



# DRAFT



## THE BOULDER COUNTY COMPREHENSIVE PLAN

Adopted XX 2020







# ACKNOWLEDGEMENTS

Boulder County thanks the residents, businesses, and other stakeholders who contribute valuable input to guide ongoing updates to this Comprehensive Plan. Special thanks also go to staff from all county departments who participate in Plan updates and who work each day to implement the Plan.

## **Board of County Commissioners (BOCC)**

Deb Gardner

Elise Jones

Matt Jones

## **Planning Commission (PC)**

Mark Bloomfield

Sam Fitch

Leischen Gargano

Ann Goldfarb

Dan Hilton

Sam Libby

Gavin McMillan

Melanie Nieske

Todd Quigley

## **Document Preparation**

inReach Graphics

*Cover Photo: Hall Ranch  
Open Space, Michael Lohr*

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# **PLAN** **FRAMEWORK**

- I. Introduction
- II. Guiding Principles
- III. Countywide Goals

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# IN

## I. INTRODUCTION

The *Boulder County Comprehensive Plan (BCCP)* reflects Boulder County's tradition of serving as a leader in environmental and land stewardship, along with the county's commitment to sustainability, climate resilience and equity. The BCCP was developed to respond to the widely accepted principle that the county will make decisions affecting the future of the county's lands in a coordinated and responsible manner. Since its initial adoption in 1978, the overall philosophy of the Plan has changed very little; the county's vision is to channel growth to municipalities, to protect agricultural lands, and to prioritize preservation of our environmental and natural resources in making land use and related decisions. The Plan's Guiding Principles, adopted in 2012, expand upon this longstanding vision to recognize the critical importance of factoring social equity into decision making, and weighing the interconnections among social, environmental and economic factors in all decisions.

The Plan is a living document. As circumstances change over time, so do the tools available to accomplish the goals and policies of the Plan. Staff engages in public processes to update elements of the Plan over time to

respond to changing conditions while still upholding the Plan's foundational principles.

### A. Purpose & Role of the Plan

The Plan is intended to serve as a policy reference for all decisions affecting land use and community planning in Boulder County. This includes operational and program planning decisions by leadership across all county departments, open space acquisition, transportation planning, long range land use planning, housing, and other topics. The Plan is most commonly referenced in the development review process because the Boulder County Land Use Code requires that land use decisions are consistent with the Plan. However, the intent is for the Plan's goals and policies to serve as a guide for strategic and master planning efforts county-wide.

The Plan is advisory in nature. Circumstances may arise that the Plan does not directly address, and occasionally aspects of one goal may conflict with those of another. The Plan provides guidance in the decision making process, but not the "final word." It is the

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*The Boulder County  
Comprehensive Plan  
was first adopted in  
1978.*

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responsibility of decision makers to balance a range of goals and policies in the context of a specific case. There is no formulaic path to accomplish this; it is not a matter of counting policies that support one factor versus another, but rather an exercise in determining the outcome that best reflects the Plan's overall Guiding Principles given the unique circumstances of the situation.

*Growth in the Denver-Metro region has encouraged planners to examine the impacts of varying growth management scenarios at a regional level.*

Land use management tools available to implement the goals and policies of the Plan on a case-by-case basis include, but are not limited to:

- The Boulder County Land Use Code, including Site Plan Review, Transfer of Development Rights and Transfer of Development Credits, and other regulatory programs.
- Specific Intergovernmental Agreements and Development Plans
- Open Space Acquisitions

## B. Cross-Cutting Themes: Sustainability, Climate Action & Equity

Sustainability, climate action and equity are far-reaching in scope, inter-related and closely linked to the Plan's Guiding Principles and the county's core values. The county strives to serve as a leader in these areas, and they are central topics to consider in addressing the challenges facing the county in the 21st Century. Therefore, these themes cut across the entire Plan, and they are intended to be the lens through which the reader views every component of the Plan. Each theme has a level of complexity and can have multiple relationships with or impacts on other areas or policies. Equity Planning recognizes this and tries to provide opportunities and resources to access the system and structures to produce systematic change. Plan elements are updated on a rolling basis; some elements may not yet explicitly reference these themes, though the reader should consider them when interpreting all goals and policies within the Plan.

In addition to these core cross-cutting themes, the Plan addresses a variety of other key topics in multiple locations within the Plan. This is a result of the county's holistic planning approach and the inherent inter-relatedness of key topics. Each element has a focal topic or topics, but may also address other content as it relates to the focal topic. For example, the Housing element has content that addresses building safety, and the Public Health element has content recognizing housing as a social determinant of health. Similarly, there is an element focusing exclusively on agriculture, and there are references to agriculture throughout numerous other elements including Public Health, Housing and Economics. In addition, natural hazards are addressed both in the Natural Hazards and the Geology elements. This content overlap helps highlight the interrelatedness of topics and ensure that important topics are not overlooked in decision making.

### DEFINITIONS

**Sustainability:** The use, development, and protection of resources in a way that enables Boulder County residents to meet their needs and maintain a high quality of life, without compromising the ability of future residents to do the same, while ensuring protection and enhancement of naturally occurring ecosystems and their native species populations.

**Climate Action:** Achieve rapid and deep greenhouse gas emission reductions and strengthen resilience and adaptive capacity to climate-induced impacts.

**Equity:** Equity is the just distribution of the resources and opportunities needed to achieve equitable outcomes for everyone in a community. Equity is reached through the systemic implementation of policies, practices, attitudes and cultural messages that create and reinforce equitable outcomes for all people. Work to achieve equity and dismantle racial, economic and health inequity needs to occur on three distinct levels-individual, institutional, and structural.



## C. Relationship between the Plan & the Boulder County Land Use Code

The Boulder County Land Use Code was adopted in 1994 as a comprehensive regulatory document. It is a compilation of regulations that control land use in the unincorporated areas of the county. The Code defines zoning districts where uses and their intensities are defined. In addition, it establishes the process for subdivisions, site plan review, development standards, and other land use procedures. These types of development regulations in the county have a long history. In fact, the first Boulder County Zoning Resolution was adopted fifty years earlier, in 1944.

Review criteria for land use approval processes within the Boulder County Land Use Code (e.g., the Site Plan Review, Special Review and Limited Impact Special Review processes) require that proposed uses be consistent with the Plan.<sup>1</sup>

## D. State Statutory Background

The Boulder County Comprehensive Plan is adopted pursuant to C.R.S. 30-28-106. This Colorado statute states that it is the duty of county planning commissions to make and adopt a master plan for the physical development of the unincorporated area within the county. Besides this important statutory provision, there are several other state laws that are the basis for the Plan's ideas.

Part 2 of Article 1 of Title 29 of the Colorado Revised Statutes authorizes local governments to enter into contractual agreements, or intergovernmental agreements, for the purpose of planning or regulating the development of land, including but not limited to the joint exercise of planning, zoning, subdivision, building and related regulations. This statute provides the basis for the Boulder County Intergovernmental Agreements addressed in this document.



### Intergovernmental Agreement with the City of Boulder

Boulder County is also a party to the Boulder Valley Comprehensive Plan, a comprehensive plan that has a planning area encompassing the City of Boulder and its immediate environs and guides land use decisions in the Boulder Valley. In 1977 the city and county approved an intergovernmental agreement and the Boulder Valley Comprehensive Plan to concentrate urban development in the city and preserve the rural character of the lands outside of the city Service Area.

The Plan also references two legislative actions that have significantly impacted land use planning at the county level. Senate Bill 35, adopted in 1972,

required property owners dividing their parcels into land areas of 35 acres or smaller to undergo a county subdivision review process. House Bill 1041, adopted in 1974, authorized county review of proposals that were deemed to be of “state interest.” In Boulder County, these are typically utility proposals or other public/quasi-public expansions of facilities.

## E. Intergovernmental Agreements

Colorado government has a long history of local control over planning issues versus a more regional approach as seen in states where the state government or county governments have authority to control the land use decisions of municipalities. In Boulder County, each municipality has the authority to make their own plans, annex land, and develop without approval of the county. Intergovernmental Agreements (IGAs) balance the concept of local control with the need to plan for regional impacts



View of Long's Peak

because the IGA plans are jointly created and voluntarily adopted by the involved governments.

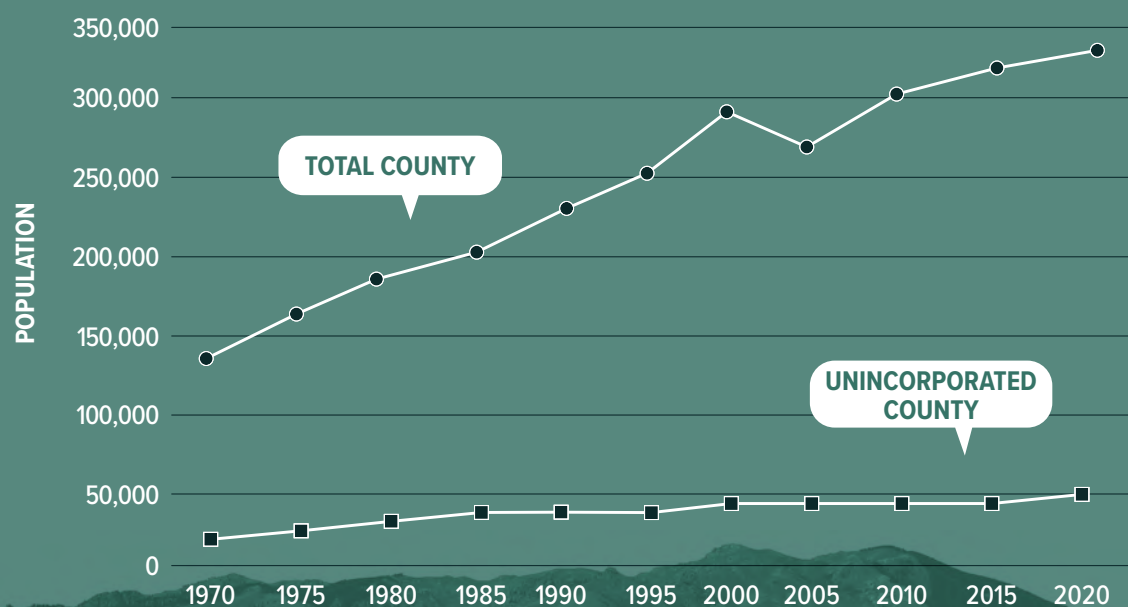
IGAs between Boulder County and one or more cities are used to address land use planning issues in a specific geographic area. IGAs are similar to localized comprehensive or master plans, but instead of being advisory like the Boulder County Comprehensive Plan, IGAs are legally binding contracts between the governmental entities.

Boulder County has entered into IGAs with municipalities for comprehensive planning, open space acquisition planning, Transfer of Development Rights, and historic preservation, just to name a few. In addition, the county has joined in an IGA with four other Front Range counties to plan for the Rocky Mountain Backdrop.

Information on the county's land use-related IGAs is available at: <https://www.bouldercounty.org/property-and-land/land-use/planning/intergovernmental-agreements-iga/>.



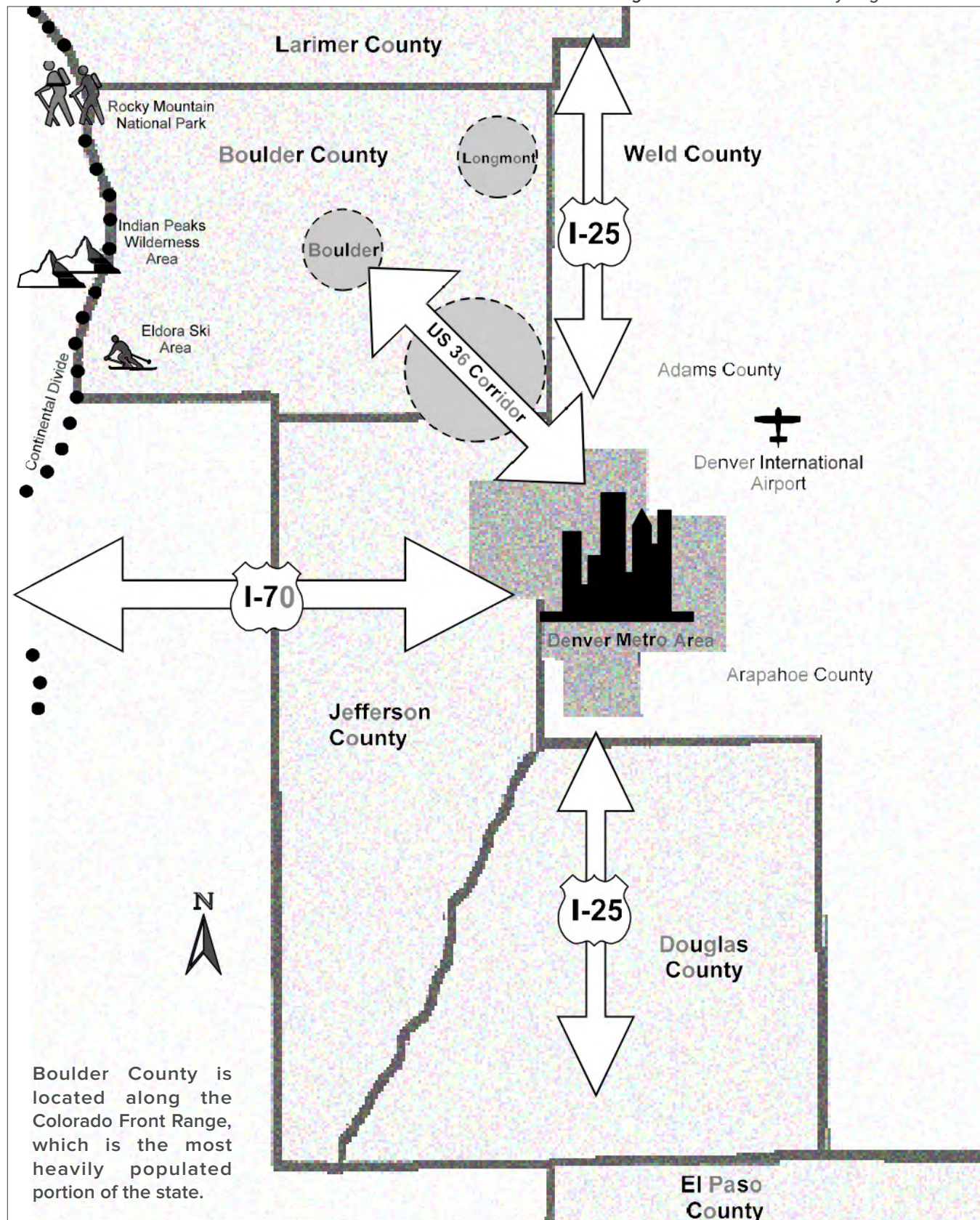
## BOULDER COUNTY POPULATION 1970 - 2020 (TOTAL & UNINCORPORATED AREAS)



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Figure IN-1. Boulder County Regional Context





## F. Regionalism & Jurisdiction

Before Colorado was even a state, political boundaries were established showing territories, counties, mining districts, and towns. Today's mobile society still recognizes political boundaries conceptually, but the boundaries no longer play a dominant role in determining where a person will shop, work, and live. The number of jobs in one city are not always balanced with the number of affordable dwellings. A new mall in a neighboring county might pull shoppers away from the older shopping areas. The end result is that planning decisions must be made with an understanding of how the neighboring region is impacted.

Boulder County is part of the Denver Metro area. To better understand the forces that push and pull people throughout the region, see Figure IN-1 for Regional Context. The map shows major transportation routes, employment centers, recreational areas, and other activity centers. The Plan's Open Space and Public Lands map is also provides important context, demonstrating the complexity of ownership patterns, particularly in the mountains. Federally held National Forest land is interspersed with mining claims. Often, people do not realize that pockets of private land exist within the National Forest. Furthermore, open space lands

owned or under management by the county or a municipality make up a substantial land area and are an important part of the ownership pattern in the county.

The county has a long history of working with its municipalities and neighboring communities on regional housing challenges. The county and its regional partners achieved a significant milestone in 2017 with completion of a Regional Housing Plan that set affordable housing targets for the region. [Note: see Regional Housing Plan text box in Housing element for additional info.]

### REGIONAL EMPLOYMENT & COMMERCIAL CENTERS

Denver and Boulder traditionally have been the regional employment and commercial centers for Boulder County. However, during the 1990s, increased development along the US 36 Corridor and in Longmont have changed the pattern of where people live, work, and shop.

### OUTDOOR RECREATION & OPEN SPACE

Boulder County open space areas and parks draw people from the Denver Metro area. Rocky Mountain National Park attracts visitors from across the Nation and the world.

*Couple Walking on Coal Creek Trail*

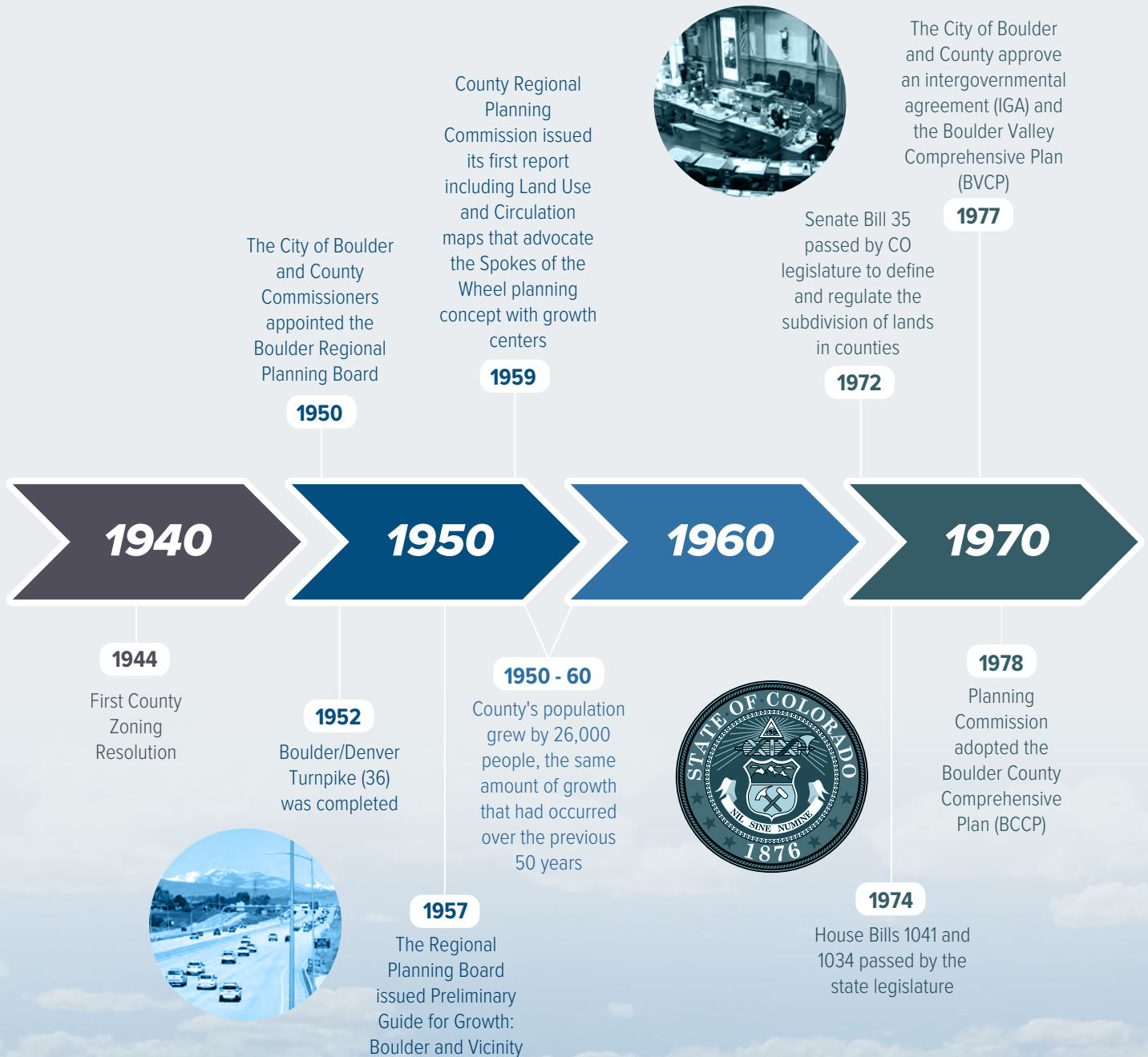


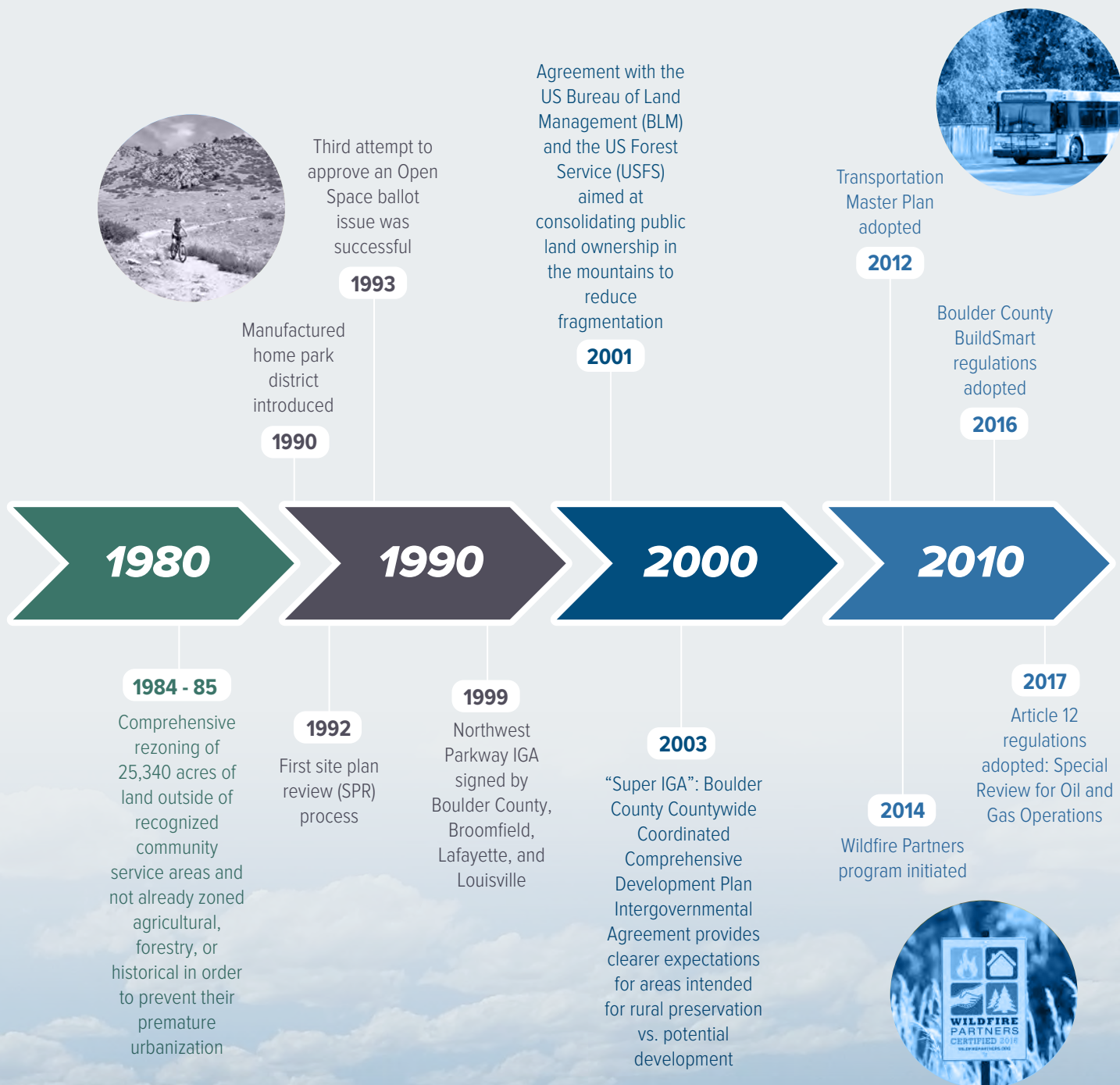


## G. History of Planning in Boulder County

The timeline shown here provides an overview of important milestones in Boulder County's planning history. In the 1990s, Boulder County continued to further regional solutions to achieve the goals of

the Plan through increased regional cooperation. At this time, careful design and planning on all lands in unincorporated Boulder County was emphasized. These two areas of focus resulted in a range of programs from Intergovernmental Agreements between governmental entities to the development of Site Plan Review for all new dwellings.









## H. Organization of Plan

The core components of this Plan are its topic-focused chapters, or elements. Each topic-focused element includes goals and associated policies. The elements are organized into those that are county-wide in scope and those with a geographic focus. Following this Introduction is a compilation of goals from all the county-wide elements. That summary of county-wide goals serves as an executive summary for the document, as it provides a high-level overview of the policy content contained within the Plan. The Plan also includes information on the Plan amendment process and history and a summary of related resources.

### Background Research

Background research to support the goals and policies of the Plan can be extensive and is not included in the Goals, Policies, & Maps document. This background research is public information, however, and can be reviewed by contacting the Community Planning & Permitting Department.

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#### ENDNOTES

- <sup>1</sup> Article 12, Special Review for Oil and Gas Regulations, is the one exception; when the most recent oil and gas-related content in the Plan was drafted in 2012 it set forth higher standards for the protection of health and the environment than the state called for at that time.



# GP

## II. GUIDING PRINCIPLES

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

1

Consider and weigh the **interconnections** among **social, environmental, and economic** areas in all decisions.

2

Encourage and promote the respectful **stewardship** and **preservation** of our **natural systems and environment** by pursuing goals and policies that achieve significant reductions in our environmental footprint.

3

Create policies and make decisions that are responsive to issues of **social equity, fairness, and access to community resources** for all county residents.

4

Encourage and support a **dynamic, stable, and flexible local economy** that distinguishes between urban and rural economies and directs uses to appropriate locations.

5

Maintain the **rural character and function of the unincorporated area of Boulder County** by protecting environmental resources, agricultural uses, open spaces, vistas, and the distinction between urban and rural areas of the county.

6

Encourage and promote **regional cooperation and coordination** in working with other entities and jurisdictions.

7

Actively engage the **public** in the planning process.





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## III. COUNTYWIDE GOALS

### A. Introduction

The statements contained herein represent goals for future land uses within Boulder County. The challenge is to develop a Comprehensive Plan which encompasses 750 square miles of land with a diversity of geologic characteristics: alpine tundra, wooded mountain terrain and sweeping plains. A variety of uses further characterize the county with wildlife habitat, modern-day mountain settlements, urban developments, industry, farming, and natural and man-made historical features including remnants of mining camps. The county must strive toward maintaining a region of beauty and functional fitness that enhances the quality of life for all residents and visitors.

One primary concern must be fair resolution of conflicting individual interests while providing the maximum opportunities for individual self-development. All institutions – political, social, economic, and educational – must work together to further enhance the dignity of the citizen and permit the maximum opportunities for individual choice. The people within the county vary in their interests, values, desires, and accordingly, in their perception of what is “needed”. Public involvement is,

therefore, essential in the development, interpretation and implementation of these goals.

These broad stated goals are the foundation on which land use policies and proposals have been constructed to help provide a means for satisfying some of these specific and widely differing individual interests and for integrating them on a countywide basis through the vehicle of the Comprehensive Plan.

### B. Standalone Goals<sup>2</sup>

#### DESIGN OF THE REGION

**1. Cluster Development.** Future urban development should be located within or adjacent to existing urban areas in order to eliminate sprawl and strip development, to assure the provision of adequate urban services, to preserve agriculture, forestry and open space land uses, and to maximize the utility of funds invested in public facilities and services.

**2. Appropriate Rate of Growth.** Existing communities should grow at whatever rate they consider desirable,

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*These broad  
stated goals are  
the foundation on  
which land use  
policies have been  
constructed.*

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within the limits of what is acceptable to the citizens of areas potentially affected by that growth, and to the citizens of the county, while preserving and improving the quality of life and the aesthetic and functional fitness of land uses within the county.

**3. Land Use Patterns.** Diverse, compatible, and functional land use patterns should be established and, when necessary, revised to prevent urban and rural decay.

**4. Employment & Housing.** Within Community Service Areas a suitable balance between employment opportunities and available housing, in light of the labor force and other demographic characteristics of the community, should be established and maintained.

## COMMUNITY FACILITIES

**1. Water.** Preservation and utilization of water for agricultural purposes within the county shall be encouraged.

**2. Community Facilities & Land Capacity.** A functional balance between community facilities and potential land capacities (population) should be maintained.

**3. Development.** Development should not place undue burdens on any existing community.

**4. Urban Services.** Cooperation or consolidation of urban services among municipalities, special districts and companies should be encouraged, when appropriate, to avoid duplication and overlapping costs and to establish a satisfactory level of quality, quantity and dependability of those services. The proliferation of special purpose districts should be discouraged.

**5. Facilities & Services.** Adequate facilities and services which provide diverse educational, cultural, and social opportunities should be encouraged.

**6. Facilities & Services.** Adequate facilities and services to assure the health, safety and welfare of all citizens should be promoted.

## PUBLIC INVOLVEMENT

**1. Public Participation.** The county shall encourage public participation in the making of decisions by public and quasi-public bodies which significantly affect citizens.

*Scene from East Boulder County  
Neighborhoods & Rural Subdivisions*





## GOVERNMENT RELATIONS

**1. Environmental Impacts.** Minimize Environmental Impacts. Minimize the negative environmental impacts of the transportation system such as air pollution, greenhouse gas (GHG) emissions, noise pollution, water pollution, land and wildlife habitat fragmentation, land disturbance, and resource consumption.

## C. Goals Compiled from Countywide Elements<sup>3</sup>

### AGRICULTURAL RESOURCES

**1. Cluster Development.** Future urban development should be located within or adjacent to existing urban areas in order to eliminate sprawl and strip development, to assure the provision of adequate urban services, to preserve agriculture, forestry and open space land uses, and to maximize the utility of funds invested in public facilities and services.

**2. Foster a Diverse Agricultural Economy.** Agricultural enterprises and activities are an important sector of the Boulder County economy and the county shall foster and promote a diverse and sustainable agricultural economy as an integral part of its activities to conserve and preserve agricultural lands in the county.

**3. Conserve & Preserve Land.** Productive agricultural land is a limited resource of both environmental and economic value and should be conserved and preserved.

**4. Preserve Water for Agricultural Uses.** Preservation and utilization of water for agricultural purposes within the county shall be encouraged.

### CULTURAL RESOURCES

**1. Identify & Protect.** Boulder County identifies and protects cultural resources which meet national, state, or local criteria for historic designation from destruction or harmful alteration.

*Youth Corps Historic Preservation Team in front of Geer Cabin, Heil Valley Ranch, Altona*



**2. Educate & Offer Incentives.** Whenever possible, Boulder County furthers the goal of cultural resource preservation using education and incentives in lieu of regulatory controls.

### ECONOMICS

**1. Value.** Boulder County values a balanced approach to achieve a vital regional economy that aligns with the Guiding Principles of the Comprehensive Plan.

**2. Steward.** Boulder County stewards its economy through sound regulations and collaboration.

**3. Preserve & Enhance Local Assets.** Boulder County purposefully preserves and enhances its major assets in promoting a vital regional economy.

**4. Engage.** Boulder County proactively engages the public and stakeholders in fostering a vital regional economy.



## ENVIRONMENTAL RESOURCES

**1. Conserve & Preserve.** Boulder County shall conserve and preserve environmental resources including its unique or distinctive natural features, biodiversity, and ecosystems through protection and restoration in recognition of the irreplaceable character of such resources and their importance to the quality of life in Boulder County.

**2. Sustain & Protect.** Boulder County sustains and protects native species, natural ecosystems and the biodiversity of the region by designating High Biodiversity Areas, Natural Areas, Natural Landmarks, Significant Natural Communities, Critical Wildlife Habitats, Species of Special Concern, Wetlands, Riparian Areas, and Rare Plant Areas. Other resources and designations may be identified in the future. These designated areas and species lists also provide a point of reference for continued monitoring of long-term ecological change.

### **3. Promote Ecosystem Viability & Integrity.**

Boulder County shall promote the viability and integrity of all naturally occurring ecosystems and their native species populations by applying a variety of environmental resources management strategies in a manner that is consistent with current ecological principles and sustainable conservation practices.

**4. Recognize Climate Change.** Boulder County recognizes that climate change is having significant impacts on our environmental resources. As the body of climate science knowledge grows and potential effects are better understood, Boulder County shall incorporate the best scientific information into planning and decision-making to adapt to and offset those impacts.

**5. Enhance Environmental Health.** Boulder County shall continue to protect air, water and soil resources and quality, as well as restore resources in a degraded condition to enhance overall

environmental health. Pollution of air, water, and soil, and pollution caused by noise or light, shall be eliminated or minimized to the greatest extent possible in order to prevent potential harm to life, health and property, and to reduce incremental degradation of the environment.

**6. Protect Natural Landmarks.** Boulder County shall continue to protect prominent natural landmarks and other unique scenic, visual and aesthetic resources in the county.

**7. Conserve & Preserve.** Boulder County shall conserve and preserve Environmental Conservation Areas (ECAs) in order to perpetuate native species, biological communities, and ecological processes that function over large geographic areas and require a high degree of connectivity to thrive.

**8. Protect Environmental Resources.** Boulder County shall protect environmental resources both at the site-specific scale and landscape scale through a variety of means such as partnerships with private landowners, nongovernmental organizations, and other governmental agencies; education and outreach; advocacy at the state and federal level; and other programs consistent with the goals and policies of the Comprehensive Plan.

## HOUSING

**1. Value.** Boulder County is an inclusive, culturally responsive community that values, respects, and seeks to support the housing needs of all individuals while adhering to the Guiding Principles of the Comprehensive Plan.

**2. Advocate & Support.** Boulder County supports strategic and collaborative interventions at the local, regional, state, and federal levels to address the availability, accessibility, and preservation of affordable housing.

**3. Act on Values.** Boulder County's housing-related regulations and decisions reflect the county's values and the Guiding Principles of the Comprehensive Plan.

**4. Engage.** Boulder County actively engages and collaborates with stakeholders and partners to promote the values of affordable living and address the community's housing needs.

## NATURAL HAZARDS

**1. Reduce Pollution & Degradation.** Air, water and noise pollution and overall environmental degradation should be reduced as much as possible or eliminated in order to prevent potential harm to life, health and property.

**2. Limit Inappropriate Development.** Inappropriate development in natural hazard areas should be reduced as much as possible or eliminated in order to minimize potential harm to life, health and property.

**3. Mitigate Existing Areas at Risk.** Efforts to mitigate existing areas at risk to the impacts of natural hazards and disasters should be made to minimize the potential for harm to life, health, and property.

## OPEN SPACE

**1. Protect.** Boulder County recognizes and protects open space for its contribution to an exceptional quality of life.

**2. Conserve.** Boulder County conserves the rural character of the unincorporated county by protecting and acquiring lands and waters embodying significant open space values and functions.

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

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

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



## PUBLIC HEALTH

### **1. Foster Healthy Families & Communities.**

Boulder County values and creates environments that foster healthy families and communities.

### **2. Promote Safe & Healthy Recreation & Connections to Nature.**

Boulder County collaborates with partners and municipalities to promote safe and healthy recreation and access to open spaces and nature that support physical and mental health.

### **3. Support Transportation Safety & Accessibility.**

Boulder County supports transportation infrastructure and programs that are safe and accessible for all residents regardless of geography or transportation mode to improve mobility options for all.

### **4. Preserve Regional Agriculture & Local Food Systems.**

Boulder County supports the local food system, access to affordable healthy food, and community farming to preserve regional agriculture and increase communities' health and resiliency.

### **5. Create, Conserve & Preserve Existing Affordable Housing.**

Boulder County recognizes safe, stable and healthy housing as a social determinant of health and prioritizes the creation, conservation and preservation of existing affordable housing to align with the county's affordable housing goals.

### **6. Promote Healthy & Safe Structures.**

Boulder County supports efforts to ensure that structures have healthy indoor air quality, structural integrity and reasonable safety features to protect occupants.

**7. Address Climate Change.** Boulder County works to minimize and mitigate the negative effects of climate change-driven hazards on physical, mental, and environmental health.

**8. Engage, Educate & Collaborate.** Boulder County actively engages and collaborates with stakeholders and partners to promote public health values.

## SUSTAINABILITY

### **1. Promote Outcomes Consistent with Principles of Sustainability.**

The county recognizes and accepts that weighing individual wants and needs with those of the larger public and society is a complex but essential responsibility of government. Implementing the Comprehensive Plan involves the need to balance competing goals and policies in cases where they cannot be harmonized. With that understanding in mind, Boulder County's land use management tools and practices should be designed to promote decisions and actions supporting outcomes that are consistent with the principles of sustainability.

### **2. Develop Programs & Initiatives to Meet Needs of Diverse Areas.**

Boulder County contains a highly diverse and complex mixture of ecosystems, landforms, development patterns, human activities, cultural and economic characteristics and jurisdictions. While the principles of sustainability bind them all together, the county recognizes that the development of programs and initiatives specifically designed to meet needs within different areas of the county may be warranted and appropriate.

### **3. Address Wasteful Resource Practices & Identify Constituencies & Partners in Sustainability Efforts.**

Sustainability actions or programs undertaken by the county should address the following factors:

- the origins or causes of wasteful resource practices as well as the harmful effects of such practices;
- the interrelationship of systems and forces that dictate how resources are used, and;
- the social constituencies and partners that should be involved in and served by sustainability efforts.

### **4. Identify & Implement Actions to Diminish Greenhouse Gas Emissions.**

The county considers global climate change to be a matter of paramount concern and a potential threat to any sustainability efforts that may be undertaken. In recognition of this concern and to implement the Board of County Commissioners' Resolution

2005-137 regarding a Sustainable Energy Path for Boulder County, the county should take a leadership role in identifying and implementing actions that will lead to a diminishment in the county's contribution to total greenhouse gas emissions from both stationary and mobile activities or sources through an increase in energy efficiency, a reduction in vehicle miles traveled a reduction in waste generation, and other measures.

**5. Preserve the Built & Contextual Character.** The preservation of the built and contextual character of Boulder County's diverse rural landscapes, neighborhoods and communities should be fostered and promoted through encouraging participation by the residents and property owners in those areas to identify the characteristics that are of importance to them and assist in development of land use strategies and tools for maintaining those characteristics.

**6. Foster & Promote Resources of Open & Rural Lands.** The preservation and viability of the increasingly precious resources of open and rural

lands, whether devoted to agriculture, forestry, open space, or plant and wildlife habitat, as well as the sustainability of uses that provide for the long-term preservation of such lands, should be fostered and promoted through innovative regulatory and acquisition programs, public-private partnerships, and public education, outreach and participation.

## **7. Further the Achievement of Zero Waste.**

Conversion and recycling of waste materials into useful products, as well as reductions in the generation of waste streams, are recognized as sustainability actions providing benefits to society and the environment. With the adoption of Resolution 2005-138 by the Board of County Commissioners, the county has committed itself to a Zero Waste program as a guiding principle for all county operations and for outreach and actions on a countywide scale. The policies of the *Boulder County Comprehensive Plan* should therefore be applied in a manner that furthers achieving a Zero Waste outcome.

*Welch Conservation Area*







**8. Promote Use of Renewable Resources in Construction.** Efficient use of renewable resources and the reduction in consumption of non-renewable resources used in construction and its associated infrastructure should be promoted through policy and education and implemented as appropriate through regulations.

**9. Provide & Promote Sustainability Practices and Techniques.** Opportunities for individuals and institutions to design, develop, and apply sustainability practices and techniques should be provided and promoted.

**10. Protect Natural Assets.** The county's rich and varied natural features, scenic vistas, ecosystems, and biodiversity should be protected from further intrusion, disruption, consumption and fragmentation.

**11. Measure Success or Shortcomings.** To assess progress in meeting the goals and policies for sustainability, the county should develop benchmarks or indicators that will measure successes or shortcomings in these efforts and report them to the public.

**12. Advance Principles & Practices of Sustainability across the County.** The county should continue to engage in conversations and development of partnerships with the public and private sectors through intergovernmental agreements, memoranda of understanding, public outreach and information programs, and other initiatives or relationships to advance the principles and practices of sustainability across the county.

**13. Support Locally Available Resources.** The county should promote and support the use of local products, technologies, expertise, and other locally available resources that contribute to the advancement of these goals.

**14. Incorporate Policies to Implement Sustainability Goals.** The county should continue to analyze all county activities and responsibilities for areas where this Element could incorporate policies to implement the sustainability goals, and to add those policies through a public process as appropriate.



## SUSTAINABLE MATERIALS MANAGEMENT (SMM)

**1. Promote & Uphold the County's SMM Values.** Boulder County promotes SMM in its actions, policies, and decision-making countywide. The county values SMM for its environmental protection, including greenhouse gas emission mitigation, its economic soundness, and its contribution to community vitality and quality of life. SMM prioritizes diversion practices that best preserve the inherent value of the resources used.

**2. Facilitate SMM.** Boulder County purposefully facilitates SMM activities taking place across the county through countywide planning, management, and education functions, including its active role in providing zero waste services.

**3. Maintain & Apply Criteria for Implementation.** Boulder County maintains and applies criteria for ensuring SMM principles are reflected at all stages of facilities development, planning processes, and policy implementation.

**4. Gather Input & Collaborate with Stakeholders & Partners.** Boulder County actively engages the public to solicit input on policies and practices related to SMM and resource conservation.

## TRANSPORTATION

**1. Provide a Multimodal Transportation System.** Plan, design, construct, manage, and maintain the Boulder County transportation system to be efficient, safe, convenient, and appealing for pedestrians, bicyclists, transit riders, motorists, and other users. Provide convenient and affordable mobility options for all users irrespective of ability, income, or personal vehicle ownership.

**2. Facilitate Regional Collaboration & Coordination.** Work closely and proactively with the communities within the County and other local, state, and regional agencies to develop a sustainable land use and transportation system.

