

M E M O R A N D U M

To: Members of Planning Board

From: Ruth McHeyser, Acting Planning Director

Date: September 19, 2008

Subj: **Items for Discussion under "Matters"**
Check in on the 2008 Work Program
Joint Planning Board/ City Council Bus Tour Oct. 29

2008 Work Program Check In

Planning Board has taken a strong leadership role this year in shaping the Planning Department work program, starting with your letter to Council at the end of last year (*Attachment B*) and continuing with your participation in the joint study session with Council on March 13 on the scope and timing of this year's community planning initiatives. That session, along with a follow-up Council agenda item May 6, established the focus for this year's "community planning" work items (i.e., projects that are in addition to the on-going core services of Planning and Development Services as shown in *Attachment C*).

Council held a mid-year study session on the City Council initiatives and the 2008/ 2009 overall city work program on Sept. 9¹. At the session, Council acknowledged the fullness of the planning department work program and made no changes to the list of projects or the estimated schedule for completion (see *Attachment C*). At your Sept. 25 meeting, we will update you on the status of the 2008 work items, as well as potential new items anticipated in 2009.

Bus Tour

As a follow up to your March 13 joint study session, we agreed to schedule a bus tour of recently built projects for Planning Board and City Council. It has now been scheduled for Oct. 29 from 4 - 6 pm (with a regular Planning Board meeting to follow the discussion after 6 pm). In preparation for the tour, we would like to have a discussion under "matters" on the Sept. 25 agenda about what you'd like the tour to accomplish for yourselves, Council and staff, what concerns you have, and how we can best address your concerns. Staff felt that the March 13 study session was successful in large part because of the strong role that you took individually and as a board in planning for and participating in the session. We are hoping to build on and continue that success with the upcoming bus tour.

¹The Sept. 9 study session materials are available on the Web at www.bouldercolorado.gov under Council General Info and Agendas, then Council Study Sessions, then Sept. 9.

At your Sept. 25 meeting, we would like your input on:

- The purpose of the tour (and your desired outcomes)
- What projects should be on the tour
- What information should be provided ahead of time to facilitate the most productive discussion
- What role the Planning Board should take on the tour.

See *Attachment A* for suggested schedule, purpose and discussion topics, as well as background about how the idea of the tour came about.

Attachment A

Planning Board/ City Council Bus Tour October 29, 2008

Draft Agenda

- 4:00 – 5:15 Tour and discuss projects (begin with overview: purpose of tour, regulatory framework, key issues)
- 5:15 – 5:50 Discuss key issues/ key themes and possible conclusions
- 5:50 – 6:00 Wrap up/ next steps

Purpose

As a follow up to the March 13 joint Planning Board/ City Council study session discussion on whether the city is getting overall benefit from projects that are approved and therefore what aspects of our planning policies and regulations work well and what areas should be considered for changes:

1. Tour a variety of recently built projects in the city.
2. Highlight the key issues that were considered in the review; how the project changed during the review process; what code modifications were granted and what conditions were included in the approval.
3. Identify what elements of the code have the biggest impact on the built environment.
4. Discuss what has worked well and what has not worked as well.
5. Discuss what this may suggest for either land use code changes or more detailed planning.

Background

On January 31, 2008, City Council held a retreat to identify priorities for the year. In advance of the retreat, Planning Board sent Council a letter outlining what the board felt were “some of the top priority planning issues facing Boulder in 2008, with the hope of enlisting [council’s] partnership in guiding staff time and resources toward ensuring they are addressed.” The Board further suggested a joint study session early in the year as a way “to facilitate collaboration and common understanding on priority planning issues.” (see 12-19-07 letter from Planning Board, attached).

At the retreat, Council discussed all of the Board’s suggestions, along with additional ones—resulting in a list of potential 2008 “community planning initiatives” that was longer than the city has resources to complete in one year. It was agreed that the way to work through the priorities and tie down which ones could be done this year was for staff to provide more information on the scope of the items and to schedule a joint study session with Planning Board.

