



Land Use

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BOULDER COUNTY PLANNING COMMISSION AGENDA ITEM #4

November 16, 2011 – 3:00 PM

**Hearing Room, Third Floor
Boulder County Courthouse**

Docket BCCP-10-0002: BOULDER COUNTY COMPREHENSIVE PLAN UPDATE

Report on BCCP Update neighborhood meeting conversations and comments about the draft Guiding Principles and other matters related to the BCCP. Staff will be asking Planning Commission for direction on preparing revisions to the Guiding Principles.

Informational Item - No Action Requested - Public Testimony will be taken.
Staff Planners: Bill Davidson and Pete Fogg

SUMMARY

By the time of the November 16, 2011 Planning Commission meeting, staff will have completed the process of holding initial public meetings at various locations around the county to provide information to the public about the Comprehensive Plan, and to introduce the Guiding Principles draft for comment. The neighborhood meetings took place at six different locations (see Attachment A). Since the Open House which is the last of the public meetings scheduled at this time, will be held on November 15, staff will give a verbal update at the Planning Commission meeting of the outcome of that Open House.

Staff is continuing to compile the numerous comments which were made at this series of public meetings regarding the Guiding Principles, the Comprehensive Plan, and other issues. This summary was not finalized at the time of preparation of this report, but will be completed and forwarded to Planning Commission, the attendees at the meetings, and others via E-mail and hard copy prior to the hearing on the 16th. An example of the comments and some of staffs' responses is attached (Attachment C).

As part of the process of familiarizing the public with the Comprehensive Plan and its history, staff expected to field questions and comments regarding the Plan itself, and not just the Guiding Principles. A variety of other questions and comments were posed and captured for reflection and reference as the Update proceeds.

While comments and questions were made which touched on all of the draft Guiding Principles, #4 received the most attention. The other two which generated the most

conversation were #8 and #1. Staff recognizes that these are among those Principles which may need the most discussion and clarification. This is particularly true of #4, although staff remains of the opinion that the concept of social sustainability is a significant and valuable one which deserves a place in the Guiding Principles.

Attachment B contains revised language which staff has developed following extensive internal discussions of the Guiding Principles based on our analysis and public comment received at the meetings. We would emphasize that this is draft language, and is presented as background material for your deliberations at the November 16 meeting.

Staff is requesting Planning Commission deliberation and direction on preparing revisions to the Guiding Principles. For purposes of today's discussion, staff would like to focus primarily on the Guiding Principles, since these do form the key component of the current phase of the Update effort. However, conversation about any of the public comments made is appropriate as the Commission desires.

