



Land Use

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**BOULDER COUNTY PLANNING
COMMISSION**

MINUTES
May 17, 2017

AFTERNOON SESSION – 1:30 PM
Hearing Room, Third Floor,
County Courthouse, Boulder
{Approved June 21, 2017}

PUBLIC HEARING

AFTERNOON SESSION – 1:30 PM

On Wednesday, May 17, 2017, the Boulder County Planning Commission held a regular afternoon session, convening at approximately 1:32 p.m. and adjourning at approximately 5:15 p.m.

Commissioners Present: Ann Goldfarb, Natalie Feinberg Lopez, Sam Fitch, Doug Young, Dan Hilton, Sean Stewart, Leah Martinsson

Commissioners Excused: Ben Blaugrund, Lieschen Gargano

Boulder County Staff Present: Kathy Parker (Assistant County Attorney), Kate Burke, Kim Sanchez, Anna Milner, Steven Giang, Nicole Wobus, Amy Oeth, George Gerstle (Transportation), Norrie Boyd (Boulder County Housing Authority), Dale Case.

Others: 5 – 10

MINUTES

MOTION: Sam Fitch MOVED that the Boulder County Planning Commission APPROVE the Minutes from April 19, 2017 as written.

SECOND: Sean Stewart

VOTE: Motion PASSED {6 to 0} Abstained: Leah Martinsson

STAFF UPDATE(S) ON PROJECTS AND/OR DEVELOPMENT REVIEW ITEMS

Kim Sanchez, Chief Planner, provided 2 updates:

- 1) Oil and Gas update

- 30 2) Ben Blaugrund's resignation from Planning Commission and upcoming BOCC appointment;
32 BOCC appointed Gavin McMillan to replace Leah Martinsson on Planning Commission
 beginning in July when Leah moves.

Planning Commission Training Series

34 Kathy Parker, Assistant County Attorney, presented information on Planning Commission legal
36 advice. The presentation is available at the below location:

36 [http://bouldercountyco.suiteonemedia.com/web/Player.aspx?id=671&key=-1&mod=-1&mk=-](http://bouldercountyco.suiteonemedia.com/web/Player.aspx?id=671&key=-1&mod=-1&mk=-1&nov=0)
38 [1&nov=0](http://bouldercountyco.suiteonemedia.com/web/Player.aspx?id=671&key=-1&mod=-1&mk=-1&nov=0)

Draft Regional Housing Plan

40 Norrie Boyd, Boulder County Housing Division Manager, and Kathy Fedler, Housing and
42 Community Investment Division Manager, presented an overview of the Draft Regional Housing Plan
44 developed by the Boulder Regional Housing Partnership. Staff fielded questions and gathered input
46 from Planning Commission which will inform the final plan.

46 Presentation topics included: affordable housing goals and priorities; demographic and other data on
48 housing constraints and related community concerns in Boulder County; regional partnerships;
50 affordable housing strategies recently introduced in Longmont; financial resources and goals;
52 planning and policy recommendations; feedback from businesses; and the Regional Affordable
54 Housing Plan Summit anticipated for September 2017.

52 Planning Commission asked for greater detail on the City of Longmont's incentive based approach on
54 affordable housing. During their comprehensive plan update, the City of Longmont heard from
56 developers that they would be able to accomplish more affordable housing development if there was
58 more regulatory and process certainty. Some of the most notable innovations in Longmont's new
58 policies include changing the development code to allow by-right approvals of affordable housing
58 developments in certain designated areas, and fee waivers to incentivize private development of
58 affordable housing. The city is working on updating its development code to codify these processes.

58 Other topics discussed included:

- 60 • The importance of the regional jobs-housing imbalance, and that affordable housing goals
62 will be moving targets until policies better address job growth and induce more involvement
64 on the part of employers (e.g., dispersing job centers throughout the region, and linkage fees
64 for commercial development);
- 66 • Possibilities for increasing density and rezoning areas as appropriate, and recognition that
68 higher densities are welcomed in some areas;
- 68 • Employee housing for school districts and other focus areas;
- 70 • Why deed restricted properties lose affordability and should all assisted units be permanently
72 affordable;
- 70 • Policy preferences around integration of affordable housing;
- 72 • Recognition that the county's open space policies are part of the core values of the
72 community, but they place limits on land available for development, presenting both
72 opportunities for innovation (e.g., greater focus on redevelopment) as well as challenges;
- 72 • Prioritization of redevelopment (e.g., strip malls) over new development;

- 74 • Mixed perspectives on whether annexation of municipal influence areas should be considered as a last resort for development;
- 76 • Policies to protect the existing low income housing stock and the displacement of low income families in the region;
- 78 • Promoting a living wage within the community;
- 80 • Looking at opportunities to increase densities within Boulder by parcel (e.g., accessory dwelling units, etc.);
- 82 • Ensuring that heavy industrial land use properties do not fall into a category of underutilized parcels that can be developed for affordable housing;
- 84 • The percentage of home owners who are cost burdened;
- 84 • Interest in innovative funding strategies like a Housing Trust Fund;
- 86 • Tying affordable housing plans to sustainability and resiliency plans/efforts;
- 86 • Adding the Housing Update as a part of the Boulder County Comprehensive Plan update work plan.