This joint study session on the scope and timing of 2008 community planning initiatives was held on March 13, 2008 and the study session summary was approved on April 15. At that study session, Council generally agreed on the list of community planning projects, with the exception of which land use code changes to work on in 2008. A follow up council discussion occurred at the May 6 Council meeting where Council finalized the

list of 2008 land use code changes and provided final direction on the overall community planning work program.

One of the discussion items at the study session was whether the city is getting overall benefit from projects that are approved and, whether the city's land use regulations provide the type of standards and criteria that support the city's desired vision for the built environment. It was decided that the most productive way to finish the discussion was in the context of a bus tour of a variety of projects that have been recently approved and are built so that council and the board could have an on-site discussion of each project-- the review criteria that were considered, changes that were made in the design as a result of the review as well as modifications that were granted. This would include a discussion of what aspects of each project that worked well and what worked less well, and an identification of which elements of the code have the biggest impact on the built environment (e.g. height exceptions, density bonus for housing, parking reductions). This could provide guidance for staff on potential 2009 projects—land use code changes, area plans, comprehensive plan changes—that might address the areas that are not working as well as we'd like.

The issue was framed this way in Planning Board's letter to Council:

Criteria for Community Benefit. Many of our projects seeking approval offer trade-offs for increased density, or a desire to reduce site requirements, by bringing "community benefits" of senior housing, affordable housing, increased transit usage, historic preservation, or other values that make the community healthier and more vibrant. Collectively we need a method to prioritize and hopefully quantify these kinds of trade-offs to ensure consistency of approval, create incentives for projects with extraordinary community benefit, and ensure that we deliver what the community wants.

It was characterized this way in the joint study session summary:

Comments on whether the city is getting overall benefit from projects that are approved - particularly those that involve modifications to the land use code
There was support for discussing the following community benefits in the context of a bus tour of projects that have been built and the modifications that were granted. Some of the issues to be discussed include:

- Walkability
- Affordable housing
- Vibrant & functional open space
- Connections for pedestrians, bicycles, and autos
- Good design

As part of the bus tour, it would be helpful to identify which elements of the code have the biggest impact on the built environment: e.g. height exceptions, density bonus for housing, parking reductions. The city may wish to consider requiring community benefits instead of incentivizing certain types of development through density bonuses.

Attachment B

December 19, 2007

Dear Members of the Boulder City Council,

Congratulations to each of you in your new or continuing role as a member of the Boulder City Council. As members of Boulder's Planning Board, we look forward to working with you as your partners in implementing and updating the Boulder Valley Comprehensive Plan ("Comp Plan") through our review of long range planning options and current planning projects.

The City Council and Planning Board play very important joint roles in shaping the policies and projects affecting our City's built environment. From pedestrian connections and open space, to vibrant streetscapes and architectural design, to housing affordability and the size of our City, these decisions are integral to making Boulder the wonderful place it is.

To that end, we thought it would be useful, as you approach your annual retreat, to communicate directly with you on what we think are some of the top priority planning issues facing Boulder in 2008, with the hope of enlisting your partnership in guiding staff time and resources towards ensuring they are addressed. It might also be helpful to consider a joint study session between the City Council and Planning Board early in the new year, as a way to facilitate collaboration and common understanding on priority planning issues.

The current direction of our Comp Plan emphasizes smart growth, with a balance between preservation of neighborhood character and permitting redevelopment and growth in appropriate areas. The Comp Plan's direction aims to preserve Boulder's value as a small city surrounded by cherished open space, while still allowing new growth and redevelopment that provides benefits to the City's goals of economic, environmental and social sustainability. This as you know requires a careful balancing act with these sometime seemingly contradictory goals of the Comp Plan. The City Council and Planning Board have the responsibility of providing leadership in implementing the Comp Plan's vision, which necessitates two-way communication with Boulder's residents.

Recent public debate underscores the need for a reinvigorated conversation with the citizens of Boulder over how to achieve this essential but challenging balance. Many elements of this needed conversation are interconnected and all need to be addressed.