**3. Optimize County Facility Management & Maintenance.** Maintain and operate County transportation facilities at the highest level of

quality, commensurate with available resources and consistent with the goals of the Comprehensive Plan. The County's investment in the existing transportation system shall be protected by emphasizing maintenance of existing facilities.

**4. Move People.** Implement a transportation system that moves people safely and effectively independent of an assumed mode of travel.

**5. Minimize Reliance on Fossil Fuels.** Foster a transportation system that reduces demand for and reliance upon petroleum.

**6. Provide Safe & Environmentally Compatible Transportation Improvements.** Require all transportation improvements to uphold the goals of the Comprehensive Plan.

**7. Secure Funding in an Equitable Manner.** Explore multiple funding sources to serve citizens and meet countywide transportation needs in a fair and equitable manner.

**8. Foster a Community Connection.** Preserve, highlight, and enhance the County's rural character, environment and rich history.

**9. Ensure Transportation System Access for Low-Income, Elderly, & Mobility-Impaired Populations.** Work to create a transportation system that provides affordable and convenient transportation options for all income levels and special mobility populations.

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### ENDNOTES

<sup>1</sup> A December 2019 update to these Countywide Goals brought this content more closely into alignment with the goals listed in the currently adopted elements of the BCCP. Previously, some content in the Countywide Goals differed from the goals included in specific elements, and/or did not reflect the most recently adopted version of an element. The 2019 update did not include any changes to the introduction to the Countywide elements or to Standalone Goals.

<sup>2</sup> Standalone Goals are those that do not correspond to a specific element of the BCCP. These goals pre-date the 2019 update to the Countywide Goals content.

<sup>3</sup> There are no BCCP goals specific to the following countywide elements, and thus there are no goals included here that focus on these topics: Land Use Surrounding Airports, Fire Protection, Geology and Telecommunications.



# COUNTYWIDE ELEMENTS

- |                                    |   |
|------------------------------------|---|
| I. Agricultural Element            | X. Open Space Element                         |
| II. Airports Element               | XI. Public Health Element                     |
| III. Cultural Resources Element    | XII. Sustainable Materials Management Element |
| IV. Economics Element              | XIII. Sustainability Element                  |
| V. Environmental Resources Element | XIV. Telecommunications Element               |
| VI. Fire Protection Element        | XV. Transportation Element                    |
| VII. Geology Element               | XVI. Water Element                            |
| VIII. Housing Element              | XVII. Additional Countywide Policies Element  |
| IX. Natural Hazards Element        |   |

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# AG

## I. AGRICULTURAL ELEMENT

### A. Introduction

Agricultural Land is a non-renewable resource. Once public and private decisions are made that result in the conversion of agricultural land and/or water to non-agricultural uses, this vital resource is almost always irretrievably lost.

Since 1959, the Front Range has been consuming agricultural land for other purposes at an average of 60,000 acres per year. Between 1959 and 1974, Boulder County led the State of Colorado in this category, a fact that formed one of the core reasons for the eventual development of the original edition of the *Boulder County Comprehensive Plan*. Trends and forces promoting the agricultural land conversion, including the influence of the state subdivision law known as Senate Bill 35, are amply documented in the 1978 Plan.

A 1985 Colorado State University-Boulder County Agricultural Survey revealed that the number one factor discouraging continued agriculture was not market economics, but the stresses and impacts created from urban influences. Since 1978, over 18,000 acres or 28 square miles of agricultural lands have been annexed into the eight

Boulder County municipalities located on the Plains. In combination with other land use activities, farm acreage in the county decreased from 287,466 in 1959 to 155,488 in 1987 and then slightly increased to 157,493 in 1992.

Another survey, conducted by the county Community Planning & Permitting Department in 1991, suggested that commodity prices and land speculation affecting property taxes had moved ahead of urbanization as the "...major hindrances to farming in Boulder County", although urban impacts and the loss of nearby agricultural support services remained high on the list of deterrents to continued agricultural activity. In combination, these pressures led to larger farms being carved up into 35-acre tracts, which by state statute are exempt from any subdivision review and design requirements, and sold to nonagricultural interests. This fragmentation has further complicated the viability of continuing traditional agriculture.

In spite of this discouraging array of statistics and pressures, Boulder County has pursued a number of methods to stem the loss of agricultural lands with varying degrees of success. Working with

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*Between the years  
1978 and 1997,  
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agricultural land has  
been annexed into  
Boulder County's  
municipalities.*

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representatives of the agricultural community and following the policy direction established in the 1978 Comprehensive Plan, the county adopted a non-urban planned unit development process (NUPUD) in 1979. In simple terms, this form of subdivision offered landowners a development density of two dwellings per 35 acres and an additional dwelling for each 17.5 acre increment above that figure. In return, at least 75% of the total acreage had to be deeded to the county in the form of a conservation easement which restricted activity on the easement to agriculturally related or other rural land uses. Title remained with the landowner to do with as he or she saw fit consistent with the terms of the easement, although the easement was attached to the property and not the owner. The landowner could sell the lots for residential purposes and use the proceeds to augment agricultural income or keep them for family use. By September 1996, this process led to the creation of 146 NUPUDs and the conservation of 11,160 acres of land, some although not all of which remained in agricultural production or use. In 1995, the county supplemented the NUPUD with a transferable development rights program (TDR), allowing landowners to sell some or all of their development rights to another party based on essentially the same dwelling unit formula as used with the NUPUD. The purchaser then exercises the use of the purchased development rights in locations more appropriate for development, while the seller continues to own the land with a conservation easement attached to it. The TDR

PUD process was authorized in 1994 through the adoption of the Plains Planning Area Element, a new addition to the county's Comprehensive Plan. That Element refocused the county's policies and intentions for managing unincorporated Plains lands by emphasizing that land uses "...should continue to be related to agricultural activities...and other activities consistent with the rural character of the county."

Another tool given a major boost by Boulder County voters in 1993 has been the funding of an aggressive open space program. One method employed for open space preservation has been the purchase of development rights, or PDRs. This methodology enables a landowner to sell the potential development rights while retaining title to the land for continued farming either by the owner or through leasing to others. The advantages of PDRs include effective land and water preservation at a cost below full purchase of title for the property, continued land management being in the hands of the owner or farmer or rancher vs. being a responsibility for the county, and keeping the property on the tax rolls. To date, the county has preserved 5,018 acres of agricultural land through PDRs. Conservation easements and fee purchases are also important contributions to the preservation of agriculture. Although they may not share the same benefits listed for PDRs, they offer their own unique values to the county's residents. Our intergovernmental agreement with the City of Boulder also promotes



agricultural land preservation within the Boulder Valley Comprehensive Planning area of the county and is one of the stated Open Space Department purposes as defined in the City of Boulder's Charter. Other intergovernmental agreements around the county promote similar objectives.

## B. Agricultural Objectives

The objective of the subsequent policies is the preservation of the agricultural lands in the county, and their related uses, by whatever means are available to the county and effective in achieving this end. The county recognizes that agricultural lands do not exist in a vacuum. Without the ability to conduct economically viable agricultural activities upon them, agricultural lands become merely vacant lands. The key to preserving agricultural lands in the county is maintaining a healthy agricultural economy in the county. Therefore, a corollary objective of the subsequent policies is the encouragement, promotion, and fostering of agricultural enterprises and activities in the county.

In 1978, the state and county classified, identified and mapped the lands in the Plains portion of the county as to their potential agricultural productivity and significance. In order of significance, those mapped designations are "Lands of National, Statewide and Local Importance," as well as "Other Agricultural Lands." The new Agricultural Element includes an updated Agricultural Lands Map of the Boulder County Comprehensive Plan which was last approved in 1978 which was prepared by the Natural Resources Conservation Service, formerly the Soil Conservation Service. The methodology employed in the updating involved using 1995 aerial photography (color slides) on a scale of eight inches to the mile. The data from the slides was transferred to the Boulder County Zoning Maps and then overlaid on the Soil Conservation Service original Prime Farmland Map. The same basic criteria was used as when the map was originally prepared [described in the Environmental Resources Element approved in 1986]. There was, however, a change in some of the soils information that brought some additional lands into the 'prime' classification. This change was not drastic. Irrigation is one of the main criteria in determining if the soils are considered 'prime' and this was the principal area looked at in revising the map. Areas that have had a major change in land use or are no longer being irrigated were excluded from the

'prime' classification. The Environmental Resources Element of the Boulder County Comprehensive Plan provides more information on the methodology and criteria used in the mapping of the Significant Agricultural Lands.

It remains the intent of the Comprehensive Plan and attendant land use codes to promote and assist in the preservation of agricultural lands for agricultural and other rural purposes. This stance is predicated on several decisions and conclusions reached by the county in the formulation of the original 1978 Comprehensive Plan which remain well-founded today. They include the recognition of agricultural lands as an important nonrenewable resource, the lack of services and infrastructure capabilities in the rural area to support other than a rural and agrarian level of land use, the long standing position that an adequate range of urban services and related urban development can best be provided and maintained through municipal governments, the belief that compact urban development is the most efficient and appropriate way to retain agricultural lands and rural character, the maintenance of economic support for the agricultural community, and the county's commitment to the plains municipalities through intergovernmental agreements and other understandings to not compete with those municipalities for the provision of urban development or services in the unincorporated areas of the county.

*The county shall foster & promote a diverse and sustainable agricultural economy.*

It is important to note that, notwithstanding the county's continued backing of agricultural preservation and activity, there are intensities and kinds of agricultural uses that can have detrimental impacts on land, water and other components of the environment if not held accountable to some level of management and regulation. A commercial feed lot, for example, is a far different form of legitimate agricultural enterprise than is an alfalfa field in terms of its potential impacts. The Comprehensive Plan recognizes these differences and the carefully exercised responsibility the county must assume in balancing an earnest support for agriculture with necessary degrees of regulation to protect the health, safety and welfare of residents and the environment of Boulder County.

## C. Goals & Policies

### GOALS

**Goal 1. Cluster Development.** Future urban development should be located within or adjacent to existing urban areas in order to eliminate sprawl and strip development, to assure the provision of adequate urban services, to preserve agriculture, forestry and open space land uses, and to maximize the utility of funds invested in public facilities and services.

**Goal 2. Foster a Diverse Agricultural Economy.** Agricultural enterprises and activities are an important sector of the Boulder County economy and the county shall foster and promote a diverse and sustainable agricultural economy as an integral part of its activities to conserve and preserve agricultural lands in the county.

**Goal 3. Conserve & Preserve Land.** Productive agricultural land is a limited resource of both environmental and economic value and should be conserved and preserved.

**Goal 4. Preserve Water for Agricultural Uses.** Preservation and utilization of water for agricultural purposes within the county shall be encouraged.

### POLICIES

**AG 1.01 Agricultural Land Preservation.** It is the policy of Boulder County to promote and support the preservation of agricultural lands and activities within the unincorporated areas of the county, and to make that position known to all citizens currently living in or intending to move into this area.

*Agricultural lands are depicted in the Agricultural Resources Map.*

**AG 1.02 Diversity and Sustainability.** The county shall foster and encourage varied activities and strategies which encourage a diverse and sustainable agricultural economy and utilization of agricultural resources.

**AG 1.02.01.** In instances where the county desires to purchase an interest as a means of protecting lands which have agriculture as their primary value, the purchase of development rights shall be preferred over fee simple purchase; however, the county should be willing to pursue other types of purchase arrangements when preferred by the landowner. It is the policy of Boulder County to encourage the preservation and utilization of those lands identified in the Agricultural Element as Agricultural Lands of National, Statewide, or Local Importance and other agricultural lands for agricultural or rural uses. The Boulder County Comprehensive Plan Agricultural Element Map shall include such lands located outside of the boundaries of any municipality or the Niwot Community Service Area.

**AG 1.03 Agricultural Land of Importance.** It is the policy of Boulder County to encourage the preservation and utilization of those lands identified in the Agricultural Element as Agricultural Lands of National, Statewide, or Local Importance and other agricultural lands for agricultural or rural uses. The Boulder County Comprehensive Plan Agricultural Element Map shall include such lands located outside of the boundaries of any municipality or the Niwot Community Service Area.

**AG 1.04 Development Review.** In reviewing applications for new development, Boulder County shall consider potential impacts on existing adjacent agricultural uses and shall use its regulatory authority to mitigate those impacts which would be detrimental to the continuation of existing agricultural operations and activities and the establishment of new agricultural operations and activities. New development should be sited in such a way so as to minimize and/or prevent future conflicts.

**AG 1.05 Regulatory Burden.** It shall be the policy of Boulder County to keep the regulatory burden on various agricultural activities to the minimum necessary for identifying, addressing, and mitigating potential impacts in the areas of health, safety, and welfare.

**AG 1.05.01.** It shall be the policy of Boulder County to allow the operation of existing nonconforming agricultural uses consistent with protection of the public health, safety, and welfare.



**AG 1.06 State and Federal Legislation.** The county shall continue to support appropriate state and federal legislation designed to preserve agricultural resources.

**AG 1.07 State, Federal, and Local Programs.** The county shall continue to actively participate in state, federal, and local programs directed toward the identification and preservation of agricultural land.

**AG1.08 Management Plans.** The county shall encourage the development of resource management plans for significant native grassland ecosystems.

**AG 1.09 Technical Assistance.** The county shall provide technical assistance to farmers and ranchers to help avoid conflicts over wetland and riparian management and the management of other sensitive or diminishing environmental resources as listed and periodically updated in the Environmental Resources Element. In doing so, the county shall seek the advice and expertise of other land, resource, and wildlife agencies and institutions to the extent the resources are available.

**AG 1.10 Conservation Plans.** The county shall encourage the development of soil and water conservation plans to help assure sound resource stewardship and, where appropriate, may require

such plans in land use applications subject to the county's discretionary review processes as defined in the county Land Use Code.

**AG 1.11 Water Rights.** The county shall encourage that water rights historically used for agricultural production remain attached to irrigable lands and shall encourage the preservation of historic ditch systems.

*The county encourages water rights historically used for agricultural production to remain with the land.*

**AG 1.12 Land Unification.** The county shall continue to discourage the fragmentation of large parcels of agricultural land and to encourage the assemblage of smaller parcels into larger, more manageable and productive tracts.

**AG 1.13 Policy and Code Management.** The county shall continue to monitor the application of these policies and attendant Boulder County land use codes, as to their effectiveness in preserving agricultural land and perpetuating agricultural uses in Boulder County while maintaining a reasonable use to the individual owner.

*Bison in Field near 51st Street, West of Longmont*



## Infrastructure Development & Oil & Gas Operations on Agricultural Land

**AG 2.01 Utility Infrastructure.** The county shall discourage the placement of new utility infrastructure upon agricultural lands. The county supports using existing easements or other public rights-of-way to minimize the impacts to agriculturally productive land.

**AG 2.01.01.** If a thorough analysis of alternatives concludes that routing/siting of facilities is necessary on or across agricultural lands, all construction activities will be located and performed so as to minimize disturbance to agricultural resources.

**AG 2.01.02.** If the infrastructure location is determined necessary, infrastructure construction activities across agricultural lands should not occur during the growing season.

**AG 2.01.03.** Any agricultural lands and water resource systems disturbed by infrastructure construction shall be restored to their former productivity.

*Staff from the Parks & Open Space Department are knowledgeable about weed & pest management issues & may be able to provide guidance.*

The following policies apply to only to oil and gas operations:

**AG 2.02 Impact Mitigation.** Oil and gas exploration, development, and production activities which affect agricultural operations shall be designed to minimize impacts to agricultural lands and water resource systems.

**AG 2.03 Reclamation and Restoration.** Reclamation and restoration plans shall be required upon permitting and be implemented upon plugging and/or removal of all oil and gas well and production facilities, or upon abandonment, and shall include all appropriate measures to return the land to productive agriculture.

**AG 2.04 Regulatory Measures.** The county shall use its regulatory authority to minimize the impacts of oil and gas operations on agricultural lands and ensure complete restoration of the area through the use of financial bonds, other forms of financial security or other appropriate regulatory measures to the extent authorized by law.

## Weed & Pest Management

State statutes (Article 5.5 of Title 35, C.R.S. 1973, and as amended by House Bill 96-1008) require counties to develop and enforce weed and pest management plans on all unincorporated lands under county jurisdiction. While the Agricultural Element is considered the most appropriate portion of the Comprehensive Plan in which to codify the following policies, they apply across the county and are also cross referenced in the Plan's section entitled "Additional countywide Policies."

**AG 3.01 State and Federal Legislation.** The county shall support state and federal legislation which encourages management of noxious weeds.

**AG 3.02 State, Federal, and Local Programs.** The county shall actively participate in state, federal, and local programs directed toward Integrated Pest Management programs for noxious weeds, and vertebrate and insect pests.

**AG 3.03 Management Best Practices.** The county shall use, and encourage all land owners to use, Best Management Practices, which may include chemical, fire, mechanical, biological, cultural control for weeds; chemical, physical, and cultural control for vertebrate pests; and chemical, biological and cultural control for insects.

**AG 3.04 Certified Weed Free.** The county shall use and encourage the use of certified weed free products such as hay, mulch, gravel, bedding material, and general construction material.

**AG 3.05 Education and Assistance.** The county shall make available to all landowners educational materials and assistance in developing and implementing management plans to control pests.



# AIR

## II. AIRPORTS ELEMENT

### A. Introduction

Proper land use planning of the county's airports and immediate surroundings require an in-depth understanding of airport operations and how such operations affect and are affected by surrounding land uses. The direct and indirect impacts associated with airport operations can best be quantified by those practitioners particularly well-versed in the formulation of airport master plans, as opposed to local

government staffs that in general, are not familiar with the technical aspects of airport operations. Thus, it is the intent of the following policies that the protection of the health, safety and general welfare of those living in areas surrounding airports and the efficient operation of the airports of Boulder County can best be accomplished by the development of Federal Aviation Administration approved airport master plans.

*Vance Brand Municipal Airport Runway, Longmont*



## B. Policies

**AIR 1.01 Operation and Management.** The county shall strongly encourage local authorities that have jurisdiction and/or control with respect to the operation and management of those airports directly affecting Boulder County to undertake the development of airport master plans.

**AIR 1.01.01.** As a minimum, such master plans shall address:

- a) the potential expansion of airports and attendant operations within the Boulder County Comprehensive Plan planning period (15 years);
- b) the intensity of current and foreseeable developmental pressures of areas surrounding airports;
- c) the protection of the health, safety and general welfare of the public in areas surrounding airports;
- d) the protection of the public and private investments of the airports; and
- e) the development of land use regulations that establish compatible land uses in areas surrounding airports.

### Airport Master Plans

The development of airport master plans, approved by the Federal Aviation Administration, is the overall ideal supported by this chapter of the Plan.

**AIR 1.02 Airport Master Plans.** Airport master plans should be in accordance with the goals, policies, and land use regulations of the *Boulder County Comprehensive Plan* as well as other municipal comprehensive plans that may be affected by the operation of an airport.





## III. CULTURAL RESOURCES ELEMENT

### A. Introduction

As time progresses, Boulder County faces the loss of more and more truly non-renewable resources: the cultural resources that tie the county's modern-day residents to the past. Many of these cultural resources are being purposefully demolished or destroyed while others face the natural elements and slowly erode away. Encroaching development and modernization lend urgency to the need for the preservation of our significant cultural resources.

Cultural resources can be anything resulting from human activity. These resources can include buildings, sites, districts, landscapes, tools, art, trails, etc., that are important to our knowledge of human development. These resources range from the earliest known human habitation dating back thousands of years, to the modern developments of the 21st century.

Boulder County's preservation efforts focus primarily on: archaeological resources (either historic or prehistoric), as well as historic buildings, sites, districts and landscapes (including resources from prehistoric times to 50 years of age).

### B. Goals & Policies

**Goal 1. Identify & Protect.** Boulder County identifies and protects cultural resources which meet national, state, or local criteria for historic designation from destruction or harmful alteration.

#### Policies

**CR 1.01 Documentation of Resources.** Boulder County shall continue researching and documenting the county's cultural resources including maintaining a comprehensive historic sites survey. This survey will be updated as necessary to include those sites and new sites as they become 50 years old.

**CR 1.01.01** Boulder County shall periodically update its Historic Preservation Work Plan to assess the success of previous preservation efforts and determine the priority of preservation efforts.

**CR 1.01.02** Boulder County staff may monitor landmark sites to ensure that the terms of the landmarking are being met by the property owner.

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*The county's cultural resources range from the earliest known human habitation dating back thousands of years, to the modern developments of the 21st century.*

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# HISTORIC RESTORATION IN ACTION

BEFORE



AFTER



*Walker Ranch House, Boulder  
before Restoration (left)  
after Restoration (right)*

BEFORE



AFTER



*Stroh Dickens Barn, Longmont  
before Restoration (left)  
after Restoration (right)*

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### **CR 1.02 Treatment of County-Owned Properties.**

Properties containing significant cultural resources acquired by Boulder County both in unincorporated and incorporated areas, will be documented, protected, preserved, and where appropriate, restored.

**CR 1.02.01** After acquisition, an inventory of cultural resources on the property will be undertaken and the historic significance of each resource will be determined.

**CR 1.02.02** Resources that meet the criteria for local landmark, or State or National Register status will be nominated for such status by the county as time and resources permit.

### **Protecting Cultural Resources**

Specific tools may include incentives programs, landmark designation of cultural resources, design review, conservation districts, and easements, among others. These tools may be applied in areas that do not qualify as local historic districts but contain features that contribute to the quality of the community. These areas may include historic resources that have lost integrity, neighborhoods with significant character but that are not historically significant, and scattered sites that share a common historic or architectural theme.

**CR 1.03 Protection of Resources.** The *Boulder County Land Use Code* and attendant regulations will ensure that significant cultural resources are protected.

**CR 1.03.01** The Historic Preservation Advisory Board shall be a referral agency for all land use proposals where a possible impact to cultural resources has been identified. Boulder County will seek protection of significant resources through local designation or other protective means when a proposal by the private sector is subject to discretionary development review.

**CR 1.03.02** The applicant for land use proposals received for areas identified as being archaeologically sensitive may be required

to conduct an investigation of the area's archaeological significance. The scale and location of the proposal will determine if such an investigation will be required.

**CR 1.03.03** In communities where Boulder County's zoning regulations are not consistent with the historical pattern of development, the county shall recognize the importance of the historical pattern by implementing zoning amendments or taking the historical pattern of development into consideration during the review process.

**CR 1.03.04** Boulder County may offer a variety of tools to address preservation and conservation objectives.

### **CR 1.04 Cooperation with Other Jurisdictions.**

Boulder County shall encourage inter-jurisdictional cooperation to further the goals of cultural resource preservation.

**CR 1.04.01** Boulder County shall maintain Certified Local Government status with the State of Colorado and the United States Department of the Interior and participate in the nomination and designation of properties eligible for the state and national registers.

**CR 1.04.02** Through the use of intergovernmental agreements, Boulder County may cooperate with incorporated municipalities to offer the advantages of a local landmarking program to the municipalities within the county that do not have such a program.

**CR 1.04.03** Boulder County shall pursue joint preservation plans and/or intergovernmental agreements with municipalities which address the preservation of cultural resources of interest to both jurisdictions, and continued recognition of county historic landmark status after annexation by the municipality.

**CR 1.05 Informational Resource.** Boulder County, and specifically the Historic Preservation Advisory Board, shall be an informational resource to Boulder County citizens interested in historic preservation.

**CR 1.06 Traditional Cultural Places.** Sites within Boulder County associated with traditional cultural practices may fall within the purview of the county's historic preservation regulations, provided that the use of the site can be documented and meets the criteria for designation at the local, state, or national level.



**CR 1.06.01** Applicants engaged in a discretionary land use proposal in a location where American Indian artifacts have been found, or where oral traditions indicate the site was used by American Indians in the past, shall conduct research to determine the extent of the archaeological significance of the site. Prior to the removal of any artifacts or further development on any such site, the applicant shall confer with the affected tribes to determine the appropriate mitigation measures necessary for protection of the site.

## INCENTIVE PROGRAMS FOR HISTORIC PRESERVATION

Incentive programs may include, but are not limited to, a grant program, a revolving loan fund, offering bonus density for the preservation of significant archaeological sites or historic structures, exceptions to Land Use Code and building code requirements, and a local tax-credit program.

**CR 1.07 Energy Efficiency.** As Boulder County pursues efforts to improve the energy and resource efficiency of new and existing buildings, the county will be sensitive to the unique situations that involve historic preservation and allow for reasonable flexibility to further both goals.

**CR 1.08 Natural Disasters.** Boulder County will pursue efforts to protect cultural resources from the effects of natural disasters.

**CR 1.09 Funding.** Boulder County shall continue to research, review, and take action to secure funding and technical assistance from other agencies and institutions to advance cultural resource identification, protection and restoration when appropriate.

## Goal 2. Educate & Offer Incentives.

Whenever possible, Boulder County furthers the goal of cultural resource preservation using education and incentives in lieu of regulatory controls.

### Policies

**CR 2.01 Education and Incentives.** Boulder County shall implement its historic preservation goals through education of the public and the offering of incentives whenever possible.

**CR 2.01.01** Boulder County may offer the owners of properties that are designated as historic landmarks variations from the building code requirements, provided the variations support preservation of the landmark and the variation is not placing the health, safety, and welfare of county residents and visitors at risk.

**CR 2.01.02** Boulder County shall continue to implement and explore new opportunities for local incentive programs for historic preservation.

**CR 2.01.03** Boulder County shall recognize its citizens by nominating outstanding preservation efforts for archaeological and historic preservation awards.

**CR 2.01.03** Boulder County shall recognize its citizens by nominating outstanding preservation efforts for archaeological and historic preservation awards.

# EC

## IV. ECONOMICS ELEMENT

### A. Introduction

This Economics element provides an overview of the role of unincorporated Boulder County within the context of the regional economy, the environment, and the county's relationship with local municipalities. The element presents economic-related goals and policies that reflect the county's values and character and will guide the county's decision-making.

Section II provides background information and context. Section III presents the county's goals and policies related to economics.

Other Comprehensive Plan elements also include content related to economics. For example, the Agriculture element highlights the important role of agriculture to the county economy and the Sustainable Materials Management element includes a policy supporting efforts to enhance the local economy for purposes of environmental sustainability.

### B. Background

Boulder County channels urban development to the municipalities and existing communities that are equipped to provide public services in

a cost-efficient manner. This approach minimizes sprawl and the negative environmental impacts of development and it is consistent with the Guiding Principles of the Comprehensive Plan and the county's intergovernmental agreements (IGAs) with municipalities.

Municipalities are the population centers and host the bulk of the economic activity within the county. Development and economic activity in the unincorporated area of Boulder County is predominantly made up of agricultural-based businesses and small businesses compatible with the county's rural character. Some existing rural communities, such as Niwot, Hygiene, and the historic townsites, have a semi-rural character and serve as smaller-scale hubs for services and other economic activity within unincorporated Boulder County. Other limited exceptions to the county's rural, small business environment include the office parks developed in the unincorporated area in the 1980s and 1990s, along with isolated areas of commercial, light industrial and general industrial activity. There are limited numbers of properties zoned to accommodate new development of these types; however, existing office, commercial, and industrial

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*... the county  
supports a vital  
regional economy  
and economic  
activities that align  
with the Guiding  
Principles of the  
Comprehensive Plan.*

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*Monarch Farm/Market Farm*



uses may undergo rehabilitation and redevelopment that aligns with the county's climate action and sustainability goals.

The *Boulder County Comprehensive Plan* recognizes that each municipality has developed its own goals concerning such issues as rate of growth, desirable land use types and patterns of development, service financing mechanisms, and economic development activities. The county will continue to engage in regional collaboration to recognize the value of housing and job opportunities, the importance of environmental conservation, and the provision of natural and cultural amenities to the quality of life of residents and the health of the regional economy.

While the *Boulder County Comprehensive Plan* primarily focuses on the unincorporated areas of Boulder County, the county's longstanding history of cooperative planning with other local governments is central to the compact development pattern, open space preservation, and health of the regional economy that make Boulder County unique.

Through this element, the county supports a vital regional economy and economic activities that align with the Guiding Principles of the Comprehensive Plan. Given the natural attributes, quality of life, and desirability of the county (including its municipalities) for both businesses and residences, the county does not engage in substantial economic

development efforts. Rather, the county focuses on striking a balance between supporting a healthy economy and limiting growth in a manner that promotes social equity and preserves and protects the natural resources and amenities that make Boulder County such a special place.

## C. Goals & Policies

**Goal 1. Value.** Boulder County values a balanced approach to achieve a vital regional economy that aligns with the Guiding Principles of the Comprehensive Plan.

### Policies

**EC 1.01 Social Protection.** Boulder County strives to ensure that all persons have access to meaningful employment with fair compensation, adequate benefits, and security in the workplace.

**EC 1.02 Equity, Diversity, and Inclusion.** Boulder County recognizes the intersectionality of identities and shall continue to welcome and promote greater equity, diversity, and inclusiveness.

**EC 1.03 Agriculture.** Boulder County acknowledges the importance of agriculture and its cultural, environmental, health, economic, and resilience-related benefits to the community. Boulder County recognizes the integral role of agricultural history in the county and supports innovation and diversification in the agricultural economy.

**EC 1.04 Tourism and Recreation.** Boulder County acknowledges and values the tourism and recreation industries for the diversity and vitality they bring to the local economy. The county seeks to provide opportunities for these industries to thrive without placing an undue burden on the county's resources or compromising its rural character.

**EC 1.05 Arts and Culture and Historic Preservation.** Boulder County recognizes that arts, culture, and historic amenities are important contributors to the local economy and quality of life.

**EC 1.06 Climate Change.** Boulder County values businesses and activities that promote or develop technologies to prevent, mitigate, and adapt to climate change, and supports business resiliency through sustainable and energy-efficient business practices.



**EC 1.07 Needs of Remote Residents.** Boulder County recognizes the unique service and economic-related needs of existing communities in the more remote areas of the county.

**EC 1.08 Vital Regional Economy.** Municipalities serve as the economic hubs for the county. Businesses within unincorporated Boulder County operate at a scale that does not place an undue burden on rural infrastructure and resources.

**Goal 2. Steward.** Boulder County stewards its economy through sound regulations and collaboration.

## Policies

**EC 2.01 County Regulations and Decision Making.** Boulder County will develop and implement economic-related regulations and decision making that aligns with the county's values.

**EC 2.02 Intergovernmental Collaboration.** Boulder County collaborates with and supports the economic vision of municipalities by fostering well-planned development efforts that contribute to economic vitality for the region, without placing an undue burden on resources and infrastructure available within the municipalities and the county, and without exacerbating challenges related to balancing economic growth with housing supply in the region.

**EC 2.03 Equitable Economic Development.** Boulder County works with municipalities, public, non-profit, and private sector organizations towards ensuring that all individuals, including economically disadvantaged residents, have equitable employment and income opportunities within the county.

**EC 2.04 Federal Institutions and Higher Education.** Boulder County understands the important role that federally funded labs, the University of Colorado, and other institutes of higher education play in the regional economy and will continue to foster their important economic contribution.

**EC 2.05 Public/Private Cooperation.** Boulder County encourages public/private cooperation in addressing the county's economic goals and objectives.

**EC 2.06 Support for Local Assets.** Boulder County encourages and supports programs, economic activity, and appropriately scaled development that preserves and enhances the county's local

## OIL & GAS DEVELOPMENT

Boulder County's economy is based on quality of life, including the health, environmental, and scenic benefits provided by our public open space and agriculture. Although the eastern part of Boulder County lies on top of fossil fuel resources and has some existing oil and gas wells, Boulder County's local economy is not reliant on revenue from developing oil and gas. The potential economic benefits of developing minerals, for example through current hydraulic fracking practices, are outweighed by the associated potentially detrimental environmental impacts of such development. In addition, Boulder County residents place high value on sustainability and protection of the environment and the economy reflects and relies on those values. The introduction of significant industrial activity with the potential to cause environmental harm would be detrimental to Boulder County's economic model.

assets, including its rural and natural landscapes and resources, agricultural economy, open space, arts, cultural and historic resources, and its tourism and recreation industries. The county supports this activity in a manner consistent with the Guiding Principles of the Comprehensive Plan.

**EC 2.07 Data-Informed Decision Making.** Boulder County considers available data in its economic-related decision making.

## Goal 3. Preserve & Enhance Local Assets.

Boulder County purposefully preserves and enhances its major assets in promoting a vital regional economy.

## Policies

**EC 3.01 Local Partnerships and Linkages.** Boulder County encourages local economic partnerships and linkages in which products are sustainably sourced or produced within unincorporated Boulder County in a manner compatible with the rural character and are sold in local rural and urban markets.

**EC 3.01.01.** Boulder County recognizes the importance of buying local and encourages local purchasing to reduce environmental impacts and support the county's economic vitality.

**EC 3.02 Agricultural Infrastructure.** Boulder County supports strategic investments in local agriculture infrastructure.

### Balancing Economic Growth with Housing Supply

The term "jobs – housing balance" is often used to reference this topic addressed in policy 3.06. The county does not define the topic in those terms for purposes of the BCCP because it is important to focus on the geographic area, transportation connections, nature of the jobs being added to the community as well as the mix of available and planned housing rather than focusing solely on achieving a numerical balance between the number of jobs and housing units. Other BCCP policies relate to this topic (e.g., Housing element policy 2.05). Furthermore, the county is a party to the Boulder Valley Comprehensive Plan (BVCP) which includes policies that address this topic for that specific geographic area (see policies 1.01, 1.10, 5.02 and 7.10 of the BVCP as adopted in 2017).

**EC 3.03 Small Businesses.** Boulder County seeks to help small businesses thrive within the context of existing community character and infrastructure, as these businesses are important contributors to regional economic vitality.

**EC 3.04 Transit Oriented Development.** Boulder County works with local cities and towns to encourage patterns of commercial and residential development that support use of public transit and walkable mixed-use neighborhoods, including modifying development regulations to facilitate commercial or mixed-use projects at sites near transit stops.

**EC 3.05 Services for Existing Rural and Remote Communities.** Boulder County supports the location of adequate commercial and utility services in

appropriate locations for the purpose of protecting the health and safety of the community at its current level of density. Appropriate locations include rural and remote locations with existing neighborhoods where a gap in services currently exists. The service facilities will be compatible with the local character and avoid, minimize, and mitigate impacts.

**EC 3.06 Balancing Regional Economic Growth and Housing Supply.** Boulder County recognizes that regional economic growth places a strain on housing supply throughout the county. The county seeks to collaborate with regional partners to better understand and address those impacts. Strategies may include identifying and communicating (e.g., through referral comments) best practices for minimizing and mitigating the impacts of a new employer locating in a municipality within the county, as well as conducting studies to identify job growth indicators that warrant more rigorous efforts to limit regional impacts.

**EC 3.07 Existing Commercial and Industrial Uses.** The county promotes rehabilitation of existing commercial and industrial properties where feasible and where they support the county's climate action and sustainability goals and policies.

**Goal 4. Engage.** Boulder County proactively engages the public and stakeholders in fostering a vital regional economy.

### Policies

**EC 4.01 Diverse Stakeholder Engagement.** Boulder County ensures robust community participation in economic activities through a variety of channels.

**EC 4.02 Public Participation.** Boulder County considers the various barriers that may hinder public participation, including language and communication, time and location, and socio-economic factors.

**EC 4.03 Transparency and Collaboration.** Boulder County encourages transparency and collaboration between community and government.

**EC 4.04 Equitable Engagement Best Practices.** Boulder County implements equitable engagement best practices in seeking input on economic activities.

# ER

## V. ENVIRONMENTAL RESOURCES ELEMENT

### A. Introduction

Boulder County values and strives to preserve, conserve and restore the unique and distinctive natural features, ecosystems and landscapes of the county using sound resource management principles and practices at both a site-specific level and on a broader, landscape scale. Boulder County's important environmental resources include naturally occurring ecosystems and their native species populations. Species of Special Concern are an integral component of this management approach. The list of Species of Special Concern includes locally threatened or endangered flora and fauna that the county seeks to protect. Habitat for these Species of Special Concern is particularly vital, since it often presents our best chance to protect native species.

In addition to identifying Species of Special Concern, this Element designates areas of important habitat at two scales: the "site-specific scale" and the broader, "landscape-scale." At the site-specific scale, important environmental resources typically consist of an easily definable area such as an individual parcel of land or a distinct geographical location where specific resources exist. Designations at the site-specific scale include Critical

Wildlife Habitats, Rare Plant Areas, Wetlands, Riparian Areas, and Significant Natural Communities (formerly referred to as Critical Plant Associations). Environmental resources designated at the landscape-scale are much larger and holistic in approach. At this scale, the designations of High Biodiversity Areas and Environmental Conservation Areas seek to preserve broader ecological processes and functions. These areas often encompass multiple resources also designated at the site-specific scale. Natural Area and Natural Landmark designations are intended to encompass and protect unique and distinctive natural features and landscapes in the county. The fundamental and essential sustaining resources of air, soil, and water are also considered and addressed.

While this Element calls specific attention to the aforementioned designated environmental resources (Environmental Resources), it also recognizes that these are not the only environmental resources of significance and importance that should be considered in land use decisions and cared for through management practices. With this in mind, Boulder County's overarching intention is to maintain the overall health and

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*Boulder County's  
important  
environmental  
resources include  
naturally occurring  
ecosystems and  
their native species  
populations.*

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integrity of our rich and diverse environment to the greatest extent possible as our knowledge and understanding of environmental functions and interconnections evolves. The term “environmental resources” as used in this Element consists of both the designated “Environmental Resources” and undesignated environmental resources.

To provide some context for the goals and policies, a brief explanation of the environmental resource designations and their importance to the ecosystems of Boulder County follows. For the most part, these designations are those that already are utilized by reference in the *Boulder County Land Use Code*. Designations added or amended in updates to this Element will also be protected through administration of the Code and in conformance with applicable Federal and State law. The criteria used to determine these designations are periodically reviewed and updated resulting in updated lists of Species of Special Concern and updated maps of the Environmental Resources Element. Descriptions of these designations follow.

## DEFINITIONS

### Environmental Conservation Areas

Environmental Conservation Areas (ECAs) encompass the largest remaining relatively natural or restorable forests, shrublands, grasslands, and agricultural landscapes in Boulder County. Even with the current amount of relatively undeveloped public land in the county, and the conservation and preservation efforts of public land managers

on these lands, broad shifts in animal and plant communities are occurring as a result of development, habitat degradation, climate change, and the exclusion or disruption of natural processes. ECAs are a planning tool developed by the county and its agency partners for analyzing land use and land management decisions in the context of the cumulative effects of development, roads, trails and increased human presence at a landscape-scale on these large and complex ecosystems. This land use decision-making tool is used as a strategy for maintaining the wide-ranging animal species, native plant communities, and natural ecological processes that operate at this landscape scale.

ECAs are a framework for ecosystem management that identifies and designates valuable ecological areas and delineates corridors of connectivity between them regardless of ownership. With this designation, land use and land management decisions within and adjacent to ECAs and their connectors can be made within a framework that seeks to: protect species that may be wide-ranging, ecologically specialized or disturbed by human presence; encourage the return of species lost from the county; prevent additional habitat fragmentation; and limit increases in invasive non-native species in these ecologically-significant areas. Such planning and decision-making processes may include resource management plans, the location and extent of new development, future land and easement purchases for open space purposes, and the location of trails and other public facilities.

*Pelicans at Walden Ponds, Gunbarrel*



## High Biodiversity Areas

High Biodiversity Areas (HBAs) are locales that have a concentration of rare environmental resources. If managed well, they represent the greatest opportunities for preserving specific aspects of Boulder County's natural heritage. The boundaries of HBAs encompass those lands that provide the habitat and ecological processes upon which the resources depend for their continued existence. These areas have been identified and ranked – by the CSU Colorado Natural Heritage Program – as having outstanding significance (B1), very high significance (B2), or high significance (B3).

## Natural Landmarks

Natural Landmarks are prominent landscape features that distinguish a specific locality in Boulder County. They are important for the views they afford, their value as scenic vistas and backdrops, and the intrinsic value they hold as wildlife or plant habitats, natural areas, park and open space preserves, and open land areas. However, the single criterion for designation shall be its visual and scenic prominence as a landscape feature. They provide a record of Boulder County's natural heritage.

## State & County Natural Areas

State and County Natural Areas are physical or biological areas that are unique and important to the natural heritage of the state and/or the county. Each area either retains or has reestablished its natural character, although it need not be completely undisturbed. It typifies native vegetation and associated biological and geological features and provides habitat for rare or endangered animal or plant species or includes geologic or other natural features of scientific or educational value. State Natural Areas are designated as such by the Colorado Natural Areas Program.

## Significant Natural Communities

Significant Natural Communities are areas that are recognized by the presence of a critical plant association that is limited in its distribution and occurrence. These areas have multiple important environmental resources that co-occur and interact. These areas have species and processes that are relatively undisturbed by human actions and currently exist in their natural state. These areas are

also referred to as Critical Plant Associations in the Boulder County Land Use Regulations.

## Critical Wildlife Habitats

Critical Wildlife Habitats are the unique habitats which have a crucial role in sustaining populations of native wildlife and in perpetuating and encouraging a diversity of native species in the county.

## Wetlands & Riparian Areas

Wetlands and Riparian Areas have unique and critical functions in the ecosystem. Wetlands are generally described as lands transitional between terrestrial and aquatic systems where the land is covered by shallow water or soils are saturated during the growing season. Wetlands have high biodiversity, are relatively rare, provide unique wildlife habitat, filter water, and buffer floods. Riparian Areas are a unique combination of terrestrial plant communities and aquatic systems associated with flowing water that provide unique habitat and important movement corridors for wildlife.

## Rare Plant Areas

Rare Plant Areas are sites that are known to have a high likelihood of having occurrences of Plant Species of Special Concern.

## Species of Special Concern

Species of Special Concern include the flora and fauna in the county whose populations may be threatened or endangered, locally rare, experiencing long-term non-cyclical population declines, isolated or restricted to distinct local habitat types, or native species which have ceased to exist within Boulder County.

To summarize, restoring, protecting and preserving our natural environment and all of its interdependent components upon which all things depend have been core values and objectives of Boulder County since the adoption of the first countywide comprehensive plan in 1978. Numerous initiatives, plans and programs have been diligently pursued and implemented in this quest, and have benefited from the involvement of many stakeholders and interested parties in both the public and private sectors. The Environmental Resources Element is both a compass and a tool for use in sustaining and advancing these efforts.

