

G. Planning Area, Map I, II, III, and Land Use Changes Related to the 2016 Blue Line Amendments for Private Properties

Background

The Blue Line was created by voters in 1959 as part of the city Charter to prohibit city water from being provided above a certain location. The goal was to protect the foothills backdrop by discouraging new development in this natural area. The Blue Line was set along a specific elevation which did not recognize parcel lines.

In 2016 Boulder voters approved the clarification and amendment of “blue line” water provision. The purpose of the ballot measure was to more accurately describe the location of the Blue Line in a manner that continues to prevent further development on the mountain backdrop but does not exclude existing developed areas. The amendments intended to recognize existing water service agreements, recognize existing development and not expand opportunities for additional or expanded development.

Regarding properties divided by the line, the city will provide water service as follows:

- The water service shall be to the entire building that is within the existing footprint and square footage on Nov. 8, 2016,
- No additional water service shall be supplied west of the line for such property,
- No portion of the building with water service west of the line shall be expanded beyond the existing building footprint or floor area.

Area I, II, III Map Amendments to Reflect Voter-approved Blue Line Amendments

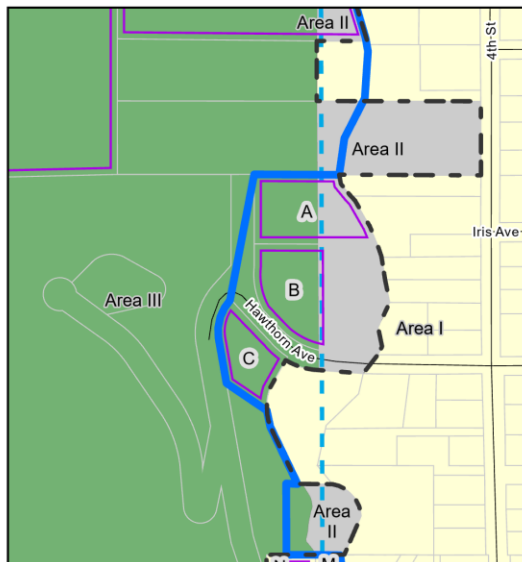
Voter-approved changes to the location of the Blue Line resulted in several areas where changes should be made to Boulder Valley Comprehensive Plan planning areas (*see BVCP Figure 1-1, Policy 1.12 Definition of Comprehensive Planning Areas I, II, III, Policy 2.07 Delineation of Rural Lands*). These changes are being proposed to ensure that the planning areas and their provision of city water services are in alignment with the new location of the Blue Line. The BVCP defines several “Planning Areas.” These indicate the location and extent of urban development and services provided in the Boulder Valley. The BVCP defines:

- Area I as that area within the City of Boulder city limits where city services are provided.
- Area II as the area now under county jurisdiction where annexation to the city can be considered consistent with plan policies.
- Area III – Rural Preservation Area as under county jurisdiction where the city and county intend to preserve existing rural land uses and character.
- Area III – Annex as areas within the city limits where the city and county intend to preserve existing rural land uses and character.

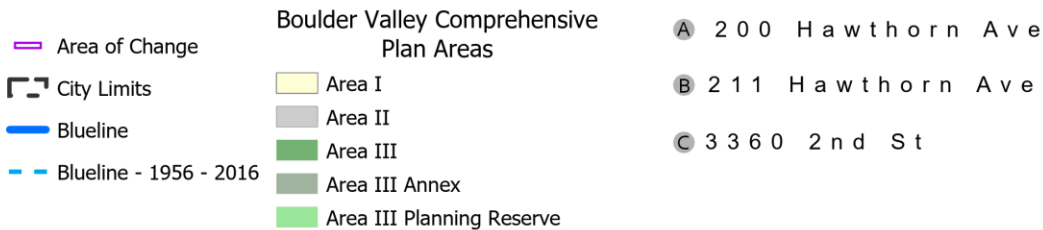
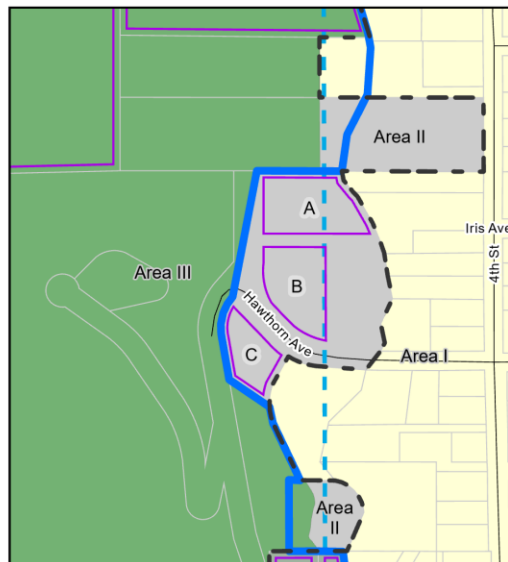
Description of Location for Service Area Expansions