1. **Sub-area & Corridor Planning.** Sub-area and corridor planning is an important tool that bridges the Comp Plan and site-specific development review and should be used carefully to proactively plan areas identified as appropriate for and likely to see increased density and infill. Such proactive planning can occur through small sub-area plans, general neighborhood visioning or corridor plans, all of which would hopefully require less time and resources than a full area plan. This is particularly important in interface areas between established singly family neighborhoods and densifying transit corridors. Such a process should include a conversation about the desired public amenities that Boulder residents want to accompany this density, such as design guidelines, level of affordable housing, pocket parks, etc. Areas that appear most ripe for such proactive planning include our multi-modal transportation corridors, such as Broadway north of downtown and south of the University, Canyon between Broadway and Folsom, and the University Hill business district.

2. **“Pops and Scrapes.”** New development or redevelopment out of scale with existing neighborhoods can have negative impacts on community character, housing affordability and environmental sustainability. We think it is important to tackle this issue of how to preserve and encourage a diverse housing stock that includes modest-sized homes (including historic buildings), protects the urban environment, and preserves relatively affordable housing. We recognize that this complex issue will require innovative solutions.
3. **Transit Village Implementation.** While the Transit Village will be building out over the next 25-30 years, the City should ensure that the initial city investment in key infrastructure necessary to jumpstart the effort, as well as the required zoning and code changes, occur in a timely fashion.
4. **School and Church Redevelopments.** Schools and churches historically have been important to the social fabric of neighborhoods and communities. Their location also determines traffic volume and pattern (whether by foot, public transportation or automobile). Accordingly, the City should explore options relating to preserving these public uses on certain of the properties currently utilized by schools and places of worship.
5. **Criteria for Community Benefit.** Many of our projects seeking approval offer trade-offs for increased density, or a desire to reduce site requirements, by bringing “community benefits” of senior housing, affordable housing, increased transit usage, historic preservation, or other values that make the community healthier and more vibrant. Collectively we need a method to prioritize and hopefully quantify these kinds of trade-offs to ensure consistency of approval, create incentives for projects with extraordinary community benefit, and ensure that we deliver what the community wants.
6. **Public Dialogue Concerning the Future of Boulder.** Looking forward to the future, we need to recognize that through redevelopment, Boulder is growing and changing at a rate that has raised public debate over whether our current direction is consistent with the expectations and desires of the City’s current residents. The Transit Village will further grow the City. Questions have been raised concerning whether our transportation systems, community character, and jobs-housing imbalance (among other things) are being positively or negatively affected by current redevelopment trends. These issues deserve study. We need to assess whether Boulder’s current redevelopment is consistent with the desires of the community, perhaps through a process that would inform the next major update to the comprehensive plan.

In addition to these top tier issues, it will also be important to continue working through the list of land use code changes that have been identified by the Planning Department staff, Planning Board and City Council as important to improve the efficiency and understanding of the development process and/or to achieve outcomes that result in a better built environment more in line with the Comp Plan’s intent.

These are merely the most notable of the many diverse efforts we will collectively undertake in 2008. We look forward to an energetic collaboration on our shared responsibility in the planning arena.

Sincerely,



Elise Jones, Chair

On behalf of the City of Boulder Planning Board:

Phil Shull

Adrian Sopher

Richard Sosa

Willa Johnson

Andrew Shoemaker

Bill Hollicky

**Planning & Development Services
2008 Work Program**

<p align="center">Core Services (75% of Total Budget)</p> <p><i>The fundamental services provided by most municipalities in the United States-often mandated by charter, or by state or federal legislation.</i></p>	<p align="center">Maintenance & Enhancements to Core Services* (15% of Total Budget)</p> <p><i>Projects or programs initiated to maintain, automate, streamline, or otherwise improve existing core services. Determined to be required to achieve current goals for levels of service.</i></p>	<p align="center">Community Projects (10% of Total Budget)</p> <p><i>Efforts to provide a new service, a new way of providing an existing service, an existing program that is not core service, and/or raising the current level of service.</i></p>
<p>Management Work Plan Strategic/Business Plan Customer Service Fiscal Management Safety/Emergency Response Communications General Administration and Management Hiring and Training</p> <p>Business Operations <u>Administrative Services</u> Service Center Coordination Administrative Support Permits and Licensing</p> <p><u>Building Construction and Code Enforcement</u> Building Code Review Building Inspections Environmental and Zoning Enforcement Rental Housing Code Administration Contractor Licensing Code Administration</p> <p><u>Engineering Review</u> Engineering Review Utilities Permits Floodplain and Wetland Permits Right-of-Way Permits and Inspections</p> <p><u>Information Resources</u> Records and Research Development Information and Tracking System Geographic Information Systems</p> <p><u>Land Use Review</u> Development Review Zoning Administration</p> <p><u>Long Range Planning</u> BVCP Mid-term Update Historic Preservation Environmental Planning CIP Coordination Intergovernmental & Interdepartmental Coordination</p>	<p>Management <u>Customer Service</u> Customer Outreach/P&DS Advisors Improve Main Phone System Menu E-Government Work Plan</p> <p><u>Fiscal Management</u> Valuation Table Update Plant Investment Fee Study Development Review Fee Update Development Excise Tax Study Revocable Fee Analysis & Update</p> <p>Business Operations <u>Code and Plan Updates</u> Design and Construction Standards Update</p> <p><u>Application Processing</u> Technical Document Process Pilot and Implementation Land Use Code Simplification Web Implementation, including PUD Records Management Land Use Review Business Process Documentation & Review Checklists Boulder Mobile Manor Redevelopment Building Permit Business Process Improvements including: <ul style="list-style-type: none"> • Phase I/Phase II Process Revisions • Green Points Implementation • Commercial Green Building Program Historic Preservation Program Assessment</p> <p><u>Records and Data Management</u> Imaging System Replacement LandLink Replacement Preliminary Assessment</p> <p><u>Inspection Services</u> Interactive Voice Response & Scanning System Improvements</p> <p><u>Enforcement Processes</u> Code Enforcement/Resolution 903A Implementation, including: <ul style="list-style-type: none"> • administrative procedure for Section 10-3-4(a)(2), B.R.C. (reduce rental license term to 12 months for land use violation) • administrative procedure for Section 10-3-4(a)(1), (reduce rental license term to 24 months for housing code violations) • administrative standards for the loss of non-conforming status (and a potential conditional use permit issue) • code change to allow rental license revocation for quality of life violations </p>	<p><u>Comprehensive Planning</u> Transit Village Area Plan (TVAP) Implementation, including TVAP Zone and Code Changes Annexation Project FAR/Pops/Scrapes Project</p> <p><u>Area Planning</u> Uni-Hill Business District study Multi-modal corridors study Diagonal Plaza study NoBo Plan Update</p> <p><u>Historic Preservation</u> Valmont Butte Post World War II Residential Survey Historic District Signage Preservation Plan Scoping</p> <p><u>Code, Zoning and Plan Updates</u> Industrial Zone Changes to Allow Service Uses RH-2 Code Changes Solar Regs Tree Protection Ordinance Downtown Residential Bonus School zone Penalty for Illegal Demos</p> <p>Wetlands Code Changes IBM Connector CEAP Housing and Rental Licensing Code Revisions and LandLink Update Contractor Licensing Code and Program Revisions Smoking in Public Places Code Revisions</p> <p><u>Alcohol Abuse Prevention/Resolution Implementation</u> Land Use Review of alcohol establishments on hold pending appeal or District Court decision Information Resources support to Alcohol Advisory Group (AAG) Web-based access to property violations enforced by Boulder Police Department</p>

* Work to complete enhancements to core services will be done throughout the year as time permits.

