



Land Use

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Docket BCCP-15-0001: Boulder County Comprehensive Plan Open Space Element Update

Request: Proposed Update to the Open Space Element of the Boulder County Comprehensive Plan (Land Use Staff Planner: Nicole Wobus, Parks and Open Space Staff Planner: Tina Nielsen)

August 24, 2016

Dear Stakeholder/Interested Party,

The purpose of this courtesy referral is to solicit comments on the draft Open Space Goals, Policies and Map Element (OSE) of the Boulder County Comprehensive Plan (BCCP). The draft narrative, goals and policies are included as Attachment A; Attachment B is a policy evolution guide that shows correspondence between the existing open space policies and the proposed updated policies; Attachment C contains a detailed description of the proposed approach to updating the map, with options for consideration. The existing OSE and information about the update process is available at <http://www.bouldercounty.org/property/build/pages/bccpupdate.aspx>.

A team of staff from the Parks and Open Space and Land Use Departments began working on the OSE Update in 2015. The last update was in 1996, and much has changed in the county and the open space program in the last 20 years. The OSE Staff goals for the OSE update are:

- Continue to provide high level guidance
- Update and broaden the goals and policies to reflect the range of programs and activities provided by the Parks and Open Space Department
- Eliminate redundancies and references to programs
- Streamline and simplify the document narrative
- Provide a forward-looking focus to help navigate future opportunities and challenges

The staff team developed a new framework for policies:

Current Policy Framework	Proposed Policy Framework
• Acquisition • Resource Management • Scenic Area & Open Corridor Protection • Recreation Use • Rural Character Preservation & Community Buffering • Trails • Public/Private Partnerships • Public Decision Making	• Value • Conserve • Steward • Engage • Collaborate

This proposed framework provides the basis for the reworked set of five goals. Each goal then has a set of policies relating to that goal. The following is a brief summary of the proposed changes:

Narrative changes:

- Consolidate and streamline background and history
- Summarize relevant history and background information in sidebars
- Remove discussion of open space acquisition methods
- Group goals and associated policies together

Goal Changes:

- Maintain five goals, but update and broaden goal language to expand concepts covered
- Existing Goals C.2 and C.4 are no longer represented in the proposed draft
- New Goal 1 addresses open space values regardless of land ownership (what staff refers to as little “o” general open space, while new Goals 2-4 relate to county-owned open space lands (big “O” Open Space) and new Goal 5 is a blend of both

Policy Changes:

- Reorganize policies according to goals and framework
- Update, broaden and/or reframe policy language
- Keep a few references to specific programs, only where necessary to reflect the relationship with the Sales Tax Resolution
- Reduce the number of policies from 49 to 30 by eliminating redundancies and references to programs

Map Changes:

- Transition from having three maps associated with the OSE to one map, called “Boulder County Comprehensive Plan County Open Space Element Map”
- Remove “Proposed Open Space” designation
- Remove the “Open Corridor, Streamside” designation to reflect that riparian resources are addressed in the BCCP Environmental Resources Element mapping
- Update “Open Corridor, Roadside” designation (conversion to scenic roadway corridor)

This docket review process engaged stakeholders to gather feedback through various forums. Hearings were held with the Parks and Open Space Advisory Committee (POSAC) and Planning Commission during the spring and summer of 2015, and a public open house was held in July 2015. A draft of the updated OSE was presented and discussed at a joint POSAC-Planning Commission Study session in April, 2016, and revised drafts of the OSE were presented and discussed at a POSAC meeting on June 23, 2016, and a Planning Commission hearing on August 17, 2016. POSAC approved the updated OSE at their June meeting, pending remaining changes for which guidance was provided at the meeting. Going forward, staff will incorporate comments received to this referral, and will present a final recommendation to Planning Commission on September 21, 2016. Staff will also present the draft updated OSE to the Boulder County Board of County Commissioners for comment on August 25, 2016.

The Land Use staff, Parks and Open Space staff, and County Commissioners value comments from individuals and referral agencies. Please check the appropriate response below or send a letter or email with your comments. All comments will be made part of the public record. If you have any questions regarding this docket, please contact me at (303) 441-3930 or nwobus@bouldercounty.org.

Please return responses to the above address by **Sept. 7, 2016.** Late responses will be reviewed as the process permits.

_____ We have reviewed the proposal and have no conflicts.

_____ Letter is enclosed.

Signed _____ PRINTED Name _____

Agency or Address _____

ATTACHMENTS

- A. DRAFT Open Space Goals, Policies and Map Element
- B. Policy Evolution Guide: Open Space Element Goals & Policies
- C. Scenic Corridor Designation Proposal

ATTACHMENT A **CLEAN VERSION: August 2016 DRAFT with PC-POSAC Joint Hearing Input and POSAC Public Hearing Input**

Boulder County Comprehensive Plan UPDATE DRAFT Open Space Goals, Policies, & Maps Element

(Outline for drafting and reviewing purposes)

- I. Purpose of the Open Space Element**
- II. Boulder County Open Space Program**
 - a. Origins and Evolution of the Program**
 - b. Open Space Definition, Values and Functions**
 - c. Open Space Preservation Tools**
 - d. Management Framework**
- III. Goals and Policies**

I. Purpose of the Open Space Element

Situated at the intersection of the Great Plains and the Rocky Mountains, Boulder County is endowed with an extraordinary natural heritage born of its geological and biological diversity. This heritage forms part of the foundation for an exceptional quality of life. The *Open Space Goals, Policies, and Map Element* lays out Boulder County's vision for understanding, preserving, and enjoying this heritage and its open space values and functions, including community buffers, scenic vistas, agricultural lands, natural resources, recreation opportunities, wildlife habitat, and cultural resources. Section II provides a brief history of the county's open space preservation efforts, establishment and evolution of the Parks and Open Space Department, and the department's framework for management, engagement, and collaboration. The goals and policies in Section III provide guidance for the future. The policies in the OS element complement those in other elements of the plan. Specifically, scenic resources and other environmental resource values are addressed in the Environmental Resources Element; regional trails and facilities are addressed in the Transportation Element; maintaining viable agriculture in the county is addressed in Agriculture Element; and cultural resource protection is addressed in the Cultural Resources Element.

II. Boulder County Open Space Program

a. Origins and Evolution of the Program

The idea of a county open space program was initiated in the mid-1960s by Boulder County citizens who were interested in parks and recreation needs of the unincorporated area and in "preserving open space land in the face of rapid county development" (*Boulder County Comprehensive Plan*, 1978, History of Open Space Program). In 1967 the Board of County Commissioners appointed an "official" citizens group, the Parks and Open Space Advisory Committee (POSAC), to help formulate a plan for preserving open space. This was at a time when Boulder County's 741 square miles were home to a population of fewer than 130,000 people. The 2015 population was approximately 319,400. The Boulder County Parks and Open Space

Department was formally designated as of January 1, 1975, initially overseeing several properties amounting to approximately 85 acres.

Turning the vision into reality took time and hard work. The first two attempts to pass a county-wide open space sales tax failed in 1978 and 1988. In 1993 the first sales tax passed: 0.25% for 15 years. Since then, several additional tax resolutions have extended or passed new sales taxes, along with significant bonding authority to accelerate purchases. In 2016, the open space sales and use tax stands at 0.6%.

Sidebar: Timeline of Significant Milestones

- 1967: Parks and Open Space Advisory Committee appointed
- City of Boulder voters approved a sales tax in the City of Boulder for open space (along with transportation)—first in the country
- 1973: POSAC hosts community meetings
- 1974: Community survey to obtain citizen input
- 1975: Commissioners created the Boulder County Parks and Open Space Department and adopted:
 - 8 policies for Open Space
 - First priority trail corridor locations
 - Areas of interest for land acquisition and approval to initiate negotiations in those areas
- 1978: Boulder County Comprehensive Plan
 - Urban-type growth would only occur in cities and towns and not in the rural countryside
 - Various tools could implement the Vision:
 - Zoning - Minimum parcel size 35 acres in unincorporated county to maintain rural character
 - Intergovernmental cooperative efforts
 - Acquisition of Open Space
- Early acquisitions: Betasso and Walker Ranch, 1975
- Rock Creek Farm, first farm property, 1980-1991
- Heil Ranch and Hall Ranch, 1996
- Caribou Ranch, 2002 (first acquisition)
- Toll Property, 2015 (BCPOS surpasses 100,000 ac, 40th Anniversary)

Sidebar: Sales & Use Tax Resolutions

- 1978: First attempt at county-wide open space sales and use tax fails
- 1988: Second attempt at county-wide open space sales and use tax fails
- 1993: Resolution 93-174 passes, 0.25% through 2009
- 1999: Resolution 99-111 extends 0.25% 10 years through 2019
- 2000: Resolution 2000-113 extends existing 0.10% Recycling and Composting Tax for open space through 2009
- 2004: Resolution 2004-86, superseded by Resolution 2004-102, new 10% sales tax through 2024, with 0.05% continuing in perpetuity
- 2007: Resolution 2007-80 extends 2000 0.10% sales and use tax 20 years through 2029
- 2009: Resolution 2009-100 proposed extension of 0.25% sales and use tax through 2034 fails
- 2010: Resolution 2010-93 new 0.15% sales and use tax through 2030

b. Open Space Definition, Values and Functions

Since the original 1978 *Boulder County Comprehensive Plan*, open space has been defined as “lands intentionally left free from development” to conserve, preserve and provide for:

- the rural character of the unincorporated county and scenic values;
- natural resources, including wildlife habitat, grasslands, shrublands, forests, soils, riparian areas and water;
- lands and waters of significant agricultural importance,
- cultural resources;
- recreational access opportunities and trail linkages; education and outreach.