Location	Recommendation	Description
a. 200 Hawthorne b. 211 Hawthorne c. 3360 2 nd Street	Change from Area III Rural Preservation to Area II Change BVCP Land Use to Low Density Residential (see below for land use change criteria)	<p>These parcels are developed with single family homes and do not currently have city water or wastewater services. These parcels are now below the Blue Line. In alignment with the intent of the Blue Line amendments, staff is proposing this change to make these developed properties eligible for annexation and thereby city service provision. The intent is that they would not be eligible for additional development potential upon annexation.</p> <p>These parcels do not have a BVCP Land Use assigned and are recommended to be assigned Low Density Residential (see evaluation below).</p>

Current BVCP Planning Areas



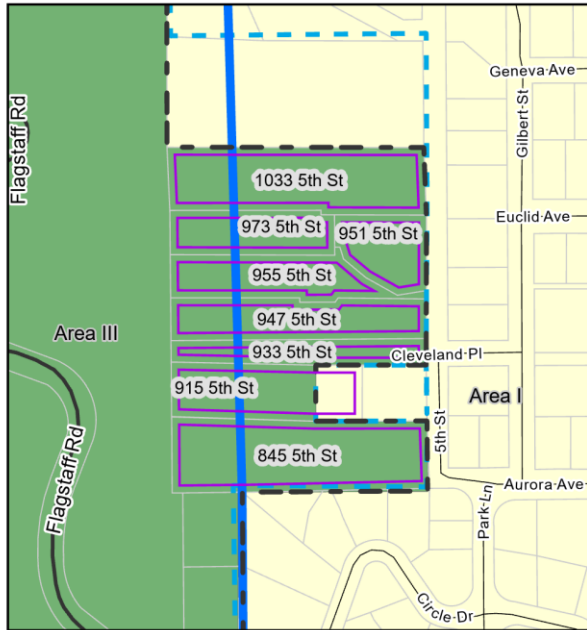
Proposed BVCP Planning Area Change



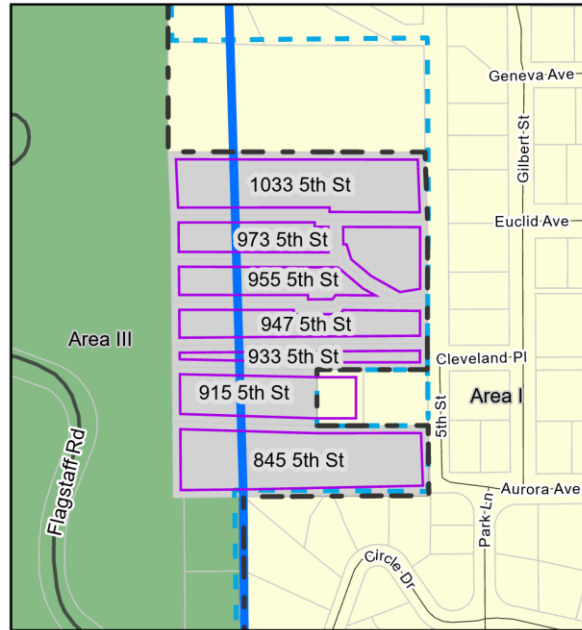
Description of Location for Service Area Expansions

Location	Recommendation	Comments
d. 845 5 th St. e. 915 5 th St. f. 933 5 th St. g. 947 5 th St. h. 951 5 th St. i. 955 5 th St. j. 973 5 th St. k. 1033 5 th St.	Change from Area III Rural Preservation to Area II	<p>These parcels have Low Density Residential BVCP Land Use. They are developed with single family homes.</p> <p>Some of these parcels have city water, wastewater, and/or stormwater services.</p> <p>These parcels are now below the Blue Line. In alignment with the intent of the Blue Line amendments, staff is proposing this change to make these developed properties eligible for annexation and thereby city service provision. The intent is that these properties would not eligible for additional development potential upon annexation.</p>