2008 "Community Planning" Projects: Estimated Timelines

	2008						2009			
	July	Aug	Sept	Oct	Nov	Dec	Qtr. 1 - 2009	Qtr. 2 - 2009	Qtr. 3 - 2009	Qtr. 4 - 2009
Area Planning										
University Hill Business District Study										
North Boulder Subcommunity Plan Update										
Multimodal Corridor Study										
TVAP Implementation										
Downtown FAR Bonus for Residential										
Land Use Code Changes										
Solar Energy and ELU Code Changes										
Tree Protection (Option A)										
RH-2 Zoning District Revisions (Option B)										
Inclusionary Zoning Revisions										
Increased Penalty for Illegal Demos of Historic Structures										
Public Zone for Schools										
Non-substantive Code Changes										
Other Projects										
Compatible Single Family Development										
DET Study										
Washington School Public Outreach Process			Completed June 2008							
Wetlands Ordinance Changes										
Area II Annexations:										
Gapter Road										
Crestview East										
Confluence Plan										
Orchard Grove Options and Rezoning										
PB/CC Bus Tour & "community benefits discussion" on land use code										
2009 BVCP Major Update										
Affordable Housing Program Update										

(See P9/19/2008S 2008 work program for other community planning projects and on-going programs and services)

Community Planning Work Program Project Descriptions
August 2008 through November 2009

Area Planning:

University Hill Business District Study: In recent years there have been a number of efforts to revitalize the University Hill Business District. Outcomes of the 2004 Ross Consulting report and 2005 redevelopment workshops sponsored by UGHID and the New Hill Company's Context Study (HCCS) provide information for potential changes to that could affect the future of the area. Some ideas to be explored are potential changes to the UniHill Area Plan, the use of "micro-zones" similar to downtown to reflect the different character and desired future of distinct areas of the Hill, potential for public/ private partnership options for the existing UGHID parking lots, exploration of historic district designation for some or all of the business district, and potential for changes to the existing zoning district standards. City staff are in the process of analyzing the build out of the area under the HCCS and under existing zoning and have met with affected property owners. We expect to develop options and recommendations for Planning Board and Council consideration by the end of this year.

North Boulder Sub community Plan Update: Ten years after the last amendment (1997) to the North Boulder Sub community Plan (NoBo Plan) a number of issues have developed that require a plan update. Of greatest interest are the findings from the Fourmile Canyon Creek and Wonderland Creek flood mapping study that have changed the flood boundaries; the fact that some sites north of Githens Acres are now out of the floodplain; the potential development of the North Boulder Library; the potential redevelopment of the Armory site; and the likely development of several key sites along Broadway located within the village center. Staff analysis of issues and design of the public process will commence in November; plan development and adoption will occur in 2009.

Multimodal Corridor Study: The Boulder Valley Comprehensive Plan (BVCP) Policy 2.26 states that "The city will consider mixed-use and higher density housing along certain multimodal corridors through an area planning process that engages the public and addresses issues such as urban design, street network, and compatibility with surrounding areas." The overriding purpose of this project is to a) describe the land use and urban design character along the city's main corridors under existing policy and zoning; and b) to evaluate whether and where to make complementary land use and urban design changes to the existing regulations in locations planned for further development and transportation improvements. Staff analysis of the existing conditions, opportunities, constraints, and vision under the current BVCP and zoning will commence in Oct. and a workshop with Planning Board and Council to discuss potential priorities is anticipated in the first quarter of 2009. The outcome of the workshop would be used to identify which corridors would be appropriate for area planning in 2009.

Downtown FAR Bonus – Residential: The density bonus for residential uses in the "Downtown" zoning districts grew out of the 1997 Downtown Alliance process, which stated, among other goals, that residential uses should be encouraged to "contribute to the 24-hour safety and ambience of downtown," in short to foster a "living downtown." Ten years later, a number of concerns have been raised about the residential bonus that can be summarized in the following five questions:

- What was the original intent of the residential density bonus and is does it continue to be relevant today and into the future?
- Is the community getting the benefit intended if the bonus results in primarily large, costly, high-end housing units that are potentially the second home for owners as has been suggested anecdotally?
- Has the city gained an acceptable affordable housing benefit?
- Given the existing mix and cost of existing downtown residential units should the FAR bonus be modified or eliminated?
- How will additional downtown residential development affect its economic health, CAGID, traffic and retail mix?

Staff has analyzed these issues and Planning Board will discuss the issues and options for moving forward on Sept. 4. Council consideration of the report and potential code changes is tentatively scheduled for Oct.

