Boulder County

Land Use

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 • Tel: 303.441.3930 • Fax: 303.441.4856
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • **www.bouldercounty.org**

BOULDER COUNTY COMMISSIONERS
and
PLANNING COMMISSION

PUBLIC HEARING

January 26, 2016 - 5:00 PM
Hearing Room, Third Floor, County Courthouse

Docket BVCP-15-0001: Boulder Valley Comprehensive Plan 2015 Major Five Year Update: Initial Screening of Public Requests for Map Changes in Area II, Area III, and Policy and Text Changes; Project Update Including BVCP Survey Results and Phase 3 Areas of Focus

Staff Planners: Boulder County - Dale Case, Land Use Director; Abby Shannon, Senior Planner; Steven Giang, Planner I
City of Boulder - Leslie Ellis, Comprehensive Planning Manager; Jean Gatza, Sustainability Planner; Courtland Hyser, Senior Planner; Jeff Hirt, Planner II,; Caitlin Zacharias, Associate Planner

Purpose: To take action on staff recommendations for the initial screening of Area II and III public requests for map changes, policy changes, and text changes. Planning Commission will act on January 26th at the close of the public hearing. The County Commissioners will review the Planning Commission decisions and take action on January 27th, 11:00 AM, in the Hearing Room. No additional public testimony will be taken at that time.

INTRODUCTION

This docket is presented as part of Phase 3 of the 2015 update to the BVCP. The accompanying staff memo is divided into two parts. The first provides detailed information about each of the 15 land use map change requests and the criteria for recommending whether these requests should proceed or not for further study and analysis before final decisions are made. Part two includes Update information on various tasks and tracks of work that are underway or to begin soon as part of Phase 3.

Explicit and detailed information about the purpose and content of this public hearing is provided in the memo. Rather than reiterate what is well presented there, staff would like to highlight a couple of fundamental points about this step in the BVCP land use map designation change process.

1. This is an initial screening. Change requests are reviewed by city and county staff relative to their conformance with and advancement of current BVCP policies. Those requests that meet these criteria are identified in the memo and recommended for further study, including continued public input. This further study will result in a more detailed set of recommendations can be developed and presented to the decision makers. Not until the decision making bodies receive the final detailed recommendation will they take action on

the inclusion of these requests as part of the 2015 Major Update. We expect the final recommendation will be ready for public hearing and action in the late spring/early summer of this year.

2. Staff is recommending that change requests for the same properties which advocate for different outcomes move forward for more detailed study. This is one of the primary reasons for an initial screening process; seemingly contrary or opposing requests may reasonably and accurately cite consistency with BVCP policies and the other change criteria. At this point in the process, making any final decisions about changes would be premature without a deeper investigation into how fully each one might meet and fulfill BVCP policies.

JOINT MEETING OF BOARD OF COUNTY COMMISSIONERS and PLANNING COMMISSION ON JANUARY 26, 2016

Followed By:
JOINT MEETING OF CITY COUNCIL and PLANNING BOARD ON FEBRUARY 2, 2016

Please Note:
This memo is being provided to both the city and the county as part of four-body review for the initial screening of BVCP change requests for Area II and Area III. The timing between the county and city hearings is such that decisions made by the Planning Commission and Board of County Commissioners will not be known until after the normal memo deadline for the Feb. 2, 2016 public hearing at the city. Decisions made by the county could alter the suggested motion language for the city. By Jan. 28, staff will provide a memo supplement to City Council and Planning Board to report the results of the county deliberations and votes that are taking place on Jan. 26 and 27, and to update suggested motion language for the Feb. 2 public hearing, as needed.

AGENDA TITLE
Update and direction on the following items related to the 2015 Major Update to the Boulder Valley Comprehensive Plan (BVCP):

I. Initial Screening of Public Requests for Map Changes in Area II and Area III, Policy and Text Changes, and
II. Project Update including BVCP Survey Results and Phase 3 Areas of Focus

PRESENTERS
Susan Richstone, Deputy Director, City of Boulder Planning, Housing & Sustainability (PH&S)
Lesli Ellis, Comprehensive Planning Manager, PH&S
Courtland Hyser, Senior Planner, PH&S
Jean Gatza, Sustainability Planner, PH&S
Jeff Hirt, Planner II, PH&S
Caitlin Zacharias, Associate Planner, PH&S
Dale Case, Land Use Director, Boulder County Land Use
Abby Shannon, Senior Planner, Boulder County Land Use
Pete Fogg, Senior Planner, Boulder County Land Use
Steven Giang, Planner I, Boulder County Land Use

EXECUTIVE SUMMARY
The purpose of the joint meeting of the Board of County Commissioners (BOCC) and county Planning Commission on Jan. 26, and the subsequent joint meeting of City Council and city Planning Board on Feb. 2, is to hold public hearings and cover the following items related to the Boulder Valley Comprehensive Plan (BVCP):

I. **Part I** – staff recommendations on the initial screening of requests from the public for

changes to the land use map, designation of parcels in Area II and Area III, and policy or text changes in the plan (further explained below).

II. **Part II** – BVCP project update and feedback from Board of County Commissioners and Planning Commission on BVCP survey results and focus areas for the plan update as the process enters Phase 3. (City Council and Planning Board covered this material at their Dec. 15, 2015 joint meeting.)

The purpose of the initial screening is to determine which BVCP change requests submitted by the public will receive additional study and analysis as part of the five year major update to the plan. At the initial screening phase, requests are evaluated against criteria to determine which should move forward in the process, but detailed analysis of each request does not occur until the next phase.

The city has already held hearings for the initial screening of requests in Area I, Area II enclaves, and for policy and text changes (requests #1 through 23). The results of these hearings are summarized in **Attachment B**. The memo for the Dec. 15, 2015 joint Planning Board/City Council public hearing is available here. The memo for the Jan. 5, 2016 City Council meeting is available here.