NEXT STEPS

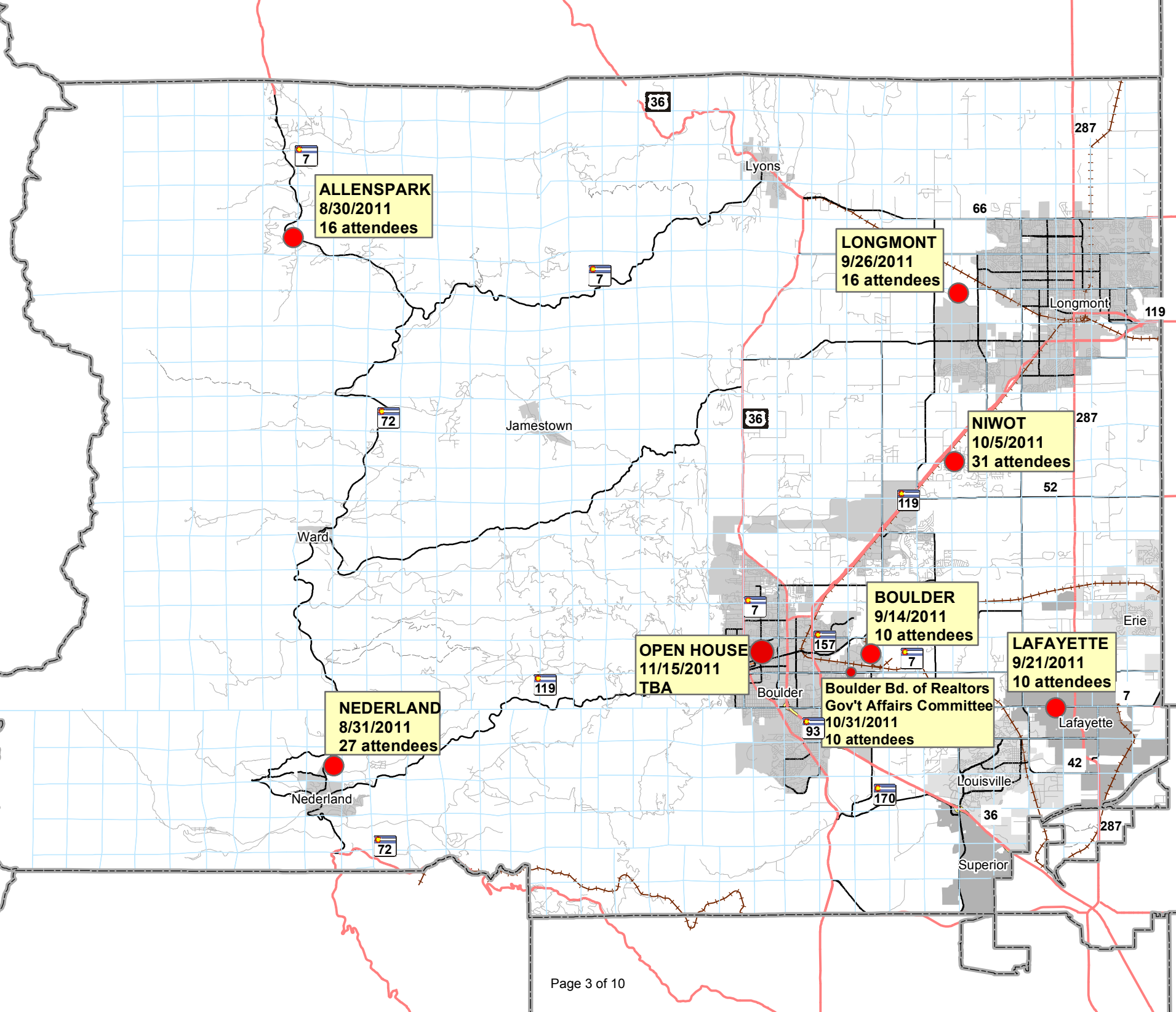
No action is requested of the Planning Commission at this time. This is an informational item for which staff seeks Commission discussion on the comments received during the public meetings. Staff will continue to provide periodic updates to the Commission.

ATTACHMENTS

Attachment A: Map of meeting locations

Attachment B: Original Guiding Principles and possible revised language

Attachment C: Samples of comments from meetings



ATTACHMENT B

Draft Guiding Principles November, 2011 revision discussion version

The material presented herein provides revised language which staff has prepared for the Guiding Principles discussion, based upon substantial staff conversation and public comment. The explanatory language outlines the general reasons for the proposed changes.

In shaping and navigating our future, Boulder County supports the following **Guiding Principles**:

1. (Original language) **Encourage and promote the respectful stewardship of our land, human, and community resources by all of our institutions and individuals in achieving a sustainable future which carries on the values of our community.**

To broaden the scope of the physical environment aspect of stewardship, staff recommends changing the reference to natural rather than land in regard to our resources. We also specified what constitutes the community being discussed.

1. (New language) Encourage and promote the respectful stewardship of our natural, human and community resources by all of our institutions and individuals in achieving a sustainable future which carries on the values of the Boulder County community.

2. (Original language) **Acknowledge that all policy and regulatory decisions have interconnected social, environmental, and economic consequences that must be carefully considered and weighed to achieve a sustainable future.**

2. No change proposed.

3. (Original language) **Take actions with respect to environmental issues which result in policies and decision-making that preserves and respects our natural systems and environment, and reduces our environmental footprint.**

Staff has made slight wording revisions to clarify this Guiding Principle.

3. (New language) Take actions which result in policies and decision-making that preserves and respects our natural systems and environment, while reducing our environmental footprint.

4. (Original language) **Make decisions and create policies that are responsive to issues of social equity, fairness, and access to societal resources for all county residents.**

Staff has specified that the societal resources which were previously referenced are public resources, and has also made sentence structure revisions.

4. (New language) Create policies and make decisions that are responsive to issues of social equity, fairness, and access to public resources for all county residents.

5. (Original language) **Encourage and support a dynamic local economy, in partnership with Boulder County municipalities, which directs uses to appropriate locations, distinguishes between urban and rural economies, is stable, flexible, and able to accommodate change, and provides meaningful employment for all county residents.**

Staff proposes to clarify the entities with whom it may partner, and believes that the phrase employment opportunities more accurately describes what the County would encourage, rather than the original wording, which implies that the County will ensure that all residents are employed.

5. (New language) Encourage and support a dynamic local economy, in partnership with Boulder County municipalities and other public/private initiatives, which directs uses to appropriate locations, distinguishes between urban and rural economies, is stable yet flexible, and provides a variety of employment opportunities for all county residents.