## B. Goals & Policies

### GOALS

**Goal 1. Conserve & Preserve.** Boulder County shall conserve and preserve environmental resources including its unique or distinctive natural features, biodiversity, and ecosystems through protection and restoration in recognition of the irreplaceable character of such resources and their importance to the quality of life in Boulder County.

**Goal 2. Sustain & Protect.** Boulder County sustains and protects native species, natural ecosystems and the biodiversity of the region by designating High Biodiversity Areas, Natural Areas, Natural Landmarks, Significant Natural Communities, Critical Wildlife Habitats, Species of Special Concern, Wetlands, Riparian Areas, and Rare Plant Areas. Other resources and designations may be identified in the future. These designated areas and species lists also provide a point of reference for continued monitoring of long-term ecological change.

**Goal 3. Promote Viability & Integrity.** Boulder County shall promote the viability and integrity of all naturally occurring ecosystems and their native species populations by applying a variety of environmental resources management strategies in a manner that is consistent with current ecological principles and sustainable conservation practices.

**Goal 4. Recognize Climate Change.** Boulder County recognizes that climate change is having significant impacts on our environmental resources. As the body of climate science knowledge grows and potential effects are better understood, Boulder County shall incorporate the best scientific information into planning and decision-making to adapt to and offset those impacts.

**Goal 5. Enhance Environmental Health.** Boulder County shall continue to protect air, water and soil resources and quality, as well as restore resources in a degraded condition to enhance overall environmental health. Pollution of air, water, and soil, and pollution caused by noise or light, shall be eliminated or minimized to the greatest extent possible in order to prevent potential harm to life,

health and property, and to reduce incremental degradation of the environment.

**Goal 6. Protect Natural Landmarks.** Boulder County shall continue to protect prominent natural landmarks and other unique scenic, visual and aesthetic resources in the county.

**Goal 7. Conserve & Preserve.** Boulder County shall conserve and preserve Environmental Conservation Areas (ECAs) in order to perpetuate native species, biological communities, and ecological processes that function over large geographic areas and require a high degree of connectivity to thrive.

**Goal 8. Protect Environmental Resources.** Boulder County shall protect environmental resources both at the site-specific scale and landscape scale through a variety of means such as partnerships with private landowners, nongovernmental organizations, and other governmental agencies; education and outreach; advocacy at the state and federal level; and other programs consistent with the goals and policies of the Comprehensive Plan.

### POLICIES

The general policies below (ER 1.01 to ER 1.08) pertain to all environmental resources. Additional policies follow the general policies that expand on and are unique and specific to Air, Water, Soil and Noise (ER 2.01 to ER 2.03), Environmental Conservation Areas (3.01 to 3.05), and Natural Areas and Natural Landmarks (ER 4.01 to ER 4.03).

#### General Policies for Environmental Resource

*The following policies apply to all environmental resources in Boulder County.*

**ER 1.01 Regulations.** Boulder County plans and attendant regulations shall be formulated to ensure that land uses avoid where possible and otherwise minimize the destruction or adverse modification of environmental resources. Land use proposals shall be evaluated on a case-by-case basis for their potential impacts to environmental resources identified in the BCCP as well as those resources that may be identified on the site and in the vicinity of the proposal during a county





development review process. The applicant may be required to complete other studies, inventories, or reports that address the proposal's potential impacts on environmental resources and include recommendations for mitigation of those impacts.

**ER 1.02 Criteria.** Boulder County shall continue to identify and designate environmental resources that have significance to Boulder County. Such designations, and attendant maps, will be based on criteria that use science, collaboration with experts, and on-the-ground verification to the extent practicable. Boulder County may periodically reevaluate such criteria and designations.

**ER 1.03 Conservation and Recovery Plans.** Acknowledging our responsibility to ensure that naturally occurring ecosystems and their native species populations continue to exist and flourish in Boulder County, Boulder County will develop conservation and recovery plans for priority Species of Special Concern.

**ER 1.04 Scenic Vistas.** Scenic vistas shall be preserved as much as possible in their natural state.

**ER 1.05 Stakeholder Entities.** Boulder County shall work with federal, state, municipal and other public or quasi-public entities that have a jurisdictional or property interest in unincorporated lands within or surrounding any designated environmental resources to achieve their protection.

**ER 1.06 Land Owners and Nongovernmental Organizations.** Boulder County shall work in partnership with private land owners and nongovernmental organizations to protect, conserve, and restore designated environmental resources using a variety of tools.

**ER 1.07 Open Space Program.** Boulder County shall use its open space program as one means of achieving its goals for protecting environmental resources.

**ER 1.08 Assistance.** Boulder County shall encourage all private landowners to seek assistance from appropriate governmental and non-governmental entities to protect Boulder County's environmental resources.

**ER 1.09 Climate Change.** Boulder County shall modify plans, policies and regulations as necessary to adapt to climate change in order to reduce species and ecosystem vulnerability and other potential adverse impacts on environmental resources. These measures will guide environmental resource management implementation aimed at protecting biodiversity and ecological resiliency.

### **Air, Soil, Water, Noise & Light Policies**

*In addition to the general policies above, the following policies also apply specifically to air, soil, water, noise and light.*

**ER 2.01 Air, Soil, Water, Noise and Light Pollution.** Boulder County shall seek to protect overall public and environmental health by enforcing regulations concerning air, soil, water, noise and light pollution at the local level in accordance with applicable law.

**ER 2.02 Impacts on Public & Environmental Health.** Boulder County shall evaluate land use proposals and other planned activities considering their cumulative impacts on public and environmental health. Sufficient mitigation and minimization of any impacts shall be required for the proposal or activity to be approved. These proposals and activities shall at a minimum comply with air, soil, and water quality standards, as well as noise level and lighting standards, established by county and state agencies or the Boulder County Land Use Code.

**ER 2.03 Watershed Approach.** Boulder County shall take a watershed approach to addressing water quality and water quantity including supporting and participating in local and regional watershed partnerships.

### **Environmental Conservation Areas (ECA) Policies**

*In addition to the general policies above, the following policies apply specifically to Environmental Conservation Areas.*

**ER 3.01 Designation & Mapping.** Boulder County shall designate and map Environmental Conservation Areas as well as Overland and Stream Habitat (Riparian) Corridors at a landscape scale.

**ER 3.02 Development Rights.** Boulder County shall encourage the removal of development rights from ECAs through transfer, donation, acquisition, trade, or other incentives.

**ER 3.03 Development Inside ECAs.** Development within ECAs shall be located and designed to minimize the cumulative impacts on the environmental resource values of ECAs.

**ER 3.04 Development Outside ECAs.** Development outside of ECAs shall be located and designed to minimize impacts on and connectivity between ECAs.

**ER 3.05 Coordinated Management Plans.** Boulder County shall encourage and participate with the appropriate public entities and private landowners in the development of coordinated management plans to conserve, preserve and restore the environmental resource values of ECAs.

### **Natural Landmarks & Natural Areas Policies**

*In addition to the general policies above, the following policies apply specifically to Natural Landmarks and Natural Areas.*

**ER 4.01 Protection of Natural Landmarks and Natural Areas.** Natural Landmarks and Natural Areas identified in the Environmental Resources Element and as may be identified from time to time by the state under the Colorado Natural Areas Act, shall be protected from destruction or harmful alteration.

**ER 4.02 Natural Area Designation.** Boulder County shall submit any County Natural Area that may be of state-wide importance to the Colorado Natural Areas Program for designation as a State Natural Area.

**ER 4.03 Protection of Natural Resource Values.** Boulder County shall coordinate with local, state, and federal agencies and municipalities, as well as with willing private landowners, to protect natural resource values within Natural Landmarks and Natural Areas. This may include: identification of specific resources of concern including scenic values; recommendations for long-term management; mitigation of existing or foreseen impacts; or protection through acquisition of land interest.

# FP

## VI. FIRE PROTECTION ELEMENT

### A. Introduction

Fire protection is an essential service in the municipal/ community service areas and the non-urban areas of Boulder County. The following policies developed jointly by Boulder County and local fire department representatives working through the Boulder County Firefighters' Association are intended to guide land use decision-making and regulation with respect to fire protection.

### B. Policies

**FP 1.01 Fire Codes.** The county shall encourage fire protection districts in Boulder County to adopt, implement and enforce similar fire codes.

**FP 1.02 Fire Coordinator.** The county shall encourage the provision of a fire coordinator to offer technical assistance concerning fire code and related matters to fire departments and county departments upon request.

**FP 1.03 Level and Type of Service.** The county shall encourage each fire department to clearly define the level and type of service which it provides and to move toward development and

adoption of a fire protection master plan as described in Policy FP 1.04.

**FP 1.04 Fire Protection Master Plans.** The county shall support the development of fire protection master plans by individual departments, and, where appropriate, by geographically related groups of fire departments for the purpose of defining and potentially improving the level of service provided, eliminating unnecessary duplication, fragmentation, or competing services, and encouraging the consolidation of fire departments or districts.

**FP 1.05 Evaluation of Impact of Development Proposals.** The Boulder County Land Use Code shall require development proposals to include an evaluation of the impact of the proposal upon the capability of the affected fire department to maintain its appropriate level of service to existing development in its response area or district and to adequately serve the proposed new development. The level of sophistication of this evaluation shall be commensurate with the type of development proposed.

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*Fire protection districts respond to a variety of emergencies, including accidents, structure fires, & wildland fires.*

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(Left & Right) Shaded  
Fuelbreaks, Gold Hill



**FP 1.06 Design and Development Standards and Requirements.** The county shall incorporate into the *Boulder County Land Use Code*, in so far as possible, design and development standards and requirements which will result in the future provision of fire protection that is efficient and of an appropriate level.

*Outside of municipalities, fire protection districts, often staffed by volunteers, provide service to the community.*

**FP 1.07 Information for Fire Protection Planning.** The county shall support the acquisition, development and maintenance, and utilization of accurate information for fire protection planning purposes, e.g., response time and fire protection category maps, wildfire hazard and risk data, land use patterns, and departmental capabilities, etc.

**FP 1.08 Volunteer Departments.** Recognizing the value of fire protection districts in providing fire prevention inspection and investigative functions in the unincorporated areas of the county, the county shall encourage volunteer departments to consider reorganizing as fire districts or annexing their territorial area into existing fire protection districts.

**FP 1.09 Efficient Use of Resources.** The county shall encourage cooperation and the development of agreements between all levels of government and the various agencies providing fire protection services for the purpose of most efficiently utilizing the resources of each entity.

**FP 1.10 Organizations as Resources.** The county shall recognize the value of organizations such as the Boulder County Firefighters' Association as resources for guidance and referral on fire protection and emergency services issues, for facilitating cooperation between fire departments, emergency service agencies, other units of government, and the public.

# GE

## VII. GEOLOGY ELEMENT

### A. Introduction

In view of the geologic diversity of Boulder County as described in the Geology Element and the multiplicity of existing and foreseeable land uses, it is intended that the land use policies presented here shall provide clear direction in the formulation and implementation of the county Land Use decisions so far as geological factors are concerned.

To these ends, it is necessary that reference be made to certain geographic areas. Accordingly, reference will be made, as appropriate, within the text of the definitions and policies to areas on the Mineral Resource Areas Map and the Geologic Hazards and Constraint Areas Map. Furthermore, it is the intent of the policies to 1) move toward the attainment of the adopted goals for the Boulder County Comprehensive Plan as directed in Goal Statements B.1 and B.2, and 2) fulfill the county's obligation to implement a Master Plan for Extraction of Commercial Mineral Deposits pursuant to 30-28-106(c), CRS.

### DEFINITIONS

**Colorado Professional Geologist:**  
A person engaged in the practice of

geology and who meets the requirements outlined in Colorado Revised Statute 23-41-208.

**Debris Flow:** A flowing mass of loose mud, sand, sediment, rock, debris, water, and air that travels by gravity down a slope, entraining debris in their paths.

- **Debris Flow Susceptibility:**  
areas modeled to have debris flow susceptibility based on geologic, topographic, geomorphic, and other characteristics associated with a debris flow.

**Expansive Soil and Bedrock:** Soil or bedrock containing clay with the tendency to volumetrically change based on moisture content (shrink when dry and expand when wet). Expansive soils that shrink and swell can damage roads, structural foundations, and other built structures.

**Fluvial Hazards:** Areas susceptible to fluvial hazards based on the area a stream has occupied in recent history, could potentially occupy, or could physically influence as it stores and transports sediment and debris during flood events.

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*The Mineral Resources Areas Map & the Geologic Hazards & Constraint Areas Map are both associated with the Geology Element. The Geologic Hazards Map is also associated with the Natural Hazards Element.*

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**Geologic Constraint:** A geologic condition which can cause intolerable damage to structures, but does not present a significant threat to health, life, or limb.

**Geologic Hazard:** A geologic condition or geologic process which presents a threat to health, life, limb, or property. Geologic Hazard Areas are shown on the Geologic Hazards Map as areas where geologic conditions have been either documented, approximated or determined susceptible through modeling. Depending on the geologic hazard(s) present, these areas are associated with nominal to extensive geotechnical issues with the potential to cause intolerable damage to structures and a variable level of risk related to construction or land use purposes.

**Intensive uses:** Those land uses which include any structures used for supporting or sheltering any human use or occupancy; and/or facilities or improvements which tend to attract congregations of people.

**Landslide:** An outward or downward movement of a mass of soil and rock, containing a distinct rupture surface or zone of weakness which separates and distinguishes the slide materials from more stable underlying material.

- **Landslide Inventory:** documented landslides, published landslides and landslides identified using high resolution LiDAR terrain surface.
- **Landslide Susceptibility:** areas modeled to have landslide susceptibility based on geologic, topographic, geomorphic, and other characteristics associated with slope instability.

**Rockfall:** Rapid free-fall of large masses of rock or individual rocks of variable sizes and composition which bounce, slide, or roll downslope. Rockfalls can occur where a rockfall source (exposed bedrock cliffs, unconsolidated material containing boulders) overlies a steep slope.

- **Rockfall Susceptibility:** areas modeled to have rockfall susceptibility based on rock outcrops and source zones, topographic, and other characteristics associated with rockfall.

**Steeply Dipping Heaving Bedrock:** A geologic hazard condition where the presence of steeply dipping bedrock layers with high swell potential can result in severe differential heaving of bedrock and damaging levels of movement of foundations, roads, subsurface utilities, concrete flatwork, and other built structures.

## Geologic Hazard & Constraints-Guidelines Table & Map

The BCCP Geologic Hazards and Constraints Map, and policies within the BCCP Geology and Natural Hazards elements make reference to the geologic hazards and constraints listed in Figure GE-1. The table provides guidance regarding the treatment of hazards and constraints for purposes of reviewing and approving development on properties with such characteristics. A property can be deemed to possess the listed geologic hazards or constraints based on the Geologic Hazards Map data or based on a site assessment that indicates the mapped features to be inaccurate.

**Subsidence:** Collapse of the ground surface over subsurface voids or settlement over native, low density soils. Subsidence can occur suddenly or slowly over a long period of time.

**Undermined Area:** An area underlain by coal mine workings, with the potential for subsidence of the ground surface due to collapse of underground mine voids. Holes, cracks, troughs, sags, and other subsidence features can develop suddenly or gradually over many years as subsurface material shifts and falls downward into the abandoned mine area.

### Aggregate Resource Area

That area, or those areas, as shown on the Mineral Resource Areas Map, which are considered to be underlain by “commercial mineral deposits” as defined by 34-1-102(1) CRS and which are intended under the provisions of Colorado House Bill 1529 of 1973, to serve as resource preservation areas as part of *Boulder County’s Master Plan for Extraction*. Aggregate Resource Areas are further defined by way of statements which are part of Policies GE 1.06 -GE 1.08 below.

### Lode Mineral Area

That area, or those areas, as shown on the Mineral Resource Areas Map where mineral ores occur in veins or zones of enrichment in the basement complex rocks.



Figure GE-1. Review & Approval Guidelines for Properties with Geologic Hazards and/or Constraints<sup>1</sup>

GEOLOGIC HAZARD OR CONSTRAINT	LAND USE GUIDELINES	RECOMMENDED SITE-SPECIFIC STUDY		
		Geotechnical	Geologic Hazard	Subsidence
<b>Landslide</b>	Developable subject to results of recommended site-specific study completed by a qualified professional. Development should be guided away from areas with landslide susceptibility. The impact of landslides on foundations, slope stability, grading plans, retaining walls, septic drain fields, and other proposed structures should be carefully studied by a qualified professional.	✓	✓	
<b>Debris Flow</b>	Developable subject to results of recommended site-specific study completed by a qualified professional. Development should be guided away from areas with debris flow susceptibility. Where avoidance is not possible, mitigation options must be presented which adequately manage and reduce the hazard and which do not adversely impact or increase the hazard on neighboring properties.	✓	✓	
<b>Rockfall</b>	Developable subject to results of recommended site-specific study completed by a qualified professional. Development should be guided away from areas with rockfall susceptibility. In the cases where proposed development cannot avoid the hazard, rockfall mitigation options must be presented which will adequately reduce the hazard and which do not adversely impact or increase the rockfall hazard on neighboring properties.	✓	✓	
<b>Expansive Soil and Bedrock</b>	Developable subject to results of recommended site-specific study completed by a qualified professional. Design of foundations must be appropriate to address the swell potential of the subsurface materials.	✓		
<b>Steeply Dipping Heaving Bedrock</b>	Developable subject to results of recommended site-specific study completed by a qualified professional. It must be demonstrated that steeply dipping heaving bedrock hazard does not exist at the site, or if it does exist, present adequate mitigation methodologies.	✓	✓	
<b>Undermined Area</b>	Areas identified to be undermined by abandoned coal mines should be considered for non-structural land use, unless it can be demonstrated that the subsidence hazard does not exist for the proposed development. In the event a proposed structure is sited within or near an undermined area, the site should be considered developable subject to the results of the site-specific subsidence study.	✓	✓	✓

## B. Policies

### GEOLOGIC HAZARDS & CONSTRAINTS

**GE 1.01 Development in Geologic Hazard and Constraint Areas.** The county discourages development in Geologic Hazard areas and only allows development in these areas when adequate mitigation can be demonstrated. The county refers to the guidelines and recommendations for studies presented in Figure GE-1 (“Review & Approval Guidelines for Properties with Geologic Hazards and/or Constraints”) when reviewing proposals for development on properties possessing the geologic hazards and constraints listed and described in the table. A geologic hazard study should be required and performed by a Colorado Professional Geologist for sites with the conditions listed here, and development approval should be subject to the applicant completing the recommendations provided in the completed study:

- Documented landslide, debris flow or rockfall deposit or event.
- Landslide hazard susceptibility.
- Debris flow hazard susceptibility.
- Rockfall susceptibility.
- Steeply Dipping Heaving Bedrock mapped extents within property boundaries.
- Undermined Area mapped extents within or near property boundaries.

*Swelling soils, floodways, & steep slopes are examples of geologic hazards and constraints.*

**GE 1.02 Transfer of Development Rights and Development Credits for Properties with Limited Development Potential.** The county will consider a property’s geologic hazards, and the limitations those hazards place on a property’s development potential, when assessing a property’s eligibility as a transfer of development rights (TDR) sending site, or for creating bonus development credits.

**GE 1.03 City Cooperation with Municipalities.** The county shall cooperate fully with the municipalities of the county with respect to the evaluation and

mitigation of geologic hazards and constraints located within the unincorporated areas of the mutually adopted city and county comprehensive plans.

**GE 1.04 Evaluation of County-wide Geologic Hazards and Constraints.** The county shall require the evaluation of all county-wide geologic hazards and constraints as appropriate to reflect conditions that may change following natural disasters. Such evaluations shall be conducted by a Colorado Professional Geologist with knowledge and experience with the geology and geologic hazard conditions of Boulder County. Such evaluations should incorporate analytical methods representing current, generally accepted, professional principles and practice.

### MINERAL RESOURCES

**GE 2.01 Commercial Mineral Deposits.** The county shall consider the following deposits, as mapped by Schwochow et. al., (Special Publication 5B, *Colorado Geological Survey*, 1974) to be “commercial mineral deposits” as defined by 34-1-102(1) CRS.

- a) “...fine-grained igneous rock...” in
1. Township 2 North, Range 71 West; and,
  2. Township 3 North, Range 71 West.
- a. “Site-specific information which became available subsequent to the adoption of the *Boulder County Comprehensive Plan* and the *Master Plan for Mineral Extraction* indicates that the Geer Canyon area (Sections 12, 13, 14, Township 2 North, Range 71 West) is extremely sensitive in terms of potential blasting effects and impacts upon surrounding residential areas and environmental quality.” (Approved by Planning Commission 12/3/ 80, not approved by Board of County Commissioners)
- b) “F1” deposits in Ranges 69 and 70 West.

**GE 2.02 Delineation of Aggregate Resource Areas.** Aggregate Resource Areas shall be delineated utilizing certain portions of areas which are underlain by “commercial mineral deposits” as those deposits are defined in Policy GE 2.01.



**GE 2.03 Lands Excluded from Aggregate Resource Areas.** Pursuant to Policy GE 2.02 and the provisions of 34-1-304(1)(a-g) CRS, the county shall not include in its Aggregate Resource Areas, the following lands:

- a) those areas defined and mapped in the Environmental Resources and Agricultural Elements as:
  - 1. “Critical Wildlife Habitat”
  - 2. “Agricultural Lands of National and State-wide Importance”.
  - 3. “Designated Natural Landmarks and Natural Areas”.
- b) those areas defined and mapped in the Geology Element where:
  - 1. existing development effectively precludes extraction; or,
  - 2. extraction has been completed.
- c) those unincorporated areas in the county lying within adopted community service areas

where existing or previous capital improvement commitments effectively preclude mineral resource designation.

- d) those areas remaining after the exclusions contained in Items a-c, above, where the contiguous surface area underlain by a commercial mineral deposit is 20 acres or less.
- e) those parcels remaining after the exclusions contained in Items a-d, above, where the surface area underlain by a commercial mineral deposit is 20 acres or less.
- f) any specific site the mineral extraction from which would not be appropriate in light of the countervailing factors listed in 34-1-304(1), CRS.

**GE 2.04 Intensive Uses in Aggregate Resources Areas.** The county shall strongly discourage intensive uses in Aggregate Resource Areas.

**GE 2.05 Regulation of Open Mining and Accessory Activities.** Whether within or without a designated aggregate or other resource area, the county shall prohibit or regulate, including by Special Use



Review and the like, the open mining of any mineral or earthen material including, but not limited to, limestone, coal, peat, quarry aggregate, sand and gravel, sandstone, building stone, topsoil, common borrow, clay, shale, gold, lead, silver, zinc, copper, uranium, tungsten, and fluorspar as well as all accessory activities related thereto.

It is emphasized that the extraction plan is fundamentally and primarily a preservation plan and that these portions of the county's commercial aggregate deposits shall be protected from the encroachment of land uses which tend to inhibit or preclude extraction so that the options of future decision-makers will remain open in considering the demand for aggregate. Conversely, it is not intended that an applicant for the extractive land use in an Aggregate Resource Area shall automatically be assured of success in lieu of addressing all environmental concerns. Nor is it intended that extractive land uses shall be denied outside the Aggregate Resource Areas. Rather, it is reemphasized that the extraction master plan shall insure the availability of and adequate supply of quality aggregate over the next 30 years so far as can be reasonably estimated. (Approved by Planning Commission 12/3/80, not approved by Board of County Commissioners.)

*The requirement for reclamation of mined land is usually a cooperative effort between the county & the Mined Land Reclamation Board.*

**GE 2.06 Geothermal Resources.** The county shall regulate the exploration for, development of, and production of geothermal resources as well as all accessory activities related thereto, to the extent permitted by state statutes.

**GE 2.07 Subsurface Coal.** The county shall regulate the subsurface mining, gasification, liquification, and methane desorption of coal as well as all accessory activities related thereto.

**GE 2.08 In Situ Leaching.** The county shall regulate the mining of any mineral by means of in situ leaching as well as all accessory activities related thereto.

**GE 2.09 Subsurface Mining in Montane and Alpine Subprovinces.** Whereas subsurface mining in the Lode Mineral Areas in the recent past has been,

and in the foreseeable future will probably remain, of limited scope and impact, it shall presently be county policy to consider subsurface mining in the Montane and Alpine Subprovinces (as defined in the Geology Element background information) and its accessory activities, to be a permitted land use subject to the procurement of an appropriate administrative permit in compliance with attendant criteria.

However, whereas the lode mineral deposits of Boulder County are of such magnitude and diversity that it is conceivable that subsurface mining of major scope and impact may be initiated, the county shall continuously monitor and evaluate the scope of subsurface mining in said Subprovinces and, on recommendation from the county Planning Staff or by petition from the citizens of the county, the county Planning Commission may recommend to the Board of County Commissioners that such subsurface mining be regulated and that the county land use regulations be so amended.

**GE 2.10 Land Reclamation.** In cooperation with the Colorado Mined Land Reclamation Board and its staff, the county shall require that all "affected land" as defined by Colorado Statute, be reclaimed whether the subject mining activity shall have been open mining or subsurface mining.

## **GROUNDWATER**

**GE 3.01 Groundwater Quality and Supply.** The county shall render land use decisions consistent with the preservation or improvement of groundwater quality as well as the conservation of groundwater supplies.

**GE 3.02 Adequacy of Water Supply for Intensive Land Uses.** Whereas (1) geological conditions in some areas of the county, as described in the Geology Element, are such that dependable or potable groundwater supplies may not be available for intensive land uses; and (2) applicants for intensive land uses may specify that groundwater shall be partially or solely utilized as a water source, the county's land use regulations shall require that said applicants furnish hydrogeological or other acceptable evidence to establish that definite provision has been made for a water supply that is sufficient in terms of quantity, dependability, and quality for the intensive use proposed.

## OIL & GAS EXPLORATION & DEVELOPMENT

Boulder County recognizes the existence of oil and gas mineral rights within its unincorporated areas. It is the county's objective to exercise its fundamental duty to protect public health, safety and welfare and the environment from adverse effects of oil and gas exploration and development, and to minimize potential land use conflicts between those activities and current or planned land uses.

All policies, procedures and regulations dealing with oil and gas exploration and development shall be based on the implementation of the "precautionary principle" so as to ensure the safety, public health and protection of Boulder County's residents, environment, infrastructure, and resources with respect to local and cumulative, short and long-term considerations.

**GE 4.01 Protection from Impacts of Oil and Gas Exploration and Development.** Boulder County is dedicated to promoting, requiring and implementing programs, policies and practices that provide benefit to the well-being of current and future residents as well as protecting the integrity of the air, water and ecosystems on which all life depends. Consequently, it is county policy to pursue the following actions regarding the exploration and development of oil and gas resources:

- a) Where oil and gas exploration and development is regulated by the federal and/or state government alone, both currently and in the future, advocate for requiring use of the most effective performance technologies and practices;
- b) For oil and gas exploration and development activities in areas of shared regulatory authority, provide direction, leadership and support for incorporating the most effective performance technologies and practices into the applicable jurisdiction's rules and regulations; and
- c) For those oil and gas exploration and development activities subject primarily or solely to county jurisdiction, establish and maintain a comprehensive planning basis for amending, revising and updating the Land Use Code as well as the full array of regulatory tools and procedures available to the county as they are identified and found to be consistent with the Objective of these policies.

**GE 4.02 Priorities for Most Effective Performance Technologies and Practices.** Areas where the county has an interest in assuring that the most effective performance technologies and practices are applied include, but may not be limited to:

- a) Transportation impacts on roads and their users
- b) Development impacts on county open space lands and conservation easements
- c) Impacts on and consumption of environmental resources, including:
  1. Wildlife and wildlife/plant habitat
  2. Wetlands
  3. Riparian areas
  4. Surface and subsurface water – sources, volumes, and consumptive vs. non-consumptive use
  5. Aquifers – casing that isolates and protects aquifers, due diligence in finding abandoned wells, and protective setbacks from areas of outcropping aquifers
  6. Air quality – greenhouse gas emissions, ozone precursors, and toxic air pollutants affecting local residents, visitors and users of nearby public facilities
  7. Water quality
  8. Soil quality and productive integrity
- d) Geologic hazards
- e) Wildfire mitigation
- f) Storm water, drainage and erosion controls

*Geologic conditions in some areas of the county are such that dependable or potable groundwater supplies may not be available for intensive land uses.*

- g) Solid and liquid wastes management
- h) Noise, lighting and odor controls
- i) Land restoration and reclamation
- j) Agricultural land preservation
- k) Irrigation ditches, drain tiles, laterals, ponds and other water resource systems associated with agricultural operations
- l) Fencing, both temporary and replacement
- m) Noxious weed control
- n) Floodplain and floodways
- o) Visual impacts and preservation of scenic views

Hard Rock Mining Tour at  
Cardinal Mill, Nederland (below)



- p) Access roads/facilities removal upon well closures/abandonment
  - q) Historic/archeological/cultural protection
  - r) Emergency response planning and capabilities
  - s) Adjacent landowner concerns
  - t) Other areas of public health, safety and welfare as they may be identified
- GE 4.03 Assessing Adherence to Most Effective Performance Technologies and Practices.** Measures the county will look for in assessing whether an application for oil and gas exploration and development is adhering to most effective performance technologies and practices will include, but not be limited to, the following:
- a) use of closed loop systems for the containment and/or recycling of drilling and completion fluids;
  - b) use of emissions controls, prevention capture/co-benefits producing systems, and other green completion or reduced emissions systems to minimize or eliminate the release of volatile organic compounds, hazardous air pollutants, and greenhouse gases;
  - c) use of electric motors or muffled internal combustion engines in pumping and production operations;
  - d) extensions of setbacks from adjacent land uses, water bodies, water courses, riparian areas and other important environmental resources as determined on a case-by-case and site-by-site basis;
  - e) air quality baseline testing and monitoring at wellheads, condensate tanks, pipelines, compressor stations and other potential gaseous emissions sources;
  - f) soil structure and condition baseline testing and documentation within and adjacent to the drill pad area prior to commencing pad preparation and construction;
  - g) surface, groundwater, and well water quality and level baseline testing and monitoring within and adjacent to the drill pad area prior to commencing pad preparation and construction;
  - h) extensions of setbacks to achieve public health, safety and welfare objectives as determined on a case-by-case and site-by-site basis;
  - i) submittal of comprehensive drilling and phasing plans for oil and gas holdings within and adjacent to Boulder County;
  - j) preparation of plugged and abandoned hydrocarbon well integrity surveys within an adequate distance along the full length of the



bore hole and production casing for proposed new wells and existing wells to be reopened for production, to identify potential integrity problems and remedies for improperly plugged wells or where plugs and well casings have failed over time;

- k) use of temporary, removable, low-impact “laydown” roads or similar methods for access to sites from local, county, state and/or federal roads;
- l) dark sky lighting measures;
- m) odor, dust and noise reduction/suppression measures;
- n) complete reclamation and restoration of all disturbed areas, including roads, to their pre-exploration and development conditions;
- o) sharing of transportation, drilling, production, transmission and access facilities among operators to minimize duplication of activities and potential impacts;
- p) use of existing easements and infrastructure where appropriate and allowed by easement holders for the surface and subsurface infrastructure necessary for drilling, extraction, production and transmission operations;
- q) “fair share” compensation for impacts on county roads, county open space lands and other county infrastructure or properties

**GE 4.04 Greenhouse Gas Emissions.** In addition to the county’s expressed interest in eliminating methane and other greenhouse gas emissions from oil and gas development into the atmosphere, the county strongly supports all efforts at all levels to further study and ultimately eliminate such emissions resulting from oil and gas operations whether through legislative, regulatory, voluntary or other means.

**GE 4.05 Minimize New Land Use and Cumulative Impacts.** The county shall consider requiring operators to use and share existing infrastructure, to minimize installation of new facilities, and to avoid additional disturbance to lands to the greatest extent possible in order to forego introducing significant new land use and cumulative impacts to the environment, landowners and natural resources.

**GE 4.06 As-Built Facilities Maps for Emergency Response and Management.** Applicants for oil and gas exploration and development shall provide the Boulder Office of Emergency Management and

affected emergency response agencies with as-built facilities maps in a format suitable for input into the county’s GIS system depicting the locations, sizes, and depths below grade of all oil and gas gathering and transmissions lines and associated equipment, surface facilities and their functions, as well as transportation routes to and from exploration and development sites, for emergency response and management purposes in case of an incident or accident involving transmission or transportation presenting an immediate or potential hazard to the public and environment.

**GE 4.06.01** Operators shall cooperate with local emergency response agencies in planning and conducting on-site emergency preparedness exercises that simulate industrial incidents and accidents that may, in the opinion of the emergency response agencies, take place on site.

**GE 4.06.02** Operators shall disclose all hazardous chemicals used in their operation to the Boulder Office of Emergency Management and all affected emergency response agencies.

**GE 4.06.03** All unintended releases of hazardous chemicals shall be immediately reported to the Boulder Office of Emergency Management and all affected emergency response providers.

**GE 4.07 Assistance to Landowners.** The county will encourage and provide appropriate assistance to landowners seeking expert advice for negotiating surface use agreements or leasing arrangements for oil and gas exploration and development.

**GE 4.08 Collaboration with Stakeholders, Regulators and Interested Parties.** Achieving the county’s Objective regarding oil and gas activities requires not only a thorough review of local regulations but also communication and cooperation between the county, other levels of government and organizations involved in the oil and gas industry and in the study of oil and gas development and exploration. To this end, the county has appointed a Local Governmental Designee pursuant to Rule 214 of the Colorado Oil and Gas Conservation Commission. In addition, the county is committed to working with stakeholders, regulators and interested parties to:

- a) Identify and address deficiencies in regulating detrimental land use and surface impacts as well as environmental and health impacts;

- b) Continue review of studies, data and other information to ensure regulations and implementation measures are presently addressing or need revising to incorporate the most contemporary research on impacts and technological advances;
- c) Monitor state and federal legislation and policies, to be followed when deemed necessary by lobbying, letters of support and advocacy, and dissemination of information to enhance local protection for land use, surface impacts, public health and the environment;
- d) Investigate the feasibility and utility of entering into memoranda of understanding (MOUs), intergovernmental agreements (IGAs) or other accords with industry, the state, and other public or private sector interests where the outcome will help facilitate the implementation of these policies; and
- e) Consider addressing impacts of oil and gas development by acquiring and retiring mineral estates interests on a willing seller-willing buyer basis where appropriate.

#### **GE 4.09 Public Engagement by Oil and Gas Applicants.**

The county will require that applicants for oil and gas exploration and development directly engage with local communities, residents and other stakeholders at each phase of a development plan, starting prior to exploration, in order to provide sufficient opportunity for comment on plans, operations and performance, listen to concerns, and respond appropriately and promptly.

**GE 4.10 Water Rights.** Boulder County shall not lease or sell any of its current or future water rights for oil and gas exploration and development.

#### **GE 4.11 Agricultural Land Restoration and Reclamation.**

Agricultural land preservation and conservation is a core goal and value of the BCCP. Oil and gas operations will be required to restore and reclaim all on and off-site agricultural lands impacted by any activity related to exploration, development, infrastructure installation, closure, and transportation to the soil tilth, productivity, and/or drainage patterns that were in place prior to the initiation of oil and gas operations.

#### **GE 4.12 Applicants' Acceptance of Responsibility and Liability.**

Boulder County will require explicit commitments by applicants to accept responsibility and liability for compensation and/or mitigation of directly and indirectly related costs, nuisances, damages and adverse impacts as a condition for issuance of permits dealing with oil and gas resource exploration and production.

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#### **ENDNOTES**

- <sup>1</sup> Fluvial hazards and floodplains are excluded from the table as the county has a separate mapping system and process in place for addressing floodplain hazards.

# HO

## VIII. HOUSING ELEMENT

### A. Introduction

This Housing element provides an overview of the diversity of housing needs in the county. It sets forth goals and policies that reflect the county's values and character and will guide housing-related decision making for the county.

Section II provides an overview of the housing types in the county, as well as the evolving housing needs of the Boulder County community. Section III presents the county's goals and policies related to housing.

Other Comprehensive Plan elements also include content related to housing. For example, the Public Health element highlights that safe, affordable housing is one of the social determinants of health.

### B. Background

In unincorporated Boulder County, homes are found in historic townsites, semi-rural communities, forested mountain properties, neighborhood subdivisions, and expansive agricultural properties on the plains. This range of residential property types and development patterns are an imprint of the county's rich history. However, the county's residential areas

face challenges as the region's population grows and new development pressures arise.

The diversity of housing in Boulder County leads to varied opportunities in addition to varied challenges. Each townsite (e.g., Allenspark, Eldora, Eldorado Springs, Gold Hill) and semi-rural community (e.g., Hygiene and Niwot) has a unique story and a community that wishes to see its history preserved, while allowing for adaptation to accommodate current and future needs. For example, historically, homes on agricultural properties were built to house farm and ranch families who worked the land. Today, many agriculturally zoned properties are no longer used for agricultural purposes, but rather for larger single-family homes. Given high property values and shifts in the agricultural industry, those properties that continue to serve agricultural purposes may have a need to house more workers on-site.

In addition to the diversity of geography and property types, the county's population is also diverse. Residents span a wide spectrum of socio-economic, cultural, and racial backgrounds, as well

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*The diversity of  
housing in Boulder  
County leads to  
varied opportunities  
in addition to varied  
challenges.*

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as a range of physical abilities and lifestyles. In particular, there are significant income disparities among Boulder County residents. This diversity is coupled with an aging population that is expected to increase through 2050 (and is the fastest growing segment of Boulder County's population). As a result, there is a need for a wide range of housing types in the county. As a welcoming and inclusive community, Boulder County values and seeks to deepen the diversity of housing choice to serve its population while maintaining the rural and semi-rural land use pattern that gives unincorporated Boulder County a unique character distinct from the local municipalities.

Regional issues related to population growth and housing affordability affect those who call unincorporated Boulder County home. The county is committed to working collaboratively with the local municipalities to meet adopted regional housing goals through comprehensive planning that aligns with the Guiding Principles of the *Boulder County Comprehensive Plan*. The Comprehensive Plan encourages growth to occur in compact development patterns within or adjacent to municipalities. This land use planning philosophy creates buffer zones between more densely developed communities, helps preserve open space, and maintains the county's rural character. In order to meet the housing needs of county residents while maintaining its historic function as a

rural county, Boulder County must preserve existing housing stock to the extent practicable. Any new development in unincorporated Boulder County should serve the needs of the community while preserving distinct boundaries between urban and rural environments.

## DEFINITIONS

**Affordable Housing<sup>1</sup>:** In general, housing for which the occupant(s) is/are paying no more than 30 percent of their income for gross housing costs, including utilities. Affordable housing includes both subsidized and non-subsidized housing.

**Area Median Income (AMI)<sup>2</sup>:** A midpoint in the income distribution by household size in a defined geographic area. The AMI is used to determine eligibility of applicants for housing programs. The U.S. Department of Housing and Urban Development (HUD) adopts and publishes AMI limits annually.

## C. Goals & Policies

**Goal 1. Value.** Boulder County is an inclusive, culturally responsive community that values, respects, and seeks to support the housing needs of all individuals while adhering to the Guiding Principles of the Comprehensive Plan.

*Aspinwall Housing, Lafayette*



## Policies

**HO 1.01 Diversity of Housing Types.** The county encourages a range of housing types and densities that serve the diverse needs of county residents.

**HO 1.02 Preservation of Existing Housing.** The county values preservation of existing housing stock while recognizing the challenges that can come with the need to rehabilitate and maintain structures. The county discourages demolition and redevelopment of existing homes into larger single-family homes that are generally more expensive and consume more resources.

**HO 1.03 Definition of Family in County Regulations.** The county takes an expansive view of what constitutes a ‘family’ and supports varied living arrangements that reflect the county’s inclusive and welcoming values while maintaining its commitment to public safety and welfare.

**HO 1.04 Limited Increases in Density.** In circumscribed situations, the county may enable increased residential density that meets affordability needs, is integrated within or adjacent to existing developed areas, is capable of being served by adequate public facilities, is considerate of long-term cost impacts on public facilities, and has strong multimodal transportation connections or potential for such connections.

**HO 1.05 Fair Housing and Equal Opportunity Laws.** The county encourages and supports housing for all resident populations and adheres to all applicable local, state, and federal fair housing and equal opportunity laws and ordinances.

**HO 1.06 Innovation and Evolution of Housing Solutions.** The county allows for innovation and creativity in policies and regulations as demographic conditions, building typologies, and new housing strategies evolve over time.

**HO 1.07 Quality Neighborhoods.** Quality residential neighborhoods, which function as integral neighborhood units with schools, parks, and other similar facilities as centers, should be encouraged.

**Goal 2. Advocate & Support.** Boulder County supports strategic and collaborative interventions at the local, regional, state, and federal levels to address the availability, accessibility, and preservation of affordable housing.

## REGIONAL HOUSING PLAN

Created in collaboration with nine jurisdictions in Boulder County, the 2017 Regional Housing Plan, called Expanding Access to Diverse Housing for Our Community, recognizes that many interconnected issues and opportunities are important elements of the discussion around solutions to the regional housing affordability crisis we face. The Regional Housing Plan recommends five key goals and strategies: 1) establish a regional goal, 2) bolster financial resources, 3) secure land and development/redevelopment opportunities, 4) preserve affordability, and 5) consider regulatory processes.

On October 26, 2017, the BOCC signed Resolution 2017-119, adopting the Boulder County Housing Strategy and signing on to the Regional Housing Plan. Resolution 2017-119 states, “Boulder County hereby adopts the Boulder County Regional Housing Partnership’s Priorities and Strategies for Expanding Access to Diverse Housing/or the Community, including the recommended goals for percent of affordable housing stock by 2035, and pledges to support regional actions to create and preserve housing affordability while implementing local housing strategies that address the housing affordability needs of Boulder County, thus benefiting the Boulder County region as a whole.”

## Policies

**HO 2.01 County Regulations.** The county adopts and maintains housing-related regulations (e.g., Land Use Code and Building Code) that align with its values stated in this Comprehensive Plan.