Following the joint public hearing on Jan. 26, the Planning Commission will deliberate and vote that day on the requests. On Jan. 27, the BOCC will decide. The results of the county actions will then be conveyed to City Council and Planning Board, with suggested motion language revised as necessary. On Feb. 2, 2016, the Planning Board and City Council will then hold a joint public hearing for Area II and Area III map change requests with Planning Board deliberation and vote that same night, and City Council deliberation and vote on Feb 29.

The Feb. 29, 2016 vote of City Council will conclude the initial screening process, and properties receiving approval for further study by the four review bodies will move forward and be analyzed in the spring and summer of 2016. Properties in Area I that were previously approved for further study by the City Council and Planning Board will move forward in the process. Properties in Area II or Area III that receive approval for further study by all four governing bodies will also move forward in the process. Policy changes require both city and county action if the policy does not make explicit reference to the city only and or the county only.

A link to the "Virtual Tour" map of requests can be found here: link to map.

STAFF RECOMMENDATION

After initial city and county staff review, staff recommends further analysis for select policy and map change requests in Area II and Area III that have been found to meet the evaluation criteria as noted below. The suggested motion language below applies to the vote that will be taken first by the county Planning Commission on Jan. 26, 2016. If Planning Commission decides in its motion to add or remove requests, the suggested motion language would be revised accordingly for BOCC's deliberation and vote on Jan. 27. Similarly, if BOCC decides in its motion to add or remove requests, the suggested motion language would be revised accordingly for the city hearing on Feb. 2.

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

Motion to further consider and analyze the following land use map changes for Area II and Area III properties:

- **3261 3rd St. –** *Minor Adjustment to Service Area Boundary (Area III to II) (Request 25)*
- **3000 N. 63RD St. & 6650 Valmont Rd. ("Valmont Butte" #1)** – *OSO to PUB (Request 26)*
- **2801 Jay Rd. #1** - *PUB to MR or MXR (Request 29)*
- **5399 Kewanee Dr. & 5697 South Boulder Rd. (Hogan Pancost)** – *Service Area Contraction (Area II to III) (Request 32)*
- **6655 & 6500 Twin Lakes Rd., 0 Kalua Rd. #2 -** *LR & PUB to MXR (Request 35)*
- **6655 & 6500 Twin Lakes Rd., 0 Kalua Rd. #3** – *LR & PUB to OS (w/Natural Ecosystems or Environmental Preservation designation) (Request 36)*

In addition, conduct further analysis of the following policy and text requests made by the public and approved for further analysis by the City Council and Planning Board:

- **Enhance public benefit** (Chapter 2- Built Environment) *(Request 16)*
- **Clarification regarding ditches** (Chapter 2- Built Environment, Chapter 9- Agriculture and Food, VI- Urban Service Criteria and Standards) *(Request 17)*
- **Reflect public interest in renewable energy and reduction of carbon footprint** (Chapter 4- Energy and Climate) *(Request 18)*

PART I: CHANGE REQUESTS FOR AREA II AND AREA III

Brief Overview of the Public Request Process

While numerous engagement opportunities exist to offer input on changes to the BVCP, the purpose of the public request process is to include an opportunity for landowners and the general public to submit requests for specific changes to the plan. Any type of change to the plan may be considered during a five-year plan update, including changes to the Land Use Map, Area I, II, III Map, and policies and text within the plan.

The city's Department of Planning, Housing, and Sustainability prepares a recommendation in consultation with the county's Land Use Department on each proposed change. All approval bodies, both city and county, provide direction on which proposals warrant further consideration. If any one governing body does not recommend a given request for further study, that request will not move forward in the process. Requests regarding properties in Area I that are approved for further study by the city move forward in the process and are not considered by the county. The city heard requests 1-23 affecting Area I, Area II enclaves, and policies/text in December and made final decisions in January. The memo for the Dec. 15, 2015 joint Planning Board/City Council public hearing is available here. The memo for the Jan. 5, 2016 City Council meeting is available here. City decisions on those requests are summarized in **Attachment B**.

AREA II AND AREA III: (15 requests)

These requests will first be heard by the county on Jan. 26 before the city hearing on Feb. 2:

24) **2975 3rd St.** – *Minor Adjustment to Service Area Boundary (Area III to II)*
25) **3261 3rd St.** – *Minor Adjustment to Service Area Boundary (Area III to II)*
26) **3000 N. 63RD St. & 6650 Valmont Rd.* ("Valmont Butte") #1** *(*staff-initiated; portion of property) – OS-O to PUB*
27) **3000 N. 63RD St. & 6650 Valmont Rd. ("Valmont Butte") #2** – *Minor Adjustment to Service Area Boundary (Area III to II); land use designation change appropriate for arts campus*
28) **1468 Cherryvale Rd.** – *VLR to LR*
29) **2801 Jay Rd. #1** – *PUB to MR or MXR*
30) **2801 Jay Rd. #2** – *Service Area Contraction (Area II to Area III- Planning Reserve)*
31) **7097 Jay Rd.** –*OS-O to LR*
32) **5399 Kewanee Dr. & 5697 South Boulder Rd. (Hogan Pancost) -** *Service Area Contraction (Area II to III)*
33) **4525 Palo Pkwy. -** *MR to LR*
34) **6655 & 6500 Twin Lakes Rd., 0 Kalua Rd. #1** – *maintain LR*
35) **6655 & 6500 Twin Lakes Rd., 0 Kalua Rd. #2** – *LR & PUB to MXR*
36) **6655 & 6500 Twin Lakes Rd., 0 Kalua Rd. #3** – *LR & PUB to OS (w/Natural Ecosystems or Environmental Preservation designation)*
37) **6655 Twin Lakes Rd. #4** – *Service Area Contraction (Area II to III)*
38) **0, 2300, & 2321 Yarmouth Ave., 4756 28th St. & 4815 N. 26th St. (Planning Reserve)** – *Service Area Expansion (Area III Planning Reserve to Area II)*

A map, list of all requests, and worksheet that includes a description of each request and staff recommendation for Area II and III properties can be found in **Attachment A, Part 1**. The complete staff evaluation for the initial screening of each request for Area II and III properties can be found in **Attachment A, Part 3**.