Current BVCP Planning Area



Proposed BVCP Planning Area Change

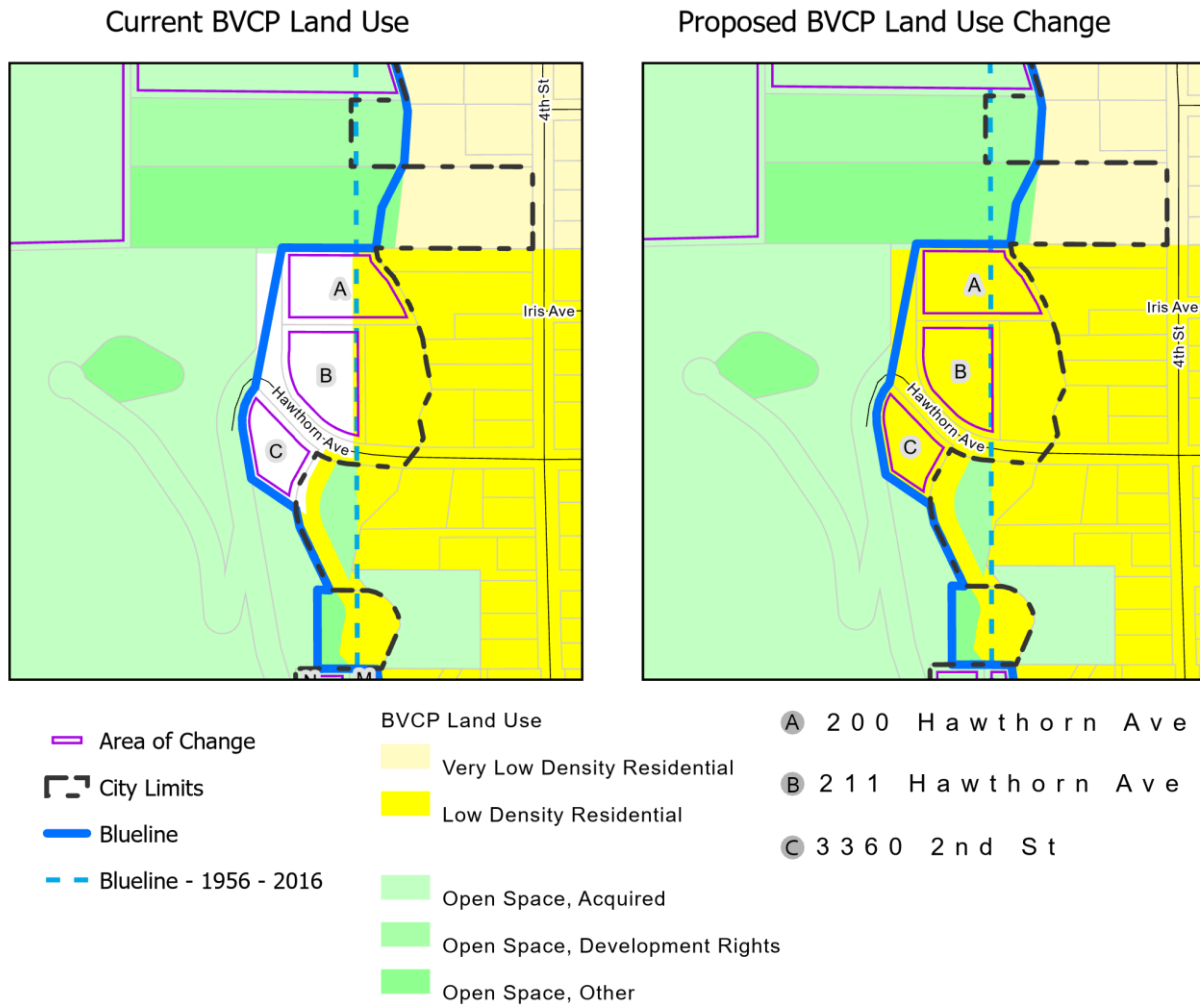


- Area of Change
- City Limits
- Blue Line
- Blue Line - 1956 - 2016

Boulder Valley Comprehensive Plan Areas

- Area I
- Area II
- Area III
- Area III Annex
- Area III Planning Reserve

Description of Location for Land Use Changes



NOTIFICATION AND COMMUNITY INPUT

An official letter was mailed to all affected property owners on Oct. 29, 2020. The letter provide information about the proposed changes, steps in the approval process, dates for the public hearings, and contact information for city staff.

Staff received phone calls from property owners with questions and feedback supporting keeping the large lot, rural character of the area but also supportive of properties having the ability to receive city services if they don't already.

ANALYSIS

Revisions to the BVCP Area I, II, III Map are guided by the Amendment Procedures in Appendix B of the Boulder Valley Comprehensive Plan. Minor adjustments to the Service Area are intended to be small, incremental changes to creates a more logical Service Area boundary. Changes in designation of

land from Area III to Area II may be approved as a minor Service Area adjustment based on criteria listed in Sec. A.2.a.i of the BVCP Amendment Procedures and outlined below.

Minor Adjustment to the Service Area (Area III – Rural Preservation to Area II)

Applicability

- a. **Maximum size:** The total size of the area must be no larger than ten acres.
None of the proposed parcels are larger than 10 acres.
- b. **Minimum contiguity:** The area must have a minimum contiguity with the existing Service Area of at least 1/6 of the total perimeter of the area.
Each of the proposed properties has the minimum contiguity.