TVAP Implementation: The Transit Village Area Plan was initiated by Planning Board and City Council in late 2004 in order to create a common vision for the area generally within one-quarter to one-half mile of the future regional transit services approved as part of FasTracks. The public process included many public meetings over a three year period with adjacent neighbors, the Spanish speaking community, civic groups, property owners and the community at large. In May 2006, three land use and transportation options were developed at a community charrette. A comprehensive Impact Assessment compared and analyzed the potential impacts resulting from the three options plus current trends. The plan was approved by Planning Board and City Council in August and September 2007.

An innovative plan to fund the city portion of the key public improvements in Phase 1 was developed and approved as part of the Implementation Plan. Phase 1, is the area between 30th Street and the railroad tracks and is the area expected to redevelop over the next 10 to 15 years. The implementation of the plan will continue through the build out of the plan, but will be focused in 2008 on the regulatory framework and infrastructure planning needed for rezoning and redevelopment of the area.

Land Use Code Changes

Solar Systems/Efficiency Living Units (ELUs): The initial purpose of this project was to further the city's Climate Action Plan and remove unnecessary regulatory barriers for installing solar energy systems. At council's request, staff added another feature to this project to address an unintended consequence to the city's ELU standards when changes were made to the definition of "floor area" in 1997. The definition change reduced the effective living area (habitable area within the exterior walls of the unit) by as much as 15%, depending on the construction method. Staff has proposed land use code changes that would restore the original intent of the of the code, allowing 400 square feet of habitable area, taking into account various construction methods, including straw bale and adobe.

This project is scheduled for council consideration on Oct. 7 (Planning Board recommended approval of the ordinance on Aug. 19 and 1st reading of an ordinance is scheduled for the Sept. 16 council meeting).

Tree Protection: Although the city's land use regulations protect trees on public property, in rights-of-way and during construction on private property, there are no existing regulations that address trees on private property adjacent to developing properties or outside of a building permit or development review process. Likewise, the State of Colorado does not generally regulate trees on private property. As a result of a growing recognition among the public and city staff that current regulations do not provide adequate review opportunity in regards to tree protection, additional regulations are being considered. A list of questions for consideration was developed from a series of focus group and inter-departmental staff discussions. This list will be refined based on public input and Planning Board discussion in Sept. Options and draft code language will be developed prior to City Council review in Oct.(1st reading) and Nov. (2nd reading).

RH-2 Zoning District Standards: There are eight discrete areas within the city currently zoned RH-2 (high density residential). Although there are a number of issues of concern related to the RH-2 district, two may well dominate the process: standards for parking and lack of standards for non-residential development. Regarding parking, the manner in which parking is calculated within the district typically leads to higher parking requirements than those required in other districts for similar projects. It is likely that in reviewing the RH-2 district, an area-by-area parking study will be required in order to have some basis by which to make a determination as to the efficacy of the existing and/or proposed parking

standards. Similarly, the allowance for non-residential development in the RH-2 district has proven problematic, in that there is no limit on the amount of non-residential development allowed, while there are limits on residential development. (Non-residential development is reviewed through the Use Review process, which lacks specific standards for determining an appropriate amount of non-residential development within a project.)

A comprehensive analysis of each area of the city zoned RH-2 will be conducted. Depending on the area, options for each zone selected for review include rezoning to match adjacent districts, rezoning to other appropriate districts, retaining the RH-2 district while modifying specific standards, and/or eliminating the RH-2 district entirely.

This project will include an analysis of projects that have been developed under the RH-2 zoning district standards (what has worked well, not worked well, what standards have been modified through the review process, etc), getting input from affected neighborhoods, and developing options for Planning Board and City Council review. Staff analysis and design of a process with affected neighborhoods will commence in Oct. Staff expects to have options for Planning Board to consider in the first quarter of 2009.

