Council members decided to take the following actions:

- **Council Member Yates** will work with Lynnette Beck to organize a shared Council member calendar for public engagement efforts. Council members Burton, Morzel, Weaver, and Yates will take part in this initial trial effort.
- **Council Members Burton, Jones, and Shoemaker** will work together to come up with a proposal for future town hall meetings. The Council Agenda Committee (CAC) will schedule a matter for the next Council meeting to have this ad hoc committee approved.
- **Jane Brautigam** will reach out to members of the community who have expressed interested in designing standard processes for public engagement. **All Council Members** should send any names of interested parties to Ms. Brautigam.
- **The Boards and Commissions Committee** will tell all the boards and commissions that they are encouraged to reach out to the public with the goal of raising awareness, but should meet with City staff before engaging in a campaign. They are also allowed and encouraged to set up meetings with other boards or commissions when appropriate.

## **COUNCIL PROCEDURES, EXPECTATIONS, AND LEADERSHIP**

### *Travel Opportunities*

Council members discussed Council travel opportunities and expectations. The Mayor is invited to roughly two to six national and international events requiring travel throughout the year. Typically, the organizers specifically request the presence of the mayor and must be persuaded to accept any other Council members, even though Boulder City Council members all have similar influence. After discussing the possible options, Council members decided that each request for the mayor to travel nationally or internationally will follow these steps:

1. The City Manager or the Mayor will ask the organizer if expenses are covered to decide if travel to the event is feasible and worthwhile.
2. The Mayor (Suzanne Jones) will send event invitations to other Council members when their expertise is a good fit for the specific opportunity.

### *Shared Information*

Some members of Council expressed concern that it can be challenging to stay up-to-date on the necessary topics. Currently, all members are expected to be knowledgeable about the details contained in each of the City's master plans. Some thought that it would be beneficial to the entire Council if there were appointed liaisons to each of the master plans, so that there is one City Council member who is an expert on that specific topic when it comes up for discussion. Other members thought that this would be unnecessary, as members of Council already work closely with the boards and commissions who help produce these master plans. These members stated that it would be beneficial if each Council member took initiative in updating the others on the happenings of their respective boards and commissions, which would include master plan updates and developments. Council members agreed to do their best in keeping other Council members informed. They also agreed to work with CAC to better involve boards and commissions in study sessions and future town hall efforts, as applicable.

### *Public Comment*

Current Council procedures regarding public comment indicate that if it is reasonably anticipated that 15 or more people are going to show up to speak, each speaker's time will be reduced to two minutes. Council agreed that continuing this practice was appropriate.

### *Planning Board*

It is common for members of the Planning Board to be elected to City Council. This can sometimes leave an empty seat on the Planning Board. City Council members agreed to have the City Attorney draft options outlining how the Planning Board seat can be filled to minimize vacancies on Planning Board in the future.

## **STAFF AND COUNCIL WORK PLANS FOR 2016**

Prior to the retreat, City Council members filled out a survey outlining their priorities for the 2016 work plan. After a question-and-answer session with the necessary staff and department

directors, 2016 work plan efforts were organized into a visual display. See the picture on the last page of this summary to view the visual representation of the work plan. The following tables include the changes and adjustments made by Council and staff during the meeting. Tasks and projects were organized using the following criteria:

To show the impact on the overall work plan, staff organized tasks into a visual display and used the following criteria:

- Blue tasks are led by the Planning, Housing, and Sustainability Department.
- Orange tasks are led by the Human Services Department.
- Green tasks are led by the Transportation Department.
- Yellow tasks are new additions from City Council members during the discussion.
- Bubble sizes are indicative of the staff time necessary to accomplish that task.
- Stars indicate how many Council members indicated that particular task as a proposed priority for the 2016 work plan.
- The Y-axis indicates the amount of anticipated public interest and participation; the X-axis indicates the expected City Council and Board time commitment.
- "\$" on bubbles indicates that this task will require funding for contractors.

Some Council members stated that it would be appropriate to hire more staff, specifically in the Planning, Housing, and Sustainability Department, to accomplish more of the necessary tasks. Others thought that there were more effective actions to take to solve the issue of bandwidth. The City Manager, Jane Brautigam, explained that while it can help in the long run, hiring more staff is not a solution to immediate problems. Hiring good employees and training them properly takes a long time. It is typically nine months before an employee can be hired and ready to take on larger projects. Hiring new staff this year is not going to make a large impact on the 2016 work plan. Ms. Brautigam stated that staff will look into the possibility of hiring new staff for the Planning, Housing, and Sustainability Department.

**Planning, Housing, and Sustainability Projects on the Work Plan for 2016**

*\* Italic comments indicate changes made to the proposed work plan during the retreat\**

<i>Project</i>	<i>Participation</i>	<i>Staff Time</i>	<i>Notes Reflecting Staff and Council Discussion</i>
Boulder Valley Comprehensive Plan (BVCP)	<ul style="list-style-type: none"> <li>• More Public Participation</li> <li>• More Board and Council Time</li> </ul>	Large	<ul style="list-style-type: none"> <li>• This project requires hiring consultant support</li> <li>• Four members of Council indicated this as a 2016 work plan priority.</li> <li>• <i>This will begin to define "community benefit."</i></li> </ul>

			<ul style="list-style-type: none"> <li>• <i>This project will work to provide more clarity around the scope of area and/or sub-community planning.</i></li> </ul>
Middle Income Housing Strategy	<ul style="list-style-type: none"> <li>• More Public Participation</li> <li>• More Board and Council Time</li> </ul>	Large	<ul style="list-style-type: none"> <li>• Four members of Council indicated this as a priority for the 2016 work plan.</li> <li>• This discussion will look at land use strategies as well as policies and priorities.</li> </ul>
Development-Related Impact Fees	<ul style="list-style-type: none"> <li>• More Public Participation</li> <li>• More Board and Council Time</li> </ul>	Large	<ul style="list-style-type: none"> <li>• This project includes four components: Transportation, Affordable Housing, Updating current fees, Public Art.</li> <li>• This task includes hiring consultants.</li> <li>• Three members of Council indicated this as a priority for the 2016 work plan.</li> </ul>
ADUs and OAU's	<ul style="list-style-type: none"> <li>• More Public Participation</li> <li>• More Board and Council Time</li> </ul>	Medium	<ul style="list-style-type: none"> <li>• <i>This task could be paired, in part, with the Middle Income Housing Strategy and Comp Plan Update.</i></li> <li>• <i>2016 discussion will lead to additional action in 2017.</i></li> <li>• <i>This topic could be addressed through a council-focused legislative action (similar to short-term rentals) or through a neighborhood-focused pilot project.</i></li> </ul>
Tiny Homes and Micro Units	<ul style="list-style-type: none"> <li>• More Public Participation</li> <li>• More Board and Council Time</li> </ul>	Medium	<ul style="list-style-type: none"> <li>• <i>Conceptual examination of this topic was added by Council to the Middle Income Housing Strategy.</i></li> <li>• <i>2016 discussion will lead to additional action in 2017.</i></li> </ul>
Sub-community Definition and Planning	<ul style="list-style-type: none"> <li>• More Public Participation</li> <li>• More Board and Council Time</li> </ul>	Medium	<ul style="list-style-type: none"> <li>• <i>This task was placed under BVCP for initial concept development.</i></li> <li>• Four members of Council indicated this as a priority for the 2016 work plan.</li> </ul>
Housing Products/Types Diversity	<ul style="list-style-type: none"> <li>• More Public Participation</li> <li>• More Board and Council Time</li> </ul>	Medium	<ul style="list-style-type: none"> <li>• <i>Council placed this task under BVCP.</i></li> <li>• Three members of Council indicated this as a priority for the 2016 work plan.</li> </ul>
Civic Area	<ul style="list-style-type: none"> <li>• More Public Participation</li> <li>• Less Board and Council</li> </ul>	Large	<ul style="list-style-type: none"> <li>• This task includes hiring a consultant.</li> </ul>

	Time		
Site Review Criteria and Definition of 'Community Benefit'	<ul style="list-style-type: none"> <li>• More Public Participation</li> <li>• Less Board and Council Time</li> </ul>	Medium	<ul style="list-style-type: none"> <li>• Four members of Council indicated this as a priority for the 2016 work plan.</li> </ul>
Boulder Community Health Site Planning	<ul style="list-style-type: none"> <li>• More Public Participation</li> <li>• Less Board and Council Time</li> </ul>	Medium	<ul style="list-style-type: none"> <li>• Three members of Council indicated this as a priority for the 2016 work plan.</li> <li>• This task includes hiring a consultant.</li> <li>• <i>This task will possibly include sub-community or area planning.</i></li> </ul>
Climate Commitment	<ul style="list-style-type: none"> <li>• More Public Participation</li> <li>• Less Board and Council Time</li> </ul>	Medium	
Energy and Building Codes	<ul style="list-style-type: none"> <li>• More Public Participation</li> <li>• Less Board and Council Time</li> </ul>	Medium	<ul style="list-style-type: none"> <li>• This task includes hiring a consultant.</li> </ul>
Mobile Home Parks	<ul style="list-style-type: none"> <li>• More Public Participation</li> <li>• Less Board and Council Time</li> </ul>	Medium	<ul style="list-style-type: none"> <li>• Two members of Council indicated this as a priority for the 2016 work plan.</li> <li>• <i>This task could include an assessment of tiny homes within the context of mobile home parks.</i></li> </ul>
Co-op Housing	<ul style="list-style-type: none"> <li>• More Public Participation</li> <li>• Less Board and Council Time</li> </ul>	Small	<ul style="list-style-type: none"> <li>• Five members of Council indicated this as a priority for the 2016 work plan.</li> <li>• This could be either a small or a medium task depending on the degree of public outreach prior to council action.</li> </ul>
30 <sup>th</sup> and Pearl	<ul style="list-style-type: none"> <li>• More Public Participation</li> <li>• Less Board and Council Time</li> </ul>	Small	<ul style="list-style-type: none"> <li>• This task includes hiring a consultant.</li> </ul>
One-for-One Replacement	<ul style="list-style-type: none"> <li>• More Public Participation</li> <li>• Less Board and Council Time</li> </ul>	Small	<ul style="list-style-type: none"> <li>• <i>Staff will bring this forward to Council.</i></li> <li>• This is ready to go now and should not take much more work on the part of staff.</li> </ul>