Criteria

- a. **Logical Service Area boundary:** The resulting Service Area boundary must provide a more logical Service Area boundary (Area III/II), as determined by factors such as more efficient service provision, a more identifiable edge to the urbanized area or neighborhood, a more functional boundary based on property ownership parcel lines or defining natural features.
These areas are adjacent to the city limits and were moved below the Blue Line in Nov. 2016, which means the property is now located in an area eligible to receive city water services. The properties are fully developed and adjacent to established residential neighborhoods. Inclusion in the Service Area would create a more logical Service Area boundary.
- b. **Compatibility with the surrounding area and the comprehensive plan:** The proposed change of Area III to II must be compatible with the surrounding area as well as on balance, the policies and overall intent of the comprehensive plan.
Changing the Planning Area designation for these properties is consistent with the surrounding area. The properties are fully developed and within the fabric of existing neighborhoods.

Several of these properties are included in the Boulder County View Projection Overlay District. The purpose of the district is to provide for reduced height in areas potentially affecting significant views. At the time of annexation application of the protections described in the district should be addressed.

- c. **No major negative impacts:** It must be demonstrated that no major negative impacts on transportation, environment, services, facilities, or budget will result from an expansion of the Service Area.
These parcels are fully developed. In conjunction with the intent of the 2016 Blue Line changes, additional policy language is proposed for Policy 1.16 Annexation to clarify the intent to limit additional development capacity when and if these properties apply for annexation. See Attachment J Policy and Text changes.

- d. **Minimal effect on land use and growth projections:** The proposed change of Area III to II does not materially affect the land use and growth projections that were the basis of the Comprehensive Plan.
The Comprehensive Plan Land Use Designation Map categorizes these areas as Low Density Residential, so the existing state of the neighborhood is anticipated to stay the same in the future and will not materially affect the land use and growth projections of the BVCP.
- e. **Minimal effect on service provision:** The proposed change of Area III to II does not materially affect the adequacy or availability of urban facilities and services to the immediate area or the overall Service Area of the City of Boulder.
The proposed changes to Area II will not affect the adequacy or availability of urban facilities and services to the immediate area or the overall Service Area. Several of the properties already are served by city water and/or sewer.
- f. **Minimal effect on the city's Capital Improvement Program:** The proposed Area III to II change does not materially affect the adopted Capital Improvement Program of the city of Boulder.
The proposed changes do not affect the adopted CIP.
- g. **Appropriate Timing:** The proposed Area III to II change will not prematurely open up development potential for land that logically should be considered as part of a larger Service Area expansion.
Timing for the proposed changes is appropriate and will not prematurely open up development potential for land that logically should be considered as part of a larger Service Area. These properties are substantially developed with single-family houses. This proposal is being made as a part of implementing the Blue Line changes that brought these properties below the Blue Line, indicating intent and eligibility to include the neighborhood in the Service Area boundary.

Land Use Map Changes

Several parcels (200 Hawthorne, 211 Hawthorne, and 3360 2nd Street) recommended for a service area change to Area II do not currently have a BVCP Land Use assigned. These are recommended to be assigned Low Density Residential similar to the nearby neighborhood.

Criteria:

To be eligible for a Land Use Map change, the proposed change:

- a) On balance, is consistent with the policies and overall intent of the comprehensive plan;
 - b) Would not have significant cross-jurisdictional impacts that may affect residents, properties or facilities outside the city;
 - c) Would not materially affect the land use and growth projections that were the basis of the comprehensive plan;
 - d) Does not materially affect the adequacy or availability of urban facilities and services to the immediate area or to the overall service area of the City of Boulder;
 - e) Would not materially affect the adopted Capital Improvements Program of the City of Boulder;
- and

f) Would not affect the Area II/Area III boundaries in the comprehensive plan.

Evaluation:

- a). On balance, is consistent with the policies and overall intent of the comprehensive plan;
These properties are fully developed as single family residences. The proposed land use designation aligns with the existing context and neighborhood.
- b) Would not have significant cross-jurisdictional impacts that may affect residents, properties or facilities outside the city;
No cross-jurisdictional impacts are anticipated from this change.
- c) Would not materially affect the land use and growth projections that were the basis of the comprehensive plan;
No effect on growth projections is anticipated from this change.
- d) Does not materially affect the adequacy or availability of urban facilities and services to the immediate area or to the overall service area of the City of Boulder;
No effect on urban facilities and services is anticipated from this change.
- e) Would not materially affect the adopted Capital Improvements Program of the City of Boulder;
No impact to the CIP is anticipated resulting from this change.
- f) Would not affect the Area II/Area III boundaries in the comprehensive plan.
The change would not affect the Area II/III boundaries.

Further Analysis Needed

There are several locations along the western edge of the city at Boulder Canyon where changes to the Blue Line will need further study to determine if changes to BVCP Land Use or Area I, II, III map would be recommended. Staff recommends delaying action in these areas until the next BVCP update to allow for further evaluation and analysis.