Passive Recreation, referred to in the *Open Space Element* policies, is defined as

- Non-motorized outdoor recreation with minimal impact on the land, water or other resources that creates opportunities for closeness to nature, enjoyment of the land's open space features, and a high degree of interaction with the natural environment. Passive recreation requires no rules of play or the installation of equipment or facilities, except for trails and associated improvements. Passive recreation includes activities such as hiking, snowshoeing, cross-country skiing, photography, bird-watching or other nature observation or study. If specifically designated, passive recreation may include bicycling, horseback riding, dog walking, boating or fishing.

c. Open Space Preservation Tools

Boulder County protects open space values and functions through a number of Comprehensive Plan Elements, including Agriculture, Cultural Resources, Environmental Resources, and Sustainability. Regional cooperation is an essential ingredient of Boulder County's preservation efforts. Boulder County has been a leader in establishing a regional vision for open space preservation, working with local communities to identify where rural preservation is appropriate, and likewise, where urban development is desired. This work has resulted in a series of inter-governmental agreements, and a number of joint purchases with communities within the county. As mandated by the 1993 sales tax resolution, Boulder County annually solicits input from municipalities and stakeholders on open space acquisition and trail priorities (see Policy 5.03).

[Reference Comprehensive Development Map in Map Section]

Following passage of the open space sales and use tax in 1993, the next two decades saw prolific additions to the county's open space assets. At the 40-year anniversary in 2015, the county open space program surpassed the 100,000-acre milestone of preserved lands, along with 115 miles of trails. About half of these properties are in the foothills and mountains, and half in the plains, including about 25,000 acres of agricultural lands. Approximately 60% of these lands are owned in fee, and the remaining 40% are privately owned under conservation easement. The majority of county-owned land is open for public use.

[Link to web page or include maps showing evolution of acquisitions, decade by decade]

Boulder County uses a variety of methods to acquire open space, including fee simple title, conservation easements, trail easements and leases, as well as transfers of development rights and credits, public land dedications and intergovernmental agreements. These tools will continue to play an important role in the program as significant opportunities become available.

Sidebar: Acquisition tools

The county employs different methods depending on the situation.

- Donation
- Bargain Sale
- Full value purchase
- TDR receiving site
- Subdivision dedication
- Intergovernmental Agreements

d. Management Framework

As the program has evolved and matured, the Boulder County Comprehensive Plan continues to provide the overarching guidance for finding the appropriate balance of uses in the stewardship of county open space through careful management and citizen engagement. The next level of guidance consists of management policies, which provide more detailed direction for landscape level and system-wide issues. Property specific management plans offer the greatest level of detailed management guidance for specific properties or groups of properties. The Boulder County Parks and Open Space Department Mission, Rules and Regulations, Department-wide goals, annual performance measures and work plans also reflect guidance from the Comprehensive Plan.

Possible sidebar: Open Space Mission Statement: To conserve natural, cultural and agricultural resources and provide public uses that reflect sound resource management and community values.

Text box: What's in a word? Preserve v. Conserve: Both terms convey a sense of protection, but there is a key difference in how that protection is carried out. "Conserve" suggests responsible and sustainable use of natural resources, whereas "Preserve" implies maintaining the landscape in its original, or pristine, state. In the Open Space element policies "conserve" is used for working landscapes such as agricultural properties, while "preserve" is used for policies relating to broader protection.

Link: <http://www.bouldercounty.org/os/openspace/pages/posplans.aspx> (or Sidebar: List of Management Policies & Plans)

Possible sidebar: Open Space Mission Statement: To conserve natural, cultural and agricultural resources and provide public uses that reflect sound resource management and community values.

III. Goals and Policies

Goal 1. Boulder County values and preserves open space for its contribution to an exceptional quality of life.

Policies

- OS 1.01. Boulder County supports conservation efforts that uphold one or more open space values or functions, consistent with adopted plans and agreements.
- OS 1.02. Open space values and functions, and impacts to county open space, shall be considered in the review of development proposals submitted through the Land Use Department.
 - OS1.02.01 To the extent possible, the county shall protect views from scenic corridors including, but not limited to, those shown on the Open Space Map. The county may preserve these scenic corridors by means of appropriate dedication during the development process, reasonable conditions imposed through the development process, or by acquisition.
 - OS1.02.02 Areas that are considered as valuable scenic vistas and Natural Landmarks shall be preserved as much as possible in their natural state.

OS 1.03. The Boulder County Land Use Code shall provide for land dedications of parks and open space, trails and necessary public access to those areas where appropriate.

Goal 2. Boulder County conserves the rural character of the unincorporated county by protecting and acquiring lands and waters of significant open space value.

Policies

- OS2.01. Boulder County acquires real estate interests in land, water, and minerals through appropriate real estate methods such as fee title, conservation easements and trail easements.
- OS2.02. Boulder County acquires real property rights to protect open space values and functions, including the following, in no particular order:
 - a. Establish and preserve rural lands, scenic corridors and community buffers to ensure community identity and prevent urban sprawl.
 - b. Conserve natural resources, including lands or features designated in other Boulder County Comprehensive Plan Elements.
 - c. Protect, conserve and improve soil health of agricultural lands, especially agricultural lands of local, statewide, and national importance.
 - d. Protect and manage water resources, including agricultural water and in-stream flows.
 - e. Acquire land or easements to establish appropriate public access on open space properties and trail linkages between properties.
 - f. Protect and restore native plants, healthy soils, wildlife, ecological processes, and significant habitats including riparian zones, wetlands, stream corridors, grasslands, shrublands, and forests.
 - g. Protect, preserve, and restore cultural resources.
 - h. Enlarge existing open space properties to enhance the open space values and functions they serve.
- OS2.03. Boulder County maintains and protects its real estate interest in open space properties to the maximum extent possible and works to prevent illegal uses and minimize impacts from legal third-party activities.

Goal 3. Boulder County purposefully stewards its open space resources through sound management practices and appropriate visitor uses.

Policies

- OS 3.01. Boulder County prepares management plans and policies as appropriate for open space properties where the county has management authority and uses the plans and policies to manage its open space resources and assets.
- OS 3.02. Plans and policies are based on sound planning practices, public input, and desired future conditions.

- OS 3.03. Through planning and management, Boulder County strives to preserve significant resources and enhance protection and restoration of native ecosystems and their native species populations while also providing passive, sustainable and enjoyable public uses that connect the public to their environment.
- OS 3.04. Boulder County monitors and evaluates uses and resources on open space to inform management decisions and seeks to be innovative in its approaches to on-the-ground management of open space resources utilizing knowledge of current conditions, latest science, best technologies and practices.
 - OS 3.04.01 Monitoring data shall be synthesized, analyzed and utilized to adapt management practices in response to changing conditions.
 - OS 3.04.02 Monitoring data shall be available to the public as appropriate, subject to the Parks and Open Space Department's sensitive data policy.
- OS 3.05. Boulder County will provide appropriate improvements that serve the open space values and functions of the property while maintaining the rural and natural character, as approved in the management plan.
 - OS 3.05.01. Recreational facilities shall be designed and maintained to avoid or minimize the degradation of natural and cultural resources, especially riparian areas and critical wildlife habitats, while providing an exceptional and sustainable user experience.
 - OS 3.05.02. Open space trails shall provide for multiple uses, unless otherwise specified in a management plan.
 - OS 3.05.03. Regional trails linking to open space are coordinated with Boulder County Transportation and other government agencies and may have special rules.
 - OS 3.05.04. Boulder County may establish regional parks such as the Boulder County Fairgrounds or similar facilities at the direction of the Boulder County Commissioners.
 - OS 3.05.05. Agricultural infrastructure such as center pivot sprinklers, hay sheds, grain bins and other improvements may be constructed as appropriate to support agricultural goals.
 - OS 3.05.06. Infrastructure needed to support the use and management of historic structures, museums, and other related resources shall be developed in a manner compatible with the setting and historic character of the resources.

Goal 4. Boulder County actively engages the public in stewarding, understanding, and enjoying county open space.

Policies

- OS 4.01. The county commissioners shall appoint a Parks and Open Space Advisory Committee to provide a forum for public input and advice to the Board of County Commissioners and Parks and Open Space Department regarding Parks and Open Space plans, programs, and actions.