### Human Services Projects

<i>Project</i>	<i>Quadrant</i>	<i>Bubble Size</i>	<i>Notes Reflecting Staff and Council Discussion</i>
Homeless Strategy Action Plan	<ul style="list-style-type: none"> <li>• More Public Participation</li> <li>• More Board and Council Time</li> </ul>	Large	<ul style="list-style-type: none"> <li>• Four members of Council indicated this as a proposed priority for the 2016 work plan.</li> <li>• <i>2016 discussion will lead to additional action in 2017.</i></li> </ul>
Human Services Strategy Action Plan	<ul style="list-style-type: none"> <li>• More Public Participation</li> <li>• More Board and Council Time</li> </ul>	Large	2016 discussion will lead to additional action in 2016 and 2017.
Living Wage Action Plan	<ul style="list-style-type: none"> <li>• More Public Participation</li> <li>• More Board and Council Time</li> </ul>	Large	<ul style="list-style-type: none"> <li>• This task cannot be completed without additional funding and resources.</li> <li>• <i>Council members indicated that this task and associated discussions should remain as simple as possible.</i></li> </ul>
Safe and Welcoming Communities	<ul style="list-style-type: none"> <li>• More Public Participation</li> <li>• More Board and Council Time</li> </ul>	Medium	<ul style="list-style-type: none"> <li>• Four members of Council indicated this as a proposed priority for the 2016 work plan.</li> <li>• <i>2016 discussion on this topic will lead to additional action required in 2017.</i></li> </ul>
RMS and Substance Abuse Prevention	<ul style="list-style-type: none"> <li>• Less Public Participation</li> <li>• Less Board and Council Time</li> </ul>	Small	Current work plan can be completed within existing resources.
Harvest Bucks	<ul style="list-style-type: none"> <li>• Less Public Participation</li> <li>• Less Board and Council Time</li> </ul>	Small	Current work plan can be accomplished within existing resources.
Indigenous Peoples' Day Resolution	<ul style="list-style-type: none"> <li>• Less Public Participation</li> <li>• Less Board and Council Time</li> </ul>	Small	Resolution can be completed within current resources.

### Transportation Projects

<i>Project</i>	<i>Quadrant</i>	<i>Bubble Size</i>	<i>Notes Reflecting Staff and Council Discussion</i>
Transportation Impact Fees	<ul style="list-style-type: none"> <li>• More Public Participation</li> <li>• More Board and Council Time</li> </ul>	Small	<ul style="list-style-type: none"> <li>• This task is will be completed as part of Development Fees.</li> </ul>
Transportation Master Plan Implementation – Complete Streets	<ul style="list-style-type: none"> <li>• More Public Participation</li> <li>• Less Board and Council Time</li> </ul>	Large	<ul style="list-style-type: none"> <li>• This task includes Living Lab and Corridor Plans.</li> <li>• Council expanded this task to include snow removal efforts and a review of pedestrian crossing processes.</li> </ul>
Transportation Master Plan Implementation – Transit/Regional	<ul style="list-style-type: none"> <li>• More Public Participation</li> <li>• Less Board and Council Time</li> </ul>	Large	<ul style="list-style-type: none"> <li>• This task includes local transit, regional transit, and service delivery.</li> <li>• Council expanded this task to include enforcement at high-traffic pedestrian corridors.</li> </ul>
Transportation Master Plan Implementation – Funding	<ul style="list-style-type: none"> <li>• More Public Participation</li> <li>• Less Board and Council Time</li> </ul>	Medium	<ul style="list-style-type: none"> <li>• This task includes an impact fee study and quiet zones.</li> </ul>
Transportation Master Plan Implementation - TDM	<ul style="list-style-type: none"> <li>• More Public Participation</li> <li>• Less Board and Council Time</li> </ul>	Medium	<ul style="list-style-type: none"> <li>• This task includes a review of community passes and development requirements.</li> </ul>
Pedestrian Crossing and Processes Standards Review	<ul style="list-style-type: none"> <li>• More Public Participation</li> <li>• Less Board and Council Time</li> </ul>	Medium	<ul style="list-style-type: none"> <li>• This task is a part of Complete Streets.</li> </ul>
Snow Removal Efforts	<ul style="list-style-type: none"> <li>• More Public Participation</li> </ul>	Medium	<ul style="list-style-type: none"> <li>• This task will include snow removal for pedestrians, bikes, and other alternative</li> </ul>

	<ul style="list-style-type: none"> <li>• Less Board and Council Time</li> </ul>		<p><i>modes of transportation.</i></p> <ul style="list-style-type: none"> <li>• <i>Members of Council indicated that they would like this to include better clearing secondary roads as they connect to major arterials.</i></li> </ul>
Enforcement at High-Pedestrian Corridors	<ul style="list-style-type: none"> <li>• More Public Participation</li> <li>• Less Board and Council Time</li> </ul>	Medium	<ul style="list-style-type: none"> <li>• <i>This task will be completed as a part of TMP Implementation – Transit/Regional.</i></li> </ul>

**Items Identified for Work in 2017 – Prioritization Pending Council Review of Revised Work Plan**

<i>Planning, Housing, and Sustainability Projects</i>	<ul style="list-style-type: none"> <li>• Boulder Valley Comprehensive Plan Implementation</li> <li>• Middle Income Housing Strategy Implementation</li> <li>• TVAP Phase 2</li> <li>• Preservation Priorities</li> <li>• Use Tables</li> <li>• Neighborhood Infill Project</li> <li>• Housing Strategy Governance</li> <li>• Tenant City Purchase Program</li> </ul>
<i>Human Services Projects</i>	<ul style="list-style-type: none"> <li>• Camping Ban</li> <li>• Assessment of Human Services across Departments</li> <li>• Gender Wage Gap</li> </ul>
<i>Transportation Projects</i>	<ul style="list-style-type: none"> <li>• North-South Bike Connectivity and Network Improvement</li> <li>• Neighborhood Traffic Mitigation</li> </ul>

**Tasks Not Currently Resourced and Therefore Not Expected to Be Completed in 2016**

<i>Planning, Housing, and Sustainability Projects</i>	<ul style="list-style-type: none"> <li>• Affordable Housing Benefit Ordinance</li> <li>• South of Canyon (Downtown)</li> <li>• East Arapahoe Envisioning</li> <li>• Tax-Exempt Partners</li> </ul>
<i>Human Services Projects</i>	<ul style="list-style-type: none"> <li>• Living Wage for Contractors</li> <li>• Living Wage for Seasonal Workers</li> <li>• Homeless Action Plan – Landlord/Tenant Outreach; Community Education</li> <li>• Safe and Welcoming Community</li> <li>• Other social policy and program options in Human Services Strategy</li> </ul>

**MANAGING CHANGES TO THE WORK PLAN**

After completing the 2016 work plan, Council discussed what should be done if new projects arise, as this plan reflects 100 percent of staff resources. Some members stated that it can be difficult to plan for changes to the work plan, as they emerge from emergencies, strong community concern, or unique opportunities. Council suggested the following measures to keep the workload manageable for themselves and for staff:

- Develop criteria for when and how new items are added to the work plan in the future.
- Ensure staff checks with Council before adding anything to the agenda.
- Set a threshold for new and innovative topics, such as 1.5 hours of Council meeting time per quarter.
- Enforce the nod of five with rigor.
- Clarify decision space on the agenda to ensure efficiency in public comment.
- Encourage staff to feel comfortable reminding Council how full the work plan already is.
- Encourage Council members to hold themselves accountable for not overloading the staff with new work items.



## Attachment C: Boulder Valley Comprehensive Plan – Phase 3 Schedule and Areas of Focus

(Note: City Council previously received a version of this summary as part of the Dec. 15, 2015 memo, and again for the Feb. 2, 2016 memo. Staff has updated the information to reflect recent work and feedback.)

### City Council and Planning Board Feedback

- Overall, the focused topics are on track with what is needed and desired for the major update.
- Addressing housing issues should be a top priority for this update. The survey results reinforce the importance of this.
- Addressing CU South is another high priority.
- The proposal to include new sections in the BVCP specific to small areas (subcommunities) is viewed as positive and needed. However, staff may need to reconsider the utility of using subcommunities for this purpose. The boundaries may need to be revised, or a different scale of analysis may be necessary.
- The Built Environment topic should incorporate lessons learned from the Form Based Code project, and “housing the middle” solutions might also be identified through the built environment topic.
- Many of the issues are related to growth. In addition to addressing which areas are appropriate for change, rate of change is another important consideration in that conversation.
- Carbon sequestration in soil should be addressed as part of climate, energy, and resilience.

### BVCP Phase 3 – Approach and Tracks

Phases 3 tracks and 4 will include the following:

**Track 1: Areas of Focus**

**Track 2: Plan Policy Integration**

**Track 3: Plan Clean up**

**Track 4: Public Map, Policy, and Text Request Analysis**

The updated work plan for 2016 (at the end of this attachment) includes additional details about the entire process, as well as the diagram for Phase 3 BVCP work.

#### Track 1: Areas of Focus

The following work areas are being addressed in 2016 as part of the major update. Additional descriptions of each topic follow.