6. (Original language) **Locate urban uses within or adjacent to existing urban areas in order to maintain a distinction between urban and rural areas of the county.**

6. No change proposed.

7. (Original language) **Maintain the rural character and function of the unincorporated area of Boulder County by protecting environmental resources, agricultural uses, open spaces, and vistas.**

7. No change proposed.

8. (Original language) **Address countywide sustainability by having Boulder County government take a primary role in the areas of environmental integrity, rural character, and preservation of our natural resources.**

Staff believes that this Guiding Principle places unnecessary emphasis on environmental issues, since other Principles adequately address the issues noted both from a county land use perspective and a sustainability perspective. Guiding Principles #3, #6, and #7 address the same subject areas as are discussed here.

8. Staff recommends the deletion of this Guiding Principle.

9. (Original language) **Continue to craft and maintain formal agreements between Boulder County, the county's municipalities, and other regional governments and entities that share responsibilities in building a sustainable social, environmental, and economic community for present and future generations.**

Staff has modified the original language to broaden the scope of how the County will work with others to pursue our goals regarding interlinked issues at and beyond the county level. Specifically, the revision recognizes that our vehicles for cooperation and coordination with others extend beyond the mechanism of formal agreements between governmental entities.

9. (New language) Recognizing that the County cannot effectively pursue the aspirations contained in these Guiding Principles by itself, we will continue to seek out and, through formal agreements and other means, work with entities that share capabilities and responsibilities in building a sustainable and interlinked social, environmental, and economic community for present and future generations.

ATTACHMENT C

Sample of Neighborhood Meeting Comments and Questions

Below are some examples of the kinds of questions and comments captured at the neighborhood meetings and at a meeting with the Boulder Area Board of Realtors, as well as some of the staff's responses to them. Once we have compiled and prepared responses to all of them where appropriate, they will be sent to all the attendees, Planning Commission and other interested parties. Note that the meetings where the comments were recorded are identified in parentheses under the comments.

A. Guiding Principles

- Provide a clearer description of how the Guiding Principles interface with the BCCP Goals and Policies (**Allenspark, Nederland**)
- Where are personal and private property rights addressed in the Guiding Principles (**Lafayette**)
- There needs to be a Guiding Principle regarding public participation (**Allenspark, Lafayette**)
- Guiding Principle #1: Use some other word than “our” since it implies that land, communities, and other private rights/ownerships belong to everybody (**Allenspark**)
- Guiding Principles #1, 4, 5, and 9: These refer to “all” the residents of the county. Does this mean municipal and unincorporated residents, and do you (county) mean that? (**Boulder**)
- Guiding Principles #2 and 4: These are very important relative to housing for all people (**Nederland**)
- Guiding Principle #4: Consider changing “social equity” in to “equal access” or some other less inflammatory, ambiguous, undefined language – general concern is that social equity can be interpreted to allow government to impose equal distribution of income, property, quota systems, etc (**Longmont, Nivot**)
- Guiding Principle #4: This is like a mission statement that should be considered and could lead to land use policies that are responsive to the needs of today and the future. “Be ambitious” (**Boulder**)
- Guiding Principle #5: This should provide for more flexibility in home occupations and live/work places (**Allenspark, Nederland**)

B. Boulder County Comprehensive Plan

- A “Mountain Element” is needed (**Allenspark, Nederland, Longmont**)
- Have there been any studies done re: the impacts on the mountains from growth on the Plains? (**Allenspark**)
- Consider adding some kind of “Technology Element” into the BCCP as a response to Guiding Principle #5 and since the mountains have needs for access to new and improving communication/information technologies (**Allenspark**)
- The BCCP seems one-sided and designed to say “No” to private property owner desires and wishes (**Lafayette**)

- The BCCP needs to address balancing jobs, population and social/economic principles since a lack of balance helps drive sprawl within and outside of the county (**Lafayette**)

C. Other

- Government should take primary roles in initiatives, programs and decision-making only with citizen backing and encouragement (**Allenspark**)
- Property owners in proposed IGA Municipal Influence/Rural Preservation Areas should be consulted before IGAs go to hearings for approval since owners in Municipal Influence Areas are “ping-ponged” between the municipality and county about what they can/cannot do with their property (**Lafayette**)
- The Land Use Code interferes with/complicates peoples’ efforts to practice sustainability and does not reflect the BCCP’s Goals and Policies or the Guiding Principles (**Allenspark, Nederland, Lafayette, Niwot**)
- The Codes should allow incremental energy efficiency improvements to homes and structures that are responsive to owner needs, plans and financial capabilities (**Allenspark**)

Examples of Staff Responses to Questions/Comments

The following examples are questions/comments that were voiced at more than one neighborhood meeting. The staff has taken some editorial license in these cases and combined them into single questions rather than reiterate each one.