- OS 4.02. Boulder County shall promote awareness of the county's irreplaceable natural and cultural resources and the best practices for their protection, conservation, restoration, and enjoyment through communication methods designed to reach a broad spectrum of the public, including stakeholders, visitors, organizations, and businesses.
- OS 4.03. Boulder County shall reach out to the public through educational programs, volunteer opportunities, and regular interactions at open space properties.
- OS 4.04. Boulder County shall seek and consider public input about open space acquisitions and management through a variety of informal and formal engagement tools.
 - OS 4.04.01. Open space land acquisitions, the capital improvements plan (CIP), and management plans and policies require approval by the Board of County Commissioners, after a public hearing and after review and input by the Parks and Open Space Advisory Committee.

Goal 5. Boulder County collaborates with stakeholders and partners to promote and protect open space values and functions.

Policies

- OS 5.01. Boulder County shall invite input from a broad spectrum of stakeholders relevant to the policy and management issues under consideration.
- OS 5.02. Boulder County shall collaborate with businesses, organizations, visitors, volunteers, property owners, and partners to promote the county's open space values and function.
- OS 5.03. Boulder County shall work closely with federal, state, and local authorities to promote and achieve mutual acquisition and management goals.
 - 5.03.01 Boulder County shall retain management authority of jointly owned properties with high environmental and natural values.
- OS 5.04. Boulder County shall annually solicit input from and provide updates to municipalities and stakeholders on open space preservation and trail priorities.
- OS 5.05. Boulder County Parks and Open Space shall respect nearby private property owners through communication and appropriate actions.

ATTACHMENT B

REVIEW GUIDE: OPEN SPACE ELEMENT GOALS & POLICIES UPDATE

With Comments from 4-13-16 PC-POSAC Study Session and 6-23-16 POSAC Hearing

PROPOSED Open Space Goals	Staff Notes	EXISTING Open Space Goals	PC-POSAC comments
Goal 1. Boulder County values and preserves open space for its contribution to an exceptional quality of life.	Value	C.1 Provision should be made for open space to protect and enhance the quality of life and enjoyment of the environment.	Discussion about “exceptional quality of life:” may need to be qualified? Quality of Life is more than open space.
Goal 2. Boulder County conserves the rural character of the unincorporated county by protecting and acquiring lands and waters of significant open space value.	Conserve	C.2 Parks, open space, and recreation facilities should be encouraged throughout the county and should be integrated whenever suitable with public facilities. The county will assume only those financial responsibilities for public development as provided under Open Space Policy OS 4.02.	
Goal 3. Boulder County purposefully stewards its open space resources through sound management practices and appropriate visitor uses.	Steward	C.3 Open space shall be used as a means of preserving the rural character of the unincorporated county and as a means of protecting from development those areas which have significant environmental, scenic or cultural value.	
Goal 4. Boulder County actively engages the public in stewarding, understanding, and enjoying county open space.	Engage	C.4 A county-wide trail system shall be promoted to serve transportation and recreation purposes.	
Goal 5. Boulder County collaborates with stakeholders and partners to promote and protect open space values <u>and functions</u> .	Collaborate	C.5 The private sector, non-county agencies, and other governmental jurisdictions should be encouraged to participate in open space preservation and trails development in Boulder County.	PC-POSAC 4-13: Discussion about open space values. POSAC 6-23: accepted

REVIEW GUIDE: OPEN SPACE ELEMENT GOALS & POLICIES UPDATE

Comments from PC-POSAC Study Session 4-13-16 and POSAC hearing 6-23-16

Goal 1. [VALUE] Boulder County values and preserves open space for its contribution to an exceptional quality of life.			
PROPOSED POLICIES	EXISTING POLICIES	Staff Notes	PC-POSAC comments
OS 1.01 Boulder County supports all conservation efforts that uphold <u>one or more</u> open space values <u>or functions</u> , <u>consistent with adopted plans and agreements</u> .		New overarching policy concept	PC-POSAC 4-13: Discussion about open space values POSAC 6-23: accepted
OS 1.02 Boulder County shall utilize its Open Space program as an important tool for preserving the county's open space values.	OS 5.05 The county shall use its open space program as one means of achieving its environmental resources and cultural preservation goals.	Redundant with Goal 2 Also addressed in ERE: ER 1.06 Boulder County shall use its open space program as one means of achieving its goals for protecting environmental resources.	PC-POSAC 4-13: Values used as noun v. verb; can we tie to 7 principles of comp plan POSAC 6-23: accepted recommendation to delete
OS 1.032 Open space values <u>and functions</u> , and impacts to county open space, shall be considered in the review of development proposals submitted through the Land Use Department.	OS 1.02 The county shall not deny development or other land use applications, otherwise in compliance with the land use regulations, solely because of the open space designation. However, in reviewing development or other land use applications, the county shall consider the open space values and other characteristics which contribute to the open and rural character of unincorporated Boulder County.	- Propose to delete "Proposed Open Space" from County Open Space Plan map, making first sentence obsolete. <u>Rationale</u>: most of the properties so designated have been acquired. - Update language	PC-POSAC 4-13: Values discussion. POSAC 6-23: accepted. POSAC requested cross-reference with ERE. Staff added language at end of first paragraph of narrative.
OS 1.032.01 To the extent possible, the county shall protect views from scenic corridors including, but not limited to, those shown on the Open Space Map. The county may preserve these scenic corridor areas by means of appropriate dedication during the development process, reasonable conditions imposed through the development process, or by acquisition.	OS 3.03 To the extent possible, the county shall protect scenic corridors along highways and mountain road systems. The county may preserve these scenic corridor areas by means of appropriate dedication during the development process, reasonable conditions imposed through the development process or, by acquisition.	LU staff is considering how best to establish and incorporate a set of criteria to guide the selection of scenic corridors, and how best to incorporate performance measures to allow some flexibility to apply to roadways outside mapped corridors but that are still found to have scenic views we want to protect	
	OS 3.01 Where necessary to protect water resources and/or riparian habitat the county shall ensure, to the extent possible, that areas adjacent to water bodies, functional irrigation ditches and natural water course areas shall remain free from development (except designated aggregate resource areas). The	Staff is currently working through this issue, but tentatively proposes: a) deleting OS 3.01, and b) adding the following subset of the language to the end of ER 1.01, "The county may preserve these [environmental resources] by means of appropriate dedication during the development process, reasonable conditions imposed through the development process, or by acquisition."	

REVIEW GUIDE: OPEN SPACE ELEMENT GOALS & POLICIES UPDATE

Comments from PC-POSAC Study Session 4-13-16 and POSAC hearing 6-23-16

	county may preserve these open corridor areas by means of appropriate dedication during the development process, reasonable conditions imposed through the development process, or by acquisition.	This would maintain protective language currently used by land use staff during the development review process, applying it to all environmental resources, not just riparian.	
OS 1.032.02 Areas that are considered as valuable scenic vistas and Natural Landmarks shall be preserved as much as possible in their natural state.	OS 3.04 Areas that are considered as valuable scenic vistas and Natural Landmarks shall be preserved as much as possible in their natural state.	- Addressed in Environmental Resources Element http://www.bouldercounty.org/doc/landuse/bccp-ere-goals.pdf ERE Goal B.6 Boulder County shall continue to protect prominent natural landmarks and other unique scenic, visual and aesthetic resources in the county. ER 1.03 Scenic vistas shall be preserved as much as possible in their natural state.	
OS 1.043 The Boulder County Land Use Code shall provide for land dedications of parks and open space, trails, and necessary public access to those areas where appropriate	OS 4.01 The Boulder County Land Use Code shall provide for land dedications of parks and open space and necessary public access to those areas where appropriate. OS 6.07 Where appropriate, trails should be incorporated into and provided by new development and linked to established trails, if possible.	Incorporate “trails” from existing OS 6.07 into existing OS 4.01	

Goal 2. [CONSERVE] Boulder County conserves the rural character of the unincorporated county by protecting and acquiring lands and waters of significant open space value.

PROPOSED POLICIES	EXISTING POLICIES	Staff Notes	PC-POSAC comments
OS 2.01 Boulder County acquires real estate interests in land, water, and minerals through appropriate real estate methods such as fee title, conservation easements and trail easements.	OS 1.01 It is recognized that the acquisition of an interest in open space lands must be based on the long term implementation of the county’s overall open space plan, in which prioritization of need and available revenues must be considered. From time to time, applications for various land use decisions which contemplate development are expected to be made for privately owned lands which have been designated as open space on the Open Space Plan Map of the Boulder County Comprehensive Plan. In such cases, it will be the responsibility of the county to make decisions with regard to the possible acquisition of an interest in such lands in a timely manner. In the event a decision to acquire whatever public interest the county may desire is not made with reason diligently, applicants shall be entitled to have their applications processed and considered as any other similar applications, not involving open	- Policy 1.01 as currently worded is obsolete, and represents a different time with different conditions. - Delete “Proposed Open Space” designation from County Open Space Plan map. <u>Rationale</u>: most of the properties so designated have been acquired.	