Criteria for Review of Public Requests

The Boulder Valley's existing and future land use pattern did not occur by accident and is the result of many efforts over the years that have shaped the community. The intent of the major update is to consider requests that reflect changes in circumstances and community desires. In considering potential changes to the Land Use Map, it is important to factor in prioritizing the use of staff resources, and the significant community conversations and concerns over growth and development issues that have occurred over the past year. In review of all the requests, staff has taken a strategic approach to the requests received and instead of asking "why *not* study further?" has asked "is there a changed circumstance or community need that suggests that the request should be studied further?" In other words, a change in circumstance or other factor was necessary to suggest that the request warrants further study. In the consideration of whether to recommend a request for further study, staff considered the BVCP criteria and other factors such as area plans or neighboring intensities and context were also taken into account.

Staff evaluation of the requests also included the following criteria and considerations, adopted largely from the BVCP (See **Attachment A, Part 2**):

- Consistency with the purpose of the BVCP update (change request regarding land use

designation or other map amendment, policies, or text);
- Consistency with BVCP policies and relevant subcommunity or area plans;
- Compatibility with adjacent land uses and neighborhood context;
- Whether the request was considered as part of a recent update to the BVCP or another planning process;
- Changes in circumstances, community needs, and any other new information; and
- Availability of resources, including city and county staffing and budget priorities.

Board of County Commissioners and Planning Commission Initial Screening of Area II Enclave and Policy/Text Requests Approved for Further Study by City Council and Planning Board

Of the property requests approved for further study by City Council and Planning Board, none are in Area II enclaves and therefore do not require approval by Planning Commission and the Board of County Commissioners. Three policy/text requests were advanced by City Council and Planning Board, and these do require action by the Board of County Commissioners and Planning Commission, as noted below. City decisions on these requests are summarized in **Attachment B**.

Recommended For Further Analysis

Based on the review criteria, staff recommends six requests in Area II or Area III for further analysis, as well as three policy requests that have been advanced for further study by Planning Board and City Council.

Area II & III requests recommended for further analysis:

- **3261 3rd St. –** *Minor Adjustment to Service Area Boundary (Area III to II) (Request 25)*
- **3000 N. 63RD St. & 6650 Valmont Rd. ("Valmont Butte" #1)** – *OSO to PUB (Request 26)*
- **2801 Jay Rd. #1** - *PUB to MR or MXR (Request 29)*
- **5399 Kewanee Dr. & 5697 South Boulder Rd. (Hogan Pancost)** – *Service Area Contraction (Area II to III) (Request 32)*
- **6655 & 6500 Twin Lakes Rd., 0 Kalua Rd. #2 -** *LR & PUB to MXR (Request 35)*
- **6655 & 6500 Twin Lakes Rd., 0 Kalua Rd. #3** – *LR & PUB to OS (w/Natural Ecosystems or Environmental Preservation designation) (Request 36)*

Policy requests recommended for further analysis:

- **Enhance public benefit** (Chapter 2- Built Environment) *(Request 16)*
- **Clarification regarding ditches** (Chapter 2- Built Environment, Chapter 9- Agriculture and Food, VI- Urban Service Criteria and Standards) *(Request 17)*
- **Reflect public interest in renewable energy and reduction of carbon footprint** (Chapter 4- Energy and Climate) *(Request 18)*

Summary of Each Request

This section summarizes each request. More detailed information can be found in **Attachment A**.

Map Changes Recommended for Further Analysis

The following map change requests are recommended for further analysis as part of the update:

Request 25) **3261 3rd St.** – *Minor Adjustment to Service Area Boundary (Area III to II)*
Request to adjust the service area boundary from Area III to Area II for a property that has both an existing residential use and a BVCP land use designation of Low Density Residential. Further study is needed to determine if the request meets the criteria for a minor adjustment to the service area boundary and transportation access, utilities, and adjacent city open space implications. The property is currently not eligible for annexation and was recently approved for a county subdivision exemption provided they pursue annexation to the city, which represents a changed condition.

Request 26) **3000 N. 63RD St. & 6650 Valmont Rd.* ("Valmont Butte") #1** *(*staff-initiated; portion of property) – OS-O to PUB*
Request for a land use change from Open Space- Other (OS-O) to Public (PUB) at Valmont Butte. This request was submitted by the City's Facilities and Asset Management staff with the intent to annex the property into the city, undertake historic landmark designation for the mill buildings, expand open space areas to include 12 acres of undisturbed historic areas, and to allow for the remainder of the site to be used for existing radio communications use as well as future material/equipment storage and renewable energy uses. The requested land use designation change should be considered further to support city operations and meet other climate-related goals.

Request 29) **2801 Jay Rd. #1** – *PUB to MR or MXR*
Request for a land use change from Public (PUB) to either Medium (MR) or Mixed Density (MXR) Residential, for the purposes of creating a mixed density affordable housing project, with the applicant expressing flexibility to determine the appropriate use of the site. On October 1, 2015, Planning Board indicated that a residential use could potentially be supportable on this site and that the BVCP process may be the appropriate venue to evaluate the request. The request is part of an active land use case.

Request 32) **5399 Kewanee Dr. & 5697 South Boulder Rd. (Hogan Pancost)** – *Service Area Contraction (Area II to III*)
Request from the Southeast Boulder Neighborhood Association to change the designation from Area II to Area III. Staff also received a rebuttal from the property owner requesting that the designation remain Area II. Planning Board's 2013 denial of a development proposal for the site points to the need for further study in order to determine if a reclassification to Area III might be appropriate, and whether the proposal would meet the BVCP's criteria for a service area contraction (BVCP Amendment Procedures section 3.b.2).