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Inclusionary Zoning Revisions- The purpose of this project is to recommend changes to the existing Inclusionary Zoning (IZ) ordinance following the public outreach on the city's affordable housing program. Some the issues include whether the requirement for 20% of all new residential units to be set aside as permanently affordable is the appropriate target; whether revisions should be made to the criteria under which a developer is allowed to meet the entire IZ requirement off-site; whether there should be flexibility to allow equivalent community benefit through the provision of housing that is affordable to very low income or middle income households instead of the current low/ moderate income requirement; whether IZ requirements should vary based on type of development; and whether the cash-in-lieu amount is appropriate. The affordable housing outreach is expected to be completed by the end of 2008 and inclusionary zoning revisions would begin in the first quarter of 2009.

Increase Penalty for Illegal Demolition: The objective of this project is to determine whether the penalties for illegal demolition are sufficient and effective, and consider potential changes to the penalties. Increasing fines or restricting development on a property where illegal demolition has occurred may help prevent the loss of potentially significant buildings, structures and features.

Staff has researched how other communities around Colorado and the country approach the issue of enforcing historic preservation violations, including illegal demolitions. Based upon this research and an analysis of enforcement procedures in Boulder, three draft options have been developed ranging from no-change to defining three tiers of violations and resulting penalties. Based upon this research and discussions with the city attorney's office, staff is recommending moving forward with changes to the criminal penalties in the code and implementation of a new civil/ administrative enforcement procedure. The code changes will be scheduled for landmarks board later this fall and for Council consideration by end of year. The new civil/ administrative enforcement tool is more complex and will be brought forward for Landmarks Board consideration and Council action during the first quarter of 2009.

Public Zone for Schools: This project entails creating a new public zoning district(s) for public school lands. The purpose of this project is to address the issues that arise when long-held public school lands are sold to the private sector. The impacts to adjacent property owners and surrounding neighborhoods are different when redevelopment occurs on private land than when it occurs on civic sites where community expectations are very different. Often these sites act as neighborhood gathering places and provide a sense of neighborhood identity.

The creation of a new public zone for Boulder Valley School District (BVSD) properties would not require significant resources from the Planning Department since there is only one property owner and a potential draft of a new zone district was prepared by the City Attorney's Office several years ago. The city works together on a number of issues with the Boulder Valley School District and it will be important for council to work with the BVSD if this item moves forward. Staff has proposed working with the School Issues Subcommittee on this issue beginning in Sept.

Other Projects

Compatible Single Family Development: This project will address the impact on established neighborhoods of new construction and additions that are incompatible in scale and bulk with the character of the neighborhood including: size, open space, massing and bulk planes, loss of space between houses, privacy, view sheds, lot coverage, blank walls, setbacks, height, and the streetscape and visual character. The City Council identified addressing this issue as a high priority at its January retreat. In April, City Council requested that staff move forward expeditiously to develop an RFP for consultant services and select a consultant with the assistance of a subcommittee of two members each of City Council, Planning Board, and Landmarks Board. The consulting firm of Winter and Company has been selected and the project has begun work on the project. Adoption of any recommended code changes is anticipated to occur in the second quarter of 2009.

13 **Boulder Creek and South Boulder Creek Confluence Plan:** The purpose of the project is to develop an area plan for public improvements to the Boulder Creek and South Boulder Creek floodplain area from Valmont Rd. to 61st St. The plan will address several objectives including habitat restoration, off-street bicycle and pedestrian connections, water quality improvements, passive recreation, and water utility protection and enhancement. Work on this project will commence in Oct. and is expected to be complete in 2009.

Wetlands Protection Ordinance Revision: This purpose of this project is to develop revisions to the city's Wetlands Protection Ordinance. Staff is developing options for revising the current regulatory and review approach – particularly the city's approach to regulation of the buffer area. The city's Wetlands Protection Ordinance (Chapter 9-3, B.R.C.) was originally adopted in December of 1992. The intent of the ordinance is to discourage development in and adjacent to wetlands and, if impacts are unavoidable, to replace impacted wetlands through mitigation. Wetlands, streams, creeks and open bodies of water are all regulated under Boulder's ordinance. Boulder's wetlands ordinance is independent of and stronger than the federal wetlands protection law. The wetlands ordinance requires a landowner to obtain a permit for certain activities in a mapped wetland or stream or within a buffer area of either 50 or 25 feet outside of the wetland or stream channel. Following public input on options in Sept., this item will come to Planning Board and City Council for direction by the end of 2008 and staff will bring forward proposed ordinance changes in the first quarter of 2009.