REVIEW GUIDE: OPEN SPACE ELEMENT GOALS & POLICIES UPDATE

Comments from PC-POSAC Study Session 4-13-16 and POSAC hearing 6-23-16

	space, would be.		
OS 2.01	OS 1.03 When seeking to acquire whatever interest the county may desire in lands designated as open space, the county will negotiate in good faith with the property owners involved. The power of eminent domain shall be used only in exceptional cases, when obviously necessary to protect the public interest.	• The power of eminent domain has never been used; the reference is not necessary. • Concept is covered in OS 2.01 “appropriate real estate methods”	
OS 2.02 <u>Boulder County acquires real property rights to protect open space values and functions, Boulder County considers open space values when acquiring an interest in real property rights</u> , including the following, in no particular order:		• Expands on Goal 2 theme by enumerating the open space values in one policy • Staff feels it is important to explicitly state there is no hierarchy of values.	PC-POSAC 4-13: Is “value” the how, or what? (currently, it’s a little of both) POSAC 6-23: accepted
a. Establish and preserve <u>rural lands, scenic corridors and</u> community buffers and scenic corridors to <u>ensure community identity and prevent urban sprawl</u> .	OS 5.01 Boulder County shall, in consultation with affected municipalities, utilize open space to physically buffer Community Service Areas, for the purpose of ensuring community identity and preventing urban sprawl.	• Identify all the various open space values in one policy	PC-POSAC 4-13: like specificity in original language POSAC 6-23: accepted
b. Conserve <u>natural resources, including</u> lands or features designated in other Boulder County Comprehensive Plan Elements.	OS 2.01 The county shall identify and work to assure the preservation of Environmental Conservation Areas, critical wildlife habitats and corridors, Natural Areas, Natural Landmarks, significant areas identified in the Boulder Valley Natural Ecosystems Map, historic and archaeological sites, and significant agricultural land.	• Designated areas are also covered in the Environmental Resource Element	PC-POSAC 4-13: Like original language; original educates POSAC 6-23: accepted
c. Protect, and conserve <u>and improve soil health of</u> agricultural lands, especially agricultural lands of local, statewide, and national importance.	OS 5.04 The county shall use its open space acquisition program to preserve agricultural lands of local, statewide, and national importance. Where possible, purchase of conservation easements, purchase of development rights, or lease-back arrangements should be used to encourage family farm operations.	• Broaden language • 2nd sentence reflects current and historic real estate acquisition practice; covered in OS 2.01	POSAC 6-23: one of Elizabeth Black’s suggestions, generally approved by POSAC
d. Protect and manage water resources, including agricultural water and in-stream flows.	OS 3.01 Where necessary to protect water resources and/or riparian habitat the county shall ensure, to the extent possible, that areas adjacent to water bodies, functional irrigation ditches and natural water course areas shall remain free from development (except designated aggregate resource areas). The county may preserve these open corridor areas by means of	• Broaden language • Specific acquisition methods covered in OS 2.01	PC-POSAC 4-13: What about aquifers? Fracking concerns. Any clarification to water is good

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Comments from PC-POSAC Study Session 4-13-16 and POSAC hearing 6-23-16

	appropriate dedication during the development process, reasonable conditions imposed through the development process, or by acquisition.		
e. Acquire land or easements to Create and establish <u>appropriate</u> public access on open space properties and trail linkages between properties	OS 3.02 Where appropriate the county shall continue to acquire parcels of land or right-of-way easements to provide linkages between public lands.	• Broaden language	PC-POSAC 4-13: Difference between establish and acquire, refer to/encourage regional trail POSAC 6-23: accepted
f. Protect and restore native plants, <u>healthy soils</u> , wildlife, ecological processes, and significant habitats including riparian zones, wetlands, stream corridors, grasslands, shrublands, and forests.	OS 2.02 Significant natural communities, rare plant sites, wetlands, and vegetation, such as willow carrs, should be conserved and preserved.	• Reframe and broaden language	POSAC 6-23: one of Elizabeth Black's suggestions, generally approved by POSAC
g. Protect, <u>preserve</u> and restore historic and cultural resources.	OS 2.01 The county shall identify and work to assure the preservation of Environmental Conservation Areas, critical wildlife habitats and corridors, Natural Areas, Natural Landmarks, significant areas identified in the Boulder Valley Natural Ecosystems Map, historic and archaeological sites, and significant agricultural land.	• Call out historic and cultural resources explicitly • Also referenced in Environmental Resources Element	PC-POSAC 4-13: Preservation" is usually used with historic assets. POSAC 6-23: accepted
h. Enlarge existing open space properties <u>to enhance the open space values and functions they serve and protections.</u>		• New policy concept	PC-POSAC 4-13: Protections" confusing/meaning? POSAC 6-23: accepted
OS 2.03 Boulder County maintains and protects its real estate interest in open space properties to the maximum extent possible and works to prevent illegal uses and minimize impacts from legal third-party activities.		• New policy concept • Addresses activities such as utility right of way requests, oil & gas extraction	

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Comments from PC-POSAC Study Session 4-13-16 and POSAC hearing 6-23-16

Goal 3. [STEWARD] Boulder County purposefully stewards its open space resources through sound management practices and appropriate visitor uses.

PROPOSED POLICIES	EXISTING POLICIES	Staff Notes	PC-POSAC comments
OS 3.01 Boulder County prepares management plans and policies as appropriate for Open Space properties where the county has management authority and uses the plans and policies to manage its open space resources and assets.	OS 2.03 The county shall provide management plans and the means for the implementation of said plans for all open space areas that have been acquired by or dedicated to the county.	Update language	
OS 3.02 Plans and policies are based on sound planning practices, public input, and desired future conditions.	OS 2.03.02 Management of county open space lands shall consider the regional context of ecosystems and adjacent land uses.	- Broaden to encapsulate the idea of balance amongst uses and protection - Considering regional context is a sound planning practice	
OS 3.03 <u>Through planning and management, Boulder County strives to PRESERVE SIGNIFICANT RESOURCES AND enhance protection and restoration of native ecosystems and their native species populations while also providing passive, sustainable and enjoyable public uses that connect the public to their environment.</u> Through planning and management, Boulder County balances the protection and preservation of significant resources with providing passive, sustainable, and enjoyable public uses that connect the public to their environment.	OS 2.03.01 The foremost management objective of individual open space lands shall follow directly from the purposes for which the land was acquired. OS 4.03.01 Recreational use shall be passive, including but not limited to hiking, photography, or nature studies, and, if specifically designated, bicycling, horseback riding, or fishing. Only limited development and maintenance of facilities will be provided.	- Management objectives include acquisition purpose, but take many other factors into account - These examples are covered in the narrative under definition of passive recreation, and more broadly in OS 3.03 "Purposes for which land was acquired" concept is not included in current proposed policies	PC-POSAC 4-13: Dislike "balances". Proposed: "Strive to enhance restoration and protection while also providing user experience" POSAC 6-23: accepted alternative proposal and added "preserve significant resources"
OS 3.04 Boulder County monitors and evaluates uses and resources on open space to inform management decisions and seeks to be innovative in its approaches to on-the-ground management of open space resources utilizing current knowledge, latest science, best technologies and practices. <u>OS 3.04.01 Monitoring data shall be synthesized, analyzed and utilized to adapt management practices in</u>		New policy concept: Introduces the concept of adaptive management through monitoring and evaluating	PC-POSAC 4-13: Respond to new info and changing conditions. Make monitoring more robust, synthesize data, base decisions on scientific knowledge, provide model for other communities. Provide public access to data—rich resource. POSAC 6-23: accepted two sub-policies

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<u>response to changing conditions.</u> <u>OS 3.04.02 Monitoring data shall be available to the public as appropriate, subject to the Parks and Open Space Department's sensitive data policy.</u>			
OS 3.05 Boulder County will provide appropriate improvements that serve the approved open space <u>values and</u> functions of the property while maintaining the rural and natural character, <u>as approved in the management plan.</u>	OS 4.03 Recreational use of county open space land may be permitted where such use is consistent with the management plan for the property and does not adversely impact natural and cultural resources or other management objectives of the property.	• Reframe concept • Broaden language so applies to more than recreation	POSAC 6-23: accepted adding "values and" POSAC did not review the additional clarifying language added by staff
OS 3.05.01 <u>Recreational facilities shall be designed and maintained to avoid or minimize the degradation of natural and cultural resources, especially riparian areas and associated wildlife habitats, as well as to provide an exceptional and sustainable user experience.</u> Recreational facilities shall be designed and maintained to provide an exceptional user experience, be sustainable, and avoid or minimize impacts to significant resources.	OS 6.01 Trails and trailheads shall be planned, designed, and constructed to avoid or minimize the degradation of natural and cultural resources, especially riparian areas and associated wildlife habitats. Riparian areas proposed for preservation but for which trail development is inappropriate include: 1) Boulder Creek between 55th Street and U.S. Highway 287, 2) St. Vrain Creek west of Airport Road, 3) Left Hand Creek west of State Highway 119, and 4) Rock Creek west of McCaslin Boulevard. OS 4.03.01 Recreational use shall be passive, including but not limited to hiking, photography, or nature studies, and, if specifically designated, bicycling, horseback riding, or fishing. Only limited development and maintenance of facilities will be provided.	• Broaden language • Eliminate specific examples • Include maintenance concept	PC-POSAC 4-13: Alternative language proposed. "Exceptional user experience" necessary? POSAC 6-23: accepted alternative proposal
OS 3.05.02 Open space trails shall provide for multiple uses, unless otherwise specified in a management plan.	OS 6.04 Trails shall provide for pedestrian, equestrian, bicycle,	• Broaden language • Separation of incompatible	