Request 35) **6655 & 6500 Twin Lakes Rd., 0 Kalua Rd. #2** – *LR & PUB to MXR*
Two requests made by the property owners for a land use change from Low Density Residential (LR) and Public (PUB) to Mixed Density Residential (MXR). Demand for a school at this location has not materialized, which makes the PUB land use designation inconsistent with BVSD's interest in the property. The proposal to create affordable housing on the site appears to be consistent with a variety of BVCP policies. Further study is needed on the proposed land use change alongside any alternatives that also advance that have been proposed by other parties (see requests 34, 36, and 37).

Request 36) **6655 & 6500 Twin Lakes Rd., 0 Kalua Rd. #3** – *LR & PUB to OS (w/Natural Ecosystems or Environmental Preservation designation)*
Eleven requests, which include requests from individuals as well as the Twin Lakes Action Group (TLAG), to change the land use designation of 6655 Twin Lakes Road from Low Density Residential (LR) to Open Space, and 6500 Twin Lakes Drive and 0 Kalua Drive from Public (PUB) to Open Space (OS). The stated intent for the land use change varies somewhat from one request to the next, but generally includes preserving wildlife habitat, maintaining existing neighborhood character, and meeting the open space needs of the surrounding neighborhood. Further study is needed on the proposed land use change alongside any alternatives that also advance that have been proposed by other parties (see requests 34, 35, and 37). Both Open Space and Mountain Parks (city) and Parks and Open Space (county) have indicated that the site does not meet their criteria for acquisition for community or regional open space. However, an OS land use designation could be appropriate if the site were to be privately acquired for that purpose.

Policy and Text Changes Recommended for Further Analysis by City Bodies.
This section summarizes each of the policy and text requests that were advanced by Planning Board on Dec. 15, 2015 and by City Council on Jan. 5, 2016.

Request 16) **Enhance public benefit (Chapter 2- Built Environment)**
Request to enhance public benefit in the subsections throughout Chapter 2- Built Environment. The request offers several more specific suggestions, including: the effective balancing of housing and commercial development with projects offering community benefit; providing value to property owners and businesses; and using tools like landmarking or land use and zoning changes where appropriate. For the purposes of the BVCP update, enhancements to public benefit in the subsections throughout Chapter 2 will be considered for further analysis.

Request 17) **Clarification regarding ditches (Chapter 2- Built Environment, Chapter 9- Agriculture and Food, VI- Urban Service Criteria and Standards)**
Request to clarify language regarding ditches in the plan. The request notes that not all ditches are necessarily part of the public realm and offers further contextual details on the relationship between private ditches, prescriptive easements, and potential development projects. The request offers more specific suggestions to amend the following policies: 2.20, 2.37 (b), and 9.01. Additional suggestions are to remove the mentioning of ditches or clarify to which ditches the plan is referring in Paragraph 5 of Built Environment (Chapter 2) and amend

the mentioning of "ditch company" to "ditch owner" in Section 3 of Urban Service Criteria and Standards (VI).

Request 18) **Reflect public interest in renewable energy and reduction of carbon footprint (Chapter 4- Energy and Climate)**
Request to expand this chapter "to reflect current public interest in renewable energy and reduction of [the] carbon footprint." The request further suggests specific efforts the city should undertake, including: the identification of appropriate sites and establishment of funding mechanism for renewable energy projects on existing properties. For the purposes of the BVCP update, the expansion of Chapter 4 to reflect current public interest in renewable energy and reduction of the carbon footprint will be considered for further analysis.

Map Changes Not Recommended for Further Analysis
The following map change requests are not recommended for further consideration because they do not meet the criteria listed above.

Request 24) **2975 3rd St.** – *Minor Adjustment to Service Area Boundary (Area III to II)*
Request to adjust the service area boundary from Area III to Area II for a property that is divided approximately in half between these two designations. The portion of the property within Area III is also located above the blue line. Staff does not recommend studying this request further because the change would not create a more logical service area boundary (per the BVCP criteria for Minor Adjustments to the Service Area Boundary) and the property is already eligible for annexation.

Request 27) **3000 N. 63RD St. & 6650 Valmont Rd. ("Valmont Butte") #2** – *Minor Adjustment to Service Area Boundary (Area III to II); land use designation change appropriate for arts campus*
Request for 1) a minor change of the Service Area Boundary Map for a 10-acre portion of the Valmont Butte properties; 2) a change of the Land Use Map to a land use category that would allow for the construction of a campus for the studio arts; and 3) removal of the site from the Natural Ecosystem Overlay Map. The site does not receive the full range of services that would be needed to support an arts campus. The Valmont Butte properties are owned by the city, and the request is inconsistent with the city's intent to annex the properties as Area III - Annexed and use a portion of them for low-impact municipal uses. The request also does not meet the criteria for a minor adjustment to the service area boundary. Furthermore, the properties have areas of residual contamination that create barriers to additional development.

Request 28) **1468 Cherryvale Rd.** – *VLR to LR*
Request for a land use change from Very Low Density Residential (VLR) to Low Density Residential (LR) for an existing single family property. The request could potentially result in subdivision of the property to create additional residential lots. Staff recommends not studying this request further due to its potential to increase density in a neighborhood with established very low density residential character in the absence of a larger plan calling for such change.

Request 30) **2801 Jay Rd. #2** – *Service Area Contraction (Area II to Area III- Planning Reserve)*

Four requests were received to change the service area designation for 2801 Jay Rd. from Area II to Area III-Planning Reserve for a variety of reasons cited, including concerns related to consistency of redevelopment with neighborhood character, incremental development, traffic, and safety, among others. The property has been developed and used as a place of worship since 1990. The purpose of the Planning Reserve is to maintain the option of future service area expansion and is an interim classification until it is decided whether the property should be placed in Area III-Rural or in the Service Area (Area II). With existing urban development, Area II and Public land use designations, and contiguity with the city's existing service area the Area II designation is more appropriate.

