



Land Use

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**BOULDER COUNTY
BOARD OF COUNTY COMMISSIONERS**

Thursday, October, 4 2018 at 10:30AM

**Commissioners' Hearing Room, Third Floor
Boulder County Courthouse, 1325 Pearl Street, Boulder, CO**

**Authorization under Article 16-100 of the Boulder County Land Use Code for Text
Amendments to the Land Use Code related to the Site Plan Review Process for Development
Projects Requiring Floodplain Development Permits**

Staff: Harry Katz, Floodplain Permitting Specialist, Transportation Department
Christy Wiseman, Planner I, Land Use Department

Public testimony will not be taken – action requested

SUMMARY

Staff requests Board authorization to review and pursue potential text amendments to the Land Use Code (“the Code”) related to the Site Plan Review (SPR) process for projects requiring Floodplain Development Permits (FDPs) as identified in Article 4-802. The purpose of the Code amendments is to clarify and streamline existing requirements for projects requiring an Individual FDP. The resulting Code provisions will better match projects requiring an Individual FDP with the appropriate Land Use review process.

In 2016, DC-15-0004 introduced the General FDP. The General FDP is for projects and uses in the Floodplain Overlay (FO) District that have been determined by the County Engineer to have minimal or no impact on flood hazards. Projects permitted under the General FDP are exempt from needing a Site Plan Review (SPR) process.

Under the current Land Use Code, any project that is not covered under the county’s General FDP requires an Individual FDP, and triggers an SPR process. The SPR process is for addressing land use, environmental, and public safety-related impacts of a project. However, for some types of projects that require an Individual FDP, neither the county nor the applicant benefit from going through an SPR process as there are few if any land use impacts associated with the project.

The proposed Code changes would still provide an appropriate level of review of flood risk and land use impacts for development proposals, as called for in the goals and policies of the Boulder County Comprehensive Plan’s Natural Hazards Element. However, the amendments would better tailor the level of review to the type of project in question. This will make more efficient use of both the county’s and applicant’s resources by avoiding SPR processing time and fees for cases that would not benefit from such a process.

Specific text changes may include, but are not limited to: 1) identifying specific types of projects that require an Individual FDP that would be exempt from the SPR process, or eligible for an SPR

Waiver; 2) clarifying required Land Use processes for replacement stream crossings and bridges (Article 4-802.B.3.).

Staff will make any other revisions necessary to integrate the changes throughout the Code. Some organizational changes and updates to the existing language may also be needed to make the Code easier to navigate and to utilize.

ACTION REQUESTED

Staff requests the Board of County Commissioners authorize staff to pursue text amendments to the Boulder County Land Use Code related to the Site Plan Review process for development projects requiring Floodplain Development Permits.