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	and/or other non-motorized uses, where each is warranted. Incompatible uses shall be appropriately separated.	uses is one of many factors considered in property management plans	
OS 3.05.03 Regional trails linking to open space are coordinated with Boulder County Transportation and other government agencies and may have special rules.	OS 6.05 Special consideration shall be given to pedestrian, equestrian, bicycle, and/or other uses of road rights-of-way during the design and construction of road improvements.	• Reframe and broaden language	
OS 3.05.04 Boulder County may establish regional parks such as the Boulder County Fairgrounds or similar facilities at the direction of the Boulder County Commissioners.	OS 4.02 Except as the county may establish a regional park, such as the Boulder County Fairgrounds, or other similar facilities, the county will provide only a minimum level of maintenance or development on park land.	• Reframe • Maintenance is covered in OS 3.05.01	
OS 3.05.05 Agricultural infrastructure such as center pivot sprinklers, hay sheds, grain bins and other improvements may be constructed as appropriate to support agricultural goals.		• New: explicitly call out agricultural improvements	PC-POSAC 4-13: Concerned about “as appropriate”-ref Ag policy? Concerned about ag structures that end up being used for other purposes “open to best practices moving forward” Ag goals as enunciated in comp plan/other docs Include other infrastructure, such for organic? Staff note: narrative updated with reference to Ag Element
OS 3.05.06 Infrastructure needed to support the use and management of historic structures, museums, and other related resources shall be developed in a manner compatible with the setting and historic character of the resources.		• New: explicitly call out historical and cultural improvements	PC-POSAC 4-13: Manage structures; wants review by Denise Grimm: ref Ramey

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Goal 4. [ENGAGE] Boulder County actively engages the public in stewarding, understanding, and enjoying county open space.			
PROPOSED POLICIES	EXISTING POLICIES	Staff Notes	PC-POSAC comments
OS 4.01 The county commissioners shall appoint a Parks and Open Space Advisory Committee to provide a forum for public input and advice to the Board of County Commissioners and Parks and Open Space Department regarding Parks and Open Space plans, programs, and actions.	OS 8.02 Purchases of land for open space require approval by the Board of County Commissioners after public hearing and after review and recommendation of the Parks and Open Space Advisory Committee.	- Existing OSE has narrative reference to POSAC in history but no policy statement - Builds foundation for OS 8.02	
OS 4.02 <u>Boulder County shall promote awareness and stewardship of the county's irreplaceable natural resources and promote best practices for their protection, conservation, restoration, and enjoyment through communication methods designed to reach a broad spectrum of people, visitors, organizations, and businesses.</u> Boulder County shall promote awareness and stewardship of the county's open space resources and recreational opportunities through a variety of communication methods and programs designed to reach a broad spectrum of people, visitors, stakeholders, organizations, and businesses.	OS 2.04 The county, through its Parks and Open Space Department, shall provide appropriate educational services for the public which increase public awareness of the county's irreplaceable and renewable resources and the management techniques appropriate for their protection, preservation, and conservation.	- Fits with Engage better than Resource Management - Update language	PC-POSAC 4-13: Keep specificity of original, alternate language provided (Staff added "stewardship" and "enjoyment" to suggested language) POSAC 6-23: accepted alternative proposal, with discussion about appropriate terminology for "stakeholders"
OS 4.03 Boulder County shall reach out to the public through educational programs, volunteer opportunities, and regular interactions at open space properties.	OS 2.04.02 The Parks and Open Space Department shall seek to meet the needs of diverse populations in the county by providing information and programming to accommodate special groups such as disabled persons, young people, senior citizens, and Spanish-speaking citizens.	- Fits with Engage better than Resource Management - Update language	
OS 4.04 Boulder County shall seek and consider public input about open space acquisitions and management through a variety of informal and formal engagement tools.	OS 8.03 In developing management plans for open space areas, Parks and Open Space staff shall solicit public participation of interested individuals, community organizations, adjacent landowners and the Parks and Open Space Advisory Committee. Plans shall be reviewed by the Parks and Open Space Advisory Committee,	Broaden language	

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	including public comment, and recommended for adoption after public hearing by the Board of County Commissioners.		
OS 4.04.01 Open space land acquisitions, the capital improvements plan (CIP), and management plans and policies require approval by the Board of County Commissioners, after a public hearing and after review and input by the Parks and Open Space Advisory Committee.	OS 8.01 The county shall annually develop a Capital Improvements Program (CIP) for open space acquisition and trails construction. Formulation of the CIP shall take into consideration project suggestions from municipalities as well as suggestions received from the public. The CIP shall be reviewed by the Parks and Open Space Advisory Committee, after public comment, and recommended for adoption after public hearing by the Board of County Commissioners.	• Broaden but keep CIP reference; it is in the 1993 ballot language • Local government collaboration covered in OS 5.03	
	OS 8.04 Significant changes to overall management direction or techniques shall be presented to the Parks and Open Space Advisory Committee and/or the Board of County Commissioners, with opportunity for public comment before a decision is made.	• “significant changes” not explicitly called out in draft policies • Covered in OS 3.01 & OS 4.04	

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Goal 5. [COLLABORATE] Boulder County collaborates with stakeholders and partners to promote and protect open space values <u>and functions</u> .			
PROPOSED POLICIES	EXISTING POLICIES	Staff Notes	PC-POSAC comments
<u>OS 5.01 Boulder County shall invite input from a broad spectrum of stakeholders on policy and management issues.</u>		Staff addition after PC-POSAC 4-13 meeting, to include the overarching policy for this goal	POSAC 6-23: accepted
<u>OS 5.02</u> Boulder County shall collaborate with businesses, organizations, stakeholders visitors, volunteers, property owners, and partners to promote the county's open space values <u>and functions</u> .	OS 7.01 The county shall consider for possible acquisition those lands within the county which are owned and may be disposed of by other governmental agencies. OS 7.03 The county shall cooperate with the owners of privately owned open space, including conservation easements, to protect their interests from public trespass. OS 7.04 The county, through the Parks and Open Space Department, shall work with foundations, trusts, developers, ditch and utility companies, and others from the private and public sectors in furtherance of the county's open space objectives by encouraging land donations and dedication and multiple use of easements and by providing and informing the public of incentives for preservation.	Combine the concepts of OS 7.01, 7.03 and 7.04 into one collaboration policy	PC-POSAC 4-13: discussion about terminology for "stakeholders" POSAC 6-23: accepted updated language
<u>OS 5.03</u> Boulder County shall work closely with federal, state, and local authorities to promote and achieve mutual acquisition and management goals.	OS 7.02 The county may promote and participate in partnership projects with the communities in the county for open space acquisition and trails development outside of community service areas.	Broaden language	
<u>OS 5.03.01 Boulder County shall retain management authority of properties with high environmental and natural values.</u>			POSAC 6-23: POSAC approved an additional policy, in response to dissatisfaction with the outcome of the NTSA process. Staff has some concerns with this policy addition, outlined in PC memo
<u>OS 5.04</u> Boulder County shall annually solicit input from <u>and provide updates to</u> municipalities and	OS 8.01 The county shall annually develop a Capital Improvements Program (CIP) for open space	Engage: Broaden to encompass public process in decision	PC-POSAC 4-13: Incorporate the concept

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stakeholders on open space preservation and trail priorities.	acquisition and trails construction. Formulation of the CIP shall take into consideration project suggestions from municipalities as well as suggestions received from the public. The CIP shall be reviewed by the Parks and Open Space Advisory Committee, after public comment, and recommended for adoption after public hearing by the Board of County Commissioners.	making in OS 4.04 • Collaborate: Local government collaboration addressed in OS 5.03	of feedback/dialogue “and provide updates to...”
OS 5.054 Boulder County Parks and Open Space shall respect nearby private property owners through communication and appropriate actions.	OS 6.02 Adverse effects on private lands shall be minimized insofar as possible by trail and trailhead placement, posting of rules and signs against trespassing, installation of containing fences where critical, and any other appropriate measures.	• Reframe and broaden language	