1. **Renew core values.**
2. **Add climate, energy, and resilience.**
3. **Address housing and middle income housing.**
4. **Address future jobs:housing balance.**
5. **Refine Built Environment section and mixed use/height policies.**
6. **Address “planning areas” sections and local issues.** (See also **Attachment C** as part of this memo.)
7. **Boulder Community Hospital Site Planning Process.**
8. **CU South Land Use Designation Analysis Process.**

**Track 2: Plan Policy Integration**

The interdepartmental city/county planning team will work with other city departments to ensure the updated BVCP reflects all the recent adopted master plans or other policies, such as the Community Cultural Plan, Transportation Master Plan, and Parks and Recreation Master Plan. This could lead to changes to the Introduction and Implementation chapter, where master plans are summarized, and other specific sections as noted in the table below.

<b>Plan Integration Topics</b>	<b>Relevant Ch., Sec.</b>
Add information about regional policy alignment	<i>Introduction, History</i>
Core values will need more substantive work as noted above.	<i>Sec. 1: Core Values</i>
Coordinate with the Design Excellence Initiative including outcomes from the pilot Form-Based Code, the updated Downtown Urban Design Guidelines, as well as other more substantive changes (e.g., activity centers), as noted above.	<i>Sec. 2: Built Environment</i>
Add current policies related to biodiversity (e.g., wildlife; water, wetlands, ditches; Green Infrastructure; pollinator protection). Add current policies from county’s open space element. Coordinate with the OSMP master plan process (mid-2016). Address carbon sequestration in soil.	<i>Sec. 3: Natural Environment</i>
Add new Climate Commitment goal. More substantive work will be necessary as the climate commitment strategy and community engagement progresses as noted in Track 1 above.	<i>Sec. 4: Energy and Climate</i>
Add relevant Community Cultural Plan (2015) policies to the Economy section and others (2, 4, 6, and 8). Add current goals from 2013 Economic Sustainability Strategy and Primary Employer study.	<i>Sec. 5: Economy</i>
Add current Transportation Master Plan (2014) policies or descriptions, including reference to Renewed Vision for Transit, and any approved directions from the Access and Parking Management Strategy.	<i>Sec. 6: Transportation</i>
More substantive housing policy topics are noted above.	<i>Sec. 7: Housing</i>
Various plans may necessitate changes to the Community Well-being section including: <ul style="list-style-type: none"> <li>▪ Parks and Recreation Master Plan (2013)</li> <li>▪ Policies related to an aging population and aging in place</li> <li>▪ Homelessness strategy (ongoing)</li> <li>▪ Human Services Master planning (ongoing)</li> <li>▪ Library Master Plan</li> <li>▪ Fire Master Plan</li> <li>▪ Police Master Plan</li> </ul>	<i>Sec. 8: Community Well-Being</i>
Add any changes to local food programs or policies since 2010 when this chapter was added to the plan.	<i>Sec. 9: Agriculture and Food</i>
Coordinate with the city’s interdepartmental ecology team on specific changes including: updates to natural ecosystems map, the environmental protection overlay, the trails map, and the open space other land use category.	<i>Other Chapters: Amendment Procedures, Land Use Map Descriptions, Implementation, Referral Process and other maps</i>

### Track 3: Plan Organization and Clean Up

Through spring, staff will prepare non-substantive edits to improve legibility and usability, including:

- **Amendment Procedures.** Some clarification was proposed as part of the 2010 update, but because the substantive questions regarding four-body review took time and never reached agreement, the non-substantive clarification also did not occur. Staff proposes to bring back the clarification pieces (not proposals for changes to the review process).
- **Land Use Map Descriptions.** Planning Board reviewed and provided feedback on an early draft of the chapter with table formatting, proposed pictures, intro text, and other enhancements. (*Note: additional substantive edits may also occur to this chapter later.*)

Following initial clean up, staff will do the organizational and format improvements (e.g., better contents, headings/footings, headers, etc.), to be completed by spring 2016. Substantive enhancements such as graphics and metrics will be added for the draft plan in Phase 4.

### BVCP Phase 3 – Areas of Focus Approach and Analysis

Areas of Focus are the bigger topics to address through Phase 3 that may modify the land use plan or policy direction of the BVCP. The focused topics below reflect input from:

- Previous meetings with the four approval bodies;
- Community engagement from Phases 1 and 2;
- Results from the survey and focus groups; and
- Research from the Trends Report and other foundations work.

#### 1: Renew Vision and Core Values

**Proposal: Update the core values to reflect input from the survey and community.**

##### What's does the 2010 Plan Say?

The plan sets forth a series of long-standing community values and aspirations for the future of the Boulder Valley that demonstrate the community's commitment to sustainability and meeting its environmental, economic, and social goals, as noted to the right. The survey asked respondents to identify if any additional core values should be emphasized by the plan. It also asked whether any of the existing values need clarification/modification. Finally it asked respondents to prioritize values in greatest need of increased attention.

##### Survey Results and Community Input

Respondents generally agree that the plan's values are consistent with community values. One open ended comment said, "If we can accomplish (the list) above, would be truly amazing. Let's try." Additional written comments suggested that the values be renewed to add the following:

- Resilient, prepared community
- Safety, as basic community value
- Diverse community (age, incomes, ethnicities, etc.)
- Well maintained infrastructure (and assets)

#### BVCP Core Values (p. 9, 2010 Plan)

1. Sustainability as a unifying framework to meet environmental, economic, and social goals
2. A welcoming and inclusive community
3. Culture of creativity and innovation
4. Strong city and county cooperation
5. A unique community identity and sense of place
6. Compact, contiguous development and infill that supports evolution to a more sustainable urban form
7. Open space preservation
8. Great neighborhoods and public spaces
9. Environmental stewardship and climate action
10. A vibrant economy based on Boulder's quality of life and economic strengths
11. A diversity of housing types and price ranges
12. An all-mode transportation system to make getting around without a car easy and accessible to everyone
13. Physical health and well-being

Applying a sustainability framework to decision-making in Boulder means considering the issues of environment, economy, and social equity together... At the intersection of all these areas is the community's ability to meet its needs now and in the future.

- Educated community / University role / community as progressive leader
- Acknowledgement of historic roots and established neighborhoods and places
- Managed, limited growth
- Representative and responsive government - “good governance” concept
- Arts and culture (as a separate concept, not bundled with welcoming and inclusive)
- Wildlife and cohabitation of people and wildlife
- Strong partnerships (e.g., city and county with University of Colorado, Naropa, Boulder Valley School District, RTD, Boulder Community Health, business community, neighborhoods)

Additionally, values possibly in need of clarification include:

- “Compact” community (i.e., explore whether there may be a better word or description of Boulder’s physical shape)
- “All mode transportation system”
- Climate action (i.e., add in the more current language and values from the climate commitment and clarify city’s role)

### Approach and Timeline

In early 2016, the planning team is using the results of the survey, input from community, and feedback from the four approval bodies to suggest modifications or clarifications to the vision/core values of the plan (Introduction and Section 1) to bring drafts to the public and review bodies in spring.

## 2: Add Climate, Energy and Resilience

**Proposal: Work with the Climate Commitment and 100 Resilient Cities (100RC) strategy teams to strengthen BVCP policies related to climate action, energy system transformation, and resilience.**

Boulder’s Draft Climate Commitment, currently being reviewed by the community and scheduled for consideration and adoption by Council in 2016, defines a path to deep reductions in Boulder’s greenhouse gas emissions. Guided by the goal of reducing emissions 80% by the year 2050 (the level of reduction necessary based on current climate science), the Climate Commitment framework defines three key action areas: Energy, Resources and Ecosystems, with a central component being significant transformation of our energy system. This transformation, as well as other aspects of the climate commitment, will require shifts in city policies related to land use, building codes, transportation and other systems. The BVCP Update provides an opportunity to assess current and future policy and action priorities for achieving Boulder’s climate action goals.

At the same time, resilience is an important concept emerging in the planning world as the impacts of a changing climate and other stressors become more acute. These impacts have become an increasingly important area of focus for the city as the recent wildfires and September 2013 floods have resulted in widespread damage and illustrated the necessity of strengthening community resilience. Through the city’s participation in the 100 Resilient Cities program, the update provides an important opportunity to better understand how resilience principles and concepts can be incorporated in the BVCP.

### How does the plan address climate, energy and resilience?

Boulder has been working to reduce its climate impacts since the early to mid 2000s, and the goal of reducing greenhouse gas emissions is reflected in the 2010 BVCP. However, the level of emission reductions called for in the October 2015 draft of Boulder’s Climate Commitment establishes a significantly higher bar for action, requiring more than just improved energy efficiency in buildings and greater energy conservation; it calls for a fundamental transformation of Boulder’s energy system, including a target of 100 percent clean, renewable electricity. These goals are not reflected in the current BVCP.

The 2010 BVCP also does not use the term “resilience” or “resilient.” However, while the plan hasn’t used the term, much of the planning and actions over the past few decades (e.g., floodways and greenways planning, open space in the foothills, planting diverse tree species, establishing a budget reserve) has made the community more resilient and ready to bounce back in times of emergency. The 2013 flood especially elevated awareness about the need to be adaptable and resilient at the local level. Additionally, the 100 Resilient Cities grant has brought new resources to enable the community to evaluate the plan and recommend how to make it more resilient, leading to more resilient outcomes.

### Survey Results and Community Input

The Boulder community has consistently supported city-led action to reduce greenhouse gas emissions, expressed most recently by overwhelming support for extending the city’s climate action plan tax as well as in the responses to the BVCP survey. While no specific questions in the survey asked about resilience, a few respondents noted that the plan should include resilience as a concept. A climate and resilience survey about a year ago suggested that most people in the community do not understand the concept of resilience, so additional awareness and information would be helpful. Participants in listening sessions have mentioned interest in resilience.