**HO 2.02 Tools and Programs.** Where possible, the county should provide regulatory mechanisms, tools, or programs that ensure affordability and accessibility, including measuring housing needs and setting affordability targets for unincorporated Boulder County that are regularly monitored.

**HO 2.03 Housing Advocacy.** The county furthers its values by participating in regional and statewide housing-related legislative activities and planning efforts.

**HO 2.04 Affordable Housing Development.** The county supports the role of the Boulder County Housing Authority, other non-profit organizations, and the private sector in building and maintaining affordable and accessible housing units throughout the county.

### **Boulder County Housing Authority**

The Boulder County Housing Authority was established in 1975 to promote and provide quality, affordable housing for lower- and moderate-income families, older adults, and individuals with disabilities. Prior to 2003, BCHA was a governmental entity independent of the county, governed by a seven-member board. In 2003, the Board of County Commissioners constituted itself as the governing body of BCHA and it became a component unit of the county. BCHA is now governed by a board comprised of the county's elected Board of County Commissioners and is an enterprise fund under the umbrella of the Department of Housing and Human Services.

Boulder County Housing Authority's mission is to foster the availability of quality, affordable housing to meet residents' comprehensive needs and to promote stability and self-sufficiency. BCHA accomplishes this mission by providing a foundation of housing with supports of health and human services, access to community services, and sustainable living. BCHA's work is accomplished through the administration of federal, state, and local funding sources and public/private partnerships which, among other benefits and programs, provide rental assistance and deed-restricted below-market rate properties serving a broad range of Boulder County residents, including families, individuals and seniors, from the most vulnerable to those in the workforce.

**HO 2.05 Regional Collaboration.** The county collaborates with other jurisdictions to set regional housing goals and coordinate informational, programmatic, and regulatory strategies to meet those goals.

**HO 2.06 Tax Assessment.** Boulder County supports the development of programs to provide tax relief to low-income families and low income older adults.

**HO 2.07 Intergovernmental Agreements.** Boulder County encourages strengthening affordable housing provisions when adopting or updating development-related Intergovernmental Agreements (IGAs).

**Goal 3. Act on Values.** Boulder County's housing-related regulations and decisions reflect the county's values and the Guiding Principles of the Comprehensive Plan.

### **Policies**

**HO 3.01 Structure Rehabilitation.** In order to maintain existing housing stock, the county encourages feasible rehabilitation of existing residential structures to meet current health, safety, welfare, and energy standards and regulations. The county encourages actions that bring residential structures into compliance if the structures contribute to the viable housing stock of the county and may consider standards to be met in an incremental manner or through alternative means.

**HO 3.02 Building Safety.** The county works to ensure the structural integrity and safety of existing and new residential structures.

**HO 3.03 Location of Affordable Housing.** Any location appropriate for housing is appropriate for affordable housing. When considering appropriate locations for multi-family housing development at greater densities, the county weighs multiple factors, including the relationship between housing, jobs, and transportation; proximity to services, trails, and open space; project development costs; long term impacts on public facilities; environmental justice impacts; and the need for affordable housing in the county, with an emphasis on permanently affordable housing. The county deems Community Service Areas, and other areas identified for future development through Intergovernmental Agreements, as appropriate locations for new multi-unit affordable housing.



(Below) Aspinwall Housing, Lafayette  
(Right) Housing & Human Services, Boulder



**HO 3.04 Housing to Support the Agricultural Community.** Recognizing the historic and ongoing importance of agriculture to the county's economy, the county encourages both permanent and temporary safe and habitable housing that supports and is accessory to agricultural operations contributing to the county's economy and local food system.

**HO 3.05 Accessory Dwelling Units.** The county will consider accommodating more housing in defined areas and circumstances by providing opportunities for well-designed attached and detached accessory dwelling units with limited impacts on the county's natural resources and transportation infrastructure.

**HO 3.06 Prioritize Housing for Residents.** The county prioritizes preserving housing units for Boulder County residents and workers and their families and limits visitor- and tourism-serving uses such as short-term rentals. The county evaluates applications for tourism-serving uses based on safety for visitors and county residents in addition to compatibility with neighborhood character.

**HO 3.07 Mobile Homes and Manufactured Housing.** The county recognizes the importance of existing mobile home parks and manufactured housing communities in providing affordable housing options.

*HO 3.07.01* Boulder County seeks to preserve these communities and support resident-ownership.

*HO 3.07.02* Boulder County ensures that all proposed and existing mobile home parks and manufactured housing communities are zoned to facilitate preservation of that housing opportunity in the locations where they currently exist.

*HO 3.07.03* Boulder County explores opportunities for allowing a range of small-scale, low-impact manufactured, modular, or other housing that may be more energy efficient and resilient to natural hazards than traditional mobile homes.

*HO 3.07.04* If an existing mobile home park and manufactured housing community is found to have health or safety issues, every reasonable effort will be made to reduce or eliminate the issues, when feasible, or to help mitigate for the loss of housing through re-housing of affected households.

**HO 3.08 Reasonable Accommodation for Disabilities.** The county shall have a clear process for requesting reasonable accommodation.

**HO 3.09 Utilization of Existing Housing.** The county supports efficient utilization of existing housing stock that may accommodate as many people as the structure was intended to house, in accordance with health and safety considerations and water and wastewater capacities.

**HO 3.10 Energy and Resource Efficiency.** The county encourages the use of energy efficient, low resource impact, and innovative home building and home

renovation techniques. When appropriate, the county will revise or adopt building codes to meet this objective.

**HO 3.11 Remote Areas.** The county recognizes developing housing in geographically isolated areas presents environmental, growth, and public safety challenges. Recognizing these challenges, the county will review programs and consider regulations to promote low impact development.

**HO 3.12 Older Adult Housing.** The county supports varied housing options for older adults to age in their community.

**Goal 4. Engage.** Boulder County actively engages and collaborates with stakeholders and partners to promote the values of affordable living and address the community's housing needs.

## Policies

**HO 4.01 On the Ground Engagement.** The county engages in transparent outreach activities that span a broad range of methods. In addition to digital and remote public outreach methods, Boulder County conducts in-person public outreach activities in varied geographic locations to promote public participation from a diverse range of communities in the unincorporated county.

**HO 4.02 Targeted Outreach.** The county supports efforts to engage and collaborate with traditionally underserved and marginalized populations, such as residents living in mobile home parks and manufactured housing communities, residents who speak languages other than English, the agricultural community, residents in mountain communities, and the lesbian, gay, bisexual, transgender, queer (LGBTQ) community.

**HO 4.03 Representation of All Residents.** The county seeks public input from all socioeconomic and special needs segments of the community when amending housing-related programs or regulations.

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## ENDNOTES

<sup>1</sup> Definition partially taken from the HUD User Glossary.

<sup>2</sup> Definition taken from the Boulder County Regional Partnership's Regional Housing Plan.

# NH

## IX. NATURAL HAZARDS ELEMENT

### A. Introduction

Policies and implementation measures established in this element of the Comprehensive Plan are directed at 1) avoiding the placement of people and structures where these natural events occur and 2) mitigating existing areas at risk; thereby minimizing the future loss of life, property and resource damage in the county resulting from natural disasters and hazards.

Through the enacting of measures contained in the natural hazards element,

all planning and development decisions will come to be made upon conscious determination of the level of risk entailed. This will necessitate that accurate information on all known hazards be available to decision-makers, and that the location, density or intensity of development will be limited by the degree of natural hazard present, or conditioned upon mitigation of the hazard.

Minimizing risk is an essential focus of public safety planning. Every land use or public facility action taken by local government should be based on a recognition that some risk exists. The level of risk involved then becomes critical in determining when government involvement becomes necessary or desirable. When the level of risk is unacceptable, government action may be necessary to protect citizens and property. If it is not necessary to take a risk because individual or public goals can be achieved at the same time, or with less total cost by other means, without taking the risk, then the risk involved is avoidable.

The **purpose** of the Natural Hazards Element is to avoid or reduce risk to an acceptable level which balances the cost

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*The purpose of the  
Natural Hazards  
Element is to avoid  
or reduce risk to an  
acceptable level.*

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#### What is a “Natural” Hazard?

Natural hazards are those natural events which may result in a threat to human life, or which endanger the works of man. Although termed “natural” hazards, it is important to note that such occurrences are often induced by people, and by definition, would not exist if not for the presence of past actions of people.



of incorporating safety measures in planning and development actions with the benefit of protecting life and property. “Acceptable risk” is the level of hazard below which no specific action by local government is deemed necessary, other than making the risk known. It is the standard around which this element is designed. Land use and public facility actions taken by the county are presumed to be based on a finding that the risk involved does not exceed any acceptable level.

***The Natural Hazards Element includes policies pertaining to the types of natural hazards of concern in Boulder County.***

A philosophical question which often results from discussions of planning for public safety is one of: “How much should a person be protected from his/her own actions?” It is perhaps reasonable to conclude that an individual does not warrant special protection from his or her own personal foolishness or ignorance. Unfortunately, personal safety issues often become public safety issues where natural hazards are concerned. For instance, it may appear to be appropriate to allow a person to build a home in a known floodway, assuming that the person is only threatening himself/herself. In reality, however,

such a person may quickly sell the house to some unsuspecting person who inherits the risk. If the house is destroyed and its parts wash away, they may increase the hazards downstream by creating a dam at a bridge or other bottleneck. If the house is not destroyed, it may have the effect of raising the water levels elsewhere. Additionally, flood insurance is publicly subsidized, and measures to protect the public investment are in the best interest of all.

Planning for public safety is based upon various assumptions and probabilities. Terms like “100-year flood or 100-year storm” are used to describe the probability of such a storm or flood happening with a one percent chance of such an occurrence in any given year. Considering the uncertainties associated with natural events, it is apparent that virtually all of the hazards listed in this element may occur at any time. Some are likely to occur during certain seasons, and some will occur only at very infrequent intervals (earthquakes). Still, there is always a certain amount of risk associated with developments of any kind.

This element discusses the various natural hazards which warrant concern in Boulder County. It attempts to indicate the relative severity of risk associated with each type of hazard, and it points

*2013 Flood near Western Mobile*



out the need for cautious decision-making which assures that acceptable risk will be used as the basic standard against which all projects will be evaluated. Decision-makers may be forced to utilize incomplete data at times, acting on projects without having detailed information on certain types of natural hazards. This is unavoidable, to a certain extent, pending the completion of more detailed research. Such research may never provide all the information needed though, and decision-makers are forced to use the best information available, combined with common sense, to determine whether any given project remains within the realm of acceptable risk. It should be noted one of the goals of the natural hazards element indicates that the term “risk” relates to threats to either life or property. The finding that the level of risk associated with a given project is acceptable or unacceptable may be somewhat of a subjective evaluation of the decision-makers. This may be true for all types of hazards other than flood hazards where federal flood insurance regulations limit the amount of discretion available to the county.

The Natural Hazards Element is directly related to plan elements dealing with land use, environmental quality, and resource management. Its relationship to the Land Use Code and county building codes is critical; these codes should include measures to reduce the effects of natural hazards. This element is also related to the environmental resources, economy, transportation, open space, recreation, solid waste, and public facilities and services portions of the Comprehensive Plan, in that the policies and strategies proposed (or the mitigating measures not taken) will have an impact upon land and financial resources with the county.

## ISSUES & CONCERNS

With tens of thousands of people moving to Colorado each year, building in the once inaccessible mountain areas and on lands once used for agriculture have become a growing concern.

Most of Boulder County is vulnerable to some form of natural disturbance.

Recent disaster events have focused increased attention at both local and state government levels on the need to mitigate such events where possible and to prepare to cope with them when unavoidable.

## B. Goals & Policies

### GOALS

**Goal 1. Reduce Pollution & Degradation.** Air, water and noise pollution and overall environmental degradation should be reduced as much as possible or eliminated in order to prevent potential harm to life, health and property.

**Goal 2. Limit Inappropriate Development.** Inappropriate development in natural hazard areas should be reduced as much as possible or eliminated in order to minimize potential harm to life, health and property.

**Goal 3. Mitigate Existing Areas at Risk.** Efforts to mitigate existing areas at risk to the impacts of natural hazards and disasters should be made to minimize the potential for harm to life, health, and property.

### POLICIES

#### General

**NH 1.01 Reduction of Economic, Environmental and Social Costs.** The total economic, environmental and social costs associated with natural hazards should be reduced first, by avoiding potential hazard situations/areas; second, by applying environmentally appropriate mitigation in areas that cannot be avoided; and, third, by prevention measures accompanied with education and incentives for mitigation.

*Development should be guided away from areas prone to natural hazards.*

**NH 1.02 Public Awareness of Risks.** Natural hazards potentially affecting the county should continue to be identified and made known to the public and public officials. The county should promote a high level of public awareness about the risks of these identified hazards which may impact people, property, and the environment. The county should be an informational resource to Boulder County citizens on issues and data related to natural hazards.

**NH 1.03 Land Use Activities.** The county should ensure to the extent possible that land use activities do not aggravate, accelerate, or increase the level of risk from natural hazards.

**NH 1.03.01** Development activities should be designed to minimize alteration of the natural landform to the greatest extent possible, thus reducing slope instability and drainage problems.

**NH 1.03.02** Areas (including any structures) around a proposed project should be protected from the potential adverse impacts caused by the project. These adverse impacts include, but are not limited to:

- a) disturbance of existing vegetation, which can lead to accelerated erosion and sedimentation;
- b) aggravation or acceleration of existing potential hazards (e.g., rockfall, flooding, sediment accumulation, expansive soils)

**NH 1.04 Risk Reduction.** The level of risk from natural hazards should be reduced through positive county action such as guiding development away from areas prone to natural disturbances, mitigating existing development from hazards, and considering the impact on ability to provide emergency services.

*Geologic hazard & constraint-related policies can be found in this element as well as the Geology Element.*

**NH 1.05 Prioritization of Safety and Environmental Concerns.** Upon county review of a new development proposal, all impacts and concerns should be considered, but safety and environmental concerns should take precedence over aesthetic concerns.

**NH 1.06 Cooperation and Coordination.** Recognizing that natural hazards have cross jurisdictional boundaries, planning efforts should be promoted that foster cooperation and coordination among agencies and organizations involved in the mitigation of the risks associated with the hazards.

## Specific Hazards

### *Geologic Hazards & Constraints*

For definitions and text discussion on

geologic hazards, refer to the *Boulder County Comprehensive Plan* Geologic Element.

### **NH 2.01 Development in Geologic Hazard Areas.**

Development in designated Geologic Hazard Areas (shown on the Geologic Hazard & Constraint Areas Map) should be discouraged. Development should only be allowed in these designated hazard areas when adequate mitigation or elimination of the potential hazards can be demonstrated.

**NH 2.01.01** (Also Policy GE 1.01) The county shall strongly discourage intensive uses in Major Hazard Areas as identified in the Geologic Hazard & Constraint Areas Map.

**NH 2.01.02** (Also Policy GE 1.02) The county shall discourage intensive uses in Moderate Hazard Areas as identified in the Geologic Hazard & Constraint Areas Map.

**NH 2.01.03** (Also Policy GE 1.03) Where in the public interest it may be desirable to permit intensive uses, the county shall direct such uses toward Geologic Constraint Areas rather than toward Geologic Hazard Areas as identified in the Geologic Hazard & Constraint Areas Map.

**NH 2.01.04** (Also Policy GE 1.05) The county shall require the evaluation of all geologic hazards and constraints where such hazards or constraints may exist in unincorporated areas of the county as related to new intensive uses. Such evaluations shall be conducted by either a member of the American Institute of Professional Geologists, a member of the Association of Engineering Geologists, an individual registered as a geologist by a state, or a "professional geologist" as defined in C.R.S. 34-1-201(3). Such evaluations should incorporate analytical methods representing current, generally accepted, professional principles and practice.

### *Erosion*

**NH 3.01 Minimization of Erosion.** Erosion from development and other land use activities should be minimized, and disturbed or exposed areas should be promptly restored to a stable, natural, and/or vegetated condition using native plants and natural materials.

**NH 3.02 Drainage and Erosion.** Drainage from development or any alterations to historic drainage patterns shall not increase erosion either on site or on adjacent properties.





### *Flooding*

**NH 4.01 Limits to Development in Floodplains.** The county should strongly discourage and strictly control land use development from locating in designated floodplains, as identified in the Boulder County Zoning Maps.

**NH 4.02 Limits to Development below Dams, Spillways, and Levees.** The county should strongly discourage and strictly control land use development from locating in areas below dams, spillways, and levees that would require the State Engineer to upgrade the classification of these structures.

**NH 4.03 Location of Critical Facilities.** Critical facilities (schools, churches, hospitals, and other facilities as defined by the Federal Emergency Management Agency, FEMA) should be sited outside the delineated floodplain areas.

**NH 4.04 Acquiring and/or Relocating Existing Structures.** The county, either individually or in partnership with others, should examine alternatives for acquiring and/or relocating existing structures prone to flooding.

**NH 4.05 Pre-Disaster Flood Mitigation Plan.** The county should continue to develop and refine the countywide Pre-Disaster Flood Mitigation Plan.

**NH 4.06 Community Rating System.** The county will continue to participate and implement the Community Rating System program as part of the National Flood Insurance Program (NFIP).

### *Wildfire*

**NH 5.01 Elevated Risk in Wildland Urban Interface.** The county recognizes the wildland urban interface as an area particularly at risk to wildland fires or wildfires.

**NH 5.02 Fire-Dependent Ecosystem.** Fire should be recognized as a natural and/or human-caused occurrence with certain benefits to the ecosystem. The county should strive towards balancing the natural processes of the ecosystem with development concerns so that residents may co-exist in a fire-dependent ecosystem.

**NH. 5.03 Wildfires and Development.** Development/site plan reviews in areas identified to be at risk of wildfires should address site location, building

construction and design, landscaping/defensible space/fuel management, access and water availability. These factors should be analyzed from the standpoint that wildfires may present a hazard to development and/or development may present an ignition hazard to the forest.

**NH 5.04 Interjurisdictional and Interagency Cooperation.** Boulder County should continue to encourage interjurisdictional and interagency cooperation to further the goals of protection of life and property from wildfires. The Boulder County Wildfire Mitigation Group should continue to work cooperatively to develop and implement programs to reduce the hazard of wildfire. This should include the following subject areas: public education and awareness, fuel reduction and prescribed burn programs, ecosystem/vegetation management, Wildfire Hazard Identification and Mitigation System, (WHIMS), codes and regulations, and pre-suppression.

### *Forest land ecosystem management can reduce wildfire hazards.*

**NH 5.05 Wildfire Hazard Identification & Mitigation System.** Boulder County should be surveyed and mapped to locate the extent of wildfire hazards and areas at risk using the Wildfire Hazard Identification and Mitigation System (WHIMS).

**NH 5.06 Reduction of Wildfire Risk to Low or Moderate Rating.** Accepted methods of forest land ecosystem management should be used to reduce all severe wildfire hazard areas to a low or moderate rating, particularly in those areas inhabited with human development as defined by WHIMS.

**NH 5.07 Forest Management.** The county should encourage private and public landowners to manage their forests to preserve the forests'

ecosystem processes by developing and maintaining a diversity of species, ages, and stand densities to serve as a natural deterrent to pest and fire outbreaks. The county should implement measures to guard against the danger of fire in developments within and adjacent to forests or grasslands.

**NH 5.08 Improvement of Fire Protection Services.** The county should continue to work in partnership with the local fire protection districts and departments in improving fire protection services to address the increasing concerns of wildfire and the increase in development in the mountainous areas of the county.

### *Radiation*

**NH 6.01 Mitigation of Radioactivity.** Existing structures and new construction in areas which have been identified as having high levels of natural radioactivity shall be mitigated through the use of building codes and techniques.

### *Seismicity*

**NH 7.01 New Siting and Building Standards Regarding Seismic Events.** Efforts should be made to keep apprised of new siting and building standards that are predicated on potential impacts from seismic events such as earthquakes.

### *Extreme Weather Conditions*

**NH 8.01 New Siting and Building Standards Regarding Extreme Weather.** Efforts should be made to keep apprised of new siting and building standards that are predicated on potential impacts from extreme weather conditions such as high winds, heavy snows/hail, lightning, and occasional and irregular temperature extremes.



## **X. OPEN SPACE ELEMENT**

### **A. Introduction**

Situated at the intersection of the Great Plains and the Rocky Mountains, Boulder County is endowed with an extraordinary geological and biological diversity, a natural heritage that helps form the foundation for an exceptional quality of life. The Open Space Element

lays out Boulder County's vision for understanding, preserving, and enjoying this natural heritage.

Section II provides a brief history of the county's open space preservation efforts, establishment and evolution of the Parks and Open Space Department, definitions, 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 Open Space element complement those in other elements of the Boulder County Comprehensive 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 the Agriculture Element; cultural resource protection is addressed in the Cultural Resources Element; and flood and other natural hazard mitigation is addressed in the Natural Hazards Element.

#### **What's in a Word? Protect v. Preserve v. Conserve**

Open space lands are "protected" from development but protection can be carried out in different ways. "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 policies relating to working landscapes such as agricultural properties while "preserve" is used for policies relating to broader protection.

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*The Open Space  
Element lays  
out Boulder  
County's vision for  
understanding,  
preserving and  
enjoying the  
county's natural  
heritage.*

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## B. Boulder County Open Space Program

### ORIGINS & 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.

#### Boulder County Parks & Open Space Mission Statement

To conserve natural, cultural and agricultural resources and provide public uses that reflect sound resource management and community values.

Turning the vision into reality took time and hard work. The first two attempts to pass a countywide open space sales tax failed in 1978 and 1988. In 1993 the first open space sales and use 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 open space purchases. In 2017 the open space sales and use tax stands at 0.6%.

Since the last Open Space Element update in 1996, the county’s open space interests have increased to over 100,000 acres of land. As a result,

stewardship of these lands and engagement with county citizens are increasingly important features of the open space program.

### OPEN SPACE DEFINITIONS, VALUES, & FUNCTIONS

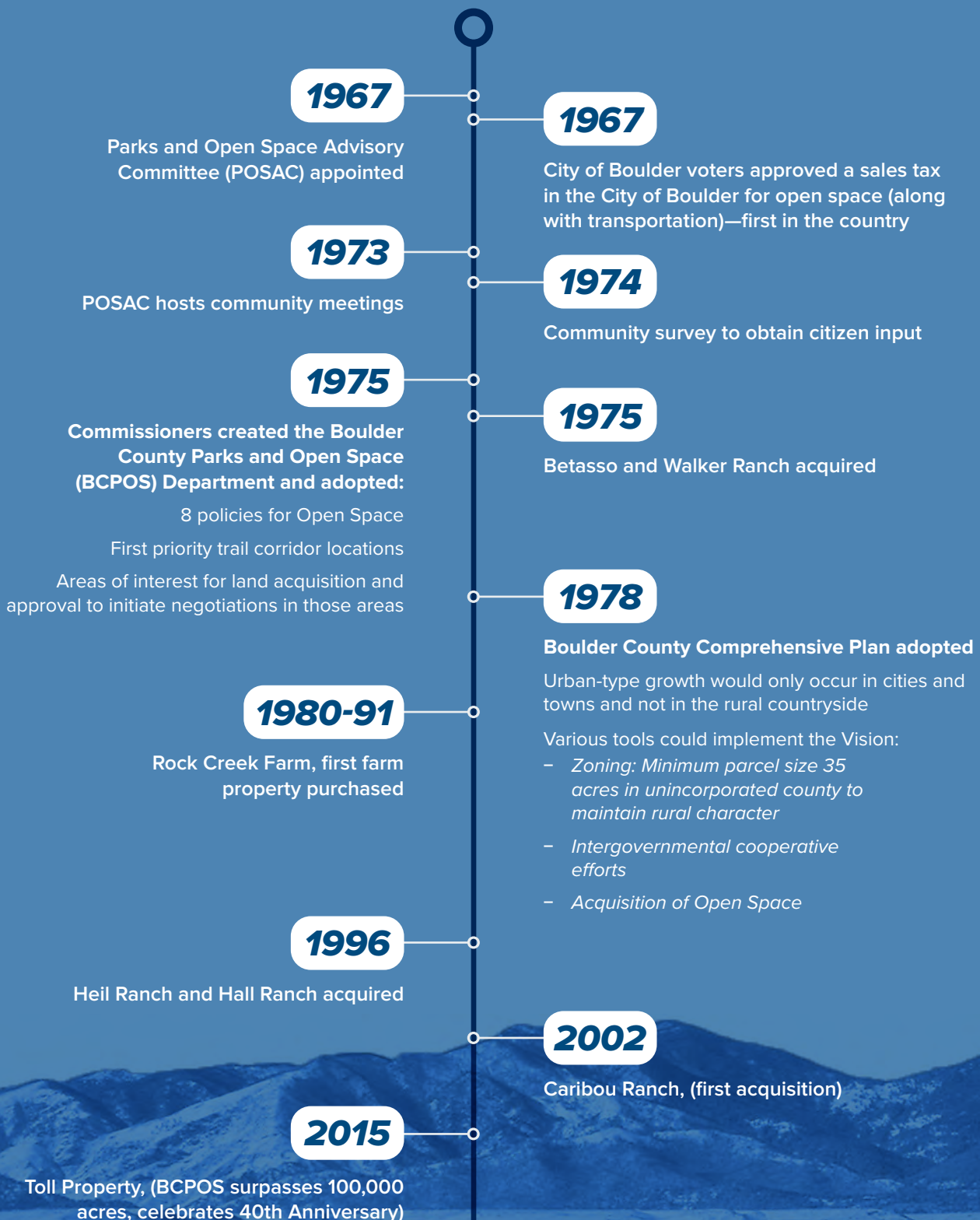
Open space is defined as “lands intentionally left free from development.” Open space serves one or more of the following values or functions<sup>1</sup> (listed in no particular order):

- Conserve rural character of the unincorporated county, scenic corridors, and community buffers to ensure community identity and prevent urban sprawl
- Preserve natural resources, including significant habitats, native species, and ecological processes.
- Conserve and enhance agricultural lands, especially agricultural lands of local, statewide, and national importance.
- Protect and manage water resources, including agricultural water and in-stream flows
- Provide passive recreation, trail linkages, and access to public lands.
- Protect, preserve, and restore cultural resources, including historic and pre-historic features.
- Provide opportunities for volunteerism, education, and interpretation of natural and cultural resources.

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 to be close to nature, enjoy the open space features, and have a high degree of interaction with the natural environment. Further,

- Passive recreation requires no rules of play or 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.

# TIMELINE OF SIGNIFICANT MILESTONES



## OPEN SPACE PRESERVATION TOOLS

Boulder County uses a variety of tools to accomplish its goals (see sidebar on Acquisition Tools). In addition to acquiring open space interests, Boulder County protects open space values and functions via the goals and policies set forth in other Comprehensive Plan Elements, including the Agriculture, Cultural Resources, Environmental Resources, and Sustainability Elements. Many of these goals and policies are codified in the Land Use Code.

Regional cooperation is an essential ingredient of Boulder County's open space 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 intergovernmental 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 OS 5.03).

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 interests. At the 40-year anniversary in 2015, the county

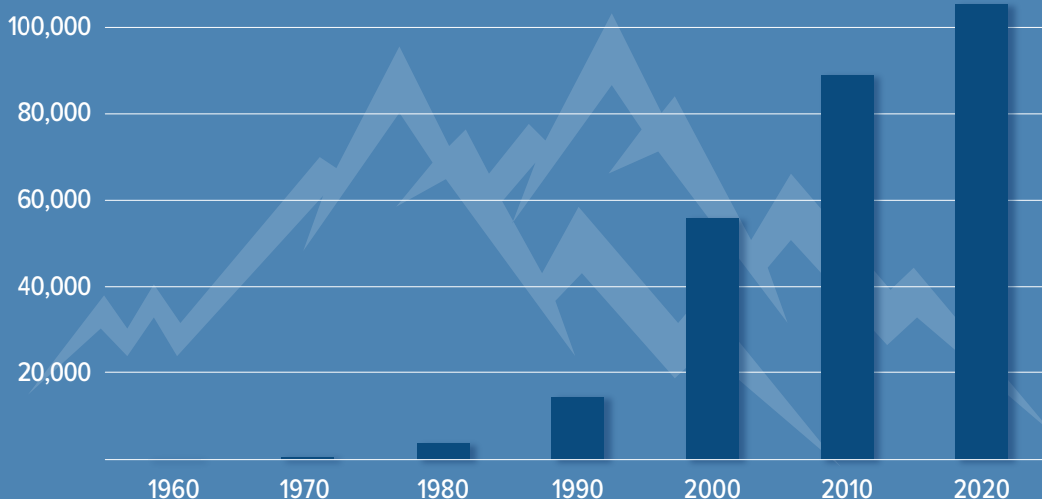
open space program surpassed the 100,000-acre milestone of preserved lands, along with 115 miles of trails. About half of these properties are in the foothills and mountains, and half in the plains, including about 25,000 acres of agricultural lands. Approximately 60% of these lands are owned in fee and the remaining 40% are privately owned under conservation easement. The majority of county-owned land is open for public use.

Boulder County has accomplished many of its major acquisition goals. However, acquisition tools will continue to play an important role in the program as significant opportunities become available.

## 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. Management policies provide the next level of guidance and contain more detailed direction for addressing 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.

## TOTAL ACRES OF PROTECTED LAND IN BOULDER COUNTY (BY DECADE)



### NOTES

- » Total acreage includes both county-owned open space/trails and conservation easements on private land.
- » About 40% of open space in Boulder County is protected through private conservation easements.

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## C. Goals & Policies

**Goal 1. Protect.** Boulder County recognizes and protects open space for its contribution to an exceptional quality of life.

### Policies

**OS 1.01 Conservation Efforts.** Boulder County supports conservation efforts that uphold one or more open space values or functions, consistent with adopted plans and agreements.

**OS 1.02 Development Review.** Open space values and functions, and impacts to county open space, shall be considered in the review of development proposals submitted to the Community Planning & Permitting Department.

**OS 1.02.01.** To the extent possible, the county shall avoid, minimize, or mitigate impacts on views from view protection corridors including, but not limited to, those shown in mapping that accompanies this element. 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. This, however, does not preclude the county from providing essential and appropriately planned road improvements.

**OS 1.02.02.** 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 Public Land Dedications.** 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.

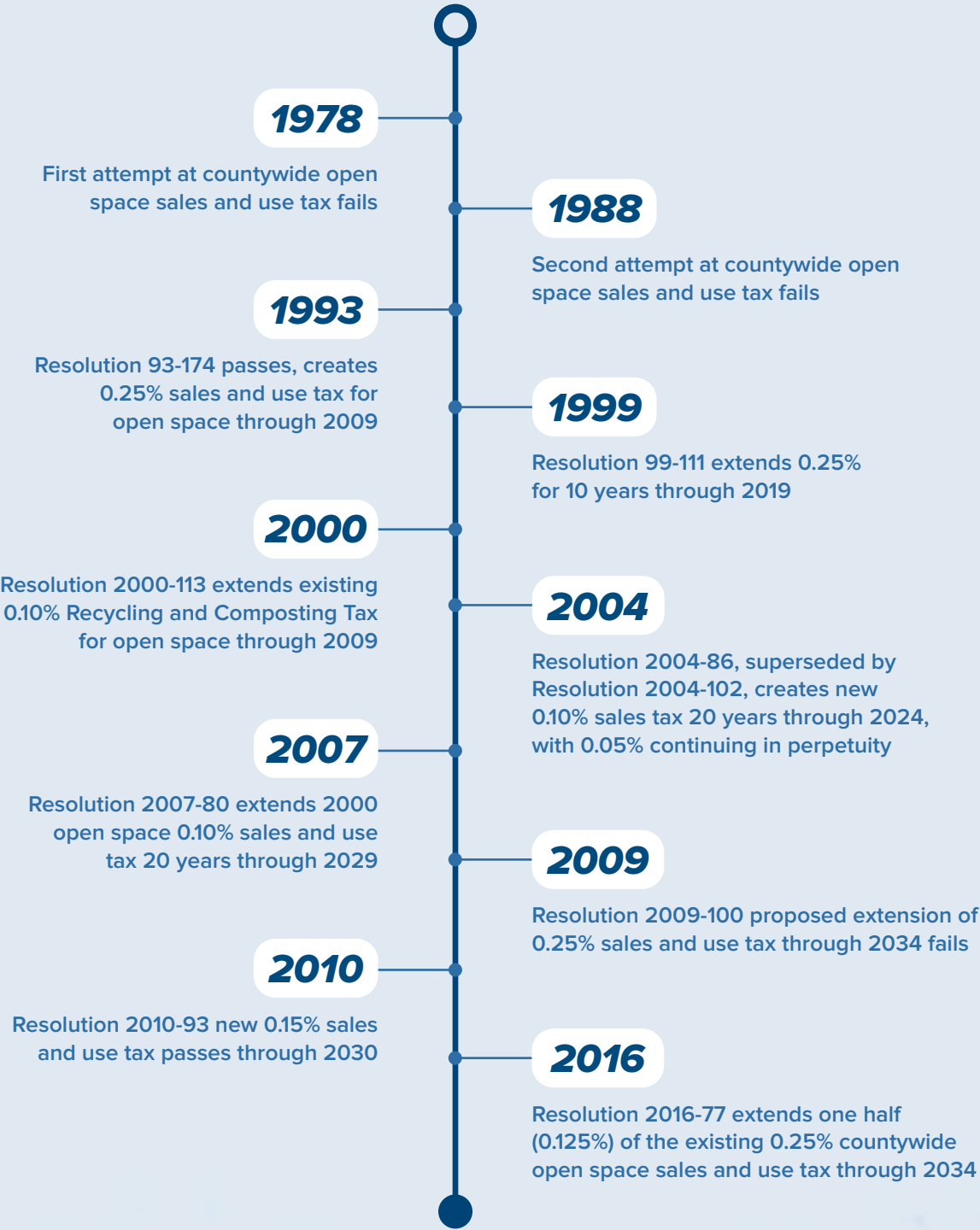
**Goal 2. Conserve.** Boulder County conserves the rural character of the unincorporated county by protecting and acquiring lands and waters embodying significant open space values and functions.

### Policies

**OS 2.01 Protection of Open Space Values and Functions.** Boulder County acquires real property rights to protect open space values and functions as outlined under the open space definition in Section II. b.

**OS 2.02 Acquisition Tools.** 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.

# SALES & USE TAX RESOLUTIONS



**OS 2.03 Protect Real Estate Interests.** Boulder County maintains and protects its real estate interests 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. Steward.** Boulder County purposefully stewards its open space resources through sound management practices and appropriate visitor uses.

## Policies

**OS 3.01 Management Plans and Policies.** 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 3.01.01.** Plans and policies are based on sound planning practices, regional context, public input, and desired future conditions.

**OS 3.01.02.** 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 3.02 Climate Change.** Through planning and management, Boulder County prepares for and adapts to the impacts of climate change.

**OS 3.03 Adaptive Planning.** 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, and best technologies and practices.

**OS 3.03.01.** Monitoring data shall be synthesized, analyzed, and utilized to adapt management practices in response to changing conditions.

**OS 3.03.02.** Monitoring data shall be available to the public as appropriate, subject to the Parks and Open Space Department's sensitive data policy.

**OS 3.04 Facilities and Improvements.** Boulder County provides appropriate improvements that serve the open space values and functions of the property while maintaining the rural and natural character.

## ACQUISITION TOOLS

The county acquires different interests in land for open space purposes. The interests are acquired by full purchase, full or partial donation, intergovernmental agreement, or regulatory / required means.

**Fee title:** The owner conveys the land and any water rights to the county.

**Conservation easement, deed restriction or restrictive covenant:** The owner agrees to restrict uses of the property in exchange for cash, tax benefits, land use approvals for use of adjacent land, or other compensation, such as transferable development rights (TDRs) that can be sold for use where the county and local municipality have agreed to allow greater density, or transferable development credits (TDCs) that can be sold for use by properties owners wishing to exceed the county's single family residential size threshold.

**Lease or management agreement:** The county leases land (such as from the State Land Board) or otherwise agrees to manage land for open space.

**OS 3.04.01.** Recreational facilities shall be designed and maintained to avoid or minimize the degradation of natural and cultural resources while providing an exceptional and sustainable user experience.

**OS 3.04.02.** Open space trails shall provide for multiple uses, unless otherwise specified in a management plan.

**OS 3.04.03.** Regional trails linking to open space are coordinated with Boulder County Transportation and other government agencies and may have special rules.

**OS 3.04.04.** Boulder County may establish regional parks such as the Boulder County Fairgrounds or similar facilities at the direction of the Boulder County Commissioners.



**OS 3.04.05.** Agricultural infrastructure such as center pivot sprinklers, hay sheds, grain bins, and other improvements may be constructed as appropriate to support agricultural goals.

**OS 3.04.06.** 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.

**OS 3.04.07.** Infrastructure needed for purposes of ecological restoration shall be constructed as appropriate to support the natural and ecological functioning of the resources.

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

## Policies

**OS 4.01 Parks and Open Space Advisory Committee.** The Board of 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 Engagement Through Communication.** 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.

**OS 4.03 Engagement Through Education.** Boulder County shall reach out to the public through educational programs, volunteer opportunities, and regular interactions at open space properties.

**OS 4.04 Public Input.** 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. Collaborate.** Boulder County collaborates with stakeholders and partners to promote and protect open space values and functions.

## Policies

**OS 5.01 Stakeholders.** Boulder County shall invite input from a broad spectrum of stakeholders relevant to the policy and management issues under consideration.

**OS 5.02 Peer Agencies.** Boulder County shall work closely with federal, state, and local authorities to promote and achieve mutual acquisition and management goals.

**OS 5.03 Annual Open Space and Trails Request.** Boulder County shall annually solicit input from and provide updates to municipalities and stakeholders on open space preservation and trail priorities.

**OS 5.04 Good Neighbor Policy.** Boulder County Parks and Open Space shall respect nearby private property owners through communication and appropriate actions.

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## ENDNOTES

<sup>1</sup> Many of these values and functions are set forth in the open space sales and use tax resolutions, <http://www.bouldercounty.org/os/openspace/pages/openspacefunding.aspx>.

# PH

## XI. PUBLIC HEALTH ELEMENT

### A. Introduction

Keeping our communities healthy means ensuring that all residents can breathe clean air, drink clean water, have safe places to live, be active and experience the health benefits of open space, access and afford healthy food, experience minimal risk from substance abuse and violence, and are prepared for the health effects of climate change. The *Public Health Element* is a blueprint of the Boulder County Public Health Department's (BCPH) vision: that Boulder County is a socially just, inclusive community where physical and mental health, social well-being, and the environment are valued, supported, and accessible to all.

Section II provides a brief overview of public health in Boulder County. It includes an overarching framework, definitions, BCPH's guiding principles and the priorities set by our community and BCPH. Section III presents goals and policies for the Public Health element.

Other elements of the BCCP reference and support health, including the Environmental Resources, Transportation, Natural Hazards, Agriculture, Housing, Sustainability, and Economics elements.

The goals and policies in this Public Health element bolster and complement health-related content in other elements, and address additional topics related to public and environmental health. Therefore, this element can serve as a single, comprehensive reference point for health-related goals and policies.

### B. Boulder County Public Health

#### PUBLIC HEALTH FRAMEWORK & OVERVIEW

Boulder County generally enjoys the reputation of being a prosperous and healthy place, and it is recognized nationally as a community that values local food and farms, bike paths and hiking trails, open space preservation, and the creation of affordable housing. Health data for Boulder County reflects our community's investments in health; in general, smoking rates are lower than the state average, residents eat more fruits and vegetables, exercise more often, and have lower rates of chronic disease than the nation as a whole.

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*Boulder County  
Public Health  
maintains community  
level health data on  
its website in order to  
assess and evaluate  
health outcomes.*

---

However, looking only at broad health data does not provide a full picture of Boulder County's community health. A closer look through an equity lens reveals that not all members of the county have equal access to such health and quality of life. Nearly 20 percent of children live in poverty, binge-drinking rates are among the highest in the nation, and child obesity rates are increasing. For these reasons, BCPH is committed to addressing the root causes of health inequities and reducing barriers to health equity so that all residents have the opportunity for a healthy life.

Boulder County's public health goals and policies can create a framework to improve equity and reduce disparities. These goals and policies acknowledge the complex system of social, economic, and environmental factors that influence individual and community health outcomes over the course of life. These factors, often referred to as the

social determinants of health, are further detailed in Figure PH-1.

Overarching goal and policy statements in this chapter highlight the communities' health priorities and provide the broad vision for supporting health in Boulder County. Ensuring that health and equity are considered when making decisions regarding our communities' future is based on national best practices in public health. Developing population-level health policies that seek to improve health and the supporting built and natural environments allows us to work toward reducing health inequities and improve health outcomes for everyone in Boulder County. As illustrated in Figure PH-2, developing and implementing policies that impact socioeconomic factors and change the environment to make the healthy choice the default have the greatest impact on population-level health outcomes.