Request 31) **7097 Jay Rd.** – *OS-O to LR*

Request to have entire 14+ acre property designated as Low Density Residential (LR). This property does not meet the requirements for annexation, which would be necessary to permit a low density residential land use designation on this property. In addition, the split Area II/Area III designations at 7097 Jay have been in place since 1978, and there are no changed conditions in the community or articulated in the request that would warrant the proposal be considered as part of this update. In addition, the request is not consistent with the rural character of the neighborhood to the west and south. The Boulder Feeder Canal to the north and east provides a logical buffer and boundary to the residential neighborhood to the north and east.

Request 33) **4525 Palo Pkwy.** - *MR to LR*

Request for a land use change from Medium Density Residential (MR) to Low Density Residential (LR). The property has been through several recent planning processes, including the 2002/2003 BVCP Annual Review, wherein the land use designation was changed from Public (PUB) to the current Medium Density Residential (MR) to facilitate affordable housing development. In 2003 there was a neighborhood planning process that included this property and several other nearby properties that led to the current designation, and conditions have not changed since then to an extent that would warrant further study in the BVCP process. On Jan. 5, 2016, City Council approved the annexation request and initial zoning of Residential Mixed-2 (RMX-2).

Request 34) **6655 & 6500 Twin Lakes Rd., 0 Kalua Rd. #1** – *maintain LR*

Three requests to maintain the existing BVCP Low Density Residential (LR) land use and Rural Residential zoning. Staff is recommending no further study on the grounds that a request to maintain the status quo does not constitute a change request. However, maintaining a lower intensity residential land use can be considered in the analysis for Request #35. All three also request an Open Space or Environmental Preservation designation as an option for maintaining the status quo, which will be considered in the analysis for Request #36.

Request 37) **6655 Twin Lakes Rd. #4** – *Service Area Contraction (Area II to III)*
Two requests for a service area contraction from Area II to Area III, in conjunction with a land use change from Low Density Residential (LR) to Open Space (OS). Staff recommends that this request not be studied further because no changed circumstance has been established to indicate that the service area should be contracted. Both Open Space and Mountain Parks (city) and Parks and Open Space (county) have indicated that the site does not meet their criteria for acquisition for community or regional open space. Therefore, although the site may have a potential future as private open space, this in and of itself is not a justification for reclassifying the site to Area III and removing all potential for future services. It should be noted that the portion of the request regarding a land use change to OS is replicated by request 36, which is recommended by staff to be considered further within the context of private acquisition of the site.

Request 38) **0, 2300, & 2321 Yarmouth Ave., 4756 28th St. & 4815 N. 26th St. (Planning Reserve)** – *Service Area Expansion (Area III Planning Reserve to Area II)*
Request to expand the service area by changing the designation from Area III-Planning Reserve to Area II for the purpose of addressing the community's unmet need for permanently affordable housing. Staff recommends that this request not be considered further based on the City Council vote on August 6, 2015, which directed staff to not begin a Service Area Expansion Assessment, and therefore not process requests for service area expansions in the Planning Reserve as part of the BVCP five year major update.

PART II – PLAN UPDATE

Summary of Content in Part II

As Phase 2 of the plan update concludes, staff would like to share new and updated information with the Board of County Commissioners and Planning Commission, including the results from 937 respondents to the BVCP random sample survey, resulting in a 16.8 percent net response rate. The 95 percent confidence interval (or margin of error) is approximately +/- 3.2 percentage points. Part II also includes a summary from six focus groups, community engagement summary, and information about technical work that has been completed. Staff is seeking feedback on the approach to addressing remaining phases of the BVCP update, including proposed topic tracks and focused areas for options and analysis, as further described in **Attachment E: Phase 3 Areas of Focus Approach and Analysis**.

The BVCP survey and focus group results about topics of quality of life, plan core values, growth management, mixed use and heights, neighborhoods, and other ideas are summarized in this memo, with the full report and summary available for download here**.**

A summary of proposed Phase 3 tracks and work plan is also further described in the memo and **Attachment E**. Areas of Focus are proposed to be:

Track 1:

1. Renew core values;
2. Add climate, energy, and resilience;
3. Address future jobs:housing balance;
4. Address middle income housing;
5. Refine the Built Environment section of the plan (e.g., design, mixed use, height, etc.);
6. Add "planning areas" (i.e., subcommunity) sections with policies reflecting local goals;
7. Plan for Boulder Community Hospital site; and
8. Plan and process for CU South land use designation change.

Track 2 will include other policy integration (e.g., transportation, parks, and arts and culture).
Track 3 will entail plan clean up – straightforward plan edits and format improvements.

Background

The plan update has progressed through 2015 aiming for changes to the plan to ensure it remains useful and relevant. So far, the process has entailed extensive community dialogue and engagement as described in the Community Engagement Plan and summaries of events and feedback. The BVCP update has four main phases, each with community dialogue and engagement. **Attachment C** includes the project work plan and process illustration.

Phase 1—Foundations/Community Engagement Plan (complete). The foundations (technical) work that was completed in the first phase has been used extensively in community outreach and is available on the project webpage: www.bouldervalleycompplan.net.

P**hase 2—Issues Identification (nearing completion).** Phase 2 has been focused on collaboration with the community to refine and solidify priority issues to be addressed in the update through 2016. This phase included the survey, a series of check-ins with boards and commissions, and six local listening sessions in the community.

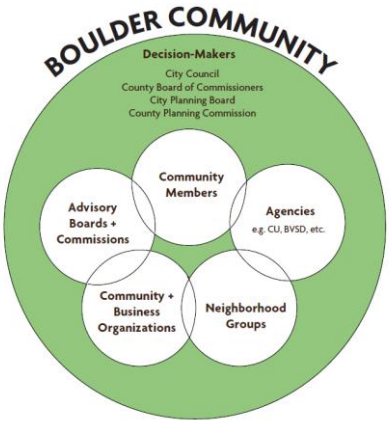
Phase 3—Plan Analysis and Updated Policies and Maps (now beginning). As with the first two phases, Phase 3 will entail multiple opportunities for community engagement. The planning team will develop choices and analysis, do the "housekeeping" updates, and write policy refinements and additions to better align the plan with other master plans and adopted city and county policies. Additionally, during this phase, the planning team will advance the 3D modeling and visualization tools to help convey options, scenarios, and tradeoffs and do further research and analysis to support a community conversation. Gaps in metrics to measure plan outcomes will be identified, and the full set of measurements further refined. Finally, the Land Use Plan and Area maps will be updated, reflecting input and analysis from the public request process as well as the scenario analysis.