Boulder County Comprehensive Plan – Overview of Update Process and Proposed Changes to Document Template

88 Steven Giang, Boulder County Long Range Planner, presented a brief overview of limitations
90 associated with the current set of Boulder County Comprehensive Plan (BCCP) documents and a
92 proposed approach to carry out ongoing updates to the BCCP. Staff provided information on issues
94 related to congruency of structure, design, and formatting across comprehensive plan sections. Staff
96 provided a summary of the four process tracks for updating the BCCP: 1) consolidating the most
94 current BCCP elements into a single document; 2) developing and applying a new document
96 template/design; 3) improving the BCCP website to allow for easy access of information from the
96 public; and 4) establishing a process for annual map updates.

98 The Planning Commission did not have feedback on the approach and process for the update but
100 stated that this update was long overdue and that they appreciate staff's efforts. One planning
102 commissioner stated he was particularly interested in reviewing the schedule of element updates for
102 when it is available. Steven explained that staff still needs to coordinate with specific departments to
102 prioritize and ensure that they are able to allocate proper staff time for a comprehensive plan update.

Docket BVCP-15-0001: Boulder Valley Comprehensive Plan (BVCP) Update – CU South

108 The purpose of this BVCP study session regarding changes to the land use designation for CU South
110 was to clarify information related to flood topics, describe Planning Commission's role, discuss
112 proposed guiding principles to inform future annexation, and discuss the amount of certainty that will
112 come with later stages following land use designations. Nicole Wobus, Boulder County Long Range
112 Planning Manager, and Phil Kleisler, City of Boulder Planner II, provided a presentation which was
112 followed by discussion among the Planning Commissioners and questions for staff.

114 A staff recommendation for land use changes to the property was not released before the Planning
116 Commission meeting, and therefore, could not be included in the staff report or presentation.
118 However, during the Planning Commission discussion, the City Council and Planning Board staff
118 report for the May 25 BVCP public hearing was posted and publicly available. At that point in the
120 discussion, staff was able to share the locations of the recommended land use changes: Area 5 on the
120 suitability diagram, which is most ecologically sensitive area on the property, would retain its current
120 Open Space-Other designation and the rest of the property would change to Public.

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Key themes and outcomes of the discussion include:

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Process and Decision Roles

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Topics addressed included the following:

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- Planning Commission’s decision role ends with a decision about land use designations. The county would provide a detailed referral comment (i.e., non-binding) during the potential future annexation process.
- The recommended designations are general in nature, allowing for a range of possible development outcomes. More specific limitations on development would be part of an annexation agreement and intergovernmental agreement between the city and CU.
- A Planning Commissioner questioned whether the land use designation decision should be deferred to the next BVCP 5 year update so that it is not rushed and could receive the full amount of attention that comes with a 5 year update.

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Flood Topics

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City flood staff answered questions about the status of flood mitigation engineering and provided context around the “Option D” mitigation concept approved by Council in 2015. City staff went over the following:

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- The South Boulder Creek Flood Mitigation Study looked at many potential flood mitigation concepts before arriving at Option D as the best option to pursue further.
- The Option D concept did originally assume the dam would be built to meet the state’s “high hazard” classification.
- As a high hazard dam, the dam would be designed so that it cannot fail catastrophically, and thus, it would provide more protection than what currently exists for adjacent neighborhoods.
- The city’s design standards (i.e., design for the 100 year flood event) are consistent with those recommended by the Urban Drainage and Flood Control District.
- The South Boulder Creek Flood Mitigation Study consultant estimated that Option D would have kept Hwy. 36 from overtopping in 2013. The 2013 flood was a lower intensity, long duration event, while Option D’s design is based on a shorter duration, more intense event. However, high volume is a characteristic of both, and volume is the key parameter for flood mitigation design.
- The process moving forward involves study and mitigation of groundwater and other impacts.

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One Commissioner highlighted that dam safety is under the purview of the state and it is not the Planning Commission’s responsibility to ensure dam safety.

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Transportation

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A road from Table Mesa to 93 was not considered as an option, due to concerns from neighbors, issues with safety and CDOT’s intersection standards, and potential for this to become a cut-through. County staff also does not support it because it would result in an increase in vehicle miles traveled, there are safety risks, and it conflicts with policies to advance multi-modal transport.

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Guiding Principles

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A few Planning Commissioners commented that staff’s draft guiding principles are very detailed and appear to take a great deal of information and perspectives into consideration. It was hard for Planning Commissioners to suggest changes to them given the information available and the breadth of work that staff has completed.

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Some positions expressed by individual Planning Commissioners included:

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- A preference for more detailed land use designations to provide greater certainty about the future of development on the property, or at least providing guiding recommendations/principles with the land use designations.
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- Interest in emphasizing the importance of using the property to serve flood mitigation purposes.
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- An interest in exploring more options for flood mitigation (i.e., the current guiding principles focus too heavily on Option D).

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ADJOURNED

Detailed information regarding these items, including maps and legal descriptions, is available for public examination at the Boulder County Land Use Department, 2045 13th St., Boulder, Colorado 303-441- 3930.

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