Figure PH-1. CO Department of Public Health & the Environment's Health Equity Model

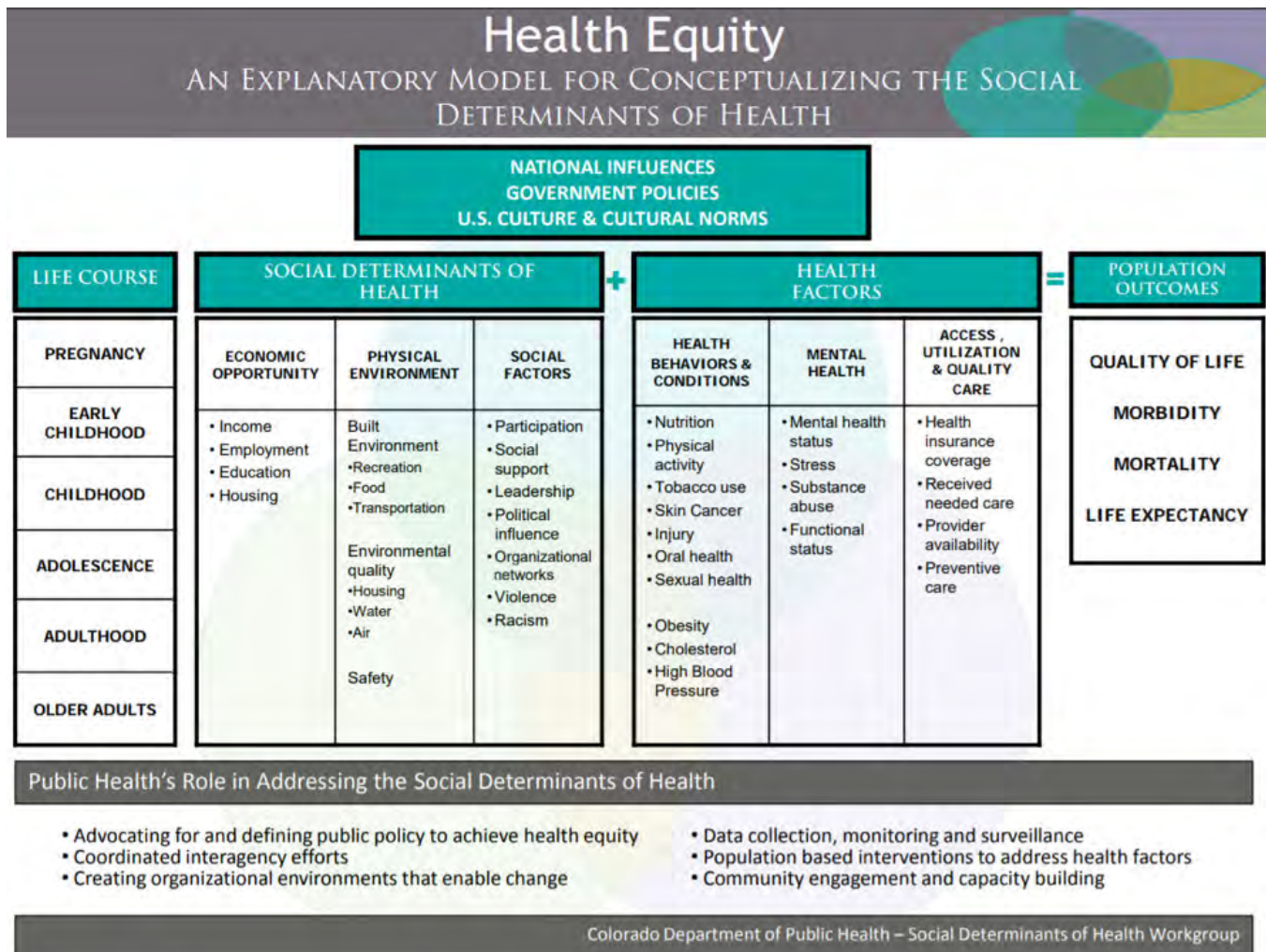
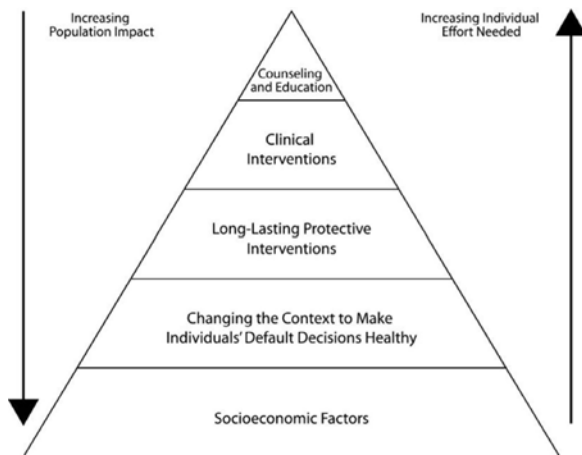




Figure PH-2. The Health Impact Pyramid



Health interventions that address the social determinants of health can have a larger impact on the health of a population than interventions that focus on one individual.

## DEFINITIONS

**Health:** A “state of complete physical, mental, and social wellbeing, and not merely the absence of disease or infirmity.”<sup>1</sup>

**Health Disparity:** A type of difference in health that is closely linked with social or economic disadvantage. Health disparities negatively affect groups of people who have systematically experienced greater social or economic obstacles to health. These obstacles stem from characteristics historically linked to discrimination or exclusion such as race or ethnicity, religion, socioeconomic status, gender, mental health, sexual orientation, or geographic location. Other characteristics include cognitive, sensory, or physical disability.<sup>2</sup>

**Health Equity:** The realization by all people of the highest attainable level of health. Achieving health equity requires valuing all individuals and populations equally. It entails focused and ongoing societal efforts to address avoidable inequalities by ensuring the conditions for optimal health for all groups, particularly those who have experienced historical or contemporary injustices or socioeconomic disadvantage.<sup>3</sup>

**Health Inequity:** A difference or disparity in health outcomes that is systematic, avoidable, and unjust.<sup>4</sup>

**Mental Health:** A state of well-being. Mental health is defined as a state of well-being in which every individual realizes his or her own potential, can cope with the normal stresses of life, can work productively and fruitfully, and is able to make a contribution to her or his community.<sup>5</sup>

**Population Health:** The distribution of health outcomes within a population, the range of personal, social, economic, and environmental factors that influence the distribution of health outcomes, and the policies and interventions that affect those factors.

**Social Determinants of Health:** The complex, integrated, and overlapping social structures and economic systems that are responsible for most health inequities. These social structures and economic systems include the social environment, physical environment, health services, and structural and societal factors. Social determinants of health are shaped by the distribution of money, power, and resources throughout local communities, nations, and the world.<sup>6</sup>

## PUBLIC HEALTH PRIORITIES

Every five years, each local public health agency in Colorado uses data to examine the health of the community it serves and identify solutions to address the important health issues found in the assessment. The Community Health Assessment is required every five years for all local public health agencies per the Colorado Public Health Act of 2008 (SB 08-194, CRS §§ 25-1-501 et seq.) and the national Public Health Accreditation Board. The Assessment guides BCPH's Public Health Improvement Plan.

### Estimated Life Expectancy at Birth

These data contain the Estimated Life Expectancy at Birth for residents of census tracts across the State of Colorado based on vital records data from 2010-2015: [https://www.cohealthmaps.dphe.state.co.us/cdphe\\_community\\_health\\_equity\\_map/](https://www.cohealthmaps.dphe.state.co.us/cdphe_community_health_equity_map/).

## BOULDER COUNTY PUBLIC HEALTH GUIDING PRINCIPLES <sup>7</sup>

The following key principles describe the actions we will take to conduct our public health work in order to make significant and sustainable improvements to health in Boulder County.

1. Use data and community input to identify factors that significantly impact equity, health, and quality of life. Employ evidence-based strategies and evaluation to inform decisions, assure quality, and demonstrate outcomes in policies and programs.
2. Initiate, enhance, and promote efforts to address the social determinants of health to ensure health equity for all people in Boulder County. Support community capacity in leadership and organizing that demonstrates collective power to affect change and influence public health programming, policy, and systems change efforts.
3. Promote primary prevention and population-based approaches to maximize health impact at the broadest possible level, while intentionally targeting prevention resources toward populations that are experiencing inequities.
4. Collaborate across sectors to initiate and strengthen partnerships toward making a collective impact to ensure common goals, shared measurement, coordination of activities, and reduced duplication.
5. Clarify appropriate roles of BCPH and our partners in the public health system.
6. Ensure that people in Boulder County are empowered and equipped to make informed decisions for adopting healthy behaviors.
7. Educate and influence policy makers so they are able to set policies that protect and enhance the health of individuals, families, communities, and the environment.
8. Implement strategies in a culturally and linguistically appropriate manner.

## C. Goals & Policies

The goals and policies presented here reflect public health priorities for Boulder County. In addition to providing policy direction for decision-making in Boulder County, these provide broad guidance for consideration during specific master plan updates (e.g., the county's Environmental Sustainability Plan, Transportation Master Plan, and department-level master plans).

**Goal 1. Foster Healthy Families & Communities.** Boulder County values and creates environments that foster healthy families and communities.

### Policies

**PH 1.01 Air Quality.** Boulder County recognizes the direct and secondary health impacts of outdoor air pollution produced by industrial, vehicular and other

sources. The county collaborates with industry, state and neighboring governments to respond to and mitigate the health impacts of poor air quality due to particulate matter, ground-level ozone, smoke from wildfires, greenhouse gases and other air pollutants.

**PH 1.02 Equitable Economic Development.** Boulder County supports policies and equitable economic development that increase the number and availability of living wage jobs, as well as jobs with paid sick leave.

**PH 1.03 Childcare Services.** Boulder County supports efforts to ensure that adequate childcare facilities are located throughout Boulder County, especially in mountain communities and other rural, underserved areas.

**PH 1.04 Family Friendly Workplaces.** Boulder County supports the creation and adoption of family leave policies and family friendly workplaces.

**PH 1.05 Substance Use.** Boulder County works to reduce youth and adult substance use by limiting residents' exposure to secondhand smoke and vapors, as well as considering the location and proximity of marijuana, alcohol, and tobacco facilities to youth-facing buildings.

**PH 1.06 Harm Reduction Strategies.** Boulder County understands the importance of harm reduction strategies to combat substance use disorders and works with partners and experts to determine appropriate interventions, such as syringe exchange sites, clinics and recovery residences, and prescription disposal and/or diversion sites.

**PH 1.07 Mental Health Resources and Safe Places.** Boulder County supports program and policy changes to address the shortage of mental health resources in schools, enhance suicide prevention, and create safe spaces for young people, free of discrimination based on race, ethnicity, sexual orientation and religion.

**PH 1.08 Gun Violence.** Boulder County recognizes gun violence as a public health issue and supports the safe storage of guns, further research into injury prevention strategies, and efforts to minimize risk related to gun violence.

**PH 1.09 Affordable Health and Mental Health Care.** Boulder County encourages efforts to increase access to and enrollment in affordable health and mental healthcare.

**PH 1.10 Healthy Foods and Beverage Environments.** Boulder County works to improve food and beverage environments (i.e., places where food and drinks are sold), access to clean water, and local, healthy, and nutritious foods for all residents regardless of income.

**Goal 2. Promote Safe & Healthy Recreation & Connections to Nature.** Boulder County collaborates with partners and municipalities to promote safe and healthy recreation and access to open spaces and nature that support physical and mental health.

## Policies

**PH 2.01 Open Space and Nature.** Boulder County recognizes and values the physical and mental health benefits of open space areas, trails, and amenities that allow members of the public to safely enjoy the outdoors and connect with nature.

**PH 2.02 Outdoor Access and Programing.** Boulder County strives to understand and meet the preferences and needs of all visitors and residents for nature access and programing with particular attention to providing access and programming to historically marginalized, elderly, differently abled, young and low-income populations.

**Goal 3. Support Transportation Safety & Accessibility.** Boulder County supports transportation infrastructure and programs that are safe and accessible for all residents regardless of geography or transportation mode to improve mobility options for all.

## Policies

**PH 3.01 Injury Prevention.** Boulder County strives to eliminate severe injuries and fatalities on the transportation network in unincorporated Boulder County through engineering, encouragement, education, and enforcement projects and programs.

**PH 3.02 Employment and Services Access.** Boulder County supports partnerships with community organizations and transportation providers to improve transportation options for residents in rural and mountain communities, with the goal of increasing access to job opportunities, education, healthcare, mental health services and social services.

## Health Assessment

In 2017, BCPH conducted a thorough assessment of the health of our county's residents. Along with extensive analysis of demographic and health data, the assessment included conversations with groups of residents to ensure that the community perspective was included, particularly from those experiencing barriers to health (i.e. health inequities). The results of these conversations were utilized to inform the creation of this Public Health element. Residents, stakeholders, and partners voted and identified mental health as the focus for BCPH and community partners for the 2018-2023 five-year period.



**PH 3.03 Existing Resource Outreach.** Boulder County partners with local and regional partners to provide outreach and increase awareness of existing transportation resources in rural and mountain communities.

**PH 3.04 Active and Multimodal Transportation.** Boulder County supports active and multimodal forms of transportation, such as biking, walking and public transit, to help improve opportunities for exercise as well as reduce greenhouse gas emissions. Boulder County will continue to work with local and regional partners to improve the safety, accessibility and attractiveness of infrastructure that supports these modes.

**Goal 4. Preserve Regional Agriculture & Local Food Systems.** Boulder County supports the local food system, access to affordable healthy food, and community farming to preserve regional agriculture and increase communities' health and resiliency.

## Policies

**PH 4.01 Fruit and Vegetable Consumption and Production.** Boulder County encourages fruit and vegetable consumption and specifically projects that increase healthy food access for low-income populations through production and other means.

**PH 4.02 Gleaning Efforts.** Boulder County recognizes the value of gleaning efforts that support healthy food distribution for low-income residents.

**PH 4.03 Affordable Healthy Foods Access.** Boulder County partners with community organizations to increase access to affordable, healthy foods at food distribution locations and seeks to increase access to healthy food in lower resourced areas, such as rural and mountain communities.

**PH 4.04 Local Healthy Food Distribution.** Boulder County monitors and seeks opportunities to support (e.g., through information sharing, regulations, and access to program resources) grocers and other

*Peck Orchard*



healthy food retailers across our communities, as well as local farmers, farm stands, farmers markets, and other sources and distribution channels for locally-produced food products.

**PH 4.05 Local Agriculture Viability.** Boulder County helps protect the viability of local agriculture to ensure local food production and supply by seeking to address the needs of farmers, ranchers, and other local food producers, and supporting the adoption of regenerative, biodynamic, and other resilient agricultural practices.

**Goal 5. Create, Conserve & Preserve Existing Affordable Housing.** Boulder County recognizes safe, stable and healthy housing as a social determinant of health and prioritizes the creation, conservation and preservation of existing affordable housing to align with the county's affordable housing goals.

### Policies

**PH 5.01 Affordable Housing.** Boulder County recognizes there is a connection between individuals having safe, affordable housing and their physical and mental health, and the county supports efforts to create, conserve and preserve affordable housing.

**PH 5.02 Manufactured and Mobile Homes.** Boulder County supports legislative efforts that provide additional protections for manufactured and mobile home park residents to support the physical and mental health of those residents and the preservation of affordable housing.

**PH 5.03 Displacement Mitigation.** The county evaluates its policies and regulations to minimize the negative effects of displacement on low-income persons when housing sites are redeveloped by the private sector.

**Goal 6. Promote Healthy & Safe Structures.** Boulder County supports efforts to ensure that structures have healthy indoor air quality, structural integrity and reasonable safety features to protect occupants.

### Policies

**PH 6.01 Radon Testing.** Boulder County requires radon testing and passive mitigation systems in new homes, and radon testing for major

## HEALTH IMPACTS OF CLIMATE CHANGE

Events such as extreme storms or extreme heat can lead to depression, anger, and even violence. Everyone is at risk, but not everyone is affected equally. Groups that are especially vulnerable to the health impacts of climate change include children, the elderly, and women. Also at risk are disadvantaged groups, those with existing mental illness, and those with close ties to the land, including farmers and tribal communities.

renovations (e.g. when finishing a basement); the county encourages radon testing and mitigation in all other new and existing occupied buildings.

**PH 6.02 Best Practices.** Boulder County supports healthy and safe rental housing and provides landlords and tenants with guidance on best practices for use of smoke detectors, CO monitors, radon testing, mold remediation, and hazardous materials cleanup. The county supports exploration into the feasibility and benefits of rental licensing and inspection programs.

**PH 6.03 Remediation.** Boulder County recognizes the importance of remediation efforts that reduce exposure to methamphetamine, lead, asbestos, and other potentially hazardous materials that may be found in households and warrant review upon change in ownership and occupancy of a structure.

**Goal 7. Address Climate Change.** Boulder County works to minimize and mitigate the negative effects of climate change-driven hazards on physical, mental, and environmental health.

### Policies

**PH 7.01 Minimize Climate Change Impacts.** Boulder County works to minimize the negative impacts of climate change through education, long range and emergency preparedness planning and resiliency efforts that seek to reduce the threat of climate-induced emergencies, such as high heat, drought, flooding, wildfire, and food and water shortages, on the most vulnerable residents.

*Preparing for “Seniors Fish Off”*



**PH 7.02 Protect from Climate Change Impacts.**

Boulder County works to track emerging vector borne diseases that impact our region, and collaborates with national and state partners to ensure preventative measures are taken to protect public health and minimize the negative health impacts of climate change.

**PH 7.03 Minimize Effects of Climate Change on Health.**

Boulder County recognizes that climate change can cause and intensify stress and anxiety, adversely affecting health and the county seeks opportunities to minimize those impacts through mitigating climate change.

**Goal 8. Engage, Educate & Collaborate.**

Boulder County actively engages and collaborates with stakeholders and partners to promote public health values.

**PH 8.01 Outreach.** Boulder County maintains strong outreach to the community, including offering public education activities, promoting awareness of the county's health data and community priorities, and providing robust opportunities for members of the public to provide input on future planning and programs.

**PH 8.02 Collaboration.** Boulder County collaborates and partners with communities and other regional stakeholders in identifying and addressing public health priorities.

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**ENDNOTES**

<sup>1</sup> <https://www.who.int/about/who-we-are/frequently-asked-questions>

<sup>2</sup> U.S. Department of Health and Human Services, Healthy People 2020 Draft. 2009, U.S. Government Printing Office.

<sup>3</sup> Adewale Troutman, Social justice, health equity and healthy communities. The Nation's Health May/June 2013, 43 (4) 3

<sup>4</sup> Whitehead, M. and Whitehead, The concepts and principles of equity and health. Health Promotion International, 1991. 6(3): p. 217.

<sup>5</sup> [https://www.who.int/features/factfiles/mental\\_health/en/](https://www.who.int/features/factfiles/mental_health/en/)

<sup>6</sup> Commission on Social Determinants of Health (CSDH), Closing the gap in a generation: health equity through action on the social determinants of health. Final report of the Commission on Social Determinants of Health. 2008, World Health Organization: Geneva.

<sup>7</sup> These Guiding Principles are included in BCPH's Five Year Strategy Plan.



# SMM

## XII. SUSTAINABLE MATERIALS MANAGEMENT ELEMENT

### A. Introduction

The Sustainable Materials Management Element (SMME) sets forth the goals and policies that will guide related regulations and management plans adopted by the county. The county's zero waste, environmental sustainability, and related plans support the goals and policies of this element by providing detailed objectives, metrics for success, and related tools to support the county's actions. The goals of the SMME include:

- The management and use of discarded materials with emphasis on sustainable practices and resource conservation, including full life-cycle management of materials;
- Influence on material design to reduce burdens in recycling and disposal facilities; and
- Waste reduction and reuse.

The SMME shall help inform county policies and decisions related to growth and development that pertain to waste, including recycling, composting, discards, disposal, reuse, and waste reduction/repair facilities, programs, and operations.

### HISTORY

Boulder County has had a commitment to responsible and sustainable management of its waste streams since the mid-1970s, with several important milestones occurring since that time:

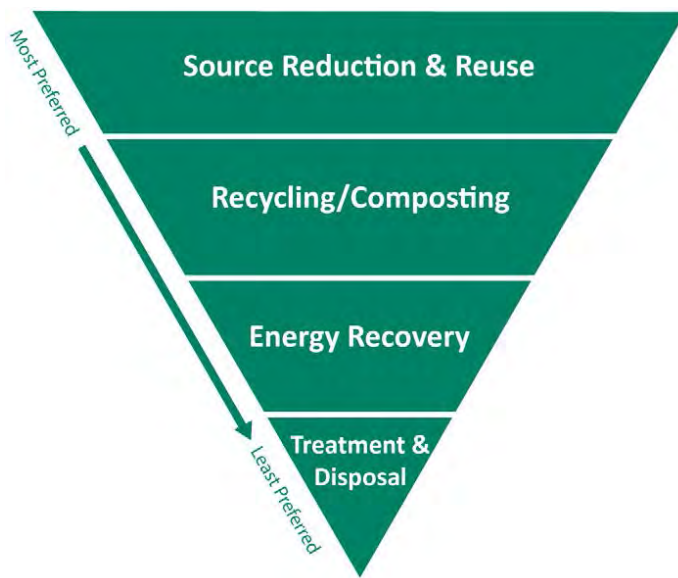
- The original Solid Waste Element<sup>1</sup> of the Boulder County Comprehensive Plan was adopted in 1978.
- The general planning objectives, which were adopted in 1978 and extensive public comment, were the basis of the county's 1982 Solid Waste Plan.
- The 1987 update of the Solid Waste Element included new goals and policies.
- The 2010 Boulder County Zero Waste Action Plan set forth "a vision for attaining Zero Waste 'or darn near' throughout Boulder County, including unincorporated area as well as municipalities, by 2025."
- The 2012 Environmental Sustainability Plan outlines many specific zero waste goals.

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*Boulder County has had a commitment to responsible and sustainable management of its waste streams since the mid-1970s . . .*

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Figure SMM-1. U.S. EPA's Waste Management Hierarchy



## DEFINITIONS

**Energy Recovery:** Energy recovery from waste is the conversion of non-recyclable waste materials into usable heat, electricity, or fuel through a variety of processes, including combustion, gasification, pyrolyzation, anaerobic digestion and landfill gas recovery. This process is often called waste to energy.<sup>2</sup> Any energy recovery projects should be focused on those discards still remaining after other source separation efforts have been maximized.

**EPA's Waste Management Hierarchy:** The county's commitment to Sustainable Materials Management follows the U.S. Environmental Protection Agency's (EPA's) waste management hierarchy (see Figure SMM-1). This hierarchy maps the most preferred strategies as, in order: source reduction and reuse, recycling and composting, energy recovery, and waste treatment and disposal.<sup>3</sup>

**Hazardous Waste:** Hazardous waste is a waste with properties that make it capable of having a harmful effect on human health or the environment. Hazardous wastes can be liquids, solids, or contained gases. They include, but are not limited to, by-products of industrial, manufacturing and extraction processes (e.g., waste fluids from hydraulic fracturing), discarded used materials, or discarded unused commercial products (such as many household cleaning products, pesticides, and paints).

**Sustainable Materials Management:** The EPA describes Sustainable Materials Management (SMM) as "a systemic approach to using and reusing materials more productively over their entire life cycles. It represents a change in how our society thinks about the use of natural resources and environmental protection... By looking at a product's entire life cycle— from materials extraction to end-of-life management—we can find new opportunities to reduce environmental impacts, conserve resources, and reduce costs."<sup>4</sup>

## B. Goals & Policies

**Goal 1. Promote & Uphold the County's SMM Values.** Boulder County promotes SMM in its actions, policies, and decision-making countywide. The county values SMM for its environmental protection, including greenhouse gas emission mitigation, its economic soundness, and its contribution to community vitality and quality of life. SMM prioritizes diversion practices that best preserve the inherent value of the resources used.

### Policies

**SMM 1.01 Support for SMM Efforts.** Boulder County supports efforts that promote SMM best practices (consistent with adopted plans and agreements) in the following areas: environmental stewardship, product stewardship, resource conservation, pollution prevention, mitigation of adverse climate impacts, and protection of public health. The county will strive to support initiatives that align with SMM including those related to facilities, programs, granting mechanisms, policy mechanisms, local markets, education and outreach.

**SMM 1.01.01** To the extent possible, the county shall support land use decisions that align with SMM while balancing other regulatory and policy priorities, e.g., zoning amendments, and/or property acquisitions for facilities in suitable locations. SMM values, functions, and impacts to county lands shall be considered in the review of development proposals submitted through the Community Planning & Permitting Department.

**SMM 1.01.02** To the extent possible, the county shall support SMM from public, private, and non-profit sector organizations, including development of local end-markets designed to reuse or repurpose materials.

**SMM 1.01.03** Boulder County may acquire real estate interests in land for SMM functions, if periodic feasibility research and planning studies indicate the need for county-owned land for viable SMM facilities or operations.

**SMM 1.01.04** Boulder County shall minimize resource use and waste streams by encouraging growth of markets for local products, and facilitating the local processing and reuse of discarded waste materials within the county.

**SMM 1.02 SMM in County Operations.** Boulder County shall implement SMM practices in its own operations of its facilities, purchasing, and generation of waste and discards. Furthermore, the activities of county departments shall promote and reflect the values of SMM.

**Goal 2. Facilitate SMM.** Boulder County purposefully facilitates SMM activities taking place across the county through countywide planning, management, and education functions, including its active role in providing zero waste services.

## Policies

**SMM 2.01 Facilitation of SMM Activities.** Boulder County supports various types of materials processing, management, and diversion-related technologies, processes, and activities to reach its zero waste and SMM goals in a fiscally responsible manner.

**SMM 2.02 Scope of County Plans and Policies.** Boulder County prepares management plans and policies as appropriate for SMM facilities, programs, education, and activities and uses the plans and policies to manage SMM resources and assets. The scope of planning and policies shall encompass:

- a) The establishment, maintenance, responsible stewardship, and needed improvement of all current and future SMM related facilities countywide.
- b) Planning for both short- and long-range forecasting of capacity needs for capital, expansion, and operation and maintenance needs, as well as address criteria in Goal 3;

*Recycle, Compost, & Trash Bin, Boulder*





- c) Forecasting ownership and operation scenarios and compensation formulas for all facilities to optimize environmental stewardship, materials recovery, and operational efficiencies, and ensure fiscal stability;
- d) Providing oversight and regulation of private, public, and non-profit sector collection, processing, management, and end-marketing of discarded, recyclable, compostable, and reusable materials;
- e) Convening appropriate parties to consider and develop intergovernmental agreements (IGA) for SMM initiatives;
- f) Setting performance goals and level-of-service standards for all county-owned SMM facilities, programs, or operations;
- g) Planning for zero waste and SMM using applicable criteria (see Goal 3 for criteria), data on waste generation, population, and waste trends; land use constraints; and in the context of the Comprehensive Plan and the county's goals and values (e.g., addressing the use of landfills in adjacent counties – monitoring lifespan and status of these landfills);
- h) Structuring responsible financing mechanisms for SMM facilities (see SMM Policy 2.04);
- i) Clearly defining the management and operational roles of county staff and the guidance and input roles of the county's Resource Conservation Advisory Board (see Goal 5).

**SMM 2.03 Monitoring and Evaluating Innovation in Approaches.** Boulder County monitors and evaluates waste, recycling, composting, and related SMM policies and activities both locally and more broadly, to inform management decisions. The county seeks to be innovative in its approaches to SMM, using knowledge of current conditions, latest science, best technologies, and best management practices.

**SMM 2.04 Financing and Planning Mechanisms.** Boulder County shall engage in planning activities to facilitate the development of SMM facilities and policies.

**SMM 2.05 Awareness, Education, and Outreach Related to SMM.** Boulder County shall promote awareness of SMM activities and initiatives taking place across the county through communication methods designed to reach a broad spectrum of the public, including waste generators, residents, stakeholders, organizations, and businesses.

### County-Owned Facilities Include:

- Mountain Transfer Station & Recycling Center
- Drop-Off Centers
- Boulder County Recycling Center
- Construction and Demolition Facility
- Debris Management Sites
- Hazardous Materials Management Facility

Boulder County shall reach out to the public through educational programs, volunteer opportunities, special events, regular interactions at sustainable materials management facilities, and other appropriate educational venues.

**Goal 3. Maintain & Apply Criteria for Implementation.** Boulder County maintains and applies criteria for ensuring SMM principles are reflected at all stages of facilities development, planning processes, and policy implementation.

### Policies

**SMM 3.01 Criteria for Evaluating SMM Efforts.** Boulder County shall apply the following criteria when evaluating SMM plans, policies, facilities, programs, and other initiatives in Boulder County. The county, together with its partners will strive to ensure consistent monitoring and utilization of best available data. Specifically, any initiatives reviewed shall:

- a) Mitigate or reduce waste (e.g., waste prevention and diversion to reduce mining of virgin resources);
- b) Ensure that facilities or operations are planned, located, designed, and operated to prevent and divert unacceptable air, water, noise and visual pollution, including assessing the positive and negative environmental impacts of the transport of materials, workers, etc. to and from a facility or operation;
- c) Measure and seek to reduce climate change (or carbon) footprint for SMM activities by reducing adverse greenhouse gas emissions;



- d) Prevent and divert waste; reduce local emissions from mining, materials extraction and processing; and reduce transportation-related emissions during the full life cycle of materials used, reused, and processed at end of life;
  - e) Use sequestration to reduce carbon impacts where applicable (e.g., using compost to replenish depleted soils);
  - f) Demonstrate, based on a life-cycle analysis, that the initiative(s) results in the least adverse environmental and human health impact from 'cradle to grave' of the options available;
  - g) Eliminate or reduce toxic or otherwise hazardous materials used in products and practices;
  - h) In order to ensure the responsible end-of-life management of toxic or hazardous waste, and recognizing the populous nature of the county, all such waste must be neutralized or otherwise treated to remove the toxic and/or hazardous components and discharged according to national, state, and local regulations;
  - i) Demonstrate the economic/fiscal and social impacts (e.g., job creation, costs to county, revenue potential, environmental justice, funding mechanism/debt service, etc.) of SMM initiatives and ensure long-term funding mechanisms are viable;
  - j) Ensure accessibility and affordability of all SMM-related facilities and programs to all residents countywide;
  - k) Ensure public education/outreach mechanisms are included in fiscal and operational planning;
  - l) Demonstrate availability of fiscal and other needed resources for appropriate enforcement; and
  - m) Seek to manage discarded materials as locally as possible to provide the highest benefit to the local economy.
- SMM 3.02 SMM and Green Building Practices.** SMM and green building practices for both new and retrofit construction shall be incorporated into policies, regulations, and requirements for both residential and commercial building design and materials selection, and construction and maintenance practices shall:
- a) Ensure building longevity and resilience;
  - b) Prioritize and provide for safe deconstruction and materials reuse/recycling at end of life;
  - c) Discourage demolition of otherwise safe and functional structures;
  - d) Promote other sustainable initiatives such as energy efficiency and water conservation.

- e) Align with circular economy principles and practices (e.g., life-cycle asset management analyses, collaborative consumption, products designed for longevity, performance and service systems and incentivized returns, economic vitality for resiliency, and extended producer responsibility);
- f) Address issues of ‘new’ materials or products entering the waste stream for which reuse and/or diversion end markets have not yet been developed; and
- g) Collect and report data on SMM activities.

**Goal 4. Gather Input & Collaborate with Stakeholders & Partners.** Boulder County actively engages the public to solicit input on policies and practices related to SMM and resource conservation.

## Policies

**SMM 4.01 Resource Conservation Advisory Board.** The county commissioners shall appoint a Resource Conservation Advisory Board (RCAB) to provide a forum for public input and advice to the Board of County Commissioners and the Resource Conservation Division regarding SMM plans, programs, and actions.

**SMM 4.02 Input from Public and Other Stakeholders.** Boulder County shall invite input from a broad spectrum of stakeholders relevant to the policy and management issues under consideration. Boulder County shall periodically solicit input from and provide updates to municipalities and stakeholders on SMM priorities, and may seek and consider public input about SMM initiatives and management through a variety of informal and formal engagement tools.

**SMM 4.02.01** Boulder County will actively seek input from interested community members to ensure policies and initiatives are based on a sound understanding of constituents’ and stakeholders’ short- and long-term needs and operational context.

**SMM 4.03 Public Hearings.** County land acquisitions and capital improvement plans for SMM facilities, along with county zero waste management plans and policies, require approval by the Board of County Commissioners, after a public hearing and after review and input by the RCAB.

**SMM 4.04 Collaboration with Stakeholders.** Boulder County shall collaborate with businesses, organizations, non-profits, educators, and other partners to promote the county’s SMM values and practices.

**SMM 4.05 Collaboration with Authorities.** Boulder County shall work closely with federal, state, and local authorities to promote and achieve SMM goals (e.g., state-level product stewardship legislation).

**SMM 4.05.01** Boulder County shall strive for harmonization of goals, policies and initiatives at the local level (e.g., policies regarding discards, waste, diversion, reuse, etc.) to ensure they do not serve as disincentives to one another, but rather complement one another.

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## ENDNOTES

<sup>1</sup> Re-named as the Sustainable Materials Management Element (SMME) in 2017 to reflect the broader scope and intent of the county’s approach to waste and materials management.

<sup>2</sup> US EPA, Energy Recovery from the Combustion of Municipal Solid Waste (MSW), [www.epa.gov/smm/energy-recovery-combustion-municipal-solid-waste-msw](http://www.epa.gov/smm/energy-recovery-combustion-municipal-solid-waste-msw), accessed March 13, 2017.

<sup>3</sup> US EPA, Sustainable Materials Management, [www.epa.gov/smm/sustainable-materials-management-non-hazardous-materials-and-waste-management-hierarchy](http://www.epa.gov/smm/sustainable-materials-management-non-hazardous-materials-and-waste-management-hierarchy), accessed October 10, 2016.

<sup>4</sup> US EPA, Sustainable Materials Management, [www.epa.gov/smm/sustainable-materials-management-basics](http://www.epa.gov/smm/sustainable-materials-management-basics), accessed October 7, 2016.



# CEB

## XIII. SUSTAINABILITY ELEMENT

### A. Introduction

The verb “sustain” is defined in Webster’s Third International Dictionary as meaning “to cause to continue...to keep up especially without interruption, diminution or flagging”. As a standard bearer, the most widely acknowledged definition came from the Brundtland Commission Report in 1987,<sup>1</sup> which described sustainability it as “... development that meets the needs of the present without compromising the ability of future generations to meet their own needs”.

Many institutions and organizations have worked at refining this description since that time, trying to perfect a universally acceptable definition or at least one that meets their particular agendas. But as Denise Lach, a sociology professor at Oregon State University, has argued, spending time and energy trying to find a common definition for “sustainability” may not gain us anything of real value “Sustainability is like love and democracy– multiple meanings, not always perfectly realized, but always struggled for, at least by most of us. I think we do agree, basically, on what it is. We disagree when we must make specific choices in our lives”.<sup>2</sup> We believe the crux of the issue is captured in her

last sentence. How to go about reaching some broader consensus or acceptance of what to do and how to do it is the primary challenge that confronts us.

Sustainability links the issues of environment, economy and social equity together. An action or decision in any one of these areas will have consequences on the others whether anticipated or not. A sustainable community is one where an agreement has been reached on the design and implementation of plans that replace competition between issues with collaboration and forethought about achieving desired outcomes in the present while preserving options for those that will follow.

### **SUSTAINABILITY & THE BOULDER COUNTY COMPREHENSIVE PLAN**

Developing a sustainability plan requires taking a long view that goes well beyond the time-frames comprehensive plans have traditionally addressed. However, comprehensive plans are intended to be adaptable and dynamic documents that provide a central home for expressing the goals and desires of a community. It is therefore quite appropriate for the subject

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*Sustainability  
links the issues  
of environment,  
economy and social  
equity together.*

---

of sustainability to be included, particularly since in its fullest expression sustainability should influence and connect all of the other Elements in the Plan.

The original *Boulder County Comprehensive Plan* was adopted in 1978 in response to a growing alarm about the spread of development types and patterns that were having adverse, undesirable or irreversible negative impacts on the land. At its core, the Plan's intent was to provide guidance for (a) preserving the agricultural, forested and open lands environments and ecosystems found throughout the county by channeling urban development into and adjacent to urban areas; and (b) establishing and retaining diverse, compatible and functional land uses to prevent urban and rural decay.<sup>3</sup> Subsequent amendments and actions across the years have been developed with these goals in mind, and the county, with the persistent participation and support of its residents, has been quite successful in meeting them.

Refining the Plan to move beyond its roots in preservation to sustainability is an appropriate and important evolutionary step to take. As a specific example, the Boulder County Commissioners set the stage for this next step by adopting two resolutions directing the county's own operations to prepare and implement plans for achieving a Zero Waste Program and Sustainability Energy Path.<sup>4</sup> Over 146 universities and colleges in 40 states, including six campuses in Colorado, have signed the American College and University Presidents Climate Commitment to making their campuses

climate-neutral.<sup>5</sup> On a broader front, the American Planning Association ratified a Policy Guide on Planning for Sustainability on April 17, 2000. In it, the Association identified several dimensions to the sustainability issue:

- 1) We want to sustain communities as good places to live, and that offer economic and other opportunities to their inhabitants.
- 2) We want to sustain the values of our society – things like individual liberty and democracy.
- 3) We want to sustain the biodiversity of the natural environment, both for the contribution that it makes to the quality of human life and for its own inherent value.
- 4) We want to sustain the ability of natural systems to provide the life-supporting 'services' that are rarely counted by economists, but which have recently been estimated to be worth nearly as much as total gross human economic product".

To move from these statements of intent into actions, sustainability requires a commitment to the following principles:

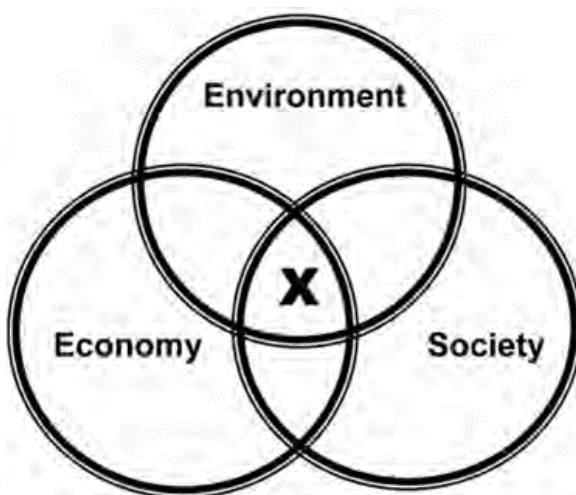
- 1) living within limits;
- 2) understanding the interconnections and interdependence of economic, societal and environmental decisions and actions;
- 3) sharing the distribution and stewardship of resources and opportunities equitably throughout the public and private sectors; and
- 4) fostering and activating the will to make necessary changes.

The goals of this Element have been written with these principles in mind and to provide guidance for subsequent amendments and additions to the Comprehensive Plan that address sustainability.

## SCOPE OF THE SUSTAINABILITY ELEMENT

What is generically called a systems-wide sustainability plan takes a careful accounting of the numerous and diverse components that provide the foundations for the quality of our environmental, economic and societal condition. The list is large: agricultural viability, forest health, energy production and use, resource consumption and preservation, decent housing, transportation, air and water quality, equitable educational and

**Figure CEB-1. Sustainability Diagram**  
*The X position is where a sustainable community would be functioning in a balanced system.*



employment opportunities, meaningful public participation, and so on. At the time of adoption into the county's Comprehensive Plan on May 16, 2007, the Element does not presume to cover all these factors. It is, however, to provide a place keeper in the Plan for the continuing inclusion of specific topics, policies and action plans relating to sustainability as they are identified, agreed to, and developed through a public process.

On October 30, 2006, the Planning Commission and County Commissioners held a joint study session with the Community Planning & Permitting Department on sustainability and directed staff to focus first on (a) an expanded transferable development rights (TDR) program; (b) assessing possible structure size limitations and mitigating measures that would be appropriate for exceeding them; and (c) developing green building policies to shape the drafting of new codes and regulations. The formal authorization to proceed with these tasks was given with the adoption of Docket BCCP-06-001: *Boulder County Comprehensive Plan Revision* by the Planning Commission on November 15, 2006. What follows is a brief explanation of how these three themes relate to sustainability.

## **TDRS & SUSTAINABILITY**

The county has had a voluntary TDR program and regulations in place for the Plains area since 1995. In simple terms, TDRs permit the moving of development rights from lands identified as valuable or important for preservation to other sites that are more suitable for development. Since 1995 approximately 293 TDR certificates have been issued and more than 5,000 acres of agricultural and other important lands have been preserved from development. These lands will remain available for agricultural uses, wildlife habitat, wetlands/riparian corridor protection, open space and other functions that are complementary to the principles and goals of sustainability. Its voluntary nature also means that landowners who own property eligible for the removal of the development rights have a choice in deciding how their lands will be used.

Expanding a TDR program to include a larger geographical area of the county and a greater range of TDR options can promote additional sustainability decisions and outcomes being taken in a region and for a population that has not had those choices before.

## **Sustainability**

The concept of "sustainability" has been the subject of debate and discussion, particularly over the past 20 years, as concern has grown from the global to the local level about whether the social, economic and physical resources we have come to depend on will be sufficient or available to future generations to meet their needs and aspirations...and what we in the present intend to do about it.

## **STRUCTURE SIZE & SUSTAINABILITY**

The national average for single-family home sizes has increased from 983 square feet in 1950 to 2,434 square feet in 2005.<sup>6</sup> In unincorporated Boulder County new single-family home sizes have gone from an average of 3,881 square feet in 1990 to 5,929 square feet in 2005, far exceeding the comparable national figures. Yet the average household size population in the county has declined during that same period.

The residential sector accounts for 22% of the energy and 74% of the water consumed in the United States while contributing 21% of the county's carbon dioxide emissions.<sup>7</sup> An "average" size home contains 892 million Btu's of embedded energy (equal to 7,800+ gallons of gasoline) in its materials' manufacturing, transportation and assembly.

Not only has the growth in home sizes increased the use of energy and other natural resources, the impacts of these larger structures can negatively affect the rural character of Boulder County. In some areas, smaller cabins and dwellings are being replaced by permanent homes of a substantially larger size. Many residents of the county have an interest in the sustainability of their rural communities' character but find it difficult to do so faced with the high cost of property and the pressure to develop larger homes.

A set of policies that encourage smaller structure sizes, promotes the development of mitigation measures to offset the consumptive impacts



of larger homes, discourages the demolition of otherwise habitable dwellings, and promotes the preservation of rural communities with their typically smaller homes, will enable the county to meet many sustainability objectives.

## **GREEN BUILDING (BOULDER COUNTY BUILDSMART) & SUSTAINABILITY**

Buildings use over 25% of the world's wood harvest and consume two-fifths of all energy and materials. In addition, 54% of the energy consumption in the United States is directly or indirectly related to buildings and their construction.<sup>8</sup> The average American family produces about 100,000 pounds of carbon dioxide emissions per year and spends about \$1,500 on home energy bills. However, average green building consumes 30% less energy than its peers, which means lower costs, lower emissions and better air quality.<sup>9</sup>

Policies promoting the use of green building principles and practices including the preservation of existing structures where feasible, the reuse and recycling of materials from deconstructed buildings that have outlived their habitability, water and energy conservation, and the use of sustainable materials can reduce overall initial consumption of resources as well as introduce significant resource/financial efficiencies and savings into the operation, maintenance and lifetime usability of structures.