Phase 4—Draft Plan and IGA (Summer-Fall 2016). Phase 4 will synthesize all the previous phase deliverables into a draft plan for consideration/adoption, again with opportunities for public review and engagement. Additionally, the "Comprehensive Development Plan Intergovernmental Agreement" (IGA) between the city and county (valid through Dec. 31, 2017) will need to be updated.

Implementation steps, such as changes to code and zoning map updates, would be completed following plan adoption.

COMMUNITY ENGAGEMENT

Community engagement in the first phases aimed at getting the word out about the update, informing people about the plan and its legacy, sharing foundations information, and inviting people to participate and share ideas on areas of focus, issues and topics for the update.



Working with the BVCP Process Subcommittee, staff finalized the Community Engagement Plan for Phases 1 and 2. An initial plan for Phases 3 and 4 engagement is being developed and reviewed with the Process Subcommittee in January.

Measures of Community Engagement in Phases 1 and 2

To learn from the experiences of all engagement activities and ensure the goals of the engagement plan are being met, the process subcommittee advised measuring engagement quantitatively and qualitatively. **Attachment D: Community Engagement Summary**, contains measures of engagement, including but not limited to the:

- Postcard sent to 50,000 households in the planning area;
- 5,000 email contacts who receive news and updates about the plan through the Planning, Housing and Sustainability's weekly newsletter;
- 937 random sample survey responses, and 459 complete responses to the open link survey; and
- One kickoff event and six listening sessions with hundreds of participants.

BVCP SURVEY AND FOCUS GROUP RESULTS

The random sample survey was a major focus of Phase 2. 937 people responded, resulting in a 16.8 percent net response rate. The 95 percent confidence interval (or margin of error) is approximately +/- 3.2 percentage points. The consultant also held six focus groups from Nov. 6 through Nov. 13 to address subjects in the survey in greater depth. The complete Survey Summary report is available for download here. The report includes survey results, summaries of the focus group discussions, summaries for the open-ended responses and the full text of all responses.

BVCP Survey and Focus Group Takeaways

The survey results and six focus groups addressed a variety of topics that will inform the BVCP update, including quality of life, familiarity with the plan, core values, growth management, mixed use and locations, height, and neighborhoods. The focus groups provided more detailed feedback on issues covered in the survey (i.e., building height, jobs growth, housing growth, and mixed use), as well as issues not specifically addressed in the survey (e.g., transportation, the University, resident diversity, and inclusiveness). The report in all its detail with cross tabulations and demographic information has only recently been available, so staff will continue to read comments and analyze results as Phase 3 work begins. High level takeaways include:

- **Quality of Life:** Ninety-four percent of respondents think quality of life is very good (49 percent) or good (45 percent).
- **Familiarity:** Most survey respondents (59 percent) have no or slight awareness of the plan. Eleven percent know quite a bit about it or are very familiar. However, responses generally validate policy directions of the plan and thoughtful deliberative community planning, as further noted below.
- **Core Values:** Sixty-six percent of respondents did not identify any core values in need of clarification or modification when asked that question. Respondents prioritized and added ideas related to plan core values – what needs increased attention (i.e., diversity of housing types and price ranges, all-mode transportation system, places with unique identities/neighborhoods), and added new ideas as part of their open-ended comments (e.g., diversity, governance, limit growth, safety, housing).
- **Growth Management (Jobs and Housing):** Respondents said Boulder should maintain the current potential for additional jobs (57 percent) and increase (43 percent) or maintain (39 percent) the current potential for additional housing. Open-ended comments showed nuanced thinking about the future mix of housing and jobs and tradeoffs. Context of place, quality, and design for family-friendliness were also themes.
- **Rate:** Respondents on the questions about rate of growth of housing and commercial growth favored continuing maintaining a city system of limiting rate of housing growth (43 percent) but think the city does not need to manage the rate of commercial growth (48 percent).
- **Diversity of Housing and Price:** Results of the survey showed that a greater diversity of housing types and price ranges is the highest priority. 42 percent selected it as their first core value (second was all-mode transportation system, at just 13 percent), 56 percent selected it as one of their top two, and 63 percent selected it as one of their top three values.
- **Community Benefits:** Respondents selected permanently affordable housing as the top requirement for new development (25 percent), along with limiting height and protecting views (22 percent). A wealth of open-ended comments will assist in further analysis of community benefits.
- **Neighborhoods:** Respondents described quality of life in neighborhoods as very good (47 percent) or good (44 percent), and generally noted more characteristics they liked

(i.e., trails, open space, safety, walkability, quiet, etc.) than factors they disliked (i.e., affordability, access/distance to services, noise and traffic). They would also like better information from the city about services, programs, and events (43 percent); support to improve neighborhood livability (e.g., services, amenities, infrastructure) (41 percent), and support for neighborhood events (37 percent). Thirty-four percent indicated support for land use planning at the local level.

Other Outreach Efforts during Phases 1 and 2
Other outreach events are summarized in **Attachment D**.