### Proposed Approach

The city’s interdepartmental Climate Commitment team will partner with the BVCP team to conduct an assessment of the 2010 BVCP and identify areas where updates could be made to better reflect the more aggressive goals of the October 2015 draft Climate Commitment and key areas of action. This work will also be informed by the grant-funded analysis being conducted in early 2016 around the concept of “whole energy system transformation” (i.e., the necessary transition toward clean, renewable energy sources for electricity, heating/cooling, and transportation). This work is looking at different development typologies to identify alternative pathways toward deep decarbonization, helping identify potential implications for land use and development. This work will further inform the assessment of current BVCP policies and suggest areas in which policies could be added or strengthened.

Through the 100 Resilient Cities (100RC) program and working with the city’s Chief Resilience Officer (CRO), the planning team will assess the BVCP through the lens of resilience, affirm what resilience means to Boulder in this context, and integrate resilience principles and policies into the BVCP (in this update and/or for forthcoming updates). The 100RC program is covering the costs to have HR&A Advisors, the 100RC Strategy Partner for Boulder, analyze the plan and co-lead an interdisciplinary working group to advise the city and county on identifying content and processes to incorporate resilience into the plan. Integrating resilience into the BVCP may result in the following tangible outcomes:

- Refined sustainability framework and plan to include resilience: The concepts of resilience, sustainability, and long term planning are generally complementary and closely aligned. This effort will identify common ground, ways to address any gaps or conflicts, and how to integrate resilience concepts.
- Broadened resilience thinking in sections of the plan: As the plan is updated to integrate other master plans and concepts, there is an opportunity to integrate resilience, for instance in the Built environment section, land use policies could be considered that reduce buildings’ exposure to floods and wildfires by restricting development in these vulnerable areas and/or prescribing standards that require buildings be made of materials that are less susceptible to wildfires or design measures to mitigate against flooding.

### Timeline:

This work has commenced in January 2016 and be completed by the beginning of the second quarter. The planning team is in the initial stages of the project with HR&A.

### 3: Address Diverse Housing and Middle Income Housing Goals

**Proposal:** Based on the *Housing Boulder Action Plan for 2015/16*, the *Middle Income Housing Study*, BVCP survey results, and other community input, explore how the plan's policies and/or land use plan can be adjusted to better achieve middle income housing goals and encourage diverse housing types as appropriate to different parts of Boulder. (Note: The Feb. 23 Middle Income Housing memo includes additional information.)

#### What's the Current Housing Policy?

The plan includes a core value of “diversity of housing types and price ranges.” (p. 9). Policies relating to jobs:housing balance are noted above. The Built Environment section includes policies about character areas, neighborhood preservation, compatibility, and mix of complementary uses (p. 28). Finally, the Housing section (p. 49) includes a description of goals and policies regarding affordable (low and moderate) housing, partnerships, choices, diversity, growth and community housing goals. In 2008, City Council established a goal of 450 permanently affordable middle-income housing units. This goal is in addition to the “10 Percent Goal” for deed restricted units serving low and moderate income households. Currently, annexation is the city's only path to create permanently affordable middle-income housing.

#### Housing Boulder project/Trends Report/Forecasts

The Housing Boulder project has explored a variety of programmatic and funding tools, and discussion has generally held that Boulder cannot build its way toward a housing solution, but that land use changes could be one part of improving housing affordability. The *Housing Boulder Action Plan for 2015/16* (approved by City Council in September 2015) identified a few questions and tools to be explored through the BVCP, including any potential land use or policy changes that might help support the housing goals. BBC Research and Consulting is also preparing a *Middle Income Housing Study* that will provide research on Boulder's challenges, housing products, affordable products, and impacts of middle market development.

#### Survey Results and Community Input

The survey and focus group results conveyed interest in affordable housing, and contained multiple comments about the increasing challenge for middle income people to be able to afford Boulder – whether they are existing residents in neighborhoods, or potential buyers and renters feeling squeezed because of rising prices, property taxes, or changing neighborhood character. Some of the relevant quantitative results from the survey showed:

1. Of the top three community values in greatest need of attention, “A diversity of housing types and price ranges” ranked as first priority. (63 percent of people selected it as a first choice.)
2. On the question about growth rates, most selected maintaining a system to limit housing growth rate (43 percent) vs. 26 percent who would rather not limit the rate of growth or 15 percent who would rather reduce the rate of potential housing growth.
3. For new development, permanently affordable housing was identified as the most important community benefit requirement (47 percent selected as a top three priority)

Open ended questions and focus group summaries provided more nuanced responses.

- Affordability and inclusivity were recurring themes in the values.
- New housing should be affordable and fit neighborhood character (not big and bulky).
- Perceptions of neighborhoods changing (for the worse) included new “big” houses changing the physical character and social mix of the neighborhood.
- New housing should be more family- and age-friendly and have lasting value. The higher density rental housing being built seems to appeal to younger or single people (e.g., fire pits instead of playgrounds or gardens).
- Design and quality of units, especially high density, is important.

- Continue to limit housing growth rates (certain types especially, such as high end), while providing affordable options.
- Reduce costs and incentivize homes with smaller footprints (e.g., less than 1,200 sf).
- Housing and neighborhoods also need parks, services, and transit.

### **Approach and Timeline**

In coordination with the Housing Boulder team and the BBC report underway, the suggested approach (in addition to options proposed under Topic 3 above) is as follows:

- A. First analyze types of housing that Boulder is missing, and current land use plan (and zoning) projections; then prepare options to achieve missing housing types (e.g., townhomes, duplexes, family- or age-friendly apartments, live-work, tiny homes, micro units) in areas with potential for new housing including mixed use areas.
- B. Evaluate housing and neighborhood policies for their support of middle income housing goals (in the Housing section) or other housing types not being achieved. Determine how the city may partner to preserve and maintain housing and encourage smaller units.
- C. Recognizing that housing issues are not “one size fits all”, work with the community and neighborhoods to evaluate types, amenities, etc. that may be appropriate (or not) in different places.
- D. Further address housing issues and ideas at the subcommunity planning level (or through area plans)
- E. Analyze the public requests for land use changes in part through the lens of housing the middle goals.

### **Timeline:**

The timeline for this topic will coincide with Middle Income Housing strategy options aiming for final direction by fall 2016 after public input in the spring and summer.

## 4: Address Jobs:Housing Mix/Balance

**Proposal: Develop options for adjusting the land use plan to improve the balance of housing. The options will explore encouraging housing near where people work, encouraging transit-oriented development in appropriate locations, preserving service commercial uses, and possibly converting non residential industrial uses to residential in appropriate locations, as noted in Policy 1.19.**

### What is Current Policy?

The plan includes policies (1.19, 5.02) in support of Boulder being a regional employment center with more jobs than housing. It also calls for improving the balance of jobs and housing while maintaining a healthy economy which can be accomplished through a variety of means, including converting industrial uses to residential uses in appropriate locations, other land use changes, and focusing on transportation (i.e., improving regional transportation alternatives and mitigating the impacts of traffic).

Growth management policies also address tools to manage the pace and rate of growth (1.15). The city currently uses a number of tools to control the scale, location, type, intensity and timing of new development and ensure that development provides benefits and achieves community goals. Such tools include development standards and the Land Use Code and development fees (including new commercial linkages fees). The Residential Growth Management System tool aims to manage the average annual rate of housing growth, which in the City of Boulder (from year-end 2009 to 2014) has been approximately 0.8 percent per year.

### Trends Report/Projections

According to projections performed this year, in 2015 Boulder has approximately 45,700 housing units, just under 105,000 residents and close to 100,000 jobs. This equates to a ratio of 0.46 housing units to jobs. After the 2000 Plan established a jobs:housing balance goal, land use plan adjustments were made to accommodate more housing. Consequently, the city has been able to maintain a better housing and jobs balance than it might have without adjustments. However, by 2040, projections show that Boulder will potentially have 6,300 new housing units, 18,200 new residents, and 18,500 new employees. There is less land zoned for future housing than future jobs, so the balance could become more tipped toward jobs (ratio of 0.44 housing units to jobs by 2040). A finer grained analysis of the housing figures was recently prepared and presented as part of the Middle Income housing memo.

### Survey Results and Community Input

For the past year, growth has been a major topic of discussion in Boulder. It was at the August community kick off, during local listening sessions, and in online input for the plan. The BVCP survey asked several questions about jobs and employment mix and rates: whether to adjust the overall potential for additional jobs and housing, and whether to adjust the rate of growth for housing and commercial.

Survey responses indicate general alignment with current policies and approaches to maintain or improve the balance of jobs and housing. Respondents thought Boulder should increase (25 percent) or maintain (57 percent) the current potential for additional jobs, and increase (43 percent) or maintain (39 percent) the current potential for additional housing. Of respondents, 11 percent would like to reduce potential for commercial and 12 percent would like to reduce the potential for additional housing. Open ended comments showed nuanced thinking about the future mix of housing and jobs. Quality, design, family-friendly design, and public spaces and views are important factors in how the community addresses the issue, also as further noted below under the housing and built environment topics.

Respondents conveyed that the city should continue to manage an average rate of growth for housing but not add a new growth management rate tool for jobs.

### Proposed Approach and Timeline

The planning team proposes to develop scenarios to improve the future balance of jobs and housing. Initially it does not appear the employment center policies would need to be adjusted, but the conversation and analysis may lead to housing policy changes. Options noted as part of the middle income housing strategy could help refine the housing and jobs “balance”, including:

- A. Prepare and analyze land use option(s) that will improve the future balance of housing. Options would explore converting land uses to residential in appropriate locations as noted in policy 1.19 (e.g., Crossroads area, east side of Boulder). Options might be framed to:
  - (a) maintain the current balance to 2040, (b) improve the current ratio of jobs and housing by adding more housing in place of industrial uses, and (c) other options.
- B. Explore policies and best practices for encouraging different housing types to accomplish middle income housing goals and encourage a diverse mix of housing.
- C. Further analyze public map change requests from the standpoint of the overall balance of housing and jobs.