- **Does the BCCP Update include incorporated cities?**

Not directly. Each incorporated area has its own planning , zoning and regulatory authority independent from the county. The BCCP goals and policies apply only to the unincorporated area insofar as providing guidance for county land use regulations, transportation system management and other county programs. The same would be true for the Guiding Principles. However, both the BCCP and Guiding Principles put some emphasis on the importance of intergovernmental cooperation to address issues that are county-wide in nature. The intergovernmental agreements between the municipalities and county defining urban growth boundaries and rural areas are an example of this goal being implemented.

- **What is the breakdown of open space ownership?**

The following figures are from January, 2011:

- Federal lands (US Forest Service, National Park Service, etc) cover 168,169 acres.
- State lands (Colorado State Parks, state Land Board) cover 1,371 acres.
- County open space (including publicly and privately owned lands and jointly owned county/municipal lands) totals 97,870 acres.
- Municipal parks, open space, conservation easements, and watershed lands total 53,384 acres.
 - The **sum** is 320,794 acres or 67.6% of the 474,335 acres within Boulder County’s boundaries.

- **What is the relationship between the BCCP and the Land Use Code?**
 In simple terms, the BCCP text and maps provide guidance for how the Land Use Code’s regulations should be written to reflect and implement the intentions described in the goals and policies of the Plan.
- **How is the dollar amount determined that the property owner pays in the purchase leaseback agreement program run by Parks and Open Space?**
 If the County purchases an agricultural property and leases it back to the seller, the lease amount is consistent with leases of other County agricultural open space lands to other tenants. The Parks and Open Space Department negotiates the lease amounts, which are based on market factors such as whether or not the land is irrigated, whether it contains any buildings that can be used for hay or other crop storage, etc.
- **Is there a link between the proposed BCCP Guiding Principles and the United Nations’ Agenda 21 or other international agenda?**
 No, not by direct intention or investigation. The BCCP was crafted in response to the concerns and aspirations of county residents regarding rampant development, environmental preservation and integrity, respect for individual rights, and intergovernmental cooperation on issues of importance to people in both the urban and rural areas. What is now being referred to as “sustainability” by many people and institutions around the globe has been a part of the core of the BCCP since its adoption in 1978. Many public institutions and professional membership organizations at the local, state and national levels across the country (such as the American Planning Association) have acknowledged and incorporated various statements about the significance of sustainability into their plans, policies, and programs. County staff has reviewed a number of them. The proposed Guiding Principles, introduced at the neighborhood meetings this year, are a consolidation and refinement of the many goals in the BCCP into statements that are intended to convey the BCCP’s intent and purpose to readers in a consolidated form.
- **How does one get “urban” services?**
 By annexation into a municipality. Urban services typically include the provision of public water, and sewer, emergency services like police and fire protection, emergency medical care, stormwater and flood management, urban parks, public transportation options, etc.
- **How do you achieve a balance between social/environmental/economic sustainability goals?**
 Sustainability is frequently described and diagrammed as a three-legged stool, the legs consisting of economic, social, and environmental considerations. The idea is that the stool will be unstable unless all three legs are of equal length and strength. From a comprehensive planning perspective, sustainability means that the three legs ought to be considered and, to the practical extent possible, weighed against the benefits or impacts land use proposals may

have on each of them before making decisions about the proposal. In reality, every land use decision has consequences, and they are not easily defined as being either black or white, so there are no perfectly balanced or harmonized outcomes although an effort should be made to look at the cumulative big picture. The county's strong suit is in maintaining the rural character and environmental integrity of the unincorporated county, whereas the municipalities are deeply active in social and economic considerations as well as environmental ones. The 1978 BCCP's cornerstone goals of locating urban development in or next to urban areas and working with municipalities to help provide a full range of economic and social opportunities within community service areas will remain in place. For additional information on the county's existing sustainability goals and programs please go to <http://www.bouldercounty.org/sustain/initiative/pages/aboutsustain.aspx>. The current BCCP's Sustainability Element describes sustainability goals and policies from a land use perspective as adopted by the Planning Commission and County Commissioners in 2007. They can be found at <http://www.bouldercounty.org/government/pages/bccp.aspx> and then clicking on Sustainability Element under **Amendments to the Second Edition**.