- **Listening Sessions.** In November and December, the city and county hosted a series of local community listening sessions in six locations around the community to hear ideas related to the BVCP and other services and programs.
- **Kick off Events –** In August, the city and county held a kickoff event at Chautauqua. Initial input was also gathered through an online poll and other events that asked people "what do you love about Boulder" (e.g., open space, natural areas, trails, creative culture) and for input on the potential focus areas. The summaries are on the project webpage.
- **Pop-Up Meetings** – The project team held 13 "pop-up" meetings (including three with bilingual staff) at recreation centers, the farmers market, grocery stores, Eben G. Fine Park and other events to share information and get feedback.
- **Culturally Sensitive Engagement –** Staff and decision-makers have been seeking a meaningful engagement process with Boulder's immigrant communities via culturally sensitive venues and processes, including: one-on-one conversations with community leaders and spokespeople, building on their knowledge and trust within the community; working with bilingual partners at events or "pop-up" meetings using comment forms in Spanish and English; and partnering with Intercambio to get input from immigrant students in English classes.
- **Boards and Commissions** – From October to December, the planning team attending meetings of city boards and commissions and requesting feedback on the foundations works products, community engagement activities, and topics of focus for the update.
- **Outreach with Civic, Business, and Community Groups** – Staff was invited to and attended several meetings to update civic, nonprofit, and community groups on the plan process and to hear their input. The list includes but is not limited to the PLAN Boulder Board, Boulder Chamber Community Affairs Group, Urban Land Institute, Boulder Housing Partners, and Boulder Area Realtors Association.
- **Youth Engagement** – Some of the pop-up meetings and other events have been geared for younger people in the community – children, youth, and university students. YOAB and Growing Up Boulder also are partnering with the planning team to do outreach. A description will be provided on the project website.
- **BVCP Videos** – The city hired Boulder-based Balcony Nine Media to produce the first few videos in the planned series describing planning history in Boulder. Draft videos were shown at the August event. Using feedback received about their tone and content, the consultant finalized the videos which will be available for the Dec. 15 meeting.

TECHNICAL WORK (COMPLETION OF PHASE 1)

Staff completed drafts of BVCP technical work in late summer and presented them at the August kickoff meeting. Since that time, staff has invited input and feedback at public meetings, check-ins with boards and commissions, and other outreach activities. Additionally, staff held two public data sessions in September for the purpose of answering questions and collecting feedback on the technical work products. Collectively, these outreach efforts and subsequent analysis have

resulted in adjustments and refinements to the foundations work. One of the more substantive refinements to the BVCP technical work has been to apply the employment estimate methodology (new for 2015) to historical jobs data. Links to current versions of technical work products are below, as are notes about substantive changes since August.

- **Trends Report** - The Trends Report has been updated to reflect edits received from Planning Board and Planning Commission at their joint meeting on Sep. 17. Employment trends have been updated to reflect data revised back to 2001 (the earliest year for which the city was able to obtain data). Staff also updated the Executive Summary to include a list and description of the top ten trends in the community. *Link here for the latest Trends Report*.
- **Community Profile** - The Community Profile will be updated in early 2016 to incorporate 2015 employment data, the new employment trends data back to 2002, and refined data for nonresidential square footage. *Link here for latest Profile*.
- **2040 Projections** - No substantive edits have been made to the 2040 projections since the August draft. *Link here for current projections and methodology*.
- **Subcommunity and Regional Fact Sheets** - The 10 fact sheets have been largely completed since September and now include inserts featuring the future land use map and category descriptions from the adopted (2010) BVCP. *Link here for current Fact Sheets*.
- **Interactive Mapping and 3D Modeling.** The planning team has been working with ESRI to develop online, interactive story board maps for the subcommunities and Area III. The story boards present existing conditions, 3D maps, topography, and a collection of other map data using an online interactive interface. *Link here for story board maps*.

  Staff also is working with ESRI to use CityEngine software to prepare a 3D model of Boulder's future development capacity. Current zoning regulations are the basis for "rules". CityEngine's rules also recognize height limits and development constraints (e.g., wetlands and high hazard floodplain) applies all rules to individual parcels, creating a three-dimensional representation of the regulatory envelope within which future development may occur. This work in progress will be refined for analysis of the future land use mix and questions about activity centers and height.

BVCP PHASE 3 – APPROACH AND TRACKS

BVCP Phase 3 – Approach and Tracks

Now that the foundations work is mostly complete, survey results are available, and the community has weighed in at initial events and polling, the third phase (options and analysis) is about to begin. Staff has updated the scope of work for Phase 3 based on input and feedback from the approval bodies and community thus far, and would like to confirm the topics and approach with the four approval bodies. Forthcoming tracks for Phases 3 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 (addressed in Part I of the memo)

The updated work plan for 2016 (**Attachment C**) includes additional details about the entire process.

Track 1: Areas of Focus

Staff will move forward on the following work areas in early 2016 and seeks feedback from the four approval bodies to further refine the areas of focus. The topics in Track 1 are listed below. Additional descriptions of each topic, the reasoning and tie to survey results, approach, public process, analysis to be performed, and timeline can be found in **Attachment E**.

1. **Renew core values.** As noted in the brief survey summary above and report, most people did not suggest changes to the core values. However, respondents who did provided a number of suggestions to update core values to reflect current community ideas, such as themes of safety, resilience, climate, diversity, and others noted in the attachment.

2. **Add climate, energy, and resilience.** The community's work to achieve deep reductions in local greenhouse gas emissions, transform its energy system, and increase community resilience and response to emergencies such as floods have far-reaching implications for city policy and action that should be reflected in the plan. **Attachment E** outlines a scope of work to assess and then propose potential plan changes related to resilience (e.g., updating the sustainability framework to incorporate resilience concepts and reflect our climate commitment goals).

3. **Address future jobs:housing balance.** Survey responses, as noted above, show that greater diversity of housing types and price range is the highest priority issue. Staff proposes to prepare options (or scenarios) to improve the balance of housing and jobs in the future. Such scenarios could lead to adjustments to the land use plan and policies related to housing. Based on survey feedback, staff does not anticipate refining other growth management policies or tools (e.g., limiting rates of growth for jobs or housing) unless requested by the approval bodies.

4. **Address housing the "middle".** Based on the *Housing Boulder Action Plan for 2015/2016*, survey results, and community input, and *The Middle Income Housing Study*, staff proposes to develop land use and policy options to identify and promote middle income housing types for different parts of Boulder.