Programmatic Existing Policies

PROPOSED POLICIES	EXISTING POLICIES	Staff Notes	PC-POSAC comments
	OS 2.03.03 Management of individual open space lands, including those under agricultural leases, shall follow good stewardship practices and other techniques that protect and preserve natural and cultural resources.	• Covered in OS 3.01, OS 3.03 and OS 3.04	
	OS 2.05 The county, through its Weed Management Program, shall discourage the introduction of exotic or undesirable plants and shall work to eradicate existing infestations through the use of Integrated Weed Management throughout the county on private and public lands.	• Programmatic • Covered in OS 3.01 - OS 3.04	
	OS 2.04.01 The Parks and Open Space Department shall cooperate with schools and non-profit organizations in the county to provide environmental education activities which increase awareness, understanding, appreciation, and support for stewardship of the natural and cultural resources on open space.	• Programmatic • Covered in OS 4.02	
	OS 2.04.03 The Parks and Open Space Department shall develop and disseminate information through publications, exhibits, and other media on the uniqueness, importance, and appropriate stewardship and management of open space areas in the county.	• Programmatic • Covered in OS 4.02 and OS 4.03	
	OS 2.04.04 The Parks and Open Space Department shall utilize trained volunteers, cooperating groups, and private individuals to assist in the delivery of environmental education and interpretive services.	• Programmatic • Covered in OS 4.03	
	OS 4.06 Private dedication or development of parks, open space or recreational	• Not necessary; addressed as	

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	facilities shall, to the extent subject to public review, be reviewed by the Parks and Open Space Advisory Committee, and where appropriate, the Planning Commission, for recommendation to the Board of County Commissioners.	part of the development review and referral process stipulated in the code	
	OS 4.03.02 (misabeled as 4.03.01) Accessibility for special populations such as disabled persons, young people, senior citizens, and Spanish-speaking people shall be addressed on a system-wide basis.	• Programmatic • Covered in OS 4.02	
	OS 4.04 Requests for special uses or events on county open space shall be evaluated for their impacts to natural and cultural resources as well as other management objectives and maintenance considerations.	• Programmatic • Addressed in Open Space Rules and Regulations	
	OS 4.05 Any development of regional county facilities or of county park or open space land shall be based on a plan approved by the County Commissioners after review by the Parks and Open Space Advisory Committee.	• Regional facilities covered in OS 3.05.04 • Public process covered in OS 4.04 and OS 5.02	
	OS 4.07 In neighborhoods where residents desire more open space and park and recreation facilities than the county provides, the county shall cooperate in the formation of special taxing districts for open space and park and recreation facilities.	• Overly prescriptive and not appropriate for comp plan policy	
	OS 5.02 The county shall utilize Intergovernmental Agreements with one or more municipalities to encourage the preservation of open space lands and the protection of the rural and open character of the unincorporated parts of Boulder County.	• Covered in OS 5.02	
	OS 5.03 The county shall encourage use of Transfer of Development Rights (TDR) to preserve and protect rural character, open space, scenic features, and environmental resources.	• Programmatic, covered in OS 2.01	
	OS 6.03 The County shall acquire trail rights-of-way through purchase, lease, donation or dedication from any public or private entity. When appropriate and beneficial, existing roads and right-of-way will be used.	• Programmatic, covered in OS 2.01	
	OS 6.06 The county shall work through the Consortium of Cities to assure linkage of municipal and county trails and connections between communities.	• Programmatic • Covered in OS 2.01 (e) and OS 5.02	
	OS 6.08 Trails constructed by the county Parks and Open Space Department shall be soft-surface except where necessary to prevent erosion and/or other resource damage.	• Programmatic • Covered in OS 3.05.01	

Scenic Roadway Corridor Mapping Approach: Options for Consideration

Introduction

As part of the update to the Open Space Element (OSE) of the Boulder County Comprehensive Plan (BCCP), staff proposes updating policy text and mapping related to scenic roadway corridors, referred to as “open corridor, roadside” on the BCCP Open Space Plan Map, 1996. The goals are to: 1) refine policy language to clarify intent and scope, and 2) update mapping to designate scenic corridors using a systematic approach that reflects the county’s policy priorities and core focus on preserving rural character. Identifying and designating scenic corridors will help protect the county’s unique natural, cultural and historic visual resources. The proposed policy text reflects a minor change relative to current language. It is included in the full set of proposed edits to the OSE.¹ This document focuses on the proposed approach for editing map resources.

The scenic roadway corridor mapping is part of a broader effort to revise and streamline mapping that will accompany the updated OSE. As part of the OSE update staff plans to transition from having three maps associated with the OSE to having just one map, to be called the “Boulder County Comprehensive Plan Open Space Element Map.”² It will show the protected land categories (federal, state, county, city and joint city-county) along with Scenic Roadway Corridors.³ Note that the map will no longer identify “streamside corridors,” as riparian resources are already addressed comprehensively in the BCCP Environmental Resources Element policy language and maps.⁴

¹ Staff proposes replacing current policy 3.03, which reads, “To the extent possible, the county shall protect scenic corridors *along highways and mountain road systems*. The county may preserve these scenic corridor areas by means of appropriate dedication during the development process, reasonable conditions imposed through the development process, or by acquisition.” A new slightly revised version would be 1.03.01 and would read, “To the extent possible, the county shall protect views *from scenic corridors including, but not limited to, those shown on the Open Space Map*. The county may preserve these scenic corridor areas by means of appropriate dedication during the development process, reasonable conditions imposed through the development process, or by acquisition.”

² The three maps currently associated with the Open Space Element include the “[BCCP Public Lands Map](#),” the “[BCCP County Open Space Plan Map - 1996](#)” and the “[BCCP County Open Space Map – Current](#).”

³ The “Public Lands Map” will no longer be included as a BCCP map, though Parks and Open Space staff will still maintain that map and post it on the Parks and Open Space Department’s own website. The BCCP web page will likely continue to have a link to the official Parks and Open Space Department’s open space map.

⁴ Riparian resources are mapped as part of the BCCP Environmental Resources Element’s (ERE) “BCCP Wetlands and Riparian Areas Map,” available at: <http://www.bouldercounty.org/doc/landuse/bccp-wetland-er.pdf>. In addition, the scenic and resource values of riparian areas are addressed through a variety of goals and policies in the ERE. For example, Goal B2, ER 1.04 (addresses protection of scenic vistas generally), and ER 3.01 (addresses mapping of Environmental Conservation Areas including riparian areas).

ATTACHMENT C Scenic Roadway Corridor Mapping Approach

Staff uses the scenic roadway classification (currently “open corridor, roadside”) for multiple purposes. Parks and Open Space staff uses the classification to help maximize the value of conservation easements.⁵ Land Use staff uses the classification to identify properties that warrant a heightened level of attention to scenic and aesthetic issues when conducting land use reviews (e.g., extra attention to locating and/or screening a structure to avoid, minimize or mitigate visual impacts).

Staff seeks an approach to mapping scenic roadway corridors that will:

- Leverage established criteria for identifying scenic resources used in other programs / jurisdictions pursuing similar objectives
- Apply objective information and GIS data to identify an initial set of scenic corridors
- Establish a plan for updating scenic corridor mapping over time

Initial Proposed Approach, Feedback and Additional Analysis

Staff drew upon the National Scenic Byways Program’s six “intrinsic qualities” of scenic roadways to establish an initial framework for developing the county’s own scenic roadway corridor criteria. The six qualities include: scenic, archaeological, cultural, historic, natural, and recreational.⁶ Staff used those six qualities as a way to categorize the various criteria available for identifying scenic roadways in the county. The actual criteria reflect the range of data sources and other possible means by which to identify roads that possess exceptional characteristics related to each of the six qualities, or categories.

The criteria consist primarily of elements trackable in GIS, but also include some elements identifiable through other readily available sources or through field observation. Staff proposed a designation system in which ***scenic roadway corridors that will be formally recognized and mapped are identified as a stretch of public road at least one mile long which includes sections that meet criteria in at least two out of the six categories of intrinsic qualities.*** Applying this approach and using an initial definition of the criteria, an initial mapping effort found that nearly 90% of eligible roads in the county would be mapped as scenic.⁷ Staff is now reviewing what this percentage works out to be if all county roads, public and private, were included in calculating the percentage.