Based on survey results, the planning team is not proposing to explore changing the rate of growth for either residential or non residential uses unless requested by City Council.

#### Timeline:

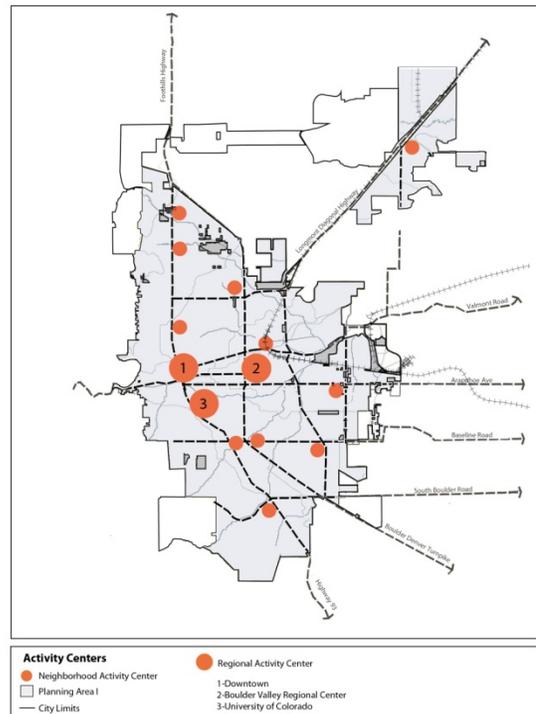
The timeline for this topic will coincide with Middle Income Housing strategy options aiming for final direction by fall 2016 after public input in the spring and summer.

### 5: Refine Built Environment Chapter and Policies regarding Centers, Height

**Proposal: Add illustrations and description to the Built Environment section; update and refine the plan’s “activity centers”; address where to adjust height or mixed use; and address design and community benefit. Analysis may inform next steps related to the ordinance limiting height modifications (approved Mar. 17, 2015 and set to expire in 2017).**

#### What’s the Current Policy?

The Built Environment section includes a series of maps and policies regarding mixed use development, activity centers, neighborhoods, design, etc. The “mixed use” neighborhood concept is located throughout the plan but is most clearly articulated in the Built Environment section and policy 2.16. The “activity centers” figure on page 21 shows the location of regional and neighborhood activity centers. The land use categories and plan also guide what type of uses may occur in certain locations.



The City Charter limits the height of all buildings constructed in the city after 1971 to 55 feet (as measured from a low point 25 feet away from a building), although in most areas of the city, zoning limits the height to 35, 38, or 40 feet unless a taller height is approved as part of a Site Review process. In some areas such as Downtown, the Boulder Valley Regional Center (28<sup>th</sup>/29<sup>th</sup> Street shopping area), and

Boulder Junction, the Plan and specific area plans anticipate more urban, mixed-use, and walkable development, and thus the zoning permits more intense development in terms of density (number of units per acre) and floor area. In these locations, it is more common to see height modification requests for up to 55 feet if it is demonstrated through the Site Review process that the height and design is consistent with a specific area plan or with the existing surrounding development context. Site Review also requires projects to be of a higher level of quality than by-right developments. High land values and scarce redevelopment sites often encourage property owners to seek height modifications to build to 55 feet.

### **Survey Results and Community Input**

Survey opinions on mixed use development show that nearly half (47 percent) support mixed use within commercial hubs and along major roads, and another 39 percent think there are tradeoffs and it should be encouraged in carefully defined areas. Few disagree with the concept. The open ended comments suggested more concern about design than mix. For instance, people noted that what is getting built is often unattractive, too high end (exclusive), or generic “Anywhere USA”. Respondents would like it to be more architecturally interesting and reflective of Boulder’s unique identity, place, and scenic quality and address traffic and parking. It should be looked at intentionally (case by case basis, not appropriate everywhere). According to the summary of the focus group discussion by RRC, “The plan should be smart about what needs to go where and keep the overall balance in mind.”

Survey respondents also provided a range of opinions about height, with more agreeing that “buildings up to 55 feet might be OK in a few selected areas of Boulder only if they provide a number of community benefits...” (34 percent) or if “quality and design is exemplary.” (31 percent), or they are OK in commercial areas if consistent with an area plan (23 percent). Many open ended comments addressed views, particularly downtown and on the west side of town, with some respondents noting that taller buildings in out-of-the way areas (away from neighborhoods, in industrial business parks) might be alright.

Additional ideas from the Form Based Code project, Design Guidelines, and housing analysis, Boulder Community Health site planning, subcommunity planning, and parallel efforts might also inform how the Built Environment chapter of the plan might be updated.

### **Proposed Approach and Timing**

The planning team proposes additional analysis on the locations of activity centers and analysis about what mixed use is appropriate where (including neighborhood services and gathering places that support 15 minute neighborhoods and other neighborhood needs). The 3D City Engine modeling tools and other visualization will support further analysis of massing, scale, and height in certain locations. Options for analysis may include:

- A. Refine the “activity centers” map – framing options from results from the survey, and using the 3D model to further explore questions related to centers and locations for future concentrated activities.
- B. Provide illustrations of intended outcomes for buildings and public spaces in different types of “centers” using visualization tools, photos, and other graphic tools to convey preferred design.
- C. Consider whether certain mixed use centers or provisions for buildings taller than 35/40 feet would be addressed intentionally through an area plan or form-based code approach (as it might apply to the ordinance).
- D. And, other ideas to be explored with the community

Additional options will be developed as staff completes review of the survey results and other community engagement around this topic. Staff would also like input from the four approval bodies.

**Timeline:**

Completion by fall 2016.

## **6: Add Planning Areas (i.e., Subcommunity Sections) to Address Issues of Local Concern**

**Proposal: Update the plan to include new planning area policies (i.e., for subcommunities).**

### **What's the Current Policy?**

The 1990 plan established subcommunities – 9 altogether. Area III outside of the city includes most of the city-owned open space and natural areas. The current plan explains the purpose and history of subcommunity and area planning (see the Implementation chapter). It includes criteria for selection for area planning and a list and map of adopted subcommunity and area plans. Area plans are intended for areas with special problems or opportunities that are not adequately addressed by comprehensive or subcommunity planning. After the North Boulder plan that took many years to complete, it was determined that a smaller area planning approach made sense for areas with unique problems or opportunities. Additionally, during the past year, the community has expressed interest in finer-grained planning and more focus on neighborhood issues, but not to the exclusion of comprehensive community needs. (Note: Additional information is available in **Attachment C**.)

### **Trends Report/Projections**

As part of the foundations work staff created fact sheets, interactive story boards, and other materials at the subcommunity level. Subcommunity listening sessions conducted in November and December are a step toward being able to have conversations about future land use, infrastructure needs, and other topics of interest at the local level. It has been pointed out that the subcommunities might need further refinement if the city moves forward in using them for planning purposes. For instance, the Central Area which encompasses University Hill, Downtown, and most of the historic neighborhoods is very large. Boulder Junction crosses over two subcommunities. And, natural conditions (e.g., floodplains, open space), are not optimally addressed at the subcommunity level. While it may be impractical and time consuming to redefine boundaries for this plan update, it could be proposed for the 2020 plan that the subcommunities be further refined. Additionally, the city could identify further subdivisions within the Central Area.

### **Survey Results and Community Input**

The survey did not contain questions about specific subcommunities but asked about needs and desires within neighborhoods. Neighborhood planning garnered some interest, however most respondents showed more interest in communications and infrastructure improvements. The listening sessions in different parts of the community are ongoing in early December, and early results show some variation and unique ideas among different subcommunities (e.g., North vs. Southeast) that may contribute toward unique policies and plans for areas.

### **Proposed Approach and Timeline**

Community comprehensive plans can include chapters or sections that address planning areas. Planning Area policies might address unique factors in each subcommunity such as commercial options, land use unique factors, areas of relative stability or change, improvements to infrastructure, access to parks and open space, gateways, single family neighborhood preservation, etc. Next steps toward developing unique policies for subcommunities in the plan might include:

- Map neighborhood character areas (stable areas to protect vs. areas of change).
- Ask people what they want to protect vs. change (as in the listening sessions).
- Document where places have common traits and unique characteristics.
- Research best practices for small area planning. (See also **Attachment C**.)

**Timeline:**

The timing would coincide with other area of focus tracks, with additional community engagement throughout spring/summer of 2016, additional feedback from the four approval bodies, and recommendations occurring as part of the third quarter of 2016 and draft plan.

**Site Specific Analysis as part of Track 1**

In addition to the above focused topics, the planning team is working on several site specific planning processes with distinct community engagement, technical work, and analysis, including:

**7. Boulder Community Hospital Site Planning Process.**

The City of Boulder completed purchase of the Boulder Community Hospital (BCH) site on Dec. 4, 2015 and has been working on a plan for focused planning and community engagement plan for the redevelopment for 2016 and beyond. Generally, early steps in 2016 relevant to the BVCP are anticipated to include: (a) developing an Urban Design Framework that puts BCH in context with its Central Boulder surroundings, (b) developing guiding principles for the BCH site to help guide programming and further planning, and (c) possible land use change suggestions and support for area planning. Some of the public engagement for BCH planning may be coordinated with the BVCP events, especially Central Area meetings. However, separate and focused collaboration and partnering with specific groups and localized area also will be necessary. Staff is updated a dedicated webpage.

