



Land Use

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BOARD OF COUNTY COMMISSIONERS MEETING SUMMARY

April 5, 2017 – 3:30 PM
Commissioners Hearing Room, Third Floor
Boulder County Courthouse

Docket IGA-17-0001: Renewal of Boulder Valley Comprehensive Development Plan IGA

STAFF PLANNERS:

Dale Case - Land Use Director, Nicole Wobus - Long Range Planning and Policy Manager, Boulder County Land Use; Chris Meschuk – Senior Planner, Lesli Ellis - Comprehensive Planning Manager (City of Boulder PH+S)

BACKGROUND

The Comprehensive Development Plan Intergovernmental Agreement (IGA) between the City of Boulder and Boulder County is scheduled to expire on Dec. 31, 2017. At an April 5, 2017 meeting of the Board of County Commissioners (BOCC) staff recommended renewal of the IGA at the time of the upcoming plan adoption to ensure continued, seamless comprehensive planning in the Boulder Valley. Staff also reviewed topics for consideration by the BOCC related to the renewal of the IGA. The meeting included a presentation by Chris Meschuk of the City of Boulder who provided an overview of the history of the IGA between the city and county.

Staff requested BOCC feedback and direction related to the following questions in order to inform staff's efforts to revise the IGA.

1. **Continue Cooperative Planning.** Does BOCC agree that an intergovernmental agreement for cooperative planning should be renewed? The agreement may contain revisions to reflect ways that the needs of the Boulder Valley planning area have evolved.
2. **Changes to BVCP Update Intervals.** Does BOCC agree that the plan update intervals should be changed to: major update every ten years; mid-term update every five years; and public request map changes occurring between updates (e.g., every 2-3 years)?
3. **Options for Amendment Procedures.** What options for revisions to the amendment procedures, if any, would BOCC like staff and other decision bodies to consider further?

These questions were also posed to City Council at a March 21, 2017 meeting. The staff report for the April 5 meeting included a summary of council feedback on these topics.

SUMMARY

As presented below, there is general alignment between BOCC and Council on both the importance of maintaining cooperative planning and making changes to the BVCP update interval. There were

differences between BOCC and Council on the topics of amendment procedures regarding land use designation changes in Area II, and changes to Area III, including changes to the Area III Planning Reserve.

Cooperative Planning

BOCC expressed strong support for renewing an intergovernmental agreement between the city and county for cooperative planning. Commissioners highlighted that cooperative planning between the city and the county is central to the character and values of the community.

Changes to the BVCP Update Intervals

BOCC expressed support for exploring extending the plan major update cycle to an 8 to 10-year timeframe, while retaining mid-term updates and building in opportunities for land use map updates in more frequent intervals (e.g., every 2 to 3 years). BOCC recognized that a longer interval between major updates would provide more time for staff to focus on implementation (e.g., city staff development of subcommunity and area plans, etc.). There was also some interest in providing a mechanism for more frequent updates in the event of extraordinary circumstances, and for decoupling the land use designation change process from the overall plan update process.

Options for Amendment Procedures

Commissioner Jones recognized that: 1) the majority of land in Area II has already been annexed, 2) Area II land has been deemed eligible for annexation for many years, 3) there is already an option available to change a land use designation in Area II without county approval during annexation, and 4) most property remaining in Area II, if developed in city jurisdiction, would present limited risk for regional-level impacts. She noted that a majority of City Council members have expressed strong concerns with the county's BVCP decision making role. Recognizing that cooperative planning and maintenance of the IGA with the city is of utmost importance to the region, she expressed there may be a need to prioritize the county's proposed role in BVCP decisions going forward to avoid jeopardizing renewal of the IGA. While she would prefer to keep four-body review for all BVCP decisions she identified Area III land, and the Planning Reserve in particular, as the county's highest priority.

BOCC expressed support for having land use changes in Area II be city-only decisions with a county call-up option for cases in which changes could have regional significance. BOCC recognized that these lands were previously determined to be appropriate for annexation into the city, and the county currently has a call-up option related to Area II land use designations going through the two-body review process (i.e., land use designation change requests submitted concurrent with an annexation proposal) that it has not exercised.

With regard to changes to Area III, BOCC expressed a preference to maintain four-body review for all but minor administrative changes within Area III (i.e., minor adjustments). They also expressed interest in improving the clarity of the process for changes to the Planning Reserve. BOCC recognized that a majority of City Council members expressed an interest in having the decision be by elected officials only (City Council and BOCC).

Dale Case indicated that staff plans to move the BVCP amendment procedures to the IGA to bring the structure into consistency with other IGAs in the county. In other IGAs, only elected officials have the authority to change amendment procedures; placing the BVCP amendment procedures in the IGA would result in City Council and BOCC, the signatories to the IGA, holding decision making authority for BVCP amendment procedures. BOCC recognized the importance of consistency with other IGAs.

Additional Topics

Following the presentation about the history of the IGA, a commissioner asked why so many areas within unincorporated Gunbarrel have city services. Chris Meschuk explained that this reflects the old “spokes of the wheel” philosophy that was the focus of planning in the area in the 1960s when city services were connected to new developments with the assumption that those areas would annex afterward. Commissioners clarified that residents in that area could annex at any time if they wished to have access to city services such as parks, libraries and other services that are provided by the city but not by the county. Chris noted that each property developed with city water and sewer services has an agreement indicating that they would annex when eligible. The city has a policy to not initiate any annexation discussions in Gunbarrel, but rather let the residents of the area determine if they would like to annex.