## **FUTURE SUSTAINABILITY MEASURES**

The *Boulder County Comprehensive Plan* has served its residents and environment well in providing checks and balances to the relentless consumption of land and the loss of the many types of sustaining resources that those lands provide. There is now new and important work to do, new steps to take. Mahatma Gandhi said, "You must be the change you want to see in the world". This Element is intended to stimulate and accommodate the expansion of sustainability planning throughout the county in partnership with other public institutions and private sector interests willing to bring their talent, expertise and ideas to the table. The county should take a leadership role in promoting these efforts.

## **DEFINITIONS**

### **Boulder County Comprehensive Plan Definition of Sustainability**

"Sustainability" means the use, development and protection of all our resources in a manner that does not deplete them while enabling the residents of Boulder County to meet their current needs and maintain a fulfilling quality of life without compromising or foregoing the ability of and opportunity for future residents to do the same.

In this context, "resources" includes the land, air, and water along with the inherent value of the natural resources, biodiversity, and life-supporting functions associated with them; energy and materials for development and habitation; the essential rural, low-density character of the unincorporated county; the special historic, cultural and geographic composition of distinct rural communities within the county; the diversity of economic activities and opportunities available to individuals; and the people who live within and continue to shape our developed and natural environment.

### **Sustainability Action Statement**

Sustainable actions are those that support, maintain, conserve and enhance the environmental, economic and social systems on which we depend. Achieving sustainability may demand substantial departures from past and present actions as well as a fundamental commitment to conserving finite resources. Sustainability thus requires a coordinated approach to planning and public policy that involves public participation. Success depends on the widespread understanding of the critical relationship between people and their environment, an appreciation of the interrelationships between the systems that sustain human existence, and the will to make necessary changes.

## **B. Goals & Policies**

### **GOALS**

**Goal 1. Promote Outcomes Consistent with Principles of Sustainability.** The county recognizes and accepts that weighing individual wants and needs with those of the larger public and society is a complex but essential responsibility of



government. Implementing the Comprehensive Plan involves the need to balance competing goals and policies in cases where they cannot be harmonized. With that understanding in mind, Boulder County's land use management tools and practices should be designed to promote decisions and actions supporting outcomes that are consistent with the principles of sustainability.

**Goal 2. Develop Programs & Initiatives to Meet Needs of Diverse Areas.** Boulder County contains a highly diverse and complex mixture of ecosystems, landforms, development patterns, human activities, cultural and economic characteristics and jurisdictions. While the principles of sustainability bind them all together, the county recognizes that the development of programs and initiatives specifically designed to meet needs within different areas of the county may be warranted and appropriate.

**Goal 3. Address Wasteful Resource Practices & Identify Constituencies & Partners in Sustainability Efforts.**

Sustainability actions or programs undertaken by the county should address the following factors:

- the origins or causes of wasteful resource practices as well as the harmful effects of such practices;
- the interrelationship of systems and forces that dictate how resources are used, and;
- the social constituencies and partners that should be involved in and served by sustainability efforts.

**Goal 4. Identify & Implement Actions to Diminish Greenhouse Gas Emissions.**

The county considers global climate change to be a matter of paramount concern and a potential threat to any sustainability efforts that may be undertaken. In recognition of this concern and to implement the Board of County Commissioners' Resolution 2005-137 regarding a Sustainable Energy Path for Boulder County, the county should take a leadership role in identifying and implementing actions that will lead to a diminishment in the county's contribution to total greenhouse gas emissions from both stationary and mobile activities or sources through an increase in energy efficiency, a reduction in vehicle miles traveled a reduction in waste generation, and other measures.



**Goal 5. Preserve the Built & Contextual Character.**

The preservation of the built and contextual character of Boulder County's diverse rural landscapes, neighborhoods and communities should be fostered and promoted through encouraging participation by the residents and property owners in those areas to identify the characteristics that are of importance to them and assist in development of land use strategies and tools for maintaining those characteristics.

**Goal 6. Foster & Promote Resources of Open & Rural Lands.**

The preservation and viability of the increasingly precious resources of open and rural lands, whether devoted to agriculture, forestry, open space, or plant and wildlife habitat, as well as the sustainability of uses that provide for the long-term preservation of such lands, should be fostered and promoted through innovative regulatory and acquisition programs, public-private partnerships, and public education, outreach and participation.

**Goal 7. Further the Achievement of Zero Waste.**

Conversion and recycling of waste materials into useful products, as well as reductions in the generation of waste streams, are recognized as sustainability actions providing benefits to society and the environment. With the adoption of Resolution 2005-138 by the Board of County Commissioners, the county has committed itself to a Zero Waste program as a guiding principle for all county operations and for outreach and actions on a countywide scale. The policies of the *Boulder County Comprehensive Plan* should therefore be applied in a manner that furthers achieving a Zero Waste outcome.

**Goal 8. Promote Use of Renewable Resources in Construction.**

Efficient use of renewable resources and the reduction in consumption of non-renewable resources used in construction and its associated infrastructure should be promoted through policy and education and implemented as appropriate through regulations.



*Caribou Ranch Open Space, Nederland*



### **Goal 9. Provide & Promote Sustainability Practices & Techniques.**

Opportunities for individuals and institutions to design, develop, and apply sustainability practices and techniques should be provided and promoted.

**Goal 10. Protect Natural Assets.** The county's rich and varied natural features, scenic vistas, ecosystems, and biodiversity should be protected from further intrusion, disruption, consumption and fragmentation.

### **Goal 11. Measure Success or Shortcomings.**

To assess progress in meeting the goals and policies for sustainability, the county should develop benchmarks or indicators that will measure successes or shortcomings in these efforts and report them to the public.

### **Goal 12. Advance Principles & Practices of Sustainability across the County.**

The county should continue to engage in conversations and development of partnerships with the public and private sectors through intergovernmental agreements, memoranda of understanding, public outreach and information programs, and other initiatives or relationships to advance the principles and practices of sustainability across the county.

### **Goal 13. Support Locally Available Resources.**

The county should promote and support the use of local products, technologies, expertise, and other locally available resources that contribute to the advancement of these goals.

### **Goal 14. Incorporate Policies to Implement Sustainability Goals.**

The county should continue to analyze all county activities and responsibilities for areas where this Element could incorporate policies to implement the sustainability goals, and to add those policies through a public process as appropriate.

## **POLICIES**

### **Transfer of Development Rights Program (TDR)**

**CEB 1.01 TDR Program.** A new voluntary transferable development rights (TDR) program for unincorporated properties, including those located

in the unincorporated mountainous (Forestry-zoned) portion of the county, may be developed and included into the *Boulder County Land Use Code*. The program may consider the use of fractions of TDRs to achieve the goals of the BCCP.

**CEB 1.02 TDR Program Objectives.** This TDR program should consider facilitating the attainment of any or all of the following objectives:

- preserving vacant lands identified in the Comprehensive Plan as having significant environmental, agricultural, visual or cultural values;
- maintaining the character of established rural communities;
- avoiding or reducing the fragmentation and disturbance of important ecological and environmental areas including but not limited to significant plant and wildlife habitats, wetlands and riparian areas, and Environmental Conservation Areas;
- avoiding development in hazardous areas;
- providing incentives for the promotion and retention of a diverse housing stock;
- protecting and securing scenic corridors and vistas;
- promoting the county's goals of achieving sustainable land uses and reducing the impacts of the built environment; and
- encouraging the voluntary participation of landowners.

**CEB 1.03 Focus of TDR Regulations.** The TDR regulations should be crafted with a focus on preserving vacant, rural, and environmentally sensitive lands, mitigating the impacts of the built environment, and providing incentives to property owners to participate in the program.

**CEB 1.04 TDR Regulations for Preservation of Existing Character.** The TDR regulations should also be crafted with a focus on preserving the existing stock of moderately sized, seasonal, and older residences that reflect the diversity and rural character of both mountain and plains homes and communities. Incentives should be provided to owners of these kinds of properties to participate in the program.

**CEB 1.05 Understanding Effects of the TDR Program.** A further understanding of how any program that transfers the ability to develop property may affect land values, assessments and taxation will be undertaken in consultation with the County

Assessor's Office. This information will be taken into consideration when preparing regulations and implementation tools.

**CEB 1.06 Incentives for Low Impact Development.**

TDR incentives for landowners to voluntarily build smaller, lightly impacting homes or structures on vacant lands should be considered as part of the countywide TDR program.

**CEB 1.07 Establishment of a Bank/Clearing House.**

To assist parties interested in participating in the TDR program the county may consider establishing a bank or information clearing house in order to provide a central location through which the acquisition and sale of development rights may be facilitated or conducted.

**CEB 1.08 Bank/Clearing House Responsibilities.**

Any county bank/clearing house may be authorized to both buy and sell development rights. Transaction revenues received by the bank should be dedicated to furthering the goals of the BCCP through the acquisition of development rights to preserve other appropriate open lands and reduce density in order to mitigate the impacts of future development from the built environment within the county.

**CEB 1.09 TDR Program Criteria.** In establishing this new TDR program, the county, through an open public process, will develop criteria for establishing sending and receiving sites. Criteria for making such determinations may be incorporated into the Land Use Code and should take into consideration the following attributes:

- Status as a legal building parcel
- Physical characteristics and constraints of the property
- Status as a platted subdivision lot
- The presence of resources, values or features designated through the Boulder County Comprehensive Plan on the property
- Location as an enclave within or adjacent to BCCP-designated Environmental Conservation Areas, United States Forest Service or other publicly held lands, or lands with a conservation easement protecting them from further development
- Legal access to the property
- Location of the property with respect to existing development, including location in an existing rural community or platted subdivision

*Mountain Lion at Hall Ranch, Lyons*



**CEB 1.10 Continuing and Expanded Municipal Participation.**

The county should continue to engage in conversations with its municipalities about their continuing and expanded participation in the county's TDR programs through consideration of options such as a) designating additional potential receiving sites; b) requiring a TDR component for new residential or other development within existing corporate limits or on lands proposed for annexation; c) providing additional county TDR bonuses to landowners who sell their TDRs to developments within municipalities or on municipally-designated receiving sites; or d) in other ways that further both the county's and municipalities' interests in maintaining a distinct difference between municipal and rural areas.

**Structure Size Limitations**

**CEB 1.11 Sustainable Development Options and Tools.**

In accordance with the mission statement of the county's Sustainability Initiative and definition of "sustainability" contained in this Element of the BCCP, the county should develop options and tools to promote more sustainable development. Sustainable development would include smaller scale development; development which includes the conservation of lands, materials, energy and other resources in its design, construction and infrastructure; and that preserves the rural character

of the county as well as the distinctive character of the community in which development may be located.

**CEB 1.12 Structure Size Limitation Analysis.** An analysis should be conducted to determine whether the regulation of structure size is appropriate to meet the stated goals of the Comprehensive Plan. As a part of this analysis the county may consider:

- the level of regulation that would be appropriate for different communities, regions or locations within the unincorporated areas relative to existing development patterns, established rural character, scenic/natural/resource values, visual impacts, presence of significant physical constraints or natural hazards, availability of services and facilities, proximity to adopted Municipal Influence Areas, and other factors;
- the appropriate mitigation methods or actions which could be taken by a property owner in order to mitigate any impacts associated with development; and
- the consumption of energy and materials associated with larger structures and what caps or requirements may be applied to offset, constrain or reduce that usage.

**CEB 1.13 Built, Historic and Contextual Character of Rural Communities and Neighborhoods.** In conducting a structure size limitation analysis, special attention should be paid to the built, historic and contextual character of existing established rural communities and neighborhoods. Where appropriate or requested by residents of these communities and neighborhoods, a designation of “Special Community Character Area”, a Rural Conservation District overlay zoning, or other appropriate categorization may be applied for purposes of preparing tailored guidelines, policies and regulations to address proposed changes to the scope and scale of development in the designated area.

## Green Building

**CEB 1.14 Green Building Standards.** Green building techniques and practices that conserve energy, water, materials, land area and other resources and divert construction materials from land disposal through recycling and reuse should be incorporated into the county’s regulations and codes. A points system or other quantifiable/graphic system

should be developed to provide those applying for permits a clear and easy to understand guide to the requirements for meeting green building standards.

**CEB 1.15 Program Objectives.** Any program developed by the county should strike an effective balance between incentives and mandates to work towards an ultimate goal of “zero energy” construction throughout the county.

**CEB 1.16 Linking Green Building Programs to Existing Regulations.** The county may link any green building program it adopts to regulations addressing structure size, Transfer of Development Rights, or other sustainability measures, as deemed appropriate through further study of these concerns and as developed through the public regulatory amendments process.

**CEB 1.17 Program Requirements and Incentives.** In developing a green building program the county should consider and identify minimum requirements that need to be met as well as incentives for exceeding those requirements. The program will offer property owners flexibility and options in determining which materials and techniques meet their needs and desires for complying with the standards set by regulations and codes.

**CEB 1.18 Dissemination of Information to County Departments.** Information and resources about green building requirements and incentives contained in the county’s codes and regulations should be distributed to all county departments that have some review or approval authority over land use proposals requiring permits from the county’s Community Planning & Permitting Department.

**CEB 1.19 Renovation of Existing Structures.** Renovation of existing structures, as opposed to replacement of that structure with a new one, should be encouraged in order to limit use of new primary and secondary resources and to conserve, reuse and recycle materials otherwise destined for disposal. Remodeling and retrofitting otherwise structurally sound buildings with more sustainable materials, techniques, and systems should be promoted.

**CEB 1.20 Demolition of Existing Structures.** If renovation of an existing structure is not practicable or possible, that existing structure should be deconstructed such that the maximum amount of material is either reused in the new structure, resold or donated for reuse, or recycled, with the goal of



diverting material from being sent to the landfill. Demolition of existing structures should only occur in extreme circumstances.

**CEB 1.21 Dissemination of Information to the Public.**

The county shall provide information to the public and technical assistance regarding green building techniques to persons applying for a land use activity that requires issuance of a building permit. The county shall take a leadership role in making this information broadly available to the public for their use in promoting the values and principles of sustainable development and green building.

**CEB 1.22 Alternative Methods.** Any green building program adopted by the county will include a method for applicants to propose alternative techniques, systems, materials and construction methods that can meet or exceed the required standards.

**CEB 1.23 Changes in Green Building Technology.** In order for Boulder County's green building program to be successful, the county will have to stay informed and knowledgeable about changes in green building practices and principles and must make that information available to both applicants and the public.

**CEB 1.24 Consistency with Existing Municipal Green Building Programs.** While the county's green building program will be appropriate to the type of development seen in the unincorporated area of Boulder County, it will strive to be consistent with green building programs adopted by the municipalities within the county to ensure ease of use by the public. Boulder County will in turn provide assistance to any municipality intending to develop a green building program with consistency and compatibility being the desired outcome.

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**ENDNOTES**

<sup>1</sup> World Commission on Environment and Development. United Nations. Convened in 1983.

<sup>2</sup> "The Definition of Sustainability Depends On Who Is Speaking". Andy Duncan. Pg. 3. Oregon State University Extension Service Publication EM 8784. November 2001.

<sup>3</sup> Goals A. 1 and A. 3, "Design of the Region", Boulder County Comprehensive Plan. March 22, 1978.

<sup>4</sup> Resolutions 2005-137 and 138. November 22, 2005.

<sup>5</sup> <https://secondnature.org/signatory-handbook/the-commitments/>, May, 2007.

<sup>6</sup> Data from the National Association of Homebuilders.

<sup>7</sup> US Green Building Council, LEED for Homes Pilot Rating System. January, 2007.

<sup>8</sup> Telluride Green Building Resources Guide.

<sup>9</sup> Center for Resource Conservation (<http://www.conservationcenter.org>)

# TE

## XIV. TELECOMMUNICATIONS ELEMENT

### A. Introduction

Boulder County is very interested in the increase in telecommunications facilities in the county. The county has special interest in their environmental impacts as well as social/technical benefits. The following policies were adopted by the Planning Commission on June 26, 1985, after three Long Range study sessions and draft review by over 300 individuals, organizations and agencies.

**TE 1.03 Accommodation of Facilities and Minimization of Impacts.** The county should accommodate adequate regional and community telecommunications facilities to serve the needs of governments, businesses, and citizens of Boulder County while avoiding, where possible, or minimizing any negative impacts associated with telecommunications facilities.

### B. Policies

**TE 1.01 Regulation to Ensure Compatibility and Safety.** The Boulder County Land Use Code shall regulate Telecommunications Facilities, as defined in the textual statement of this element, either as a Use By Right or as a Use By Special Review so as to assure compatibility with surrounding land uses and safety from hazards.

**TE 1.02 Consideration of Alternative Sites and Designs.** Consideration of applications for Special Review shall normally include alternative siting and design studies for the purpose of providing information that can assist in the review of the proposal and a consideration of alternate sites and alternate designs that may be more acceptable to Boulder County.

*Caption, Location*



**TE 1.04 Accommodation of Evolving Telecommunications Technologies.** The county should accommodate the use of current and evolving new telecommunications technologies.

**TE 1.05 Consideration of Aesthetic and Environmental Quality.** The aesthetic and environmental quality of the county shall be given full consideration when locating, designing, or upgrading any telecommunications facility so as to avoid any significant adverse impacts.

*Where feasible, new telecommunications facilities should be incorporated into existing towers or other structures.*

**TE 1.06 Consolidation of Facilities.** Consolidation of multiple telecommunications facilities onto common towers, when feasible and not otherwise detrimental, shall be strongly encouraged by Boulder County.

## **Evolving Technologies**

Telecommunications technologies are constantly evolving which may result in new types of proposed facilities.

**TE 1.07 Incorporation into Existing Buildings or Structures.** When feasible, telecommunications facilities shall be located adjacent to, on or incorporated into existing or proposed buildings or other structures.

**TE 1.08 Comprehensive Approach to Evaluating Potential Sites.** Where a telecommunications system utilizes a network of facilities, a comprehensive approach shall be taken for evaluating potential sites in Boulder County with a view to minimizing the number of sites required and any adverse impact.





## XV. TRANSPORTATION ELEMENT

### A. Introduction

Implementation of the Boulder County transportation system must be consistent not only with this element of the Comprehensive Plan, but also with the goals and policies of the entire BCCP. Drawing upon the principles and definitions identified in the BCCP Sustainability Element, the 2009 BCCP Transportation Element recognizes the need to develop policies and practices that create a sustainable transportation system. It centers itself on the three “pillars” of sustainability: environment, social equity, and economy. The goals, objectives, and policies included in the BCCP Transportation Element translate these three components of sustainability into action and help the county achieve its vision to provide high quality, safe, sustainable, and environmentally responsible transportation to meet the mobility and access needs of all users.

### DEFINITIONS

**Maintenance:** Snow removal, sweeping, asphalt patching, crack filling, road grading, cleaning of culverts and roadside drainage, and repair or replacement of traffic signs and pavement markings.

**Rehabilitation:** Reconstruction, asphalt overlay, and surface treatments.

### B. Goals & Policies

#### **Goal 1. Provide a Multimodal Transportation System.**

Plan, design, construct, manage, and maintain the Boulder County transportation system to be efficient, safe, convenient, and appealing for pedestrians, bicyclists, transit riders, motorists, and other users. Provide convenient and affordable mobility options for all users irrespective of ability, income, or personal vehicle ownership.

#### **Policies**

**TR 1.01 Identify Transportation Corridors.** Identify and classify transportation corridors based on the function and role they serve in the county transportation system.

**TR 1.02 Design Complete Corridors.** Develop county transportation standards that assign specific design treatments for transit, pedestrian, bicycle, and motor vehicle facilities for each transportation corridor classification. Develop standards for new transportation technologies as they become available and anticipated for common use.

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*Work closely and proactively with the communities within the county and other local, state, and regional agencies to develop a sustainable land use and transportation system.*

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## Travel Options Going Forward

As the county has experienced significant changes in demographics and travel patterns since the 1995 update to the Boulder County Comprehensive Plan (BCCP) Transportation Element, the world has likewise experienced changes. Boulder County, along with many others, has developed a greater awareness of the impacts individual and collective actions have on the world and local environments. Safe and efficient travel is necessary to participate in life's activities. Yet, from an economic, social, and environmental perspective, peoples' travel needs can no longer be met by roads and cars alone. New ways of providing safe, reliable, and convenient travel options that will be available to both current and future generations are necessary.

### TR 1.03 Enhance the Bicycle and Pedestrian Network.

Expand the bikeway and pedestrian network to provide safe, appealing, and convenient connections throughout the county for travel and recreation.

**TR 1.04 Develop a Regional Trails Network.** Implement a countywide Regional Trails Plan to provide off-road travel and recreational opportunities for pedestrian, bicycle, equestrian, and other non-motorized uses, where each is warranted.

**TR 1.05 Establish Connections to Development.** Provide transit, pedestrian, bicycle, trail, and motor vehicle connections in developments to link residential and employment areas, commercial centers, recreational and open space areas, and educational facilities.

**TR 1.06 Support Transit Service.** Support fast, frequent, affordable, and reliable transit service between communities within the county and to major activity centers outside of the county, including the I-25 corridor, Denver International Airport, Denver, and the western metro area. Provide high-quality transit stop facilities and enable access to all stops.

**TR 1.07 Accommodate Freight.** Identify primary travel corridors for freight vehicles. Ensure that county transportation standards accommodate freight or other long wheelbase vehicles in transportation facility design.

## Goal 2. Facilitate Regional Collaboration & Coordination.

Work closely and proactively with the communities within the county and other local, state, and regional agencies to develop a sustainable land use and transportation system.

### Policies

**TR 2.01 Integrate Transportation and Land Use Planning.** Coordinate land use and transportation planning so that urban development is located in urban areas and near appropriate transportation corridors and services.

**TR 2.02 Facilitate Project Collaboration.** Promote efforts to collaborate on the design and implementation of local and regional projects. Initiate activities that bring together different communities, agencies, and other stakeholders to develop creative ways to meet county goals and those of others.

**TR 2.03 Encourage Alternative Transportation.** Support efforts by local communities that decrease single-occupant vehicle travel on the countywide transportation system.

**TR 2.04 Connect Communities.** Focus county services and resources on enabling seamless multimodal travel between urban areas within the county and region.

## Goal 3. Optimize County Facility Management & Maintenance.

Maintain and operate county transportation facilities at the highest level of quality, commensurate with available resources and consistent with the goals of the Comprehensive Plan. The county's investment in the existing transportation system shall be protected by emphasizing maintenance of existing facilities.

### Policies

**TR 3.01 Prioritize Travel Corridors.** In order to benefit the most people, and connect all parts of the county, give priority to improving mobility in, and

the maintenance and rehabilitation of, the county's arterial and collector transportation corridors.

**TR 3.02 Prioritize Operations Over Construction.**

Implement operational improvements to improve mobility in a corridor before initiating construction-based solutions. Reduce the need for new capital improvements through investments in operations, demand management strategies, and system management activities that improve the efficiency of the current system.

**TR 3.03 Ensure Sustainable Design.** Design all new county facilities to minimize future maintenance costs and environmental impacts, and to encourage the use of alternative modes to the degree feasible.

**TR 3.04 Maintain Bicycle and Pedestrian Facilities.** Maintain bicycle and pedestrian facilities on county-owned or controlled right-of-way in a safe condition.

**TR 3.05 Monitor Gravel Roads.** Consider the paving of county-owned roads when the minimum level of 500 vehicles per day, average daily traffic, is attained. In making paving decisions, evaluate factors such as safety, costs, residential density, traffic volume, traffic composition, air quality levels and mitigation, and compliance with applicable regulations. In addition, consider the impact of

paving on health, the rural character of the county, the nature of the surrounding community, potential effects on growth, public input, and other goals of the Comprehensive Plan.

**TR 3.06 Require Appropriate Right of Way Dedications.**

Require new development and redevelopment to dedicate their fair share of right-of-way for any county transportation facility shown on an adopted transportation plan on which the development abuts, consistent with the right-of-way widths specified on the transportation plan.

**TR 3.07 Encourage Right of Way Annexation.**

Encourage local communities to annex the full right-of-way when the adjacent land is annexed.

**Goal 4. Move People.** Implement a transportation system that moves people safely and effectively independent of an assumed mode of travel.

**Policies**

**TR 4.01 Reduce Single-Occupant-Vehicle Travel.**

Reduce single-occupant-vehicle (SOV) travel and shift SOV travel to off-peak periods through a variety of programs and techniques, including Transportation Demand Management (TDM).

*Bike-n-Ride Shelter, Superior*





**TR 4.02 Increase Person Capacity.** Increase the overall person-carrying capacity of the transportation network through the efficient use of existing rights-of-way.

**TR 4.03 Make Balanced Multimodal Decisions.** When considering proposed improvements, use a person-based, rather than vehicle-based, evaluation to balance transit, pedestrian, bicycle, and vehicle mobility.

*Implement a transportation system that moves people safely and effectively independent of an assumed mode of travel.*

**TR 4.04 Facilitate Active Living.** Create a transportation system that enables active and healthy lifestyles by providing safe and attractive opportunities to walk and bike as part of everyday living.

### **Goal 5. Minimize Reliance on Fossil Fuels.**

Foster a transportation system that reduces demand for and reliance upon petroleum.

#### **Policies**

**TR 5.01 Reduce Vehicle Miles Traveled.** Set goals for vehicle miles traveled (VMT) per capita reductions for 2015, 2020 and 2030. Encourage incorporated areas inside the county to adopt similar goals.

**TR 5.02 Use Energy Efficient Transportation Technologies and Fuels.** Encourage public use of renewable energy and energy-efficient vehicle technologies and plan for related infrastructure needs. Participate in efforts to decrease use of GHG-intensive fuels and increase vehicle fuel efficiency.

**TR 5.03 Use Sustainable Practices.** Use resource-efficient materials and equipment to the greatest extent feasible in the construction, maintenance, and operation of county transportation facilities.

**TR 5.04 Manage Parking.** Develop parking management policies for public and private facilities that encourage the use of alternative modes.

### **Goal 6. Provide Safe & Environmentally Compatible Transportation Improvements.**

Require all transportation improvements to uphold the goals of the Comprehensive Plan.

#### **Policies**

**TR 6.01 Manage Rural Roads to Preserve Rural Character.** Explore reasonable means to retain necessary existing, unimproved or unmaintained public roads in a relatively undeveloped state to:

- prevent the over-intensive use of sensitive or remote lands,
- preserve the county's valued rural character,
- minimize adverse scenic and environmental impacts,
- avoid inappropriate and costly road maintenance activities in environmentally fragile areas, and
- discourage development in natural hazard areas or other dangerous locations where unsafe conditions may be exacerbated or emergency services not practically or safely available.

Methods to address these concerns may include revising Boulder County Road Standards and Specifications, limiting public funding or authorization for maintenance of unimproved roads, and adopting zoning provisions to balance remote rural land uses with the absence of developed vehicular access in such areas.

**TR 6.02 Minimize and Mitigate Impacts.** Ensure that transportation system facilities and access improvements, which may include sections on public and/or private lands, are designed,

*Walking on a Regional Trail*



constructed, and maintained to minimize impacts to the natural environment, including scenic views and rural character, and to the surrounding community. All improvements shall reasonably mitigate the adverse impacts resulting from them.

**TR 6.03 Prohibit Improvements with Unacceptable Impacts.** After considering reasonable mitigation, transportation system facilities and access improvements may be prohibited. This may include improvements on public and/or private lands that cause unacceptable impacts to the natural environment, including scenic views and rural character, or to the surrounding community; that unreasonably compromise public safety or emergency response; or that facilitate development incompatible with the goals of the Comprehensive Plan.

**TR 6.04 Promote Public Safety.** Promote the safety of transportation system users and the public as a core parameter when designing, constructing, or approving transportation facilities. Coordinate with local fire districts, emergency responders, and other agencies to implement appropriate transportation public safety measures.

**TR 6.05 Manage Access to the Transportation Network.** Implement an access management program that systematically manages the number, location, spacing, design and operation of driveways, median openings and road connections to ensure the safety and mobility of all road users, and to minimize environmental impacts.

**TR 6.06 Provide Implementation through the Transportation Standards.** The Boulder County Road Standards and Specifications shall reflect the goals of the Comprehensive Plan. All transportation improvements shall be designed and constructed consistent with the Boulder County Road Standards and Specifications and the *Boulder County Land Use Code*.

**Goal 7. Secure Funding in an Equitable Manner.** Explore multiple funding sources to serve citizens and meet countywide transportation needs in a fair and equitable manner.

## Policies

**TR 7.01 Allow for Special Assessments.** Allow for special assessments to fund transportation improvements to the properties that specially benefit from such improvements, such as

## Special Assessments

Allow for special assessments to fund transportation improvements to the properties that specially benefit from such improvements, such as subdivisions or commercial, institutional, private recreational, or other benefitted development.

subdivisions or commercial, institutional, private recreational, or other benefitted development. Funding mechanisms may include special assessments or other appropriate revenue-generating programs.

**TR 7.02 Create Funding Partnerships.** To improve, maintain, and ensure the integrity of the transportation system, pursue to the extent possible funding partnerships and creative funding sources.

*Ensure that transportation system facilities and access improvements are designed, constructed, and maintained to minimize impacts to the natural environment.*

**TR 7.03 Explore User Fees.** Explore appropriate user fee programs that take into account the full costs of travel, including immediate and long-term impacts to facilities and the environment, to help fund transportation enhancements.

**TR 7.04 Require Appropriate Off-site Improvements.** Require property owners or developers to provide appropriate off-site transportation improvements that are necessitated by or reasonably related to the impacts of new development.

**Goal 8. Foster a Community Connection.** Preserve, highlight, and enhance the county's rural character, environment and rich history.

## Policies

**TR 8.01 Context Sensitive Design.** Consider the surrounding natural environment, local community, scenic vistas, and landscape features, through aesthetic treatments and the context-sensitive design of transportation facilities.

#### TR 8.02 Encourage Community Involvement.

Recognize that public feedback is an important source of information for decisions about the development of transportation facilities and services. Work collaboratively with the public by providing meaningful opportunities to be involved in decision-making processes. Make decision-making transparent by sharing information and encouraging discussion.

*Work collaboratively with the public by providing meaningful opportunities to be involved in decision-making processes.*

**TR 8.03 Preserve View Corridors.** Prevent the disruption of scenic views by transportation improvements. Promote overlooks, trails, and turnouts on recreational routes and in unique scenic areas.

**TR 8.04 Ensure Natural Preservation.** Make every effort to preserve mature trees, landscape plantings, and other elements of the natural environment during the design, construction, and maintenance of transportation improvements.

**TR 8.05 Preserve Cultural and Historic Resources.** Consider the cultural and historical context of the surrounding area when planning and designing transportation improvements. Work with residents of townsites, such as Eldorado Springs, Allenspark,

Raymond/Riverside, Gold Hill, and Eldora and other distinct communities, to identify important aspects of community character that should be preserved and enhanced by transportation improvements.

**TR 8.06 Manage Public Rights-of-Way.** Manage and preserve existing public rights-of-way for current and future community benefit. Vacate public rights-of-way only when it no longer plays a role in the present or planned transportation network nor serves any other public interest.

#### **Goal 9. Ensure Transportation System Access for Low-Income, Elderly, & Mobility-Impaired Populations.**

Work to create a transportation system that provides affordable and convenient transportation options for all income levels and special mobility populations.

#### **Policies**

**TR 9.01 Promote Affordable Transportation.** Support programs that reduce the financial burden on and increase affordable transportation options for low-income populations.

**TR 9.02 Serve the Mobility-Impaired.** Support coordinated programs that provide safe, accessible, and affordable transportation options for people with limited mobility, including older adults and people with disabilities.

RTD Bus Stop





# WA

## **XVI. WATER ELEMENT**

*PLACEHOLDER*



# CW

## **XVII. ADDITIONAL COUNTYWIDE POLICIES**

### **A. Introduction**

During the county planning process several specific policy statements were formulated to address particular issues indigenous either to the mountains or the plains. However, upon consideration of these policies by the Long Range Planning Commission it was decided that these policies should also be applicable to the entire county; therefore, the following policies CW 1.01 – CW 1.12 are to be interpreted as being countywide in nature. Policies CW 1.13 – CW 1.15 were added during the Five Year Review of the *Boulder County Comprehensive Plan* and represent responses to suggestions or realizations that additional issues should be addressed and that said issues could not be realistically categorized in the existing policy sections. As this part of the Plan continues to expand through future additions it may be possible at some time to structure it into new topical policy sections.

### **B. Policies**

**CW 1.01 Zoning.** Many land uses and zoning decisions have been made in the past 12 years without the use of a comprehensive plan to guide in the

formulation of such decisions. With the development of the goals and policies of the *Boulder County Comprehensive Plan* it is clear that many past decisions now conflict with the underlying plan objective of channeling urban growth into Community Service Areas while preserving surrounding agricultural and forest lands. To rectify these obvious conflicts between existing zoning and future land use, it is the policy of Boulder County to modify the existing zoning pattern in areas surrounding Community Service Areas as well as other areas of the county.

**CW 1.02 County Intergovernmental Agreements.** In recognition that the developmental policies, proposed land uses, and existing zoning distribution patterns of surrounding counties may result in incompatible or detrimental land use impacts on Boulder County, it is herein the policy of Boulder County to establish an effective intergovernmental understanding and agreement with the surrounding counties for the purpose of attempting to mitigate or minimize any potential detrimental land uses or related impacts upon the incorporated or unincorporated areas of Boulder County.



*Boulder County Courthouse, Boulder*



**CW 1.03 Zoning Justification.** The rezoning of lands from which historic water rights have been severed and which severance reduced the capacity to use such land for the purposes to which it was put or zoned at the time of the adoption of the Comprehensive Plan shall not be viewed with favor when the primary justification for such rezoning would only be the diminished productive capacity of the land which was caused by the severance.

*Potentially hazardous land uses include but are not limited to reservoirs, power plants, hazardous materials storage & hazardous materials disposal.*

**CW 1.04 Review Regulations.** The county shall investigate the feasibility and desirability of establishing review regulations at a county level for the construction and/or expansion of water storage, diversions, transmission, and distribution systems. In undertaking such an investigation, the county shall consider the enabling powers and guidelines for regulation found in H.B. 1041 (CRS 24-65.1-101 et seq.) and H.B. 1034 (CRS 29-20-101 et seq.).

**CW 1.05 Home Occupation.** The county shall reassess the Home Occupation category of the Boulder County Land Use Code and shall make amendments where relevant and manageable to more adequately serve the needs and desires of the citizens of Boulder County.

**CW 1.06 Land Use Permits.** The county shall assess the feasibility of designing a land use permit which should either replace or be an addendum to a building permit, the purpose of such a permit would be to provide both an applicant for a land use activity and other governmental entities with a central checklist containing an itemization of all information required prior to making a decision regarding the proposed activity.

**W 1.07 Municipality Intergovernmental Agreements.** To accomplish a cooperative and coordinated land use planning effort among the region's municipalities, it is herein the policy of Boulder County to enter into intergovernmental contracts with the municipalities for the purpose of implementing the land use proposals and policies of the jointly adopted municipal comprehensive plans.

**CW 1.08 State and Federal Legislation.** The county shall support and endorse state and federal legislation which focuses upon the development of equitable tax programs designed to preserve agricultural, forest, and other natural resources.

**CW 1.09 Environmental Impacts.** The county shall thoroughly assess the environmental impacts of any land use proposal prior to the approval or denial of an application for subdivision, rezoning, or Special Use.

**CW 1.10 Research and Information Availability.** The county acknowledges that information pertinent to land use decision-making and involving both quantifiable and unquantifiable environmental factors is lacking or incomplete in certain areas. It is, therefore, the policy of the county to search out information and to make said information available and intelligible to the public.

**CW 1.11 Housing Construction Diversity.** A diversity in housing construction shall be encouraged through flexibility in regulations and codes to reflect the various desires of individuals and to ensure the ability of the owner builder to utilize his or her own labor, design, skills, and any other resources facilitating owner-built housing.

**CW 1.12 Community Groups.** When appropriate, the county shall encourage and support the formation of citizen groups to participate in planning-related matters; and for such purposes the county commissioners or agencies may appoint/form ad hoc citizen advisory groups or request the appointment of such groups.

**CW 1.13 Potentially Hazardous Development.** The county recognizes that the location of potentially hazardous developments within the unincorporated area of the county is a matter of particular public concern. A “potentially hazardous development” means a land use which by its nature poses significant potential hazards that may extend beyond the geographic boundaries of the land area. Such uses shall include, but not be limited to, reservoirs, power plants, use or storage of hazardous material, and disposal of hazardous waste. When making any decision the county is otherwise authorized to make, the county shall evaluate the proposal and require the elimination or reduction to an acceptable level of any of the hazards which such development may pose to the public. Policies to address the special problems of potentially hazardous development shall be as follows:

**CW 1.13.01.** It shall be county policy to cooperate with the municipalities of the county with respect to the evaluation, elimination, and reduction of potentially hazardous developments located within the unincorporated areas of the county.

**CW 1.13.02.** It shall be county policy to require that an assessment of the hazards shall be conducted by professional practitioner(s) that have expertise in the subject matter. It shall be county policy to require that such assessment, performed at the applicant’s expense, incorporate analytical methods reflecting current, generally accepted professional principles and practices.

**CW 1.13.03.** In evaluating a “potentially hazardous development” and in seeking to eliminate or reduce its hazards, decisions by the county shall consider among all other relevant factors:

- a) The thoroughness of the applicant’s site selection process and the soundness of the conclusions reached, including the analysis of alternative sites with consideration of the potential hazardous impacts of the proposed use.
- b) An assessment of the technological and economic factors affecting the proposed development and the consideration given by the applicant to the implementation of other practical and economically feasible alternatives that can provide the same functions, while minimizing potential hazards for the public.
- c) The official position of a municipal government if the potentially hazardous development is proposed within, adjacent to, or would directly affect lands within its future service/comprehensive planning area as mutually adopted by the municipality and county; and
- d) All applicable rules, regulations, and policies in effect at the time the proposal is submitted.

***Additional countywide policies have been added to the Comprehensive Plan over the years in response to changing physical, social, & economic conditions.***

**CW 1.14 Colorado Joint Review Process.** The county shall encourage the utilization of the Colorado Joint Review Process, CRS 34-10 101et seq., as amended, for any major natural resource development proposed to be located in Boulder County. The county encourages the utilization of the Colorado Joint Review Process to reduce confusion and delay in the permitting process and to create a more efficient process that recognizes the integrity of each office and agency of local, state and federal government.



# **GEOGRAPHIC- FOCUSED ELEMENTS**

- |  |                                      |
|--|--------------------------------------|
| I. Plains Planning Area                          | V. Eldorado Springs<br>Townsite Plan |
| II. Southeast Subregion                          | VI. Mountain Subregion               |
| III. Niwot, Lefthand, Boulder<br>Creek Subregion | VII. Gold Hill Townsite Plan         |
| IV. Longmont, Lyons,<br>St. Vrain Subregion      |                                      |

**DRAFT**



# PPA

## I. PLAINS PLANNING AREA

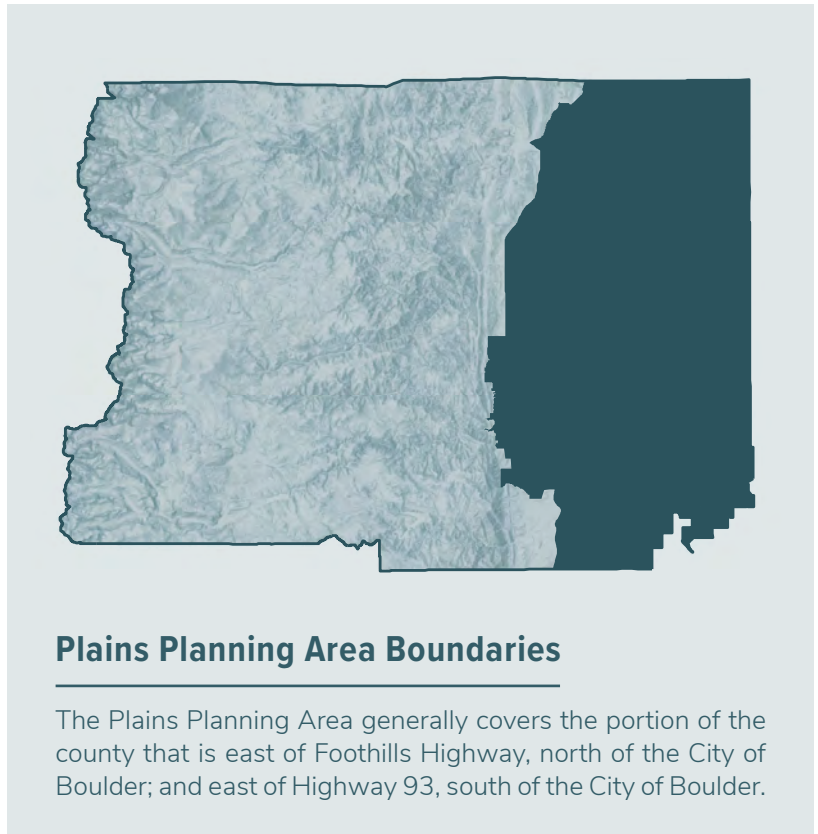
### A. Introduction

This element of the Plan provides physical representation of the county's goals and policies. It draws upon existing land use patterns, environmental features and future growth expectations to recommend a rational organization of land uses which will protect and preserve some of the county's remaining rural land, and allow the orderly, economic provision of infrastructure and public services.

This element is also the foundation of the county's land use regulations. It recommends zoning district regulations, location and design guidelines and specific areas requiring regulatory attention.

### EXISTING LAND FORM

The physical development of the plains is predicated on the designation of municipal Community Service Areas (CSAs) within the Plains Planning Area. The CSA is a boundary line drawn around a municipality within which a city expects to accommodate future urban growth. CSA plans provide, when jointly adopted by both municipal and county governments, a mutually binding comprehensive plan for county lands adjacent to each municipality.