**8. CU South Land Use Designation Analysis Process.**

As part of the plan update, the city will be working with the University of Colorado (CU) and the community to analyze possible changes to the BVCP land use designations for the CU South site in advance of any land use changes, annexation, or zoning. A two-part site suitability study to address developable and undevelopable parts of the site (e.g., natural features, wetlands, sensitive species, and habitat) is underway. The second part will address land use and urban services beginning in mid-2016. It is also likely that prior to annexation, the city and CU would need to develop an agreement describing conditions for annexation. Site engineering for the South Boulder flood mitigation berm would happen on a separate but parallel track. At their joint meeting on Dec. 15, Planning Board and City Council supported further study of CU South and emphasized that it is a high priority for the update. A dedicated webpage is located at: <https://bouldercolorado.gov/planning/cu-south>

# Phase 3 approach

**A** define concepts and key questions (Jan - May)

**B** prepare scenarios, choices, and analysis (June-Sept)

**C** narrow choices (Sept-Nov)

**Phase 4**

## 1-Areas of Focus

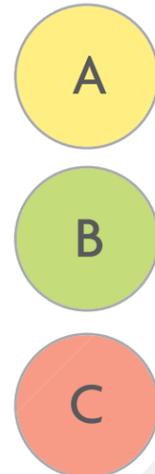


## Confirm topics...

- Resilience, energy, and climate** (e.g., how should plan integrate resilience with sustainability principles?)
- Housing** (e.g., What is appropriate goal and locations for middle income housing?)
- Core values update**
- Jobs/housing balance** (e.g., Should future mix be adjusted to better meet community goals?)
- Housing mix and locations** (e.g., Where are opportunities for middle income housing?)
- Subcommunities/planning areas:** (e.g., What are unique needs and characteristics?)
- Built Environment,** Land Use category updates, Community Benefit

## Site specific planning

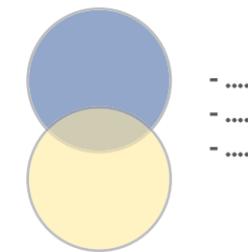
## Develop scenarios or key choices and analysis for further discussion



BCH, CU South analysis

Each scenario with map based approach, visual images, possible policy changes, analysis of benefits and impacts (e.g., climate, transportation, utilities), and “what it would take”

## Narrowing of preferred directions (maps and policies)



**Draft Plan**  
(policies and maps)

## 2&3-Plan “Clean Up” and Policy Integration

### Address alignment for topics such as:

- Regional policy alignment (Intro, History)
  - Biodiversity, soil sequestration, etc. (Nat. Environment)
  - Climate Commitment goals (Climate and Energy)
  - Community Cultural Plan (Economy, Community Well-being)
  - Transportation Master Plan (Transportation)
  - Local food programs (Agriculture and Local Food)
  - Parks and Rec, Libraries, Homelessness Strategy, Etc. (Community Well-being)
- Improve legibility for:** Amendment Procedures, Land Use Map Descriptions

**Initial Draft**  
(policy integration)

## 4-Public Request Analysis

Analysis occurs for parcels and policies that passed through initial screening

Some analysis may take longer...

## Possible Engagement Tools

(Jan - May)

- website updated to reflect focused topics
- a keystone meeting or events (e.g., “Planning Fair”) with other parallel discussion in March/April:
  - online
  - targeted outreach to organizations, groups
- combined engagement with other projects

(June-Sept)

- local meetings (e.g., like “listening sessions”), May/June
- survey #2 on specific options and solutions
- online engagement
- meetings “to go”
- “pop up” events
- targeted outreach to organizations, groups
- focus groups on specific topics
- Boards and Commissions check in

(Sept-Nov)

- fall events TBD

Draft  
2/15/16

## ATTACHMENT D: SUBCOMMUNITY AND AREA PLANNING

Council members expressed interest in subcommunity and area planning, and requested that work occur this year to lay the groundwork and to provide information on potential resource needs to address this area of work in 2017. Below please find some information on:

1. How Boulder currently defines small area planning.
2. How staff is planning to address subcommunity and area planning as part of the Boulder Valley Comprehensive Plan (BVCP) update.
3. How some other cities are organized to address area planning or neighborhood planning, and a description of their respective programs.
4. Resource implications and options.

### ***Boulder's Definitions and Approach to Area Planning***

The implementation chapter of the BVCP (Section IV, pages 70-77) provides background and guidance on the use of subcommunity and area planning in Boulder. Content from that section is summarized below; the full text can be reviewed [here](#).

Subcommunity and area planning bridges the gap between the broad policies of the Boulder Valley Comprehensive Plan and site specific project review (development applications or city capital projects). Area plans typically address planning issues at a more detailed level than subcommunity plans. The planning horizon for subcommunity and area plans is the same as that for the Comprehensive Plan—15 years. Boulder County is involved in the development of plans that affect land in Area II or III. Subcommunity and area plans are adopted by Planning Board and City Council and amended as needed with the same legislative process as originally adopted.

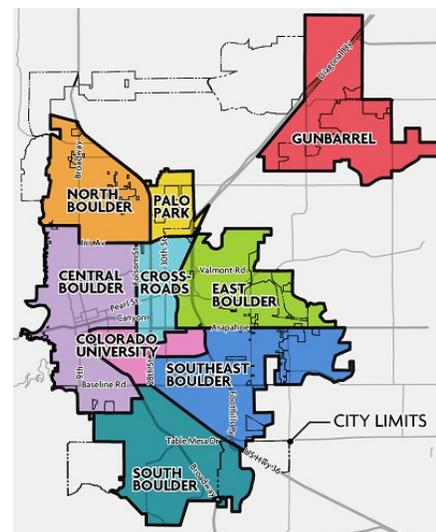
The subcommunity and area planning process generally includes:

- Identifying opportunities to address Comprehensive Plan goals;
- Developing criteria for decision-making;
- Involving the community;
- Identifying priorities and financing for recommendations; and
- Establishing a framework for implementing and ensuring future compliance with the plan.

### **Subcommunity Planning**

Boulder has nine subcommunity planning areas within the Service Area: Central Boulder, Crossroads, the University of Colorado, East Boulder, Southeast Boulder, South Boulder, North Boulder, Palo Park, and Gunbarrel.

When the subcommunity and area planning program was instituted in 1990, the idea was to develop plans for all of the subcommunities. The North Boulder Subcommunity Plan was the first because the area had the largest amount of vacant land in the city at the time and a significant amount of change was anticipated. As the city becomes more fully developed, the need for extensive planning at the subcommunity planning level has lessened, and it is now thought that not all subcommunities will necessarily have subcommunity plans. If they do, they will address fewer issues than were tackled in the North Boulder



Subcommunity Plan. It is anticipated that each subcommunity plan will be evaluated as needed and monitored annually through the Capital Improvements Program (CIP) and the Boulder Valley Comprehensive Plan Action Plan.

### **Area Planning**

Area plans are developed for areas with special problems or opportunities that are not adequately addressed by comprehensive planning, subcommunity planning or existing land use regulations. Area planning is initiated as issues or opportunities arise.

### **Criteria for Selection of Area and Subcommunity Plans**

The criteria for selecting the priority for the development of subcommunity and area plans are:

- Extent to which the plan implements Boulder Valley Comprehensive Plan goals;
- Imminence of change anticipated in the area;
- Magnitude of an identified problem;
- Likelihood of addressing a recurring problem;
- Cost and time effectiveness of doing the plan; and
- Extent to which plan improves land use regulations, the development review process and the quality of public and private improvements.

### ***Subcommunity Planning and the BVCP Major Update***

Staff has already completed some work at the subcommunity level as part of the current BVCP update. This work includes the [Subcommunity Fact Sheets](#), which were recently updated to include future land use in addition to the historical timelines and existing conditions data that had been featured in previous iterations of this work product. In the fall, staff conducted a series of community [Listening Sessions](#) to collect input and feedback on issues of importance at the subcommunity level. Finally, the results of the [BVCP Survey](#) have been cross-tabulated by subcommunity, providing another source of insight on issues and opinions at this scale.

Building on the informational foundation of the work described above, staff proposes to include new subcommunity plan sections and policies in the BVCP to address local issues and character. These new sections will use feedback from local listening sessions and the survey to help define unique characteristics and needs within each area. The subcommunity sections of the plan can address land use and other topics such as neighborhood character (e.g., areas of stability), unique assets, land use compatibility, and other service and infrastructure needs. Because the comprehensive plan addresses policy issues at a high level, more detailed recommendations would not be within the purview of the current BVCP update. Rather, this would be more appropriate as part of future small area or subcommunity plans that would be individually scoped for that purpose. The BVCP could also prioritize area, subcommunity, or neighborhood plans.

### ***Case Studies: How Other Cities Approach Small Area and Neighborhood Planning***

To help inform the treatment of subcommunity planning in the BVCP, staff has begun researching small area planning programs in other cities, and some preliminary results of this work are summarized below. Further research will be needed to provide more complete information and answer questions such as how the program is resourced; how city service units are organized; how the community prioritizes areas for planning; and how communities address their full breadth of planning needs by combining different approaches.

Thus far, staff has identified four approaches to small area planning. They are the complete coverage approach, the targeted area plan approach, the service-based approach, and the community-driven approach. It is important to note that these approaches are not mutually exclusive. Some communities

incorporate more than one approach to addressing issues at the local level. Staff may identify other small area planning approaches as additional research is conducted on this topic.