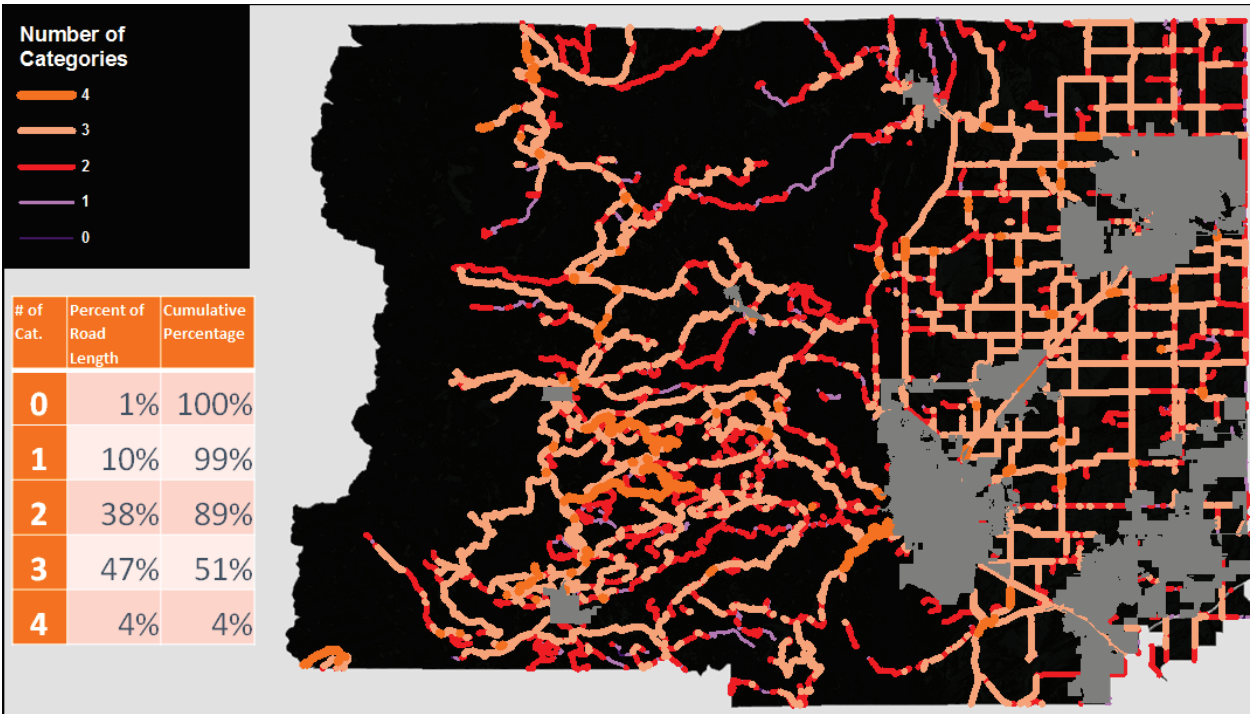
⁵ When Parks and Open Space staff negotiates conservation easements (CEs) with landowners or receives CEs from or grants CEs to municipalities, the CEs need to describe the property’s open space values. For CEs that involve donation value, where the landowner wants to obtain state or federal tax benefits, the CEs have to meet one of four defined public purposes, one of which includes a scenic component.

⁶ To be accepted into the National Scenic Byways Program an applicant must demonstrate that a road possesses characteristics of regional significance within at least one of the categories of intrinsic qualities. “All-American” roads must possess characteristics of national significance in at least two of the intrinsic qualities. Roads become designated in the National Scenic Byway program based on a formal proposal process, and designated roads must maintain a Corridor Management Plan (CMP). The National Scenic Byways Program’s descriptions for each of the qualities are included at the end of this summary.

⁷ Eligible roads include roads in unincorporated Boulder County and shown on the Boulder County Road Map, excluding subdivision roads and other roads (including private roads) that intersect public lands or open space.

A map of the initial mapping effort is shown in Figure 1.

Figure 1. Result of initial mapping effort



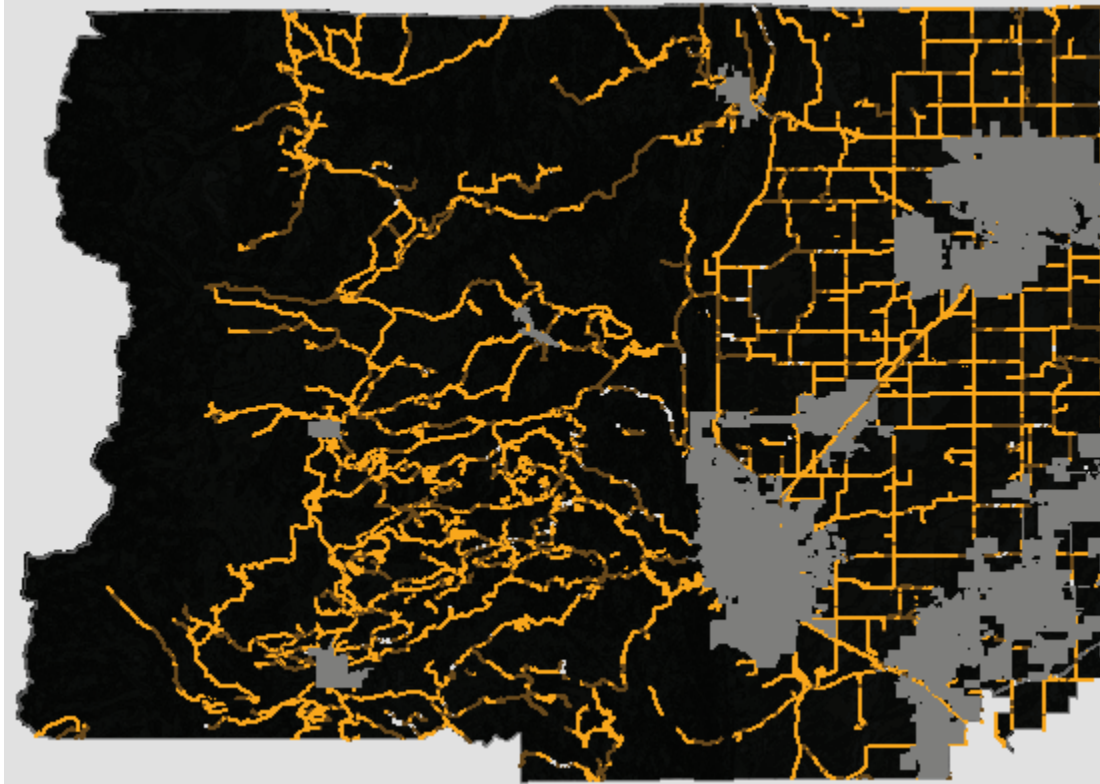
Source: County Land Use Department mapping. Note: The table shows that 99% of eligible roads would be identified as scenic if the standard for designation was meeting criteria in at least one category (scenic, archaeological, cultural, historic, natural, or recreational), 89% if required to meet criteria in two categories, 51% if required to meet criteria in three categories, and 4% if required to meet criteria in four categories. This mapping effort only applied criteria drawing on available GIS data. It did not include information that may be identified through field work.

Feedback from POSAC and Planning Commission reflected general support for the initial framework, with ideas for streamlining, and questions about the practical implications of the mapping. Staff asked Planning Commission for feedback on whether a more stringent standard should be applied to identify roads as scenic. The planning commission discussion highlighted pros and cons of certain criteria, but did not provide definitive guidance or resolution.

A Planning Commissioner suggested exploring the option of mapping only the Scenic Views and Natural criteria. Staff mapped that option, applying the criteria as initially defined, and the results are illustrated in Figure 2.

Staff is now looking into reducing the number of unpaved roads that are eligible by excluding roads classified as minor unpaved roads to make sure that the roads mapped are truly scenic and accessible.

Figure 2. Result of mapping only Scenic and Natural criteria



Source: County Land Use Department mapping. Orange: Meets both Scenic and Natural Categories = 65% of eligible roads. Brown: Meets Scenic or Natural, but not both = 32% of eligible roads (combine with both = 97% of eligible roads). Grey: Doesn't meet either = 3% of eligible roads.

Given the various ways the scenic roadway corridor classification will be used, staff seeks to strike an appropriate balance between an approach that is inclusive and recognizes the abundance of scenic resources in our county, and one that is selective enough to highlight those resources most worthy of heightened attention to their scenic value. In other words, staff believes the “scenic” designation should carry a level of distinction within a county known for its scenic resources. The two primary “levers” for refining the mapping approach are to adjust: 1) how loosely or narrowly the criteria are defined, and 2) in how many different categories a road would need to fulfill criteria to be mapped as “scenic.”

Drawing on the POSAC and PC feedback, as well as further consideration by staff, staff refined the criteria to focus more on visual elements within each of the categories, and rolled the archaeological,

ATTACHMENT C Scenic Roadway Corridor Mapping Approach

cultural and historic categories into a single “cultural resources” category. In addition, staff removed the recreational category to reflect that roads identified for their recreational use characteristics tend to be scenic. In other words, in contrast to other categories of criteria, recreational use is more of an indicator of a scenic area than a visual attribute in and of itself.

Additional options for refining the approach are presented here for consideration.

Option 1. Proceed with a streamlined version of the initial approach, incorporating refinements as appropriate

As stated previously, staff revised the initial criteria framework in an effort to streamline and focus more directly on visual attributes. Option 1 revises the initial definition that would apply for identification and mapping of scenic roadway corridors to reflect the new, simplified criteria: ***“Scenic roadway corridors that will be formally recognized and mapped are identified as a stretch of public road at least one mile long which includes sections that meet criteria in at least two out of the three categories of intrinsic qualities.”***

For purposes of designation, characteristics meeting relevant criteria would need to be present along the majority of the corridor. Different segments of the corridor could fulfill different criteria (e.g., one segment of the corridor may have a historic landmark, and another segment may be significant for its natural landforms) as long as elements pertaining to the relevant selection criteria are present along the majority of the corridor, and the corridor fulfills criteria in at least two categories.