It is expected that land within municipal Community Service Areas will be developed in an urban pattern, urban services will be provided by the municipalities, and the area will eventually be annexed. Conversely, land outside CSAs and their transition areas will remain rural; urban services will not be extended there, and zoning will prohibit urban development and densities. Most of the land outside the CSAs will continue to be used for agricultural activities, environmental resource protection, low-density residential development and other activities consistent with the rural character of the county.

***Land outside of Community Service Areas should be used for agricultural activities, environmental resource protection, low-density residential development, & other activities that are rural in nature.***

There are eight municipal Community Service Areas in the Plains Planning Area of the county: Boulder Valley, Louisville, Lafayette, Longmont, Superior, Erie, Broomfield and Lyons. A limited Community

Service Area has also been defined around Niwot. If warranted, CSAs may be designated in other areas of the county in the future.

## **RURAL DENSITY & DEVELOPMENT**

Following the adoption of Colorado's subdivision law in 1972, (commonly referred to Senate Bill 35), Boulder County began discussing the merits of undertaking a major rezoning on the Plains to help retain what remained of its rural, agrarian character as distinct and apart from more urban-scale development associated with the municipalities.

In April of 1978, the Boulder County Comprehensive Plan (BCCP) was adopted. A primary component of the Plan included policies calling for the establishment of a minimum 35 acre-lot size in most unincorporated areas outside CSAs, consistent with Senate Bill 35. Recognizing that this was authorizing a dramatic shift in land use regulations that would have its greatest direct impact on the farming community, the Plan's policies also called for the creation of the Non-Urban Planned Unit Development, or NUPUD. This land use option, requiring discretionary review and

action by the county Commissioners, permitted density bonuses on parcels of 35 acres and larger so that the farmer would have an economic incentive, through a limited subdivision process to keep a major part of his or her land in agricultural production while conveying small land parcels to other interests. Accordingly, land use regulations and a comprehensive rezoning were adopted to implement the Plan's policy direction.

The Three Year Review of the Plan's Agricultural, Niwot Community Service Area, and Mountain Residential Policies confirmed that the 35 acre minimum lot size, land uses and the NUPUD process were appropriate, and should be continued, at least for the present time. Information gathered in 1983 as background for the Five Year Review and Update supported continuation with some caveats.

In 1989, the county implemented the Noncontiguous Non-Urban Planned Unit Development (NCNUPUD) process in response to the recommendations from the Food and Agriculture Resource Advisory Committee. The intention of the NCNUPUD is to permit density to be sent to approved receiving sites under certain conditions.

## ISSUES

As noted, the NUPUD process and the comprehensive rezoning of rural areas outside Community Service Areas during 1985-1986 were implemented primarily to permit lower density development and to protect agricultural lands while providing the farmer with some economic incentive to continue farming. Since then, the growth management policies for the plains have been expanded to protection of important environmental features and open space, and preservation of the rural character of the county. While the county has gained significant benefits from the present regulations, several issues have been identified by the public, appointed commissions, and elected officials indicating that the current regulations, alone and in their present form, have not been as effective in implementing the goals and policies of the Comprehensive Plan as was originally anticipated. Some of these concerns include:

- **Inefficient Growth Patterns & Service Provisions.** New development is comprised primarily of low-density residential tracts, spread somewhat randomly across the plains.

This type of development pattern, if left to continue into the future, is inconsistent with the Plan's goals for adequate and efficient provision of public facilities, interferes with compact municipal growth patterns, fragments habitat and land ownership, loads county roads with erratic traffic and commuter patterns, and burdens the county as a whole.

- **Loss of Agricultural Lands & Open Space.** Land valuable for agriculture, wildlife habitat, flood control and other natural resources may be jeopardized. In addition, the county has consistently lost agricultural operations and farmland to both development pressures and annexations.
- **Rural Character & Visual Impact.** There has been a perceived loss of rural character and visual intrusion to the scenic qualities of the county due to an inconsistency in scale between new and existing development and the siting of development on ridges, mesas and other prominent landscape features.
- **Lack of Predictability in the Development Process.** There has been a perceived lack of predictability with respect to when and where development should occur in the Plains Planning Area, caused in part by a discretionary review process and regulatory criteria.

## B. Goals & Policies

### GOALS

**Goal 1. Balance Growth.** Balance residential growth with the protection of significant environmental features.

**Goal 2. Support Community Values & Needs in Land Use Regulations.** Create land use regulations that provide for flexibility, predictability, promotion of environmentally sensitive land use patterns and insurance of the efficient provision of public services.

**Goal 3. Encourage Quality Design.** Encourage quality site design and landscaping in existing and new developments.

**Goal 4. Protect Rural Character.** Protect the rural character of Boulder County.



## POLICIES

**PPA 1.01 Geographic Scope and Vision for Plains Planning Area.** Land located outside CSAs and east of the Forestry zoning district, should be designated as the Plains Planning Area, and should remain rural. Urban services should not be extended into the Plains Planning Area, and zoning should continue to prohibit urban development and densities. Land uses within the Plains Planning Area should continue to be related to agricultural activities, environmental resource protection, low-density residential development and other activities consistent with the rural character of the county.

**PPA 1.02 Gross Density.** The gross density within the Plains Planning Area should not exceed one unit per 35 acres, except as provided in the policies and regulations governing Non-Urban Planned Unit developments, Non-contiguous Non-Urban Planned Unit Developments and Transferable Development Rights.

***Non-Urban Planned Unit Developments are low-density subdivisions where a few additional building lots are created in exchange for placing a conservation easement over the majority of the property.***

**PPA 1.03 Guidelines for Land Use Proposals.** Where pertinent, land use proposals within the Plains Planning Area should adhere to the following land use guidelines:

- a) Conformance with the applicable goals, policies, and land use regulations of the *Boulder County Comprehensive Plan*;
- b) Preservation and utilization of agricultural lands, or when applicable, the preservation of other environmental resources;
- c) Provision of adequate access, water availability and sewage disposal by the applicant, and the existence of adequate educational facilities and police and fire protection; and
- d) Minimizing potential negative impacts on surrounding lands, including agricultural land, attendant agricultural uses, and established neighborhoods and other adjoining or nearby development and land uses.

**PPA 1.04 Density Transfer Option.** The density transfer option shall be encouraged in the Plains Planning Area as a means of preserving areas identified in the Comprehensive Plan as possessing significant environmental features and attributes, including but not limited to significant agricultural lands, sensitive or important ecosystems and designated open space, as well as areas identified as appropriate for creating community buffers.

**PPA 1.05 Coordinating Transferable Development Rights with Municipalities.** The county shall encourage coordinated planning efforts with each municipality with respect to a Transferable Development Rights process that transfers dwelling units onto sites where urban development is planned to occur and where each municipality can determine the character, timing and density of development.

**PPA 1.06 Existing Development Rights.** Existing development rights, banked from previously approved Non-Urban Planned Unit Development and Noncontiguous Non-Urban Planned Unit Development projects shall be recognized by the county as available for transfer to approved receiving sites.

**PPA 1.07 Preservation of Landscape and Topography.** All efforts shall be made to preserve and enhance the county's landscape and unique topography through the retention of mature vegetation, ridgelines, drainageways and other natural features.

**PPA 1.08 Conformance with the Land Use Code.** To the greatest extent possible, the county shall ensure that the *Land Use Code* is in conformance with the Plains Planning Area Land Use Element.

## AUTHORIZATION ACTIONS

The following actions should be taken by the county to facilitate the implementation of the land use policies of this element.

### Non-Urban Planned Unit Developments

**PPA 2.01 Consistency with the Plains Planning Area Element.** The NUPUD regulations should be amended to achieve consistency with the goals, objectives and policies of the Plains Planning Area Element.

**PPA 2.02 Criteria for NUPUD Regulations.** The NUPUD regulations should include the following criteria:

- a) The gross density should not exceed two dwelling units per 35 acres.
- b) The area committed to residential development should not exceed 25% of the total land area of the proposal.
- c) The submittal of a PUD Impact Report that documents whether a land use proposal can achieve a compatible mixture of agricultural and residential uses by protecting scenic and environmentally sensitive areas while providing for residential uses on a portion of the property.
- d) The homestead provision, allowing one unit of bonus density for each homestead, should be amended to affect only those structures or sites determined to be historically significant or contributing to the rural character of the county.

**PPA 2.03 Conservation Easements.** Conservation easements pursuant to CRS 38-30.5-101 through 110, as amended, or other legally accepted methods between the county and landowners, should continue to be the acceptable development

control, for the purpose of preventing additional parcel division or development of lands committed for agricultural activities, environmental and historic resource protection, and other activities consistent with the rural character of the county.

- a) A minimum of 75% of the total land area of a proposed NUPUD should be intended for the continuation of agricultural pursuits or for the continued preservation of other natural, historical or cultural features, systems or sites identified in the *Boulder County Comprehensive Plan* and shall thus become ineligible for further parcel divisions or development unless amended per the terms of the conservation easement.

**PPA 2.04 NUPUD and NCNUPUD Proposals.** NUPUD & NCNUPUD proposals should only be supported in the Plains Planning area as a means of preserving and conserving large tracts of land identified in the *Boulder County Comprehensive Plan* as possessing significant environment features, including but not limited to significant agricultural land and sensitive or important ecosystems.

*View from Rabbit Mountain, Longmont*



## Transferable Development Rights

### PPA 3.01 Transferable Development Rights Process.

The county's land use regulations should be amended to permit a transferable development rights process.

*The Plains Planning Area provides criteria for appropriate receiving sites, but does not identify specific receiving sites.*

**PPA 3.02 Sending Areas.** Sending areas will be designated on the Boulder County TDR Sending Areas Map. Land designated as sending areas should possess significant environmental features and attributes, including but not limited to significant agricultural lands, important natural features and sensitive or important ecosystems.

**PPA 3.03 Receiving Sites.** At a minimum, land use regulations governing TDR criteria for receiving sites should address the following guidelines for site-specific reviews:

- a) An adequacy of existing or potential facilities and services to support the development;
- b) The portion of the total number of development rights needed to complete the project that has been acquired from designated sending areas within a specified distance from a proposed development;
- c) Compatibility with existing adjoining development and land uses as proposed in adopted master or comprehensive plans;
- d) Proximity and access from the proposed development to major transportation routes and transit systems identified in the Comprehensive Plan.
- e) Proximity and access from the proposed development to existing or planned neighborhood commercial centers, and other public services;
- f) Methods for the proposed development's contributing its fair-share cost for the provision of capital facilities, including schools;
- g) Extent of limitations to the suitability of the site and surrounding areas for the construction of structures or facilities given the geologic, hydrologic, pedologic and other natural or human-caused conditions associated with the development site.

**PPA 3.04 Location Limits for Proposals.** Except as provided for in PPA 3.05, land use proposals requesting additional density as receiving sites through the density transfer process should not be located on Nationally significant agricultural land, sensitive areas, critical wildlife habitats or corridors, designated open space, or other lands and locations as from time to time identified.

### PPA 3.05 Exceptions to Receiving Site Guidelines.

Land use regulations should allow for some exceptions to adopted receiving site criteria and guidelines on a site-specific basis, if the following conditions apply:

- a) Projects are located within an approved Community Service Area.
- b) Projects can help solve existing service problems, e.g. water or sanitation.

**PPA 3.06 Homestead Provisions.** A homestead provision allowing one unit of bonus density for each homestead should be included in the TDR regulations to affect only those structures or sites determined to be historically significant or contributing to the rural character of the county.



# SE

## II. SOUTHEAST SUBREGION

### A. Introduction

The function of the subsequent policies is to acknowledge the physical form of land uses in the Southeast Subregion as being characterized by municipalities surrounded by agricultural lands. A major objective of these policy statements is to acknowledge that future urban developments should be channeled into the service areas of the municipalities rather than occupying the surrounding agricultural lands.

It is imperative that land use decisions which affect the Southeast Subregion be made responsibly over the planning period to attain particular public and private objectives concerning the physical form of future growth. Such objectives for the Subregion have been derived from numerous neighborhood meetings in the unincorporated areas as well as from consistent statements that exist within the context of the Subregion's comprehensive plans. The purpose of the following objectives is intended to assist in the interpretation and implementation of the Southeast Subregional policies.



### Southeast Subregion Boundaries

Subregional boundaries were established in 1978. The graphic above shows the general location of the subregion. Larger scale maps are available in the First Edition of the Boulder County Comprehensive Plan, archived at the Community Planning & Permitting Department offices.

The majority of land within the Southeast Subregion has been annexed to municipalities and Intergovernmental Agreements are also common in this area. As such, policies SE 1.01 through SE 1.04 have generally been accomplished.

## B. Goals & Policies

### GOALS

#### **Goal 1. Specify Areas of Urban Growth.**

The five municipalities of the Subregion shall be designated as Community Service Areas, and consequently will be the only geographic locations where urban growth will be accommodated.

**Goal 2. Keep Non-Urban Areas Intact.** Land areas that surround the Subregion's Community Service Areas are non-urban in nature and should continue as such throughout the planning period.

**Goal 3. Maintain Buffers Between Community Service Areas.** As an effort to preserve community identity, all practical efforts should be made to prevent the Subregion's Community Service Areas from physically growing together.

*There are five municipalities within the southeast subregion. A portion of this land area will soon be within the City and County of Broomfield, approved by voters in 1998.*

### POLICIES

**SE 1.01 Community Service Areas.** New residential, commercial, or industrial development shall be channeled into the geographic area contained within designated Community Service Areas. For the purposes of administering this policy as well as others, the following Community Service Areas are recognized as the only designated Community Service Areas within the Subregion.

- The Broomfield Service Area
- The Erie Service Area
- The Lafayette Service Area
- The Louisville Service Area
- The Superior Primary Development Area

#### **SE 1.02 Continuation of Agricultural Land Uses.**

The existing agricultural land uses that generally surround the Subregion's Community Service Areas shall be acknowledged as the dominant land use which should be continued throughout the planning period. Residential densities shall be in conformance with the provisions of the Agricultural policies of the Plan.

#### **SE 1.03 Intergovernmental Agreements with Municipalities.**

To accomplish a cooperative and coordinated land use planning effort among the Subregion's municipalities, it is herein the policy of Boulder County to enter into intergovernmental contracts with the municipalities for the purpose of implementing the land use proposals and policies of the jointly adopted municipal comprehensive plans.

#### **SE 1.04 Intergovernmental Agreements with Surrounding Counties.**

In recognition that the developmental policies, proposed land uses, and existing zoning distribution patterns on lands of Adams, Jefferson, and Weld Counties may result in incompatible or detrimental land use impacts on Boulder County, it is herein the policy of Boulder County to establish an effective intergovernmental understanding and agreement among said counties and any affected municipalities for the purpose attempting to mitigate or minimize any potential land use or related impacts upon the incorporated or unincorporated areas of Boulder County.

# NIW

## III. NIWOT, LEFTHAND, BOULDER CREEK SUBREGION

### A. Introduction

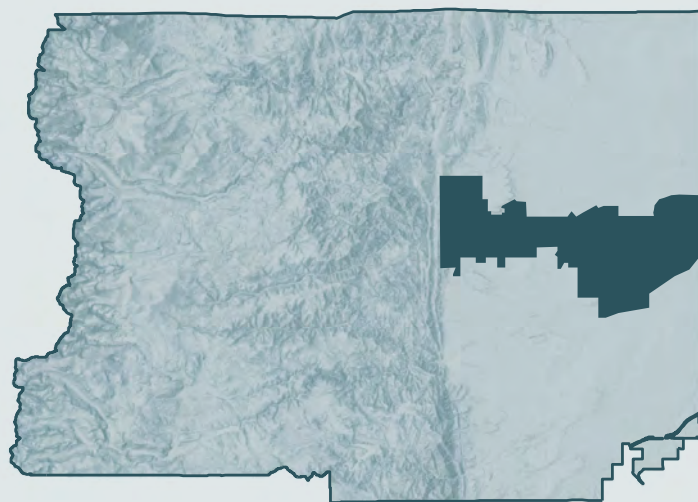
The only geographic area within the Subregion that has been planned to accommodate future development is the semi-rural Niwot Community Service Area which, for the limited purposes set out in these policies, shall be considered a "Limited Community Service Area".

Niwot also has designated Transferable Development Rights receiving sites and specifically mapped sending parcels, which will act as a buffer for the community. In addition, a significant amount of agricultural acreage in this subregion has been secured as public or private open space.

### B. Objectives & Policies

#### SUBREGION POLICIES

**NIW 1.01 Preservation of Agricultural Character.** Based upon past and present land use, lack of community services, physical conditions and citizen desires, it is county policy to recognize and designate the existing land use character of the Lefthand/Niwot/Boulder Creek Subregion (with



#### Niwot, Lefthand, Boulder Creek Subregion Boundaries

Subregional boundaries were established in 1978. The graphic above shows the general location of the subregion. Larger scale maps are available in the First Edition of the Boulder County Comprehensive Plan, archived at the Community Planning & Permitting Department offices.

A detailed map of the Niwot Community Service Area is included in the maps section of this document.



the exception of the Niwot Community Service Area) as being agricultural in nature and to ensure that the accompanying Land Use Plan Map and attendant Boulder County Land Use Code will acknowledge such character in the designation and implementation of future land use types.

**NIW 1.02 Limitations on New Building Sites and Residential Structures.** In recognition and support of the designated agricultural character of the Subregion, the Boulder County Land Use Code shall be developed in such a manner as to discourage the further subdivision of lands, situated outside of designated “Community Service Areas” for the purpose of creating new building sites for residential, commercial, or industrial land uses (except as otherwise permitted within these policy statements or by state statutes). Furthermore, new residential structures shall only be permitted on vacant lots within recorded rural residential subdivisions or on other previously established building sites where past public and private commitments have been made for the creation of such structures and their attendant service needs.

**NIW 1.03 Location of New Business, Commercial and Industrial Uses.** New business, commercial, and industrial uses shall be situated within “Community Service Areas” in order to be within a close proximity to the shopping public and respective labor forces, as well as to move toward the goals of reducing energy consumption and attendant commuter time. This policy is not intended to relate to “minor” expansion of existing industrial or business uses.

***Future developments should complement & enhance Niwot’s semi-rural character.***

**NIW 1.04 Foothills Area.** The Foothills portion of the Subregion, situated west of US 36, is agricultural (grazing) in character. Future land uses in this area shall be consistent with the provisions of policy NIW 1.03 above and furthermore, shall be planned in such a manner as to compliment the character as well as promote the existing scenic vista of the Foothills.

**NIW 1.05 Table Mountain National Radio Quiet Zone Area.** When considering new development requests (subdivisions, rezonings, special use reviews and the like) on lands in this Subregion affected by the Table Mountain National Radio Quiet Zone Area,

the county shall seek recommendations from the Department of Commerce relative to preservation of the area in a state as free from electromagnetic pollution as possible, pursuant to C.R.S. 30-11-601 et seq.

**NIW 1.06 Single Community Service Area.** The Niwot Community Service Area is recognized as the only Community Service Area within the Subregion.

## **NIWOT COMMUNITY SERVICE AREA**

The community of Niwot is the only area within the Subregion where significant public and private commitments have occurred in the form of centralized sewer, water, a range of residential densities, and housing types, fire protection, public educational facilities, limited commercial developments, as well as industrial uses on the southern periphery that are buffered from the predominantly residential areas. As a result of these commitments, land uses of a non-agricultural character have taken place within this area. Consequently, Niwot is planned to be the only designated service area within the Subregion and the geographic area wherein the majority of future growth will be accommodated. It is, therefore, the intent of the following policies (NIW 2.01- NIW 2.14) to acknowledge Niwot as a “Limited Community Service Area”.

Furthermore, the physical and cultural nature of the Niwot community, as perceived by its residents, consists of a “semi-rural” quality characterized as low-density residential uses surrounded by agricultural uses. With the designation of Niwot as a “Limited Community Service Area”, which implies orderly physical expansion consistent with ability of various service entities to provide a continual level of service, the quality and physical form of proposed developments are of utmost concern to the residents. Future developments, including TDRs, shall complement and enhance this semi-rural character.

In an effort to assure that proposed developments are compatible with and complimentary to the “semi-rural” character of the Niwot community, the following statements are included to identify the various components which make-up the desired “semi-rural” character.



### Components of Niwot's "Semi-rural" Character

- Residential densities that do not exceed 1.0 units/gross acre;
- Business uses that are primarily oriented to the local community or otherwise compliment the "Semi-Rural" character;
- The existence of internal open space that serves to physically separate non-agricultural land uses;
- An ultimate geographic size that acts to physically contain the community, enhance community identity, and prevent development "sprawl" into the surrounding agricultural lands and/or other existing or potential "Community Service Areas";
- The existence of external open space (agricultural land) that is contiguous to the ultimate developmental peripheries of the community;
- The regulatory provisions to permit the possession and maintenance of animal units (horses) for recreational purposes;
- The application of county Road Standards and Specifications consistent with the area's

stated semi-rural character only where sound engineering considerations allow;

- The geographic location of the Niwot community relative to the surrounding land uses which are predominantly agricultural in character.

Because of the residents' concern for the quality and physical form of future developments in the Niwot area, the positive relationship between the manmade environment and the surrounding agricultural lands is an important determinant in preserving the desired character and enhancing the quality of life. Just as the above statements describe the components of the desired "semi-rural" character that should be recognized by the private sector when proposing future developments, additional statements are included below to establish the general objectives which are intended to guide the physical form of future development.

### Community Service Area Objectives

- Future growth in the Niwot area shall only occur within the adopted Niwot Community Service Area.
- Growth shall be phased and gradual. "Leap-frog" development shall be discouraged.

- The character of residential development shall be of a low-density nature and be compatible with surrounding land uses in terms of use and design.
- Future developments shall be immediately serviceable with sewer, water, and fire protection. In addition, adequate educational facilities shall be available.
- Development that occurs on the periphery of the Niwot Community Service Area shall be designed in such a manner as to physically define the boundaries of the Niwot Community Service Area.

***Generally, gross residential densities in the Niwot Community Service Area should not exceed one unit per acre. Open space in & around developments shall be maximized.***

- Development that occurs adjacent to major transportation arteries shall be designed to minimize vehicular noise impacts and maximize resident safety as well as other positive attributes of residential living environments.
- Future developments shall be designed to afford effective internal open space for passive and active recreational purposes.
- Future developments and their roadways shall be designed to optimize circulation for the entire Niwot Community Service Area in accordance with the Niwot Area circulation plan.

To move toward the realization of the previously stated “semi-rural” character, developmental objectives, and the Boulder County Goals, the following Niwot Community Service Area policy statements are established.

## **NIWOT COMMUNITY SERVICE AREA POLICIES**

**NIW 2.01 Limited Community Service Area Designation.** It shall be county policy to designate the Niwot Community Service Area as a “Limited Community Service Area”.

**NIW 2.02 Limits on Commercial and Industrial Development.** It shall be county policy to recognize the desired character of the Niwot Community Service Area as being “semi-rural” and encourage additional future development be compatible with the “semi-rural” character.

Additional industrial development adjacent to or within the Niwot Community Service Area beyond that which currently exists or is contemplated in the *Boulder County Comprehensive Plan* shall be strongly discouraged. New business or commercial plan designation shall not be considered compatible with such “semi-rural” character, except as such uses may be clearly needed to serve Service Area residents.

*Caption, Location*





**NIW 2.03 Density and Design for Maintenance of Semi-Rural Character.** It shall be county policy, to maintain the “semi-rural” character, the maximum overall gross density (excluding areas designated for other than residential purposes) of the Niwot Community Service Area shall be 1.0 residential unit/acre; that open space in and around future developments shall be maximized. In addition, new developments planned adjacent to existing developments and within the same zoning district shall reflect the general density and design characteristics of the existing developments.

**NIW 2.04 Geographic Scope of Niwot Community Service Area.** In an effort to prevent development sprawl and to preserve agricultural lands within the Subregion, it is the policy of Boulder County to contain the Niwot Community Service Area to those boundaries delineated on the Niwot Community Service Area Land Use Plan. Such boundaries are intended to be the limits of the Niwot community. The rationale underlying the Niwot Community Service Area boundaries is based upon limiting the amount of intensive development on designated prime agricultural croplands; defining the gravity flow limitations of the sanitation treatment plant by topographic contours; creating aesthetic setback distances to physically shape the Niwot community; providing safe and effective distances to separate future residences from major arterials; and, moving toward the realization of the citizens’ geographic “sense of community identity”.

Furthermore, existing agricultural land uses surrounding the Niwot Community Service Area will be acknowledged as those land uses which should be continued into the future.

**NIW 2.04.01** Any proposed expansion of the Niwot Community Service Area must conform with the goals and policies of the *Boulder County Comprehensive Plan* and with the Niwot Community Service Area objectives and policies, including, particularly, the need to maintain a “semi-rural” character and to preserve a geographic sense of community.

**NIW 2.05 Future Land Uses and Compatibility with Agricultural Lands.** The Niwot Community Service Area presently consists of land areas zoned primarily for rural residential and agricultural use with a few small areas zoned for business, commercial, and economic development. Future land uses proposed within the rural residential zone

shall be of a residential and agricultural nature and conform to the bulk regulations associated with such zone as described in the *Boulder County Land Use Code*.

Furthermore, developments proposed at the boundaries of the Niwot Community Service Area shall ensure compatibility with surrounding agricultural lands and contribute toward the containment and definition of the Niwot Community Service Area.

**NIW 2.06 Open Space Corridor.** The open space corridor designated on the Open Space Plan Map is designed to buffer and thus define the Niwot Community Service Area.<sup>1</sup>

**NIW 2.07 Open Space Uses.** Open Space will be principally utilized for agricultural, passive, and trail corridor uses that require a minimum level of maintenance or development consistent with whatever interest the county may have acquired in such land.

**NIW 2.08 Pedestrian and Bicycle Network.** The county shall encourage the development of a network of pedestrian and bicycle pathways that are protected from vehicular encroachment and that serve the residents’ needs to safely and efficiently move between activity areas and living areas within the Niwot Community Area.

*The county shall encourage a network of pedestrian & bicycle pathways within the Niwot community.*

**NIW 2.09 Recreational Facilities.** The county does not intend to provide nor maintain intensive, developed recreational facilities but may make available to appropriate organizations in Niwot land for the development of such facilities. Lands appropriate for the location of such recreational facilities shall be those areas designated as a Park on the *Niwot Area Parks and Trails Plan*. Development of such facilities shall be based upon a plan approved by the county Commissioners after review by individuals and organizations of the Niwot Community, the Parks and Open Space Advisory Committee, and review and recommendation from the Planning Commission. Appropriate organizations shall be capable of carrying out development, responsible for maintenance and willing to accept liability.

**NIW 2.10 Trail Locations.** Trail locations in the Niwot Community Service Area should follow principal ditches, roadways, and other appropriate courses, tying together business, schools and recreational activity centers and shall be located so as to minimize their impact on the environment and surrounding private properties.

**NIW 2.11 Clustering Residential Dwelling Units.** Future developments that are proposed within the Niwot Community Service Area are encouraged to select the option of clustering residential dwelling units on a portion of the land parcel of record to minimize the infrastructure cost (sewer, water, line extensions, and road improvements) eventually borne by the consumer, ensure compatibility with the “semi-rural” character, and to maximize open space areas as well as other attributes associated with the unit development concept. Future developments that select the clustering option shall in effect, transfer the total allotted density of their parcel(s) to within the confines of individual building envelopes while conforming to the density prescribed in Policy NIW 2.03.

*Special taxing districts may be utilized within Niwot to provide a greater level of service than normally provided by the county.*

**NIW 2.12 Boulder Valley Planning Area Boundaries.** It shall be county policy to enter into a contract with the City of Boulder as enabled by 29-20-105 CRS, as amended, for the purpose of limiting the City’s northern corporate limits to those boundaries as described in the revised *Boulder Valley Comprehensive Plan*. (General description; the northern boundaries of the City’s green belt

west of Colorado 119, Monarch Road west of Colorado 119, and Mineral Road, North 71st Street and Lookout Road, located east of Colorado 119).

Furthermore, any intention by the City of Boulder to consider lands outside of the officially adopted Boulder Valley Planning Area and into the land east of the designated Lefthand/Niwot/Boulder Creek Subregion for the purpose of providing services, annexation or any other land use proposal different than those uses designated on the Subregional land use plan, shall be considered as sufficient reason to conduct a public hearing for the purpose of considering an amendment to the *Boulder Valley Comprehensive Plan*.

**NIW 2.13 Consideration of Future Developments.** In consideration of future developments proposed within the Niwot Community Service Area, the Boulder County Land Use Staff shall make recommendations of approval, approval with conditions, or denial of such developments based on their conformance with these policies, the Niwot Community Service Area objectives, and the various standards and criteria of the *Boulder County Land Use Code*.

**NIW 2.14 Level of Service.** It shall be county policy to provide a level of services to the semi-rural Niwot Community Service Area which is no higher than the level provided to other rural subdivisions in the county, except as may be provided by special taxing districts.

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#### ENDNOTES

<sup>1</sup> The Open Space Plan Map is no longer a part of the BCCP.

# LO

## IV. LONGMONT, LYONS, ST. VRAIN SUBREGION

### A. Introduction

The St. Vrain Valley is the most highly irrigated portion of Boulder County and consequently contains the most productive agricultural lands. It is within the purpose of the following policies to acknowledge the land use character of this subregion as being agricultural in nature.

The two municipalities of Lyons and Longmont are the only political subdivisions within the Subregion that have general police powers as well as the ability to coordinate the provision of necessary services demanded by the urban populus. Thus, the service areas of these two communities are designated as the only geographic areas of the subregion where future urban growth will be accommodated.

Longmont has experienced substantial growth in population and employers since 1978, and has intergovernmental agreements with Boulder County for both comprehensive planning and TDRs. Lyons' growth has been fairly evenly paced over the past 20 years.

The environs of St. Vrain Creek contain significant resources for the continued livelihood of the Valley, county and region. Existing within the creek's surroundings



### Longmont, Lyons, & St. Vrain Subregion Boundaries

Subregional boundaries were established in 1978. The graphic above shows the general location of the subregion. Larger scale maps are available in the First Edition of the Boulder County Comprehensive Plan, archived at the Community Planning & Permitting Department offices.



are wildlife habitats, significant agricultural lands, recreational opportunities and commercial mineral deposits. Perhaps most important, the creek is the source of water which is extensively used for agricultural, manufacturing and domestic purposes. With these varying interests continually competing for resource utilization and preservation, it becomes evident that comprehensive land use management policies be developed. Such policies as mineral resource utilization, wildlife habitat preservation, and agricultural land use have been formulated to guide future decisions affecting the St. Vrain Creek environs as well as other riparian areas of the county. However, in light of the above “base” policies, the subsequent Subregion policy statements dealing with the St. Vrain Creek have as their underlying intent the preservation of water resources for the continuance of the agricultural livelihood of the Valley.

## B. Policies

**LO 1.01 Location of Urban Development.** New concentrations of urban development shall occur only within the designated Community Service Areas of the subregion, specifically the Municipal Service Area of Longmont and that portion of the Town of Lyons’ Potential Service Area that is within the Community Service Area.

**LO 1.02 Designation and Protection of Agricultural Land Uses.** It is the policy of Boulder County to designate the character and form of land uses within the Subregion (outside of the adopted Community Service Areas) as being agricultural in nature and to project continual agricultural usage throughout the planning period. Future land use decisions that occur outside of designated Community Service Areas shall be consistent and harmonious with the agricultural character of the land and with the provisions of the Agricultural Policies of the Plan, including those specifying non-urban residential density.

**LO 1.03 Resolving Conflicts Between Existing Zoning and Future Land Use.** Many land use and zoning decisions have been made in the past 12 years without the use of a comprehensive plan to guide in the formulation of such decisions. With the development of the goals and policies of the *Boulder County Comprehensive Plan*, it is clear that many past decisions now conflict with the underlying plan objective of channeling urban growth into Community Service Areas while preserving the

surrounding agricultural land. To rectify these obvious conflicts between existing zoning and future land use, it is the policy in this subregion to modify the existing zoning pattern to reflect the present and future use of the county’s agricultural lands.

**LO 1.04 Hygiene Land Use.** The community of Hygiene has been traditionally characterized as an unincorporated settlement composed of residents engaged in agricultural activities and business establishments providing the necessary services to the local residents. Although Hygiene has witnessed several minor land use changes in recent years, the area can still be acknowledged as a low-density, rurally oriented unincorporated community and not a Community Service Area. Based upon resident desires, existing land use patterns and attendant non-urban utility levels, it is the policy of Boulder County to designate the character of Hygiene as an unincorporated rurally oriented community. Land use decisions that occur within Hygiene or the immediate area shall be harmonious with and complement the community’s character. In addition, as a means of preserving community identity, Boulder County shall attempt to ensure that Hygiene will remain physically separated from the City of Longmont.

**LO 1.05 St. Vrain Creek Land Use.** Given that the Subregion is directly dependent upon the utilization of the St. Vrain Creek for agrarian purposes, it is the policy of the county to preserve the continued agricultural use of the St. Vrain Creek and its tributaries consistent with Goal E.1.

**LO 1.06 Table Mountain National Radio Quiet Zone Area.** When considering new development requests (subdivisions, rezonings, special use reviews and the like) on lands in this Subregion affected by the Table Mountain National Radio Quiet Zone Area, the county shall seek recommendations from the Department of Commerce relative to preservation of the area in a state as free from electromagnetic pollution as possible, pursuant to C.R.S. 30-11-601 et seq.

**LO 1.07 Intergovernmental Agreements.** To accomplish a cooperative and coordinated land use planning effort among the subregion’s municipalities, it is herein the policy of Boulder County to enter into intergovernmental contracts with the aforementioned municipalities for the purpose of implementing the land use proposals and policies of the jointly adopted municipal comprehensive plans.

# ES

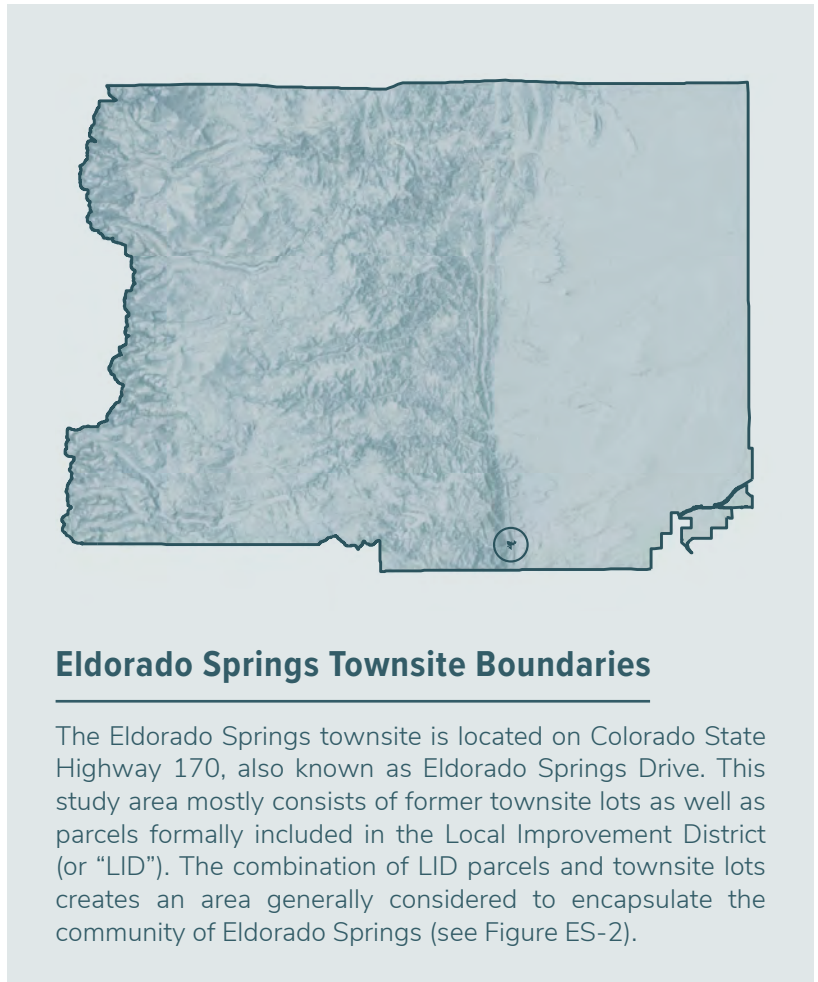
## V. ELDORADO SPRINGS TOWNSITE PLAN

### A. Introduction

Eldorado Springs was originally platted as a townsite in 1904 (see Figure ES-1). This platted area actually contains several plats: Moffat Lakes, First Addition to Moffat Lakes, Second Addition to Moffat Lakes, and Barbers Addition to Moffat Lakes. Based on Article 9-102(D)(2) of the *Boulder County Land Use Code*, the former townsite is not recognized as a subdivision but is officially considered “unsubdivided land in unincorporated Boulder County.”

### B. Eldorado Springs Local Improvement District (LID)

The LID was established in 2003 for the purpose of creating a funding mechanism for the wastewater processing system that will replace the existing individual septic systems that serve properties in Eldorado Springs. The LID will also allow for additional wastewater service capacity in the Eldorado Springs townsite.



#### Eldorado Springs Townsite Boundaries

The Eldorado Springs townsite is located on Colorado State Highway 170, also known as Eldorado Springs Drive. This study area mostly consists of former townsite lots as well as parcels formally included in the Local Improvement District (or “LID”). The combination of LID parcels and townsite lots creates an area generally considered to encapsulate the community of Eldorado Springs (see Figure ES-2).

# C. The Eldorado Springs Townsite Plan

## PURPOSE

The purpose of the Eldorado Springs Townsite Plan is to support the existing eclectic and, in some cases, historic character of development in the townsite while providing the appropriate channels for future change.

## HISTORY & EXISTING CONDITIONS

Originally, the settlement flourished as the popular Eldorado Springs Resort, which opened in 1905 as a recreation destination for swimming, fishing, and other social activities. The resort included overnight accommodations in the main hotel as well as alternatives such as private cottages – some of which still exist today and are used as vacation homes or year-round residences. In the past, most of the residences were occupied by renters; however, in recent years, this has shifted

to owner-occupied primary residences. Many of the structures, yards, and roadways are smaller than that which is typical in unincorporated Boulder County.

Unlike most townsites in Boulder County, Eldorado Springs has evolved into a townsite with predominantly year-round (i.e., full-time) residents. This densely populated area, filled with homes ascending the canyon walls, gradually narrows heading west and forms the gateway to the popular Eldorado Canyon State Park.

Factors such as the process of development and redevelopment over the years, the individuality of ownership, economics, available materials, and lot size have resulted in a varied architectural style where each house is different.