- **Complete Coverage Approach-** Under this approach the intent is for each neighborhood (or other geographic unit) within the city to have its own plan. The goal is to ensure equal treatment and coverage of planning resources for all parts of the city.
  - **Charlottesville, VA** created plans for all 18 neighborhoods within their city following the adoption of their 2001 Comprehensive Plan, which identified this need. The most recent update to the neighborhood plans took place in 2006, while the Comprehensive Plan has been consistently updated every 5 years. Charlottesville’s neighborhood plans are not as detailed as the area plans that have been typically adopted by the City of Boulder. Instead, they focus more on the guiding principles and values of different neighborhoods as they relate to topics such as activity centers, connectivity, housing, and the environment.
  - **Austin, TX** follows a comprehensive small area planning model, but only for neighborhoods within the city’s central core. Nearly all neighborhoods within the core of Austin have either an adopted plan, a plan that is currently in-process, or one that is planned for the immediate future. Meanwhile, most neighborhoods outside of the core (roughly 70% of the geographic area of the city) do not have an adopted plan.
- **Targeted Area Plan Approach-** The philosophy of the targeted approach is that small area planning efforts should be directed at parts of the city expected to experience change, and it is not presumed that all areas need to have a small area plan. Boulder has followed this practice for small area planning for the past few decades resulting in plans such as the Transit Village Area Plan and the Gunbarrel Community Center Plan.
  - **Denver, CO** has followed a targeted small area planning model since the adoption of Blueprint Denver in 2002. Blueprint Denver identifies areas of change and areas of stability within the city, and small area plans are directed primarily at areas of change. In recent years, Denver’s small area plans have largely taken the form of Station Area Plans that focus on the ½ mile walkshed surrounding future RTD light and commuter rail stations, as the introduction of rail-based transit is seen as a market driver of land use change in these areas.
  - **Seattle, WA** concluded a five-year neighborhood planning process in the early 2000s. These neighborhood plans were created for areas with urban villages or centers and adopted growth targets. The city took three actions in response to each plan that was produced via this process. First, from each plan a set of neighborhood-specific goals and policies were adopted into the Comprehensive Plan. Second, the city approved by resolution a work-plan matrix addressing the implementation of specific recommendations from each neighborhood plan. Third, the city recognized by resolution that each plan, as submitted to the city, constitutes the continuing vision and desires of the community. The neighborhood plans themselves, however, were not adopted by the city.
- **Service-Based Approach-** The service-based approach uses the small area planning process to address specific challenges, issues, and opportunities, typically in the short term. The focus is primarily on characterizing existing conditions and identifying strategies to address specific issues. This differs from the previous two approaches in that the focus is on improving delivery of services and quality of life rather than following the conventional planning model of 1) establishing a long-term vision for the area and then 2) identifying the necessary land use and density changes to achieve it.
  - **Madison, WI** identifies different types of small area plans, one of which, the “Existing Neighborhood Plan”, follows this services-based approach. The focus of these plans is on identifying short-term actions (5-10 years) that will strengthen existing neighborhoods.

This is in contrast to another category of small area plans in Madison, the “Neighborhood Development Plan”, the intent of which is to guide long-term future growth on undeveloped lands at the city’s periphery.

- **Community-Driven Approach-** Community-driven planning models put plan development directly in the hands of stakeholders within the affected area. In this model the stakeholders collaborate and coordinate with city planning staff, but primarily act as “citizen planners” by undertaking the bulk of work themselves.
  - **Boise, ID** divides the city into ten large planning areas, similar to the nine subcommunities identified in the Boulder Valley Comprehensive Plan. Boise, like Denver, furthermore identifies areas of change and areas of stability within each planning areas. Small area plans are created by city staff for smaller geographies such as commercial districts and redevelopment corridors on an as-needed basis. Neighborhood plans fall into a different category and are initiated by neighborhood associations via a formal application process. These neighborhood plans can either be site-specific, issue-specific or more comprehensive as per the needs of the neighborhood. The neighborhood associations must first submit their proposal, and then be selected by the city to conduct their neighborhood plan. If selected, the neighborhood association undertakes the planning process themselves while receiving guidance from staff. The neighborhood plans are reviewed by the planning commission and adopted by City Council as part of the city’s comprehensive plan.
  - **Lakewood, CO** has adopted neighborhood plans that have been initiated by neighborhood associations via a formal application process. Unlike Boise, city staff takes the lead on the planning process after it has been selected by city council. In 2013, the City of Lakewood developed the Sustainable Neighborhood Program as an implementation program to advance the city's goals for sustainability and to support neighborhood planning efforts. The program is intended to encourage direct citizen action and focuses on five broad categories: energy, air, water, land, and people. Participating neighborhoods use guidance from city staff to organize workshops, projects and events that enhance livability and reduce residents' ecological footprint. Participating neighborhoods earn program credits for their efforts and, depending on the number of credits earned in a given year, they may receive designation as a “Participating Sustainable Neighborhood” or an “Outstanding Sustainable Neighborhood” from the city. Denver joined the program in 2014, expanding it beyond a Lakewood program and into a regional Sustainable Neighborhood Network.

Additionally, as staff researches case studies, a few practices are emerging that are shared by multiple cities. These include:

- **Small Area Plan Types-** Most cities identify different types of small area plans that can be conducted within the city’s area planning program. Plan types can differ based on the purpose and content of the plan (Madison), the different types of geography that are addressed by the plan (Denver), or even by who does the plan (as with Boise’s community-driven neighborhood planning process).
- **Areas of Stability/Change-** Both Boise and Denver use their comprehensive plans to identify Areas of Stability and Areas of Change. These designations help guide decision-making, including which areas or neighborhoods warrant a small area plan.
- **Pre-defined Geography-** Some cities establish defined boundaries for small area plans. Having pre-established plan area boundaries helps to create a consistent unit of analysis across planning efforts and furthermore mitigates debate as to which areas should/shouldn’t be included in the plan. In Austin, neighborhood planning areas have been mapped and approved in advance by city council, and changing these boundaries requires an act of council. In Denver, neighborhood plans

tend to follow the boundaries of the city's Neighborhood Statistical Areas that were first established in the 1950s.

- **Public Involvement/Steering Committee-** More so than citywide planning efforts, small area plans are likely to have a steering committee comprised of citizens who have a stake in the affected area. These committees meet regularly and work directly with planning staff to create the small area plan.
- **Staff Liaisons-** Some cities, such as Boise and Charlottesville, choose to assign city staff to specific neighborhoods or regions of the city, effectively ensuring that each neighborhood or subarea within the city has its own staff contact/liaison. Madison takes this concept one step further by forming Neighborhood Resource Teams (NRTs) comprised of interdepartmental city staff who, in addition to their normal assignments, are assigned to teams serving specific neighborhoods.
- **Neighborhood Grants-** Many cities have programs in place to empower citizens to implement change in their neighborhoods via small, competitive grant programs. These can be, but are not necessarily, tied to plan implementation activities. Boulder initiated a small grant program in 2015.

### ***Resource Implications and Options.***

Staff proposes to continue researching approaches to small area planning en route to identifying more specific options for Boulder to consider or ways to enhance existing programs. Different approaches will have different implications on resource needs moving forward, and these impacts will need to be carefully considered as part of identifying a preferred approach for small area planning in Boulder. Once the preferred approach has been identified, the actual small area planning work would need to be added to the PH&S work plan after the BVCP update is complete (2017 and beyond).

Important considerations and their resource implications include the following:

- **Selecting a Planning Model-** The choices made here will define the scope and resource needs for small area planning moving forward.
  - Is the priority to provide complete coverage of the city by small area plans, or should small area planning be targeted to areas with the greatest need or potential for change?
  - Should the small area planning model be focused on defining a long-term vision for stability/change, or targeted at the short-term provision of services?
  - Does Boulder want to borrow elements from different models in order to create a customized local planning model?
  - Might multiple approaches make sense for Boulder to enhance its existing approach and potentially add new approaches?
- **Planning Area Scale-** A smaller planning scale allows for more detailed analysis and recommendations, but allows for less geographic coverage and increases the time to complete the overall small area planning program.
  - Are subcommunities the appropriate scale for small area planning in Boulder? If so, should the boundaries be preserved as they are currently mapped, or modified in some way?
  - If subcommunities are perceived to be too large or unwieldy, what other scale would be appropriate?
- **Timing and Need-** Some areas have a more pressing need for small area planning than others.
  - Which areas should receive planning attention first?
  - In contemplating the needs of a broader area planning program, are the criteria for selection sufficient as currently identified in the BVCP?



**CITY OF BOULDER  
CITY COUNCIL AGENDA ITEM**

**MEETING DATE:**

**AGENDA TITLE:** INTRODUCCION, FIRST READING, AND CONSIDERATION OF A MOTION TO ORDER PUBLISHED BY TITLE ONLY, ORDINANCE No. 8067 SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY OF BOULDER AT THE SPECIAL MUNICIPAL COORDINATED ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2013, THE QUESTION OF AUTHORIZING THE CITY COUNCIL TO ADOPT AN OCCUPATIONAL PRIVILEGE TAX ON EMPLOYERS AND EMPLOYEES THAT ARE LOCATED OR WORK WITHIN THE CITY OF BOULDER AT THE RATE OF \$\$\*\*\*\* PER MONTH FOR EACH PERSON EMPLOYED BY AN EMPLOYER AND EACH EMPLOYEE BEGINNING JULY 1, 2016; SETTING FORTH THE BALLOT TITLE; AND SETTING FORTH RELATED DETAILS.

**PRESENTER/S**

Jane S. Brautigam, City Manager  
Tom A. Carr, City Attorney  
David Gehr, Deputy City Attorney  
Bob Eichem, CFO  
Cheryl Pattelli, Director of Finance  
Pat Brown, Revenue and Licensing Officer  
Liz Hanson, Economic Vitality Coordinator

**EXECUTIVE SUMMARY**

Included in the June 16 Council Agenda packet was an information packet item regarding an Occupational Privilege Tax (OPT) which is often referred to as a Head Tax. At the July 14, 2015 study session, staff was asked to bring forward a proposed ballot item for first reading that could be considered for discussion and potential implementation of such a tax in the City of Boulder. There are currently five cities in Colorado that have such a tax.