Area II Annexations: The purpose of this project is to pursue annexation agreements between the city and various existing neighborhoods in the city's service area. These properties are located in established neighborhoods where septic systems are failing and/or wells are shallow. Properties in some of the neighborhoods (Gapter Road) have no additional development potential and would annex to the city with a rural residential zoning designation. Properties in other neighborhoods (Crestview East), however, would have significant development potential if annexed with zoning to match current land use designations. Boulder Valley Comprehensive Plan policy 1.27 encourages the city and county to work together to promote annexation of these Area II neighborhoods. The following neighborhoods have been identified as the highest priorities for annexation:

Gapter Road: Several property owners along Gapter Road initiated negotiations with the city in 2004 after the failure of some of the septic systems in the neighborhood. About half of the properties along the road have significant issues with their septic systems located in the floodway.

In addition, some of the existing homes would be in the high hazard flood zone if annexed to the city and could not be improved under city flood regulations. Several meetings and studies have taken place over the past four years to try and reach an annexation agreement. Negotiations are still in progress.

Crestview East: This is another county enclave in which all properties are eligible for annexation. Similar to other Area II neighborhoods, properties in Crestview East have aging well and septic systems. Unlike Gapter Road and Githens Acres, however, properties in Crestview East would have significant subdivision and development potential once annexed to the city. At the May 20, 2008 council meeting, a group of 14 residents along Upland and Violet avenues expressed their frustration that annexation of the Crestview East enclave was not moving forward and asked for help from City Council. Staff agreed to consider a different approach for moving forward and to develop options for proceeding. Staff has redirected resources in the department to take the annexation application out of the standard land use review process and use long range staff resources to support the negotiations.

Orchard Grove Options and Rezoning: City Council added this community planning initiative to the work plan in June, requesting that staff come back with analysis and options addressing the public concerns about the Orchard Grove Mobile Home Park. At its July 8 meeting, council also passed a motion directing staff to return with an ordinance to rezone the park with MH zoning. The rezoning was recommended for approval by Planning Board, and Council's public hearing on the rezoning ordinance for the 27-acre developed portion of the site is scheduled for Sept 2.

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In addition to the rezoning process, at its August 12 study session, council considered other options for moving forward to address the issues raised by the public regarding Orchard Grove. The study session summary will be considered by Council on Sept. 2. The next steps will include a future discussion with the Planning Board on what should be considered on the vacant five-acre parcel adjacent to the park.

Land Use Code Community Benefits Discussion: The Planning Department will be hosting a bus tour for City Council and Planning Board members to facilitate a discussion regarding whether the city is getting overall benefit from projects that are approved - particularly those that involve modifications to the land use code. This is a follow up to the March 13 joint study session discussion. Some of the issues to be discussed include walkability; affordable housing; vibrant and functional open space; connections for pedestrians, bicycles, and autos; and good design. Questions/ topics for consideration will include (a) Which elements of the code have the biggest impact on the built environment: e.g. height exceptions, density bonus for housing, parking reductions? (b) What has worked well and what has not worked as well? and (c) What areas may need either code changes or more detailed planning? The tour is tentatively scheduled for the end of Oct. The discussion on the tour will inform what land use code changes council and planning board may want to consider for the 2009 community planning work program.

2010 BVCP Major Update: The Boulder Valley Comprehensive Plan (BVCP) is a joint plan between the city of Boulder and Boulder County, providing the vision of the future for the Boulder Valley. The plan provides the basis for decision-making on the future growth, preservation, and development of the city and the lands just outside the city's boundaries. The plan is reviewed every five years (major updates) to reflect changes in circumstances and community desires. Since the BVCP was first approved in 1977, five major updates have been completed: 1982, 1990, 1995, 2000 and 2005. Staff will begin working on the 2010 update in 2009, at which time staff will work with Planning Board, City Council and Boulder County to identify the key issues that should be addressed in the 2010 update and the appropriate public process.