5. **Refine Built Environment section and mixed use/height policies.** The survey results generally showed support for the mixed use concepts and locations in the plan. However, many comments addressed design, quality, height, and other issues about place-based appropriate locations and protection of neighborhoods. Using 3D modeling and visualization tools, staff proposes to provide illustrations and clearer descriptions for the Built Environment section of the plan to refine the plan's map and description of activity centers, mixed use, heights, and character areas. Feedback from the ongoing and future listening sessions will help to further refine illustrations, maps, and policy regarding community benefits achieved from development.

6. **Add "planning areas" sections to address local issues.** Staff proposes to include subcommunity plan sections and policies to address local issues and character. Use feedback from ongoing listening sessions and the survey to help define unique characteristics and needs. 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 address other service and infrastructure needs.

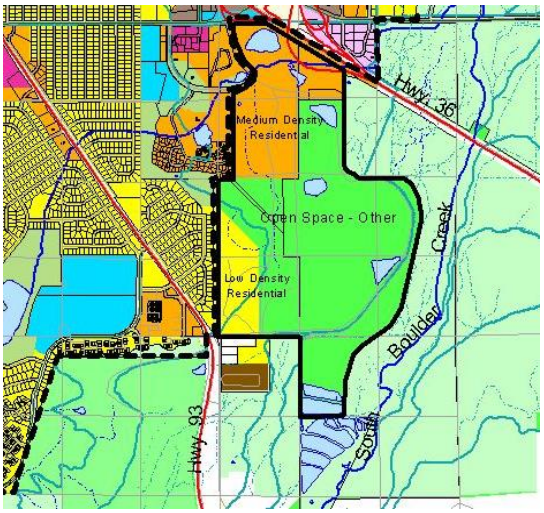
Timeline for Track 1 topics above:
- Possible check in at City Council retreat in January, or February on refined topics.
- Initial options and public input (Feb./Mar.) Four bodies review and input (April).
- Options and Analysis – Public Input (April/May); four bodies – preferred directions (June).
- Final directions – fall 2016.

Site Specific Analysis as part of Track 1

In addition to the above focused topics, the planning team will be working on several site specific planning processes with distinct community engagement, technical work, and analysis. They include the former Boulder Community Heath site on Broadway and processing a land use change request for CU South.

7. **Boulder Community Hospital Site Planning Process.** The City of Boulder completes purchase of the Boulder Community Hospital (BCH) site on Dec. 4, 2015. It is anticipated that focused planning for the redevelopment of the site will occur in 2016 and beyond. The planning work will leverage work completed during the Civic Area project and inventory and analysis completed during the purchase. Planning will be coordinated with the BVCP update. Staff is preparing process options for the overall BCH planning approach to have ready for discussion with City Council in January. 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.

8. **CU South Land Use Designation Analysis Process.** As part of the 2015 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 (see map on the right). This work would be in advance of any land use changes, annexation, or zoning. The land use process will parallel other aspects of the BVCP request processes through spring of 2016. The first step will be a two-part site suitability study, first addressing developable and undevelopable parts of the site (e.g., natural features, wetlands, sensitive species, and habitat) through spring. 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. **Attachment F** contains more detailed information about the process. 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.

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.

Plan Integration Topics	Relevant Chapter, Sec.
Add information about regional policy alignment	***Introduction, History***
Core values will need more substantive work as noted above.	***Sec. 1: Core Values***
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.	***Sec. 2: Built Environment***
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).	***Sec. 3: Natural Environment***
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.	***Sec. 4: Energy and Climate***
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.	***Sec. 5: Economy***
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.	***Sec. 6: Transportation***
More substantive housing policy topics are noted above.	***Sec. 7: Housing***
Various plans may necessitate changes to the Community Well-being section including: ▪ Parks and Recreation Master Plan (2013) ▪ Policies related to an aging population and aging in place ▪ Homelessness strategy (ongoing) ▪ Human Services Master planning (ongoing) ▪ Library Master Plan ▪ Fire Master Plan ▪ Police Master Plan	***Sec. 8: Community Well-Being***
Add any changes to local food programs or policies since 2010 when this chapter was added to the plan.	***Sec. 9: Agriculture and Food***

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.	***Other Chapters: Amendment Procedures, Land Use Map Descriptions, Implementation, Referral Process and other maps***

Timeline for Track 2:
- Policies (non-substantive changes), completed and accepted by Jun. 2016.
- Other emerging policies, as relevant, proposed and accepted with draft plan by fall 2016.

Track 3: Plan Organization and Clean Up

A less exciting but important task will be the non-substantive edits to improve legibility and usability. The planning team proposes to complete such basic clean up, 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.

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.

Timeline for Track 3:
- Edits and formatting completed by Apr. 2016; final by fall, 2016.

City Council and Planning Board Feedback on BVCP Phase 3 – Approach and Tracks

City Council and Planning Board reviewed the staff's proposal for Phase 3 Approach and Tracks at their joint meeting on Dec. 15, 2015. Planning Board provided additional feedback on this topic at their Dec. 17 meeting.

- Overall, the focused topics are on track with what is needed and desired for the five year 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 top 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 need to be used.
- The built environment topic should incorporate lessons learned from the form based code project. Also recognize that solutions for "housing the middle", in part, can 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 the climate, energy, and resilience topic.

NEXT STEPS

Jan. 27	BOCC deliberation/vote on initial screenings for Area I, II, and III and policy and text requests from the public
Feb. 2	City Council and Planning Board joint public hearing on initial screenings for Area II and III followed by Planning Board deliberation/vote.
Feb. 29	City Council deliberation/vote on initial screenings for Area II and III
Mar. (TBD)	Joint meeting of Planning Board and Planning Commission
Apr. 12	City Council Study Session

ATTACHMENTS

A. **Staff Analysis for the Initial Screening of Change Requests for Area II and Area III Map Change Requests and Policy/Text Requests**
B. **Summary of Planning Board and City Council Action on the Initial Screening of Requests 1-23**
C. **Updated BVCP Work Plan for 2016**
D. **Community Engagement Summaries**
E. **Phase 3: BVCP Areas of Focus Approach and Analysis**
F. **CU South Process**