Tables 2, 3 and 4 reflect the amounts per one dollar of tax based on the various parameters that were discussed at the study session. The three items that will need to be decided by council before first reading can be completed. The rate per employee needs to be set, the level of the exemptions (which can be found in tables 2, 3 and 4) and the total projected revenue that would be collected for a full year. and the total amount of revenue that is projected to be collected in the first year.

As was discussed at the study session, if the tax is placed on the ballot and is passed by the voters, the earliest the tax could be started would be July 1, 2016. This would provide time for an education program, the installation of new software, and the addition of staff to be trained and to administer the new tax. These costs are not included in Attachment C that covers the costs of various levels of an expanded Eco Pass program or other transportation uses of the revenue that would be generated by the new tax if it is placed on the ballot and is passed by the voters.

Ranges of the tax projected to be collected for a full year per one dollar of tax given exemptions ranging from \$6,000 of income per year to \$33,600 (50% of AMI) are \$1.3 to \$1.7 million combined per dollar of tax for both the employer and employee. In tables 2, 3 and 4 found in the background and analysis section, staff has run projections ranging from \$2 to \$5 dollars per month for employer and employee. Since the implementation would not begin until mid-year the first year of collections would need to be reduced by one half.

At the July 14 Council meeting it was requested that staff provide additional information regarding potential use of revenue from the tax for citywide Eco passes, middle and high school students and other transportation programs. This information can be found in **Attachment C**. Included in the attachment are concerns expressed by staff regarding the work to be completed by the Community-wide Eco Pass Policy Advisory and Technical Advisory Committees when compared to the timing of the implementation of the tax.

#### **STAFF RECOMMENDATION**

##### **Suggested Motion Language:**

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

Motion to introduce and order published by title only Ordinance No. 8067 submitting to the registered electors of the City of Boulder at the general municipal coordinated election to be held on Tuesday, November 3, 2015, the question of authorizing the city council to adopt an occupational privilege tax on employers and employees that are located or work within the City of Boulder at the rate of \$\*\*\*\* per month for each person employed by an employer and each employee beginning July 1, 2016; setting the ballot title; and setting forth related details.

#### **COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS**

- Economic – The economic impact of an Occupational Privilege Tax has differing views by different members of the community. Some feel strongly such a tax is needed to help offset the ongoing impact on transportation costs and infrastructure. Others feel it will put the businesses in the City of Boulder at an operating disadvantage when competing with businesses located outside of Boulder that would not pay the tax.
- Environmental – The actual tax itself will not have an environmental impact on the city of Boulder. The taxes collected can be used to offset negative impacts that are incurred by the City.
- Social – The actual impact will depend on the level of income that would be exempt from the tax.

### **OTHER IMPACTS**

- Fiscal – The actual fiscal impact will not be known until the employee and employer rates and exemptions are set in the ballot language. A more detailed impact analysis can be found within the background and analysis section of this memo.
- Staff time – Preparation of the ballot language and memo for the OPT has been absorbed in the staff work plan. If the tax is placed on the ballot and is passed by the voters an educational program would be developed and implemented. Additional staff and software changes will be needed to implement the administration of the tax.

### **BOARD AND COMMISSION FEEDBACK**

The Community-wide Eco Pass Policy Advisory and Technical Advisory Committees have discussed the use of a head tax to fund the employee portion of a city or county-wide Eco Pass program. There has not been a specific recommendation by the committees.

### **PUBLIC FEEDBACK**

Since the Council study session held on July 14, 2015 there have been numerous e-mails and other correspondence received by council and staff. Input has been both for and against the OPT. A website with commonly asked Questions and Answers has been created to receive business input. A summary of the themes of the input received can be found in **Attachment D**.

### **BACKGROUND AND ANALYSIS**

Municipalities in Colorado are not permitted to collect an income tax. That right is reserved for the state. Cities may impose an occupational privilege tax (OPT). This is often referred to as a head tax because of the way it is imposed. Specifically, the OPT, in its pure form, imposes a flat dollar amount on each employee working within the boundaries of the municipality. In other words, it is a tax per head rather than a percent of income.

An OPT is currently in place in Denver, Aurora, Greenwood Village, Sheridan and Glendale. Table 1 illustrates the OPT rates paid by employees in their corresponding municipalities.

**Table 1**  
**Rate Paid by Employee Matched by Employer Unless Exempt**

	<b>City/County Denver</b>	<b>City of Aurora</b>	<b>Greenwood Village</b>	<b>Sheridan</b>	<b>Glendale</b>
OPT Rate per Employee per Month	\$5.75	\$2.00	\$2.00	\$3.00	\$5.00

At the April 14, 2014 study session, it was requested that staff provide background information prior to the City Council recess regarding the Occupational Privilege Tax, often referred to as a Head Tax. At the July 14 council study session the tax was a specific topic of discussion and staff received general direction to bring an ordinance for first reading forward for Council discussion and action. The full staff report can be found as **Attachment B**.

General direction that staff heard at the study session has been incorporated as the following in the proposed ballot question to be considered for first reading:

1. The ordinance should provide for Taxpayer Bill of Rights (TABOR) taxation authorization. The rates and first year revenue to be determined during first reading ordinance consideration.
2. The tax would be on the employer and employee unless there is an exemption.
3. Exempt 501(c) (3) and governments as an employer. The tax would apply to the employees of the governmental organization unless they fall under the income exemption.
4. Revenue generated to be used for transportation projects, limitation eco passes, capital improvements and transportation programs. Council members expressed in interest in ensuring that the revenue source be flexible in its use.
5. Tax to be effective in the 3<sup>rd</sup> quarter of 2016 and be a perpetual tax.
6. Use Denver ordinance as a model for implementation.
7. Create a low income worker exemption that includes some discretion for council to set the rate. The exemption rate should be higher than it currently is in other cities that have such tax. The exemption should be tied to a monthly income threshold.

Based on the input received staff further refined the revenue and expenditure projections.

Tables 2 through 4 are summaries of projected revenues based on rates per employee and various levels of income exemptions.

The projections have been made with government and 501 ( C ) ( 3 ) employers exempt. The employee pays the tax unless they fall under the exemption level. Based on the research completed by city staff, the percent of total employees for which the OPT tax

has been paid in past years in cities that have the OPT have ranged from 79 to 86 percent, with an average of 82 percent. Based on this data the calculations of revenue produced with each dollar of tax rate have been adjusted to take this into account.

In Tables 3 and 4 below, staff has used rounded numbers when applying a percentage of AMI as an exemption per month. This is done for ease of administration for both the employer and the City. Table 3 is close to the \$20,000 amount discussed by Council at the July 14 study session. None of the cities surveyed have escalation clauses in their ordinances. If an increase is contemplated it would need to be a ballot item in a future year. Staff does not recommend including an escalation clause as it makes ongoing administration more complex for both the employer and the City. If there is not an escalation clause, revenues will increase or decrease based on the number of jobs within the city that exceed the exemption level.

**Table 2**

**Projected Revenue per Year at Various Rates with \$500 exemption level/month.  
Annualized income for exemption is \$6,000.**

**The amount per \$1 of tax is estimated to be approximately \$850,000**

OPT Rate	# of Workers	Employee Paid OPT	Employer Paid OPT less Government-Match	Estimated Annual OPT Paid	Estimated Annual OPT per \$1
\$2	93,972	\$1,929,346	\$1,485,010	\$3,414,356	\$,1,707,178
\$3	93,972	\$2,894,019	\$2,227,515	\$5,121,534	
\$4	93,972	\$3,858,692	\$2,970,020	\$6,828,712	
\$5	93,972	\$4,823,365	\$3,712,525	\$8,535,891	

**Table 3**

**Projected Revenue per Year at Various Rates with \$1,700 exemption level/month.  
Annualized income for exemption is \$20,400 or close to 30% of AMI.**

**The amount per \$1 of tax is estimated to be approximately \$760,000**

OPT Rate	# of Workers	Employee Paid OPT	Employer Paid OPT less Government-Match	Estimated Annual OPT Paid	Estimated Annual OPT per \$1
\$2	84,682	\$1,746,529	\$1,302,193	\$3,048,722	\$1,524,361
\$3	84,682	\$2,619,793	\$1,953,289	\$4,573,082	
\$4	84,682	\$3,493,058	\$2,604,386	\$6,097,444	
\$5	84,682	\$4,366,322	\$3,255,482	\$7,621,804	

**Table 4**

**Projected Revenue per Year at Various Rates with \$2,800 exemption level/month.  
Annualized income for exemption is \$33,600 or close to 50% of AMI.**

**The amount per \$1 of tax is estimated to be approximately \$650,000**

OPT Rate	# of Workers	Employee Paid OPT	Employer Paid OPT less Government-Match	Estimated Annual OPT Paid	Estimated Annual OPT per \$1
\$2	73,436	\$1,525,201	\$1,080,865	\$2,606,066	\$1,303,033
\$3	73,436	\$2,287,801	\$1,621,297	\$3,909,099	
\$4	73,436	\$3,050,402	\$2,161,730	\$5,212,132	
\$5	73,436	\$3,813,002	\$2,702,162	\$6,515,165	

### **NEXT STEPS**

If council wishes to pursue placing the OPT on the November ballot and passes the attached ordinance on the first reading, a second reading will occur on Aug 18. If needed, a third reading would occur on Sept. 1. All ballot items must be passed on final reading by council by the first meeting in September to meet county deadlines for ballot measures.

### **ATTACHMENTS**

A: Proposed Ordinance

B: Information Packet memo regarding the OPT included in the June 16 agenda packet.

C: Transportation Uses for Occupational Privilege Tax Revenue

D: Summarized input received via e-mail or website