The proposed criteria are shown in Table 1. When reviewing the map, note that criteria shown in plain font can be mapped using existing GIS and other readily available data. Those would serve as base criteria for initial mapping. Criteria marked with an asterisk (*) and shown in italics are proposed for use in refining an initial base map, and would need to be mapped based on field observation and other efforts.

Table 1. Scenic Roadway Corridor Identification Criteria, Option 1

Scenic Roadway Corridor Identification Criteria <i>Identified roads will meet at least one criteria in at least two categories</i>		
Category	Criteria	Significance / Relevance to Intrinsic Qualities
1. Scenic Views	a) Roadways with views of the Mountain Views (views of mountains from the plains), Plains Views (views of the plains from the mountains), or Dramatic Views, as defined here. Mountain Views are identified as roadways that have views of areas west of Peak-to-Peak Hwy that are over 11,000' and the summits of named peaks east of Peak-to-Peak Hwy that are over 8,000'. Plains Views are identified as roadways in the mountains that have	

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Scenic Roadway Corridor Identification Criteria <i>Identified roads will meet at least one criteria in at least two categories</i>		
Category	Criteria	Significance / Relevance to Intrinsic Qualities
	views of the plains. <i>*Dramatic Views are identified as roadways that travel through or are adjacent to visually dramatic landforms such as canyons, valleys, ridges, plateaus, mesas, etc. All of these would incorporate views of features identified in the Natural Landmarks and Natural Areas Map of the Boulder County Comprehensive Plan.</i>	
2. Cultural Resources (including, historical, cultural and archaeological)	a) Structures or corridors with historic landmark designation of any type (i.e., municipal, county, state, national) are present on parcels adjacent to the road <i>and are visible from the road</i> OR b) <i>*Historic, cultural or archaeological structures or interpretive signage or displays are present on parcels adjacent to the road and are visible from the road</i> OR c) <i>The road itself, or parcels adjacent to the road are identified by staff as possessing historic, cultural or archeological significance</i>	Historical: Legacies of the past that are distinctly associated with physical elements of the landscape, whether natural or manmade. Cultural: Evidence and expressions of established customs or traditions of a distinct group of people. Archaeological: Physical evidence of historic or prehistoric human life or activity.
3. Natural	a) Roadways that are within ¼ mile of the areas identified on the BCCP Natural Areas and Natural Landmarks map, or Wetlands or Riparian Areas map OR b) Roadways that are within ¼ mile of bodies of water (lakes, reservoirs or ponds) or streams	Features in the visual environment that are in a relatively undisturbed state. These features may include geological formations, fossils, landform, water bodies, vegetation, and wildlife.
Notes: Criteria shown in plain font can be mapped using existing GIS and other readily available data. Those would serve as base criteria for initial mapping. Criteria marked with an asterisk (*) and shown in italics are proposed for use in refining an initial base map. For example, if a stretch of road meets one criteria staff may examine it further, exploring additional data sources or conducting field observation to determine if the stretch of road meets these		

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Scenic Roadway Corridor Identification Criteria <i>Identified roads will meet at least one criteria in at least two categories</i>		
Category	Criteria	Significance / Relevance to Intrinsic Qualities
additional criteria. The additional criteria may also be used to extend the length of a corridor identified through a preliminary GIS mapping exercise.		

Staff will make an effort to establish contiguous stretches of scenic roadway corridors where possible to avoid a patchwork of “scenic” stretches of road. For cases in which several scenic corridor sections are mapped along a particular road as a result of initial mapping, staff will propose that areas between those designated corridors that only meet one of the criteria also receive scenic corridor designation. Lastly, before publishing the map, staff would do a quality control check to ensure the mapping approach has not omitted any roadways that are commonly perceived as scenic (e.g., the Peak to Peak Highway or other roads that may ultimately be designated through the National Scenic Byways program, or roadways that were captured as “open corridor, roadside” in the 1996 OSE map. At this stage, as resources permit, staff would apply the criteria that rely on field observation.

Option 2. Do not map scenic roadway corridors

As noted previously, an initial mapping effort based on an earlier set of criteria found that nearly 90% of all eligible roads in the county would meet criteria in at least two of six categories and would be designated scenic based on the initial criteria presented for consideration. Staff has since reduced and refined those criteria to focus more on visual elements, as reflected in Table 1. Updated mapping outputs are not yet available. However, it is possible that a high percentage of eligible roads will still be mapped as scenic using the refined criteria. Recognizing that a large majority of roadways in the county possess exceptional scenic qualities, it is worth considering whether to abandon scenic roadway mapping efforts due to the lack of distinguishing findings.

Abandoning the scenic mapping could have important consequences, however. Most notably, it would remove a tool that Parks and Open Space staff relies on to help achieve maximum value from conservation easements. This is particularly important when tax benefits are involved. In addition, it would affect Land Use staff’s review process; staff would lose a mapping tool they currently use to apply a heightened level of attention to scenic qualities when evaluating land use applications for properties located along exceptionally scenic stretches of road.

Staff Request for Feedback

Staff appreciates feedback on the following questions:

1. Do you agree with keeping the scenic roadway corridor on the Open Space map, as presented in Option 1, given its importance as a tool for the reasons stated above?
2. Should staff consider an alternative scenic roadway corridor mapping approach not presented here?

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3. If Option 1 is the preferred option, what additional refinements should staff consider? Specifically, should staff require that roads meet criteria in all three categories (versus two categories) to be mapped as scenic? (In other words, what is the magic percent that strikes the appropriate balance in earning the distinction of getting a scenic designation?)

Future Updates to Scenic Roadway Corridor Mapping

Assuming scenic roadway corridor mapping does proceed, staff would consider on an annual basis whether an update to the mapping is warranted. The update process may 1) adapt criteria in response to newly available information (e.g., new map layers), 2) change the map to reflect changing conditions (e.g., remove roads that no longer meet criteria or add new roads meeting criteria), or 3) change the map based on a proposal presented by the public demonstrating that a particular stretch of road meets the established scenic roadway corridor designation criteria. Staff would develop a system for reviewing proposals as they are received, evaluating them based on the same criteria used by staff for initial designation.

The initial mapping effort for 2016 would only apply criteria with available GIS data. Those criteria depending on field investigation (e.g., criteria within the cultural resources category) would be added during later updates to the map. That additional mapping would depend on availability of staff resources and efforts by the public to identify additional roads that meet the mapping criteria.

Appendix

Summary of Six Intrinsic Qualities

Descriptions of the six intrinsic qualities are provided here. These definitions are sourced from the National Scenic Byways Program.⁸

Scenic

Scenic Quality is the heightened visual experience derived from the view of natural and manmade elements of the visual environment of the scenic byway corridor. The characteristics of the landscape are strikingly distinct and offer a pleasing and most memorable visual experience. All elements of the landscape--landform, water, vegetation, and manmade development--contribute to the quality of the corridor's visual environment. Everything present is in harmony and shares in the intrinsic qualities.

Archaeological

Archaeological Quality involves those characteristics of the scenic byways corridor that are physical evidence of historic or prehistoric human life or activity that are visible and capable of being inventoried and interpreted. The scenic byway corridor's archeological interest, as identified through ruins, artifacts, structural remains, and other physical evidence have scientific significance that educate the viewer and stir an appreciation for the past.

Cultural

Cultural Quality is evidence and expressions of the customs or traditions of a distinct group of people. Cultural features including, but not limited to, crafts, music, dance, rituals, festivals, speech, food, special events, vernacular architecture, etc., are currently practiced. The cultural qualities of the corridor could highlight one or more significant communities and/or ethnic traditions.

Historic

Historic Quality encompasses legacies of the past that are distinctly associated with physical elements of the landscape, whether natural or manmade, that are of such historic significance that they educate the viewer and stir an appreciation for the past. The historic elements reflect the actions of people and may include buildings, settlement patterns, and other examples of human activity. Historic features can be inventoried, mapped, and interpreted. They possess integrity of location, design, setting, material, workmanship, feeling, and association.

Natural

⁸ National Scenic Byways Program website: <http://www.scenic.org/issues/scenic-byways/intrinsic-qualities-for-byways-designation>

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Natural Quality applies to those features in the visual environment that are in a relatively undisturbed state. These features predate the arrival of human populations and may include geological formations, fossils, landform, water bodies, vegetation, and wildlife. There may be evidence of human activity, but the natural features reveal minimal disturbances.

Recreational

Recreational Quality involves outdoor recreational activities directly associated with and dependent upon the natural and cultural elements of the corridor's landscape. The recreational activities provide opportunities for active and passive recreational experiences. They include, but are not limited to, downhill skiing, rafting, boating, fishing, and hiking. Driving the road itself may qualify as a pleasurable recreational experience. The recreational activities may be seasonal, but the quality and importance of the recreational activities as seasonal operations must be well recognized.