The neighborhood character that is predominant in Eldorado Springs is an eclectic mix of architectural styles, sizes, and lot coverages. The canyon landscape is steep on both sides and South Boulder Creek runs through the center of the community. Eldorado Springs is surrounded by

Figure ES-1. 1908 Plat of the Eldorado Springs Townsite

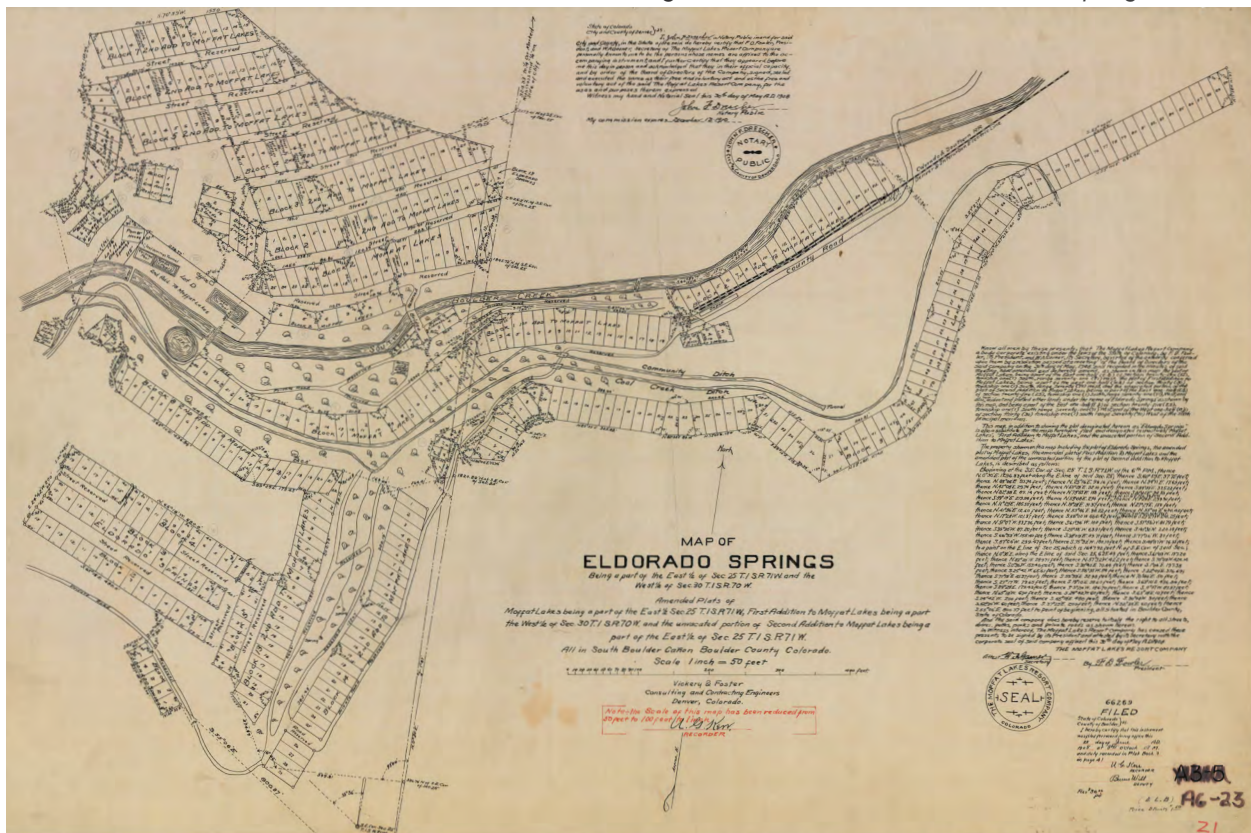
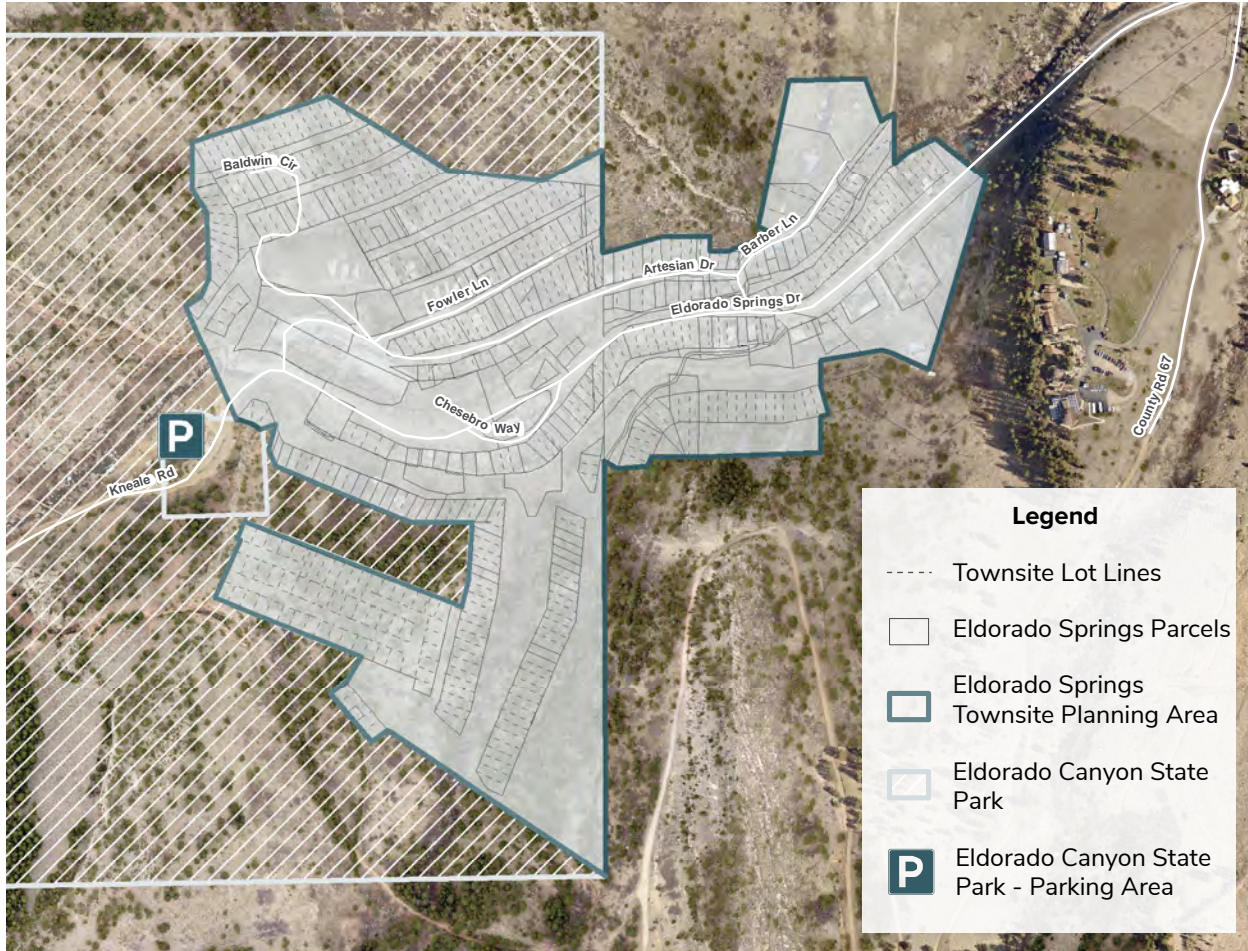




Figure ES-2. The Eldorado Springs Townsite Planning Area



city- and state-owned lands. Most homes exist on small parcels lining the terraced street levels, although some larger parcels exist on the outskirts of the community. Some homes are sited directly adjacent to the creek. A few homes are located across elevated irrigation ditches and are accessed via footbridges and footpaths (these parcels also lack vehicular access or onsite parking). The townsite portion of Eldorado Springs Drive is a quarter-mile section of road between the end of State Highway 170 and Eldorado Canyon State Park and is lined on both sides with some homes and businesses. In addition to the single-family homes found throughout the townsite there are also some manufactured homes, multi-family homes, and commercial structures / uses. In the past, commercial businesses existed in various locations throughout the townsite.

Many parcels consist of multiple townsite lots combined into one larger piece of land; however, some properties consist of as little as one single townsite lot. These can be small, such as 30 feet by 101 feet (3,030 square feet in area) or smaller. Due to imperfect surveying techniques available in the past, the inherent difficulties involved in accurately assessing boundary lines for varied topography, and contemporary surveying interpretations of original platting, it is common for residences to extend beyond their property lines into either an adjacent parcel or the roadway. Most homes do not meet the current required setbacks. Many of the existing structures were built before 1954 when Zoning Regulations for Boulder County included specific requirements for Eldorado Springs, which was, at the time, in the “Transitional” zone.



## D. Principal Issues

The following issues were identified regarding land use and the existing zoning regulations in Eldorado Springs:

### Inadequate Zoning Regulations

The regulations for the various existing zoning districts in the townsite are varied and do not always match the existing development pattern. Setbacks are an example of the incompatibility of current zoning requirements with the existing development. New regulations should recognize the existing conditions and attempt to revise the Land Use review process requirements for minor changes that would be considered typical in the townsite.

### Compatibility & Visual Character

The possibility for development or re-development within the townsite represents the potential for changes to the community character. These changes could include parcel size, house size, or total replacement of existing structures. Eldorado Springs developed over many years in an eclectic architectural style, so any future development should recognize this and support the legacy of that character.

*Respect the eclectic, historic, and unique nature of Eldorado Springs while allowing incremental changes that maintain the important characteristics of the townsite.*

### Commercial Development

Commercial uses have traditionally existed throughout the townsite. The scale and intensity of new businesses should be consistent with the character of the community and compatible with surrounding land uses. The Eldorado Springs resort complex, pool and resort landscape features are valued by the community.

### Eldorado Canyon State Park

Eldorado Springs is the gateway community for Eldorado Canyon State Park, which hosts over 200,000 visitors per year. This 1,392-acre preserve offers outdoor recreational opportunities as well as educational/interpretive programs. A portion

of the State Park, the lower canyon, was once part of the Eldorado Springs resort and used for recreational activities. Future planning for the townsite should consider the special circumstances (i.e., the potential for impacts) of being a gateway community.

### South Boulder Creek

South Boulder Creek is valued as a central feature and natural asset of the community. Future planning for the townsite should protect and enhance in-stream flows, preserve aquatic and riparian habitat, provide for erosion control, and address encroachment issues.

### Ownership & Maintenance of Roads

The rights-of-way in Eldorado Springs are privately-owned and not maintained by Boulder County. Concerns exist regarding the lack of both on-street parking and parking on privately-owned parcels, the ongoing maintenance of roads, drainage, and the existence of structural trespass into these rights-of-way.

### Diverse Housing Types & Social Sustainability

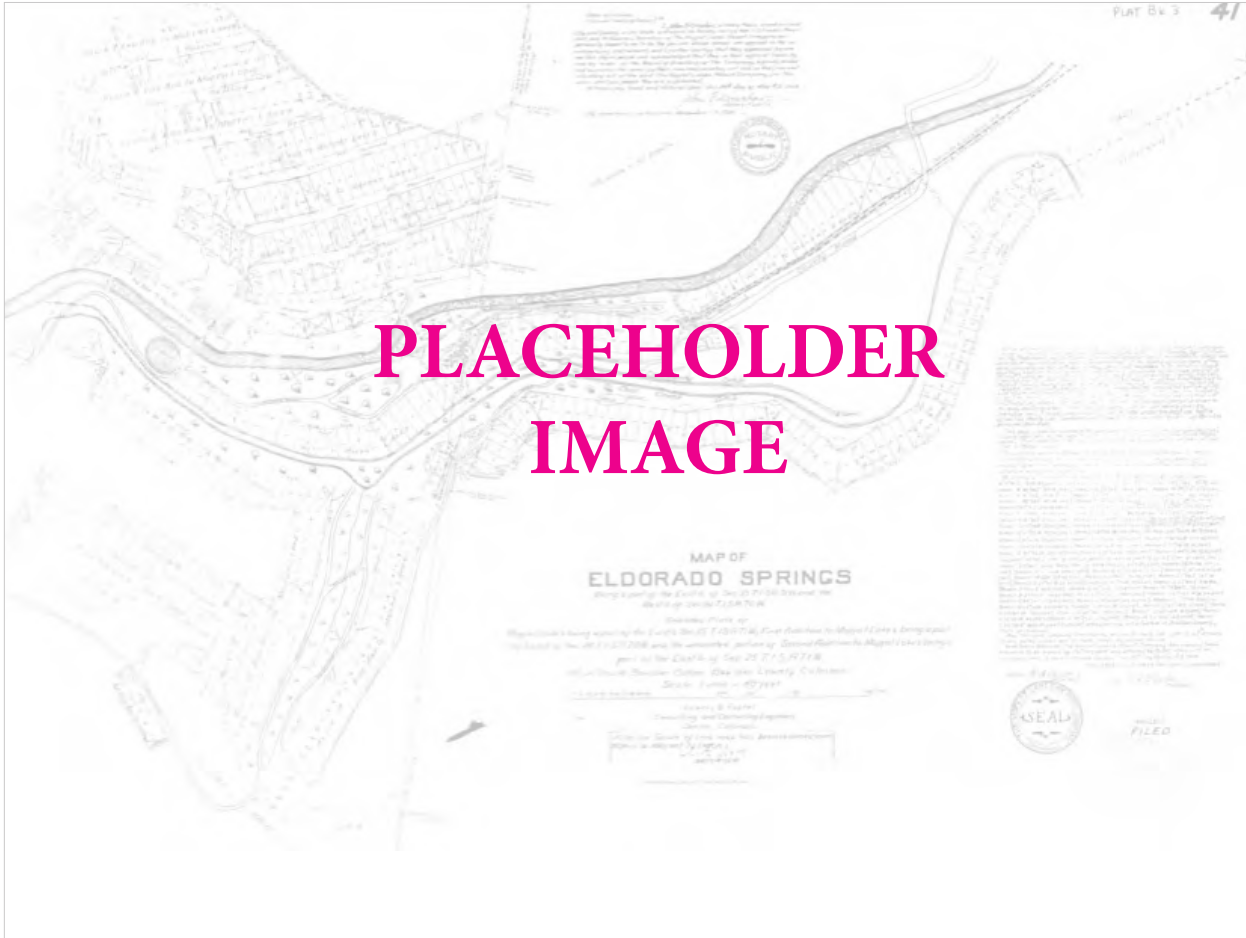
The diversity of housing types is a valued aspect of the community in Eldorado Springs. Future planning for the townsite should allow residents to maintain, replace or create dwellings that support socioeconomically diverse populations.

## E. Goals

The following goals attempt to define what should happen in the future to protect the character of the Eldorado Springs Townsite.

**Goal 1. Respect Community Character & Allow for Incremental Change.** Respect the eclectic, historic, and unique nature of Eldorado Springs while allowing incremental changes that maintain the important characteristics of the townsite.

**Goal 2. Foster Public Participation.** Encourage and actively solicit meaningful and significant public participation by residents in the development of any future plans and regulations affecting Eldorado Springs.



**Goal 3. Collaborate to Address Impacts of Visitors.** Collaborate with Colorado State Parks and city and county agencies to find ways to address the impacts of park and open space visitors on the Eldorado Springs community.

**Goal 4. Explore Options for Cars & Pedestrians.** Explore options for safe and adequate roads and rights-of-way for vehicular and pedestrian traffic, while maintaining the character of the community.

**Goal 5. Balance the Present & the Future.** Create and maintain regulations that reflect and respect the development, density, and scale of the current community, while allowing some flexibility for future change.

**Goal 6. Scale Review Processes to Potential Impacts.** Balance the scope of land use review processes with the potential impacts of a given proposal.

**Goal 7. Support Public Comment.** Emphasize the role of public comment in Land Use review dockets and retain the length of referral response periods.

**Goal 8. Encourage Context-Appropriate Design.** Establish context-specific structure size, height, and parcel combination limitations.

**Goal 9. Establish Context-Appropriate Setbacks.** Respect the existing development pattern when establishing required setbacks.

**Goal 10. Encourage Reuse of Existing Structures.** Encourage the rehabilitation, reconfiguration, and addition to existing residences rather than total replacement with new structures, where practicable.

**Goal 11. Support Local Needs & Economic Opportunities.** Allow an appropriate mix of uses to serve or accommodate local residents and investigate economic development opportunities (for example, commercial opportunities related to Eldorado Canyon State Park visitation).

**Goal 12. Allow for a Variety of Housing.** Encourage a broad socioeconomic population by allowing for a variety of housing options throughout the townsite.

**Goal 13. Keep the Local Waterway Healthy.** Protect and restore the ecological health of South Boulder Creek.

# MS

## VI. MOUNTAIN SUBREGION

### A. Jamestown Comprehensive Plan

The *Jamestown Comprehensive Plan* was adopted by the Boulder County Planning Commission on August 26, 1981 with the following provisions:

1. The "Policies" section and "Proposed Land Use Map" are hereby adopted as part of the *Boulder County Comprehensive Plan* and recommended for adoption by the Board of County Commissioners of Boulder County.
2. Other portions of the text, maps and appendices of the *Jamestown Comprehensive Plan* are hereby recognized as background information, supportive documentation and program direction for implementation of the Plan.
3. The existing Town limits of Jamestown are hereby adopted as the Town's Service Area and recommended for adoption by the Board of County Commissioners of Boulder County. No annexations to the Town shall be approved without consideration of an amendment to the Plan.



#### **Mountain Subregion Boundaries**

Subregional boundaries were established in 1978. The graphic above shows the general location of the subregion. Larger scale maps are available in the First Edition of the Boulder County Comprehensive Plan, archived at the Community Planning & Permitting Department offices. The Eldora Preservation Plan Area was established in 1995.



4. These “Special Interest Areas” (Gillespie Gulch, Owens Flats, Porphyry Mountain) identified in the *Jamestown Comprehensive Plan* are hereby designated “Natural Landmarks” in the Environmental Resources Element of the *Boulder County Comprehensive Plan* and are recommended for designation by the Board of County Commissioners of Boulder County. This designation and recommendation for designation is adopted with the understanding that federal cooperation is necessary and that county action may be advisory only in some cases.

***Jamestown, Nederland, & Ward are incorporated communities in the mountains of Boulder County. All other townsites are under the jurisdiction of the county.***

5. By this adoption of the *Jamestown Comprehensive Plan* it is mutually agreed by the Town of Jamestown and Boulder County that the town and county will pursue development of an intergovernmental agreement pursuant to CRS, 29-1-203, as amended, to further the implementation of this Plan and other coordinated planning efforts.

On October 26, 1981, the Board of County Commissioners approved the Plan and signed an intergovernmental agreement with the Town of Jamestown.

Resolutions of the Boulder County Planning Commission and Board of County Commissioners, including policies and maps of the *Jamestown Comprehensive Plan*, may be consulted in the Boulder County Community Planning & Permitting Department.

## **B. Eldora Preservation Plan Policies**

The Eldora community formally disincorporated as a municipality in 1973. Steadily increasing growth pressures, including increased visitations to surrounding National Forest lands motivated Eldora citizens to develop a preservation plan for their community. The Boulder County Planning Commission adopted the following policies on July 19, 1995.

**MS 1.01 Eldora Civic Association.** The county shall utilize the Eldora Civic Association as a referral entity for land use applications within the Eldora

*Jamestown Mercantile Cafe, Jamestown*





Preservation Plan study area that require or may require a public hearing pursuant to the provisions of the *Boulder County Land Use Code*. The Civic Association shall be responsible for ensuring that such referrals are directed to any other committees or organizations charged with administration and management of the Eldora Environmental Preservation Plan.

**MS 1.02 Extended Referral Area.** Certain types of land use proposals regulated by the *Boulder County Land Use Code* such as “Areas and Activities of State Interest”, rezonings, special uses, and planned unit developments may have impacts reaching well beyond the proposal site. The county may refer such proposals to the Eldora Civic Association when they are located within an extended referral area bounded by the Continental Divide on the west, the Boulder/Gilpin county line to the south, the westerly corporate limits of the Town of

Nederland on the east, and the Caribou Townsite/County Road 128 to the north.

*The Eldora Preservation Plan Referral Areas map is broken into two areas. The area surrounding the townsite is associated with MS 1.01 and the outlying area is associated with MS 1.02.*

#### **MS 1.03 Preservation of Rural and Historic Character.**

The county recognizes the unique rural and historic character of the Eldora community. Therefore, future development proposals which have potential visual, noise, or transportation impacts on the community from either within or outside the townsite shall be reviewed and acted upon by the county with significant weight being given to the compatibility of those proposals with the maintenance of that rural and historic character.

**MS 1.04 Cooperative Planning with Community and Land Owners/Managers.** Where consistent with the Land Use Code and other goals and policies of the Comprehensive Plan, the county may work with the Eldora community and other land owners/managers in the area to further cooperative planning and land use management initiatives and actions.

***A portion of the Eldora Townsite is included in the National Register of Historic Places.***

**MS 1.05 Eldora Environmental Preservation Plan.** As provided by the Eldora Civic Association from time to time, the county Community Planning & Permitting Department shall maintain a current edition of the Eldora Environmental Preservation Plan and attendant maps, tables, and figures for reference by county staff, other interested parties, and the public when reviewing land use proposals and plans in the Preservation Plan and extended referral areas.



# GH

## VII. GOLD HILL TOWNSITE PLAN

### A. Introduction

The community of Gold Hill initiated a Community Planning Initiative (CPI) in 2008. This process was begun in response to Boulder County's offer to allow historic communities in unincorporated Boulder County to propose community-specific planning guidelines and changes to the Land Use code to serve their individual needs and goals. Gold Hill developed the following mission statement for its CPI process:

To bring together the collective wisdom, knowledge, and experience of the community to plan for and promote sustainability and stewardship – of both the natural and built environment – in order to preserve the historic integrity and rural character of both the townsite and surrounding area for future generations.

In 2009, the community decided to develop a vision statement as its first step in providing guidance for Boulder County planning as well as for planning and communication within the community. The vision statement represents what the community desires to look like in the year 2030. It was developed through a public process and reflects input from a broad spectrum of the community.



### **Gold Hill Community Mission Statement**

To bring together the collective wisdom, knowledge, and experience of the community to plan for and promote sustainability and stewardship – of both the natural and built environment – in order to preserve the historic integrity and rural character of both the townsite and surrounding area for future generations.



## B. Gold Hill Community Vision Statement

In the year 2030, the community of Gold Hill envisions it has preserved and enhanced its uniqueness within Boulder County, as defined by the following:

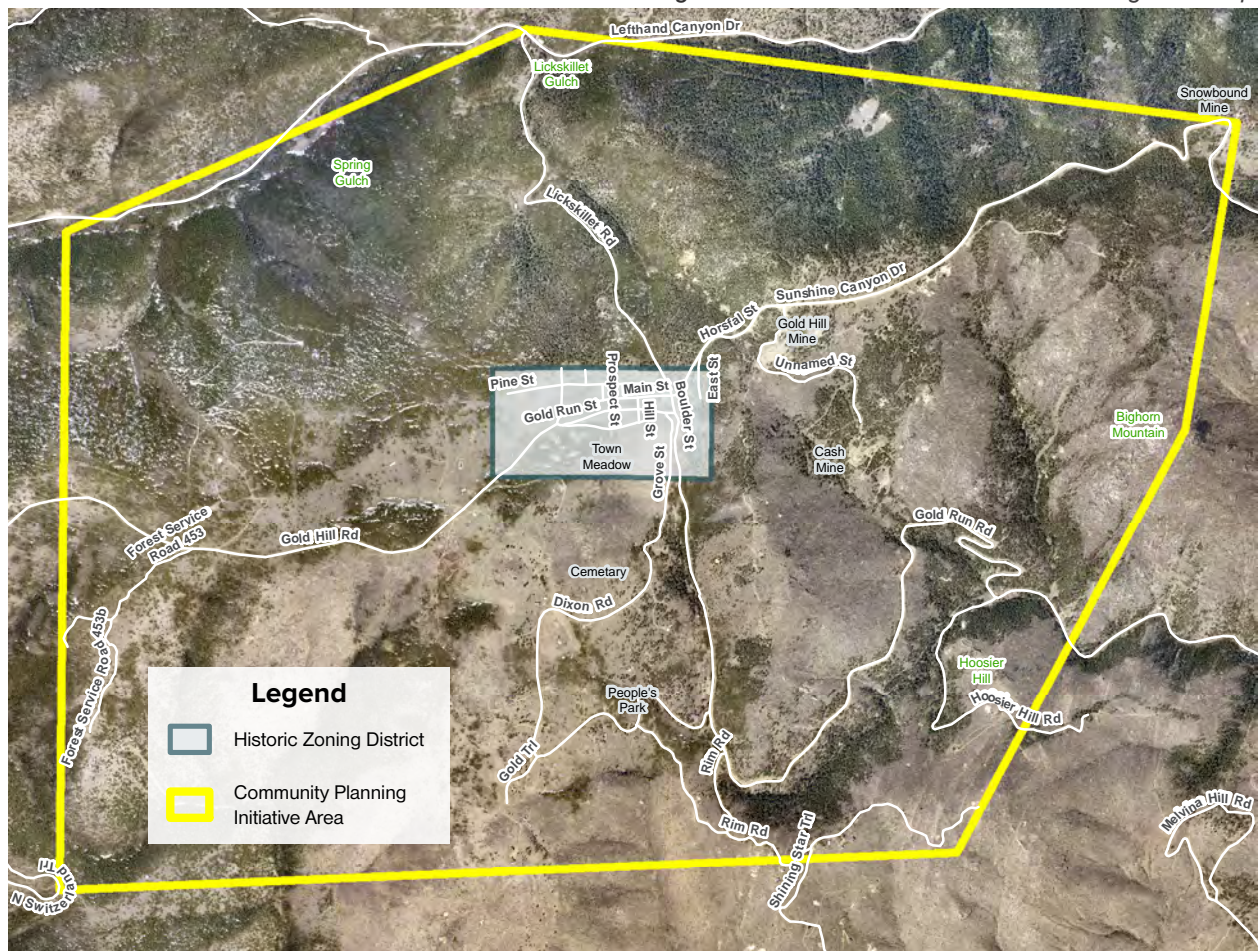
- The undeveloped nature of the public and private lands in and around the community.
- The unrestricted views of the landscape in and around the community.
- The access to the landscape through historically established trails.
- The historic character of the townsite as well as the historic characteristics of the surrounding area, including landmarks, other structures, and historic land uses such as the Gold Hill Cemetery.

- The long-running institutions of the community, including the Gold Hill School, the Museum, the Gold Hill Town Meeting, Historic Zoning Committee (which applies to the historic zoning district only), the Fire Department, and the private businesses (such as the General Store, the Red Store, the Colorado Mountain Ranch, and the Gold Hill Inn/Blue Bird Lodge).
- The community's sense of place as independent and separate from the city of Boulder, characterized by its dirt roads, lack of traffic and noise pollution, dark skies at night, and all of the above bullet points.

In addition, by the year 2030, the community of Gold Hill envisions that it has more effectively addressed the following challenging issues:

- Wildfire risk and forest health
- Fire department water supply/ fire-fighting capability

Figure GH-1. The Gold Hill Townsite Planning Area Map





- Drinking water supply and quality
- Sewage/septic treatment capability
- Waste management/recycling
- Community planning, including, but not limited to: green/sustainable building, historic preservation, and private property rights.

### **Mutual Obligations between the County & the Gold Hill Community**

In order to preserve our long-standing partnership with the county, we expect that that the county shall inform and consult with the Gold Hill Town Meeting, Inc. regarding any proposals that pertain to the Community of Gold Hill.



# APPENDICES

- I. Amendment Process & History
- II. Information Sources
- III. Boulder County Planning History
- IV. Maps

DRAFT



# AP

## I. AMENDMENT PROCESS & HISTORY

### A. Amendments Process<sup>1</sup>

- 1) Staff presents Planning Commission (PC) with a proposed work plan for updating the BCCP and PC provides authorization to proceed with the proposed work plan.<sup>2</sup>
- 2) Staff presents draft amendments to the PC in a public hearing.
- 3) Present revised draft to BOCC in a public hearing for comments.
- 4) Present final draft to PC for adoption with public hearing.
- 5) Have PC adopt resolution and allow Secretary (Director of Community Planning & Permitting) to sign resolution and certify to BOCC.
- 6) Draft Certification and have PC Secretary sign it.
- 7) Have BOCC note receipt of Certification on the record at a business meeting.

The statutory basis for this process is provided in Section 30-28-108, C.R.S.:

*A county or regional planning commission may adopt the county or regional master plan as a whole by a single resolution or, as the work of making the whole master plan progresses, may adopt parts thereof, any such part to correspond generally with one or more of the functional subdivisions of the subject matter which may*

*be included in the plan. The commission may amend, extend, or add to the plan or carry any part of it into greater detail from time to time. The adoption of the plan or any part, amendment, extension, or addition shall be by resolution carried by the affirmative votes of not less than a majority of the entire membership of the commission. The resolution shall refer expressly to the maps and descriptive matter intended by the commission to form the whole or part of the plan. The action taken shall be recorded on the map and descriptive matter by the identifying signature of the secretary of the commission.*

Based on the statute, PC is required to formally adopt any amendments to the BCCP with a written resolution, after the public hearing. This is consistent with treatment of BOCC adoption of amendments to the Land Use Code. Once the resolution is adopted, PC is then required to certify the new BCCP amendments or elements to the BOCC, as described in section 30-28-109, C.R.S., “[t]he county planning commission shall certify a copy of its master plan, or any adopted part or amendment thereof or addition thereto, to the board of county commissioners of the county.”

In practice, staff will present the final draft BCCP amendments to PC at a public hearing. At that



hearing, the PC will adopt the amendments (with or without any changes) on the record (step 4 above) with a formal motion. At the next PC meeting, the PC will adopt the resolution memorializing the adoption of the amendments and requesting the PC Secretary to certify the amendments to the BOCC (step 5) with a formal motion. The attached template certification will be drafted and then signed by the PC Secretary (step 6). The certification will then be presented to the BOCC at a business meeting, where the BOCC can note for the record receipt of the file (step 7).

## B. BCCP Amendments History Overview

### 1978:

- » Boulder County Comprehensive Plan (BCCP) adopted. The original BCCP set forth a 5-year review and update schedule. The county followed a 3 to 5-year update cycle through 1980s. However, ongoing review and amendments also occurred during this timeframe.

### 1989:

- » *The Background Element for the Five Year Review and Update of the BCCP* was issued in anticipation of a comprehensive review and revision. It was never fully implemented due to staffing demands for the jointly adopted Five Year Update to the Boulder Valley Comprehensive Plan, the Greater Gunbarrel Planning Project, and changeover in staff personnel.

### 1990 to 1998:

- » Numerous incremental revisions and updates to the BCCP were developed, reviewed and approved by the County Planning Commission. They included additions of Cultural Resources, Natural Hazards, and Plains Planning Area elements; new and revised maps including Trails, Environmental Conservation Areas, Public Lands and Intergovernmental Agreements; and new text including language authorizing the TDR program as part of the BCCP and policy references to the citizen-created Eldora Environmental Preservation Plan.

### 2009:

- » [Planning Commission](#) authorized the Community Planning & Permitting Department to proceed with an update to the Boulder County Comprehensive Plan at its September 16, 2009 meeting

### 2011:

- » Initiation of a review and modernization of the Plan

### 2012:

- » [Guiding Principles](#) approved
- » Planning Commission guided staff to pursue ongoing efforts to review and update elements within the Plan
- » Updates to Geology element approved to address topics related to oil and gas (BCCP-12-0001)

### 2014:

- » Environmental Resources element approved (BCCP-08-0003)

### 2017:

- » Updated Open Space element approved (BCCP-15-0001)
- » Sustainable Materials Management element approved (BCCP-16-0001; previously Solid Waste element)

### 2018:

- » Updated Cultural Resources element approved (BCCP-13-0001)

### 2019:

- » New Public Health element approved (BCCP-18-0003)
- » Updated Housing (BCCP-18-0004) and Economics (BCCP-18-0005) elements approved

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### ENDNOTES

<sup>1</sup> This policy for processing BCCP amendments was adopted in February 2020.

<sup>2</sup> It is expected that staff will present PC with a proposed BCCP updates work plan every 1-2 years. The work plan will also be guided by input from the BOCC.

# IS

## II. INFORMATION SOURCES

The following is a list of selected resources that can provide more information about land use and planning topics.

### COUNTY OFFICES

#### **Assessor's Office**

*Tax assessment and ownership.*

Phone: 303-441-3530

Web: <https://www.bouldercounty.org/departments/assessor/>

#### **Clerk & Recorder's Office**

*Deeds and other recorded documents.*

Phone: 303-413-7770

Web: <https://www.bouldercounty.org/departments/clerk-and-recorder/>

#### **Community Planning & Permitting Department**

*Building, zoning, and planning for areas outside of municipalities.*

Phone: 303-441-3930

Web: <https://www.bouldercounty.org/departments/land-use/>

#### **Housing and Human Services (HHS)**

*Family and adult services and resources.*

Phone: 303-441-1000

Web: <https://www.bouldercounty.org/departments/housing-and-human-services/>

#### **Parks & Open Space**

*Environmental resource mapping, open space acquisition and management.*

Phone: 303-678-6200

Web: <https://www.bouldercounty.org/departments/parks-and-open-space/>

#### **Public Health**

*Septic systems, potable water supply, food service, air pollution. Also address other health issues.*

Phone: 303-441-1100

Web: <https://www.bouldercounty.org/departments/public-health/>

## COUNTY OFFICES (CONTINUED)

### Public Works Department

Floodplain mapping, access permits, and road maintenance.

Phone: 303-441-3900

Web: <https://www.bouldercounty.org/transportation/>

### Sustainability

Information on sustainability programs and initiatives.

Phone: 720-564-2721

Web: <https://www.bouldercounty.org/environment/sustainability/>

## CITIES

For information about properties within one of the following cities, please contact them directly.

**Boulder:** 303-441-3280

**Broomfield:** 303-438-6284

**Erie:** 303-926-2770

**Jamestown:** 303-449-1806

**Lafayette:** 303-665-5588

**Longmont:** 303-651-8330

**Louisville:** 303-335-4592

**Lyons:** 303-823-6622

**Nederland:** 303-258-3266

**Superior:** 303-499-3675

**Ward:** 303-459-9273

## OTHER RESOURCES

### Colorado Oil & Gas Conservation Commission

Oil and gas regulation and development.

Phone: 303-894-2100

Web: <https://cogcc.state.co.us/#/home>

### CSU Agricultural Extension Office

Agricultural land management.

Phone: 303-678-6238

Web: <https://extension.colostate.edu/topic-areas/agriculture/>

### State Engineer

Issuance of well permits.

Phone: 303-866-3587

Web: <http://water.state.co.us/Home/Pages/default.aspx>

### State Forest Service (Private Lands)

Forest management questions.

Phone: 303-438-6975

Web: <https://csfs.colostate.edu/>

### US Forest Service (Public Lands)

Management and use opportunities in the National Forest.

Phone: 303-444-6600

Web: <https://www.fs.fed.us/>

### Boulder County Land Use Intergovernmental Agreements

Web: <https://www.bouldercounty.org/property-and-land/land-use/planning/intergovernmental-agreements-iga/>





## III. BOULDER COUNTY PLANNING HISTORY TIMELINE

### **1943:**

- » County Zoning Commission reconstituted as County Planning Commission

### **1944:**

- » First County Zoning Resolution was adopted containing 8 districts and a 9th category called “Unclassified” which covered a majority of the land and which permitted “any use of buildings or land not prohibited by law”

### **1950:**

- » The City of Boulder and County Commissioners appointed the Boulder Regional Planning Board with the charge of looking into a conceptual plan for the Boulder area to reduce conflict and provide clearer expectations for development on the periphery of the city

### **1952:**

- » Boulder/Denver Turnpike (36) was completed, providing a major four-lane transportation corridor and leading to the formation of Broomfield

### **1955:**

- » The Denver Regional Council of Governments was created to look at cross-jurisdictional issues related to growth

### **1957:**

- » The Regional Planning Board issued its Preliminary Guide for Growth: Boulder and

Vicinity, a map and associated text that was the precursor to the Boulder Valley Comprehensive Plan (BVCP)

### **1958:**

- » County Regional Planning Commission was appointed to look into developing a regional plan for the county

### **1950-60:**

- » County’s population grew from 48,000-74,000 (26,000 people), the same amount of growth that had occurred over the previous 50 years

### **1959:**

- » County Regional Planning Commission issued its first report including Land Use and Circulation maps that advocate the Spokes of the Wheel planning concept with growth centers at the entrance to Lefthand Canyon, Niwot, Hygiene, South Boulder Road/McCaslin, and State Highway 170
- » City of Boulder voters approved a ‘blue line’ charter amendment that limited water extensions above an elevation of 5,750 feet to preserve the mountain backdrops

### **1959-73:**

- » Boulder County led the state in the consumption of agricultural lands for non-agricultural purposes, averaging about 7,300 acres or 11 square miles per year

**1966:**

- » A report and map entitled "The Planning Program in Boulder County, Colorado" was prepared for the County Regional Planning Commission. The report identified 15 priorities for future planning studies, staffing needs, and the pros and cons of the County joining an Inter-County Regional Planning Commission

**1968:**

- » The County opposed construction of a transcontinental divide highway that would link US 36 to Granby in Middle Park

**1970:**

- » The Colorado Land Use Commission was created by statute as the primary state-level land use planning agency

**1972:**

- » Senate Bill 35 was passed by CO legislature to further define and regulate the subdivision of lands in counties. It required counties to pass regulate parcels of land small than 35 acres and exempted (with exceptions) parcels larger than 35 acres from subdivision regulations.
- » The Boulder Area Growth Study Commission issued a report to the City of Boulder and the County with recommendations on preserving quality of life and the environment throughout the county. The report was never officially adopted

**1974:**

- » House Bills 1041 and 1034 passed by the state legislature. HB 1041 required detailed planning and county review for Areas and Activities of State Interest. HB 1034, the Local Government Land Use Control Act, enabled local governments to enter into agreements with other units of government to plan for and regulate the use of land
- » The County Planning Commission reviewed and adopted "The Planning Process for the Boulder County Comprehensive Plan (BCCP)"

**1975:**

- » The Long Range Planning Commission adopted seven topic areas containing 27 goal statements providing the direction for further development of the BCCP

**1976-77:**

- » An agricultural lands classification system was developed to identify lands of national, state, and local significance

**1977:**

- » The City of Boulder and County approved an intergovernmental agreement and the BVCP to concentrate urban development in the city and preserve the rural character of the lands outside of the city Service Area

**1978:**

- » Planning Commission adopted the BCCP
- » Implementation of the BCCP was pushed forward with amendments to the Zoning Resolution defining minimum lot sizes in most districts to 35 acres; due to SB 35, property splits into parcels of less than 35 acres were defined as „subdivisions“. The county introduced Non-Urban Planned Unit Developments (NUPUDs) as a tool to aid farmers economically by allowing two residential units per 35 acres if clustered and with a conservation easement deeded to the county for a minimum of 75% of the property

**1984/85:**

- » A major regulatory BCCP implementation action was taken by the County Commissioners with the adoption of Docket AR-85-4: Map and Text Amendments to the Boulder County Zoning resolution in Accordance with the BCCP. This included comprehensive rezoning of 25,340 acres of land outside of recognized community service areas and not already zoned agricultural, forestry, or historical in order to prevent their premature urbanization

**1988:**

- » Adoption of vested rights provisions

**1989:**

- » First noncontiguous NUPUD approved. Predecessor to broader County TDR program

**1990:**

- » Airport Influence Area protection established
- » Manufactured home park district introduced
- » Major amendment to nonconforming use regulations

**1992:**

- » First site plan review (SPR) process, applying only to property in or close to BCCP-designated Natural Areas and Natural Landmarks
- » First historic preservation regulations
- » Establishment of view protection overlay district

**1993:**

- » Third attempt to approve an Open Space ballot issue was successful. Major and widespread acquisitions followed
- » In the BVCP, after an analysis of the development potential of Area III, the Planning Area III-Rural Preservation Area and Area III-Planning Reserve designations were created
- » Introduced „mountain merger“ parcel regulations and additional limitations on subdivision exemptions in the mountainous areas, and extension of SPR to the mountains
- » Established a development plan review process for oil and gas activities

**1994:**

- » SPR regulations and additional subdivision exemption limitations extended countywide
- » Intergovernmental Agreement defining growth and land preservation areas signed between Erie, Lafayette, and Boulder County. Joined Jamestown and Boulder in land use agreements with the County and fostered a decade of progress on regional land use issues culminating with the “Super IGA” in 2003
- » First exemption plat regulations
- » Established Natural Resources View Protection Overlay District
- » County „1041“ (Areas and Activities of State Interest) regulations adopted

**1995:**

- » County Commissioners adopt Transferrable Development Rights (TDR) regulations to bolster the BCCP objectives of agricultural, rural and environmental preservation

**1999:**

- » The Northwest Parkway IGA was signed by Boulder County, Broomfield, Lafayette, and Louisville. Its primary purpose was to provide an acceptable path forward to build a highway providing a more direct link to the Denver International Airport, and it includes a four-

party commitment to open space and visual preservation along the corridor (over 6,000 acres)

- » The BCCP Goals, Policies, and Maps Element was reformatted and published with new text, maps, index, and layout

**2000:**

- » The major plan update of the BVCP resulted in policy and land use changes to promote additional housing and mixed-use development in appropriate locations. The size of the BVCP Area III Planning Reserve was reduced by 200 acres and some properties on the eastern edge of Boulder were moved from Area II to Area III-Rural Preservation Area
- » The citizen-developed Magnolia Environmental Preservation Plan, modeled after the Eldora Plan, was included by policy reference into the BCCP

**2001:**

- » The county began implementing an agreement with the US Bureau of Land Management (BLM) and the US Forest Service (USFS) aimed at consolidating public land ownership in the mountains in order to reduce the impacts of fragmented land management and development. Under the agreement the county would purchase private lands within or around National Forest lands at market value. Those lands would then be deeded to the USFS. In return the BLM would transfer an equivalent amount of their lands to Boulder County
- » The major plan update to the BVCP included major new policy focus on addressing jobs-housing imbalances, introducing more mixed use development opportunities, redefining the Area II-Area III boundaries, and revising the definition of „new urban development“ to reflect the policy, regulatory and open space changes that had occurred since the original definition was prepared in 1977

**2003:**

- » The county established the “Super IGA”: Boulder County Countywide Coordinated Comprehensive Development Plan Intergovernmental Agreement (IGA), an agreement intended to provide clearer expectations for areas in the county intended for rural preservation or for potential annexation and development. All municipalities in the county, with the exception of Ward, were party to the Super IGA

**2007:**

- » Sustainability Element added to the BCCP

**2010:**

- » The major plan update to the BVCP resulted in new policies and sections related to sustainable urban form and community design, as well as sustainability policies encompassing social equity, environmental health and economic vitality. New sections were added for energy and climate, local food and agriculture, and community well-being
- » Zoning regulations introduced governing facilities that sell and dispense medical marijuana

**2011:**

- » Solar regulations added

**2012:**

- » Planning Commission adopted the BCCP Guiding Principles.
- » Transportation Master Plan adopted
- » First moratorium on processing of development plans for oil and gas permits approved by the BOCC to update the County's oil and gas regulations

**2013:**

- » Erie and Lafayette exited the Super IGA at the 10 year-scheduled optional opt-out point

**2014:**

- » Wildfire Partners program initiated

**2015:**

- » Open Space interest acquisitions surpassed 100,000 acres

**2016:**

- » Boulder County BuildSmart regulations adopted

**2017:**

- » The 2015 BVCP major update was completed, introducing a new resiliency framework. This update extended the period between major updates from 5 years to 10 years and changed some approval requirements for land use map changes

**2017:**

- » Adoption of Article 12 regulations: Special Review for Oil and Gas Operations

**2018:**

- » Solar farm regulations updated to expand where solar facilities can be placed, in part to respond to changes in technology and in part to look toward addressing climate change issues
- » Agricultural use regulations updated to address new styles of agriculture to keep agriculture viable in the county
- » Public Health element added to the BCCP

**2019:**

- » Moratorium on processing of oil and gas development approved by the BOCC to update the County's Art. 12 oil and gas regulations in light of S.B.19-181
- » Transportation Master Plan was updated



# MAP

## **IV. COMPREHENSIVE PLAN MAPS**

- 1) Archaeologically Sensitive Areas Map (MAP-3)
- 2) Comprehensive Development Plan Intergovernmental Agreements between Boulder County & Municipalities Map (MAP-5)
- 3) County On-Street Bikeways Plan (MAP-7)
- 4) County Trails Map (MAP-9)
- 5) Critical Wildlife Habitat & Migration Corridors (MAP-11)
- 6) Environmental Conservation Areas (MAP-13)
- 7) Geologic Hazard & Constraint Areas Map (MAP-15)
- 8) Habitat Conservation Areas for Prebles Meadow Jumping Mouse (MAP-17)
- 9) High Biodiversity Areas (MAP-19)
- 10) Mineral Resource Areas Map (MAP-21)
- 11) Natural Landmarks & Natural Areas (MAP-23)
- 12) Niwot Community Service Area Map (MAP-25)
- 13) Open Space & Public Lands Map (MAP-27)
- 14) Rare Plant Areas & Significant Natural Communities (MAP-29)
- 15) Significant Agricultural Lands Map (MAP-31)
- 16) View Protection Corridor Map (MAP-33)
- 17) Wetlands and Riparian Areas (MAP-35)

**MAPS WILL BE INCLUDED IN  
